



**OFFICIAL MEETING OF THE
NATIONAL AND GOVERNMENTAL ADVISORY
COMMITTEES
(NAC/GAC)**

FINAL SUMMARY

April 10, 2020

Via Adobe® Connect Teleconference

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Friday, April 10, 2020

Call to Order and Introductions

Oscar Carrillo, National Advisory Committee (NAC) and Governmental Advisory Committee (GAC) Designated Federal Officer (DFO), Federal Advisory Committee Management Division (FACMD), U.S. Environmental Protection Agency (EPA or the Agency)

Mr. Oscar Carrillo, NAC/GAC DFO, FACMD, EPA, called the meeting to order and welcomed NAC and GAC members and other attendees to the 53rd and virtual meeting of the NAC and GAC committees. He thanked the NAC/GAC Chairs for assisting in planning the meeting and Ms. Monisha Harris, Director, FACMD, EPA, for ensuring that the resources are made available to support the work of the committees.

Opening Remarks

Monisha Harris, Director, FACMD, EPA

Ms. Harris welcomed the NAC/GAC members and other attendees. She thanked Ms. Jane Nishida, Principal Deputy Assistant Administrator, Office of International and Tribal Affairs (OITA) for her leadership and the OITA staff for their support of the NAC/GAC. The NAC and the GAC provide advice and recommendations to the EPA Administrator on environmental issues; engage with the Agency’s partners and stakeholders; and play an important role in helping EPA to achieve its mission to protect human health and the environment. Ms. Harris expressed appreciation to the committees for the hours of dedication and work that they perform in advising the EPA Administrator on issues related to the Commission for Environmental Cooperation (CEC). She welcomed Mr. Carrillo back from his rotational assignment to the U.S. Department of State and expressed appreciation to David Ack for serving as Acting DFO. Ms. Harris thanked the FACMD staff, Stephanie McCoy, Geraldine Brown and Brenda McGill, for providing logistical support for the meeting.

Mr. Carrillo invited Dr. Theresa Pardo (University of Albany, State University of New York), Chair of the NAC, and Ms. Sally Ann Gonzales (Arizona State Senate), Chair of the GAC, to provide an overview of the agenda.

Overview of the Agenda

Theresa Pardo, Ph.D., Chair of the NAC
Ms. Sally Ann Gonzales, Chair of the GAC

Dr. Pardo also welcomed the committee members and other participants and Ms. Gonzales thanked everyone for attending the meeting, especially in these challenging times worldwide during the COVID-19 pandemic. Dr. Pardo thanked Ms. Nishida for her enthusiasm about this meeting, as well as her support in assisting the NAC/GAC Chairs in the preparations. She conveyed the committees’ appreciation to Mr. Carrillo for organizing the meeting, Mr. Ack for his support as interim liaison and coordinator, and Ms. Harris for assisting in choosing an appropriate virtual meeting platform that was both accessible to EPA and productive to the members.

Dr. Pardo remarked on this important time and transition for the CEC with the new trilateral trade and environment agreements, which will be described later in the meeting in updates from EPA, the CEC and the Joint Public Advisory Committee (JPAC). She reviewed the agenda and noted that the committees are requested to provide EPA advice on the development of the 2021–2025 CEC draft Strategic Plan. The NAC and the GAC responses to the EPA charge will need to be delivered rapidly to meet critical deadlines for the JPAC and CEC.

Update on U.S. Priorities and Guidance

Jane T. Nishida, Principal Deputy Assistant Administrator, OITA

Mark Kasman, Director, Office of Regional and Bilateral Affairs, OITA

Mr. Mark Kasman presented an update on the CEC 2021–2025 draft Strategic Plan and the advice letter charge on behalf of Ms. Nishida. He remarked on this pivotal time for the CEC as it awaits the new U.S.–Mexico–Canada Agreement (USMCA) and the parallel Environmental Cooperation Agreement (ECA) to be in full force in July 2020. The new CEC 2021–2025 draft Strategic Plan represents a renewed commitment by the Parties (i.e., the federal environment ministers of Canada, Mexico and the United States) to work together to address regional, global and trade issues within the framework of these agreements.

With this new draft Strategic Plan, the Parties are reaffirming their key role in environmental cooperation and shaping our countries’ relationships. The draft Strategic Plan has been developed in consultation with representatives from the Parties, technical experts from the Parties, the JPAC, CEC Secretariat, Traditional Ecological Knowledge Expert Group (TEKEG) and the North American public. The finalized Strategic Plan will be approved by the CEC Council at the June 25–26, 2020, Council Session being held in Vancouver, British Columbia, Canada. Because of the travel restrictions due to the COVID-19 pandemic, the Parties are considering the possibility of holding a virtual meeting or postponing the event to the fall of 2020. Once such a decision has been made, the CEC and EPA will likely make notifications via a press release.

The new draft Strategic Plan identifies Strategic Priority Areas and crosscutting approaches for addressing key environments and sustainability issues for 2021–2025. The Strategic Priorities will guide development of the CEC’s Operational Plan, which will include specific projects, initiatives, funding and performance targets, and other concerns. The Strategic Priorities consider the USMCA Environment Chapter 24 and ECA Article 10 activity areas and align with the ECA cooperative work areas, which aim to help achieve overarching objectives pertaining to specific environmental and sustainable development issues.

The Parties have agreed on five Strategic Priority Areas and two crosscutting approaches:

- Strategic Priority 1—Circular Economy and Resource Efficiency
- Strategic Priority 2—Clean Air, Land and Water
- Strategic Priority 3—Shared Ecosystems and Species
- Strategic Priority 4—Resilient Communities
- Strategic Priority 5—Effective Enforcement of Environmental Laws
- Crosscutting Approach 1—Modernized and Effective Solutions
- Crosscutting Approach 2—Diverse and Inclusive Stakeholder Engagement and Public Participation

EPA is requesting the NAC’s and GAC’s advice on the development of the new draft Strategic Plan. The committees are particularly asked to address the following questions as they pertain to each of the five Strategic Priority Areas and each crosscutting approach, as well as to provide any general comments:

1. What are the environmental issues and challenges facing North America over the next 5 years?
2. What are the opportunities for the CEC, considering the organization’s mission and mandate, to address these issues/challenges over the next 5 years?
3. How can the CEC amplify its work through partnerships in North America?

4. Where in this draft Strategic Plan do you see opportunities for enhanced roles for stakeholders and citizens?
5. General Comments

Mr. Kasman conveyed EPA's recognition of the importance of the advisory committees, including the JPAC and the NAC and the GAC in the development and refinement of CEC initiatives and the Strategic Plan. He highlighted the role of the JPAC Chair for 2020, Mr. Robert W. Varney, in providing valuable advice to the Council in this new era for the CEC. He also noted that Nadtya Y. Hong, Esq., Acting CEC Coordinator, International Environmental Program Specialist, Latin America and Caribbean Team, OITA, will be available throughout the meeting to answer questions.

Question and Answer Period

There was no further discussion on this topic.

Question and Answer Period on Previously Reviewed Presentations

Richard A. Morgan, Executive Director, CEC Secretariat

Nadtya Y. Hong, Acting CEC Coordinator, International Environmental Program Specialist, Latin America and Caribbean Team, OITA

Robert Varney, Chair, JPAC

Overview of the Draft CEC Strategic Plan

Mr. Carrillo, Mr. Kasman and Ms. Hong, presented comments on behalf of Mr. Richard A. Morgan, who was not able to attend the meeting. Mr. Carrillo explained that prior to the meeting, the committees reviewed the CEC update, which will be briefly summarized. Reiterating the advice letter charge on the development of the new draft CEC 5-year Strategic Plan, Mr. Kasman emphasized choosing an area on which to concentrate efforts, based on the expertise and interests of the members, rather than addressing all the issues. Ms. Hong pointed out that the Parties are currently focusing on ways to streamline the descriptions in each Strategic Priority Area to be more concise, not including additional examples at this phase of the process. Because the Strategic Plan is a 5-year plan, the committees are encouraged to propose ideas that could be incorporated in the future that address the broad categories of the strategic priorities. Details on funding will be included in the CEC's biennial Operational Plan, which is developed subsequent to approval of the final Strategic Plan.

The CEC's presentation on the draft CEC Strategic Plan conveyed several key messages. The CEC is entering a pivotal moment with the new ECA and USMCA. Concerns about the need for leadership and effective trilateral cooperation, addressing common challenges and issues affecting the environment, and harnessing momentum across North America are more pressing than ever, and the CEC is acting. The CEC will focus efforts on involving a broader range of stakeholders in implementing the 2021–2025 Strategic Plan.

The CEC's five Strategic Priorities and 32 issues of interest outlined in the draft 2021–2025 Strategic Plan, also provided to the committees prior to the meeting, take into account the USMCA Chapter 24 and ECA Article 10 on which consensus was reached at the CEC January 30–31, 2020, planning meeting in which representatives of the JPAC and TEKEG participated. The CEC endeavors to improve stakeholder participation by engaging its current mechanisms, including the Submissions on Enforcement Matters process, the JPAC Forums, Council Public Sessions, TEKEG outreach and dissemination of the Indigenous Peoples Engagement Plan, cooperative projects and the North American Partnership for Environmental Community Action grants.

In the next steps in the draft 2021–2025 Strategic Plan process, the JPAC will submit its advice letter followed by final comments and directions from the CEC Alternate Representatives (Alt Reps) and the finalized version forwarded to the Parties, JPAC and TEKEG. The Council will endorse and officially announce the 2021–2025 Strategic Plan at the Public Forum of the June 25–26, 2020, Council Session.

JPAC Report-Out Update

Dr. Varney presented an update on JPAC activities. He thanked the committees for their service to the U.S. government, the CEC and Council and for providing advice essential to the JPAC. On October 11, 2019, the JPAC received a request from the Alt Reps to provide initial input on the development of the CEC’s draft 2021–2025 Strategic Plan. The Alt Reps specifically requested advice on (1) environmental issues and challenges facing North America in the next 5 years, (2) opportunities for the CEC to address those issues and challenges, and (3) opportunities for an enhanced role for the JPAC in this Strategic Plan.

The JPAC submitted a response letter to the Council on November 4, 2019. In response to the question on environmental issues and challenges, the JPAC identified climate change, water security, biodiversity and marine and terrestrial habitat, and waste and the circular economy. For the question on opportunities for the CEC, the JPAC provided six key recommendations: Take clear action and achieve meaningful cooperation on climate change; foster water security in an unsecure world; protect biodiversity important marine and terrestrial habitat; reduce waste and build a circular economy; enhance enforcement of environmental laws; and increase the CEC’s visibility and accessibility. Relative to the question on an enhanced role in the JPAC, the advice centered on building bridges, from West to East and North to South. On January 28, 2020, the Council responded to the JPAC’s advice and was pleased that the recommendations aligned with the four initial priorities under consideration by the Parties.

On January 30–31, 2020—three members—one per country of the JPAC and the TEKEG participated in the planning retreat hosted by the CEC in Washington, D.C., to discuss the draft 2021–2025 Strategic Plan and topics focused on environmental and sustainability issues, relevant areas of work in each region, opportunities and challenges, and key goals to be pursued. An agreement was reached to include the topic of enforcement as a fifth priority. Participants deliberated and came to consensus on the crosscutting approaches. The JPAC suggested incorporating reducing toxicity of the waste stream, given that many waste products cross the U.S.–Mexico and Canadian borders in trade. An opportunity that benefits all three North American countries—Canada, Mexico and the United States—and can be done collaboratively with the private sector and the existing CEC initiatives was emphasized. After the meeting, the CEC focused on incorporating these changes and revising the draft 2021–2025 Strategic Plan.

Mr. Varney reported that although not planned, during the January 2020 planning retreat the JPAC called attention to the violence against a major national conservation organization whose primary mission is to protect wild animals—Defenders of Wildlife—that recently occurred in Mexico. The issue was further discussed on a follow-up call to the Alt Reps in March 2020. The JPAC recognizes the CEC may not be the ideal body to address this issue, but should understand that the violence against defenders of wildlife must not be tolerated. Mexico’s JPAC member, Mr. Gustavo Alanis Ortega, has been effective in communicating this issue and its importance, which has resulted in gaining the attention and strong support of the U.S. State Department and engagement from both Canada and the United States.

Regarding the revised 2021–2025 Strategic Plan, a JPAC-led online consultation opened to the public on March 16, 2020, on the CEC website; the comment period ends April 16, 2020. To date, 45 responses have been received in the CEC, and these will be provided to the JPAC. The next steps will be to develop a JPAC advice letter that incorporates the public comments, commentary from the individual JPAC

members and advice from the NAC and the GAC. The Alt Reps requested the JPAC’s advice letter by April 30, 2020.

Question and Answer Period

Mr. Carrillo explained that participants can enter any comments or questions in the chat panel and noted that Mr. Varney will be available during the meeting to address them.

Public Comment Period

No public comments were offered.

Joint NAC and NAC Discussion on Selected Issues Lists

Dr. Pardo explained that to maximize time spent on deliberations during this meeting, a survey was developed on the Strategic Priority Areas and the 32 issues of interest and distributed to the members. The related issues of interest were grouped as outlined in the draft Strategic Plan. Each member selected issues he or she deemed a priority and ranked them by order of importance. The leading three topics by committee were identified and compiled into separate prioritized NAC and GAC lists. These lists will provide a framework for developing recommendations and the advice letter to EPA.

Committees Meet Separately to Discuss Charge Questions

Dr. Pardo explained that the NAC and GAC would meet separately to deliberate on the prioritized lists of related issues for each Strategic Priority, touching on the EPA charge questions.

GAC Separate Meeting

Ms. Gonzales opened the GAC discussion and noted the charge. She suggested that members provide their comments on the GAC prioritized list of the Strategic Plan “related issues,” integrating the EPA charge questions into the deliberations. Because of the short timeline for the EPA advice letter, Ms. Gonzales requested that members provide their perspective on the most important Strategic Priority Area “related issues” to their area of knowledge. She will compile, review for any crosscutting themes and include in the draft advice letter.

Environmental Issues and Challenges and Opportunities for the CEC

Strategic Priority 1—Circular Economy and Resource Efficiency

GAC Priorities:

- 1. Sustainable production, resources and energy-efficiency practices*
- 2. Recycling and waste management in North America*
- 3. Plastics and microplastics*

Discussion

Members pointed out that some of the terms (e.g., sustainability) used in the CEC 2021–2025 Strategic Plan should be clearly defined in that context. Members also emphasized that although separate and distinct, each of the proposed strategic priorities are critical components of the other. It is essential that all strategies be designed for both long term and immediate positive results.

Mr. Leonard Drago (Arizona Department of Environmental Quality [ADEQ]), GAC member, explained that sustainable production pertains to products (e.g., microprocessors) that have benefit at the end of use and remain non-hazardous. He inquired about suitable markets for recycling new products, which support sustainability. Mr. Drago also remarked on the limited marketplaces for recycling plastics/microplastics and noted that some state and local municipalities are not providing opportunities for recycling due to the limited markets for disposals.

Mr. Erich A. Morales (El Paso County Attorney's Office), GAC member, pointed out that, despite the well-known fact that plastics in the oceans are an environmental issue and kill the coral reef, the markets for recycling plastics are not lucrative for business owners. Further complicating matters is that because of government policies, purchasing virgin materials, which cost less than recycled plastics, is on the increase.

Members suggested proposing recommendations that address policy changes on sustainability, recyclable plastics and markets and pointing out the problems that wastewater treatment plants face with microplastics.

Ms. Nazaret Sandoval (Michigan Department of Environmental Quality), GAC member, wondered whether partnerships solicited by the CEC would be appropriate for helping to resolve the issues in recycling. Mr. Drago added that providing incentives for recycling businesses could be a viable solution that the government could facilitate. Mr. Morales noted that developing better markets and recycling practices and encouraging policies on designing uniform materials, all could potentially reduce waste.

Ms. Julia S. Moore (Vermont Agency for Natural Resources), GAC member, called attention to the Extended Producer Responsibility (EPR) policies adopted in some jurisdictions (e.g., Canadian provinces) that address incentives and waste management post-consumer. When asked about the primary producers of plastics and minimizing use, Ms. Moore explained that individual states are engaged in efforts to reduce microplastics, such as minimizing their use in personal products (e.g., toothpaste and scrubs), but a broader vision is essential to collectively limit microplastics. Members suggested including statements in the advice letter to the effect that the CEC encourages EPR policies across the three countries.

Strategic Priority 2—Clean Air, Land and Water

GAC Priorities:

- 1. Air quality*
- 2. Sustainable water practices*
- 3. Ozone-depleting substances and hydrofluorocarbons (HFCs)*

Discussion

Ms. Elisa Arias (San Diego Association of Governments), GAC member, was pleased to report that air quality has been steadily improving on the regional level but expressed concern that the Safer Affordable Fuel Efficient (commonly called SAFE) vehicle rule will have negative effects on state air quality limits and standards, particularly in California.

Mr. Drago commented on the air quality improvements observed in industry since implementation of the Clean Air Act in 1970. The current problem pertains to motor vehicle emissions and high ozone levels, especially in Phoenix, Arizona. The ADEQ has developed volunteer programs that engage the public in specific approaches to making a positive impact on air quality.

Regarding sustainable water practices, Mr. Morales emphasized addressing both the cost and the value of water concerning conservation efforts in the farming industry and crop production, as well as home and recreational use. He envisions a coherent conservation policy that considers all levels of water usage.

Ms. Gonzales noted the approval process and adoption of the Arizona Drought Contingency Plan and pointed out the water issues common to her region related to the desert conditions, agricultural use of ground water and mining. She suggested that the members give some thought to providing EPA advice on ways to enforce water conservation policies on the local, state and federal levels and on the laws that would enable such policies.

Ms. Debra L. Kring (City of Mission), GAC member, suggested revisiting the efficient use of clean energy, particularly wind power generation.

Strategic Priority 3—Shared Ecosystems and Species

GAC Priorities:

- 1. Connected and priority habitats*
- 2. Management of forests*
- 3. Management of protected areas*

Discussion

Ms. Marina M. Brock (Massachusetts Department of Health and the Environment), GAC member, remarked on revisiting the order of the GAC Strategic 3 Priorities. She suggested including sustainable management of coastal and marine ecosystems.

Strategic Priority 4—Resilient Communities

GAC Priorities:

- 1. Sustainable cities*
- 2. Nature-based climate solutions*
- 3. Emergency planning*

Discussion

Ms. Arias highlighted the cross border emergency response coordination that has been developing over time between the San Diego, California region and Mexico. Several governmental agencies have procedures in place to communicate in an emergency.

Regarding environmental impacts and emergency planning from a local and regional perspective, Ms. Sandoval called attention to the effects of climate change on the Great Lakes in Michigan's coastline concerning the rise in water temperatures, winter and spring precipitation, and increased evaporation. All of the above situations have caused damages to buildings and water infrastructures as well as public health and safety concerns. To address these issues, the CEC could consider the role of nature (e.g., sand dunes) and nature-based solutions in improving emergency planning and training for coastal marine protected area managers, including guides on best practices.

Strategic Priority 5—Effective Enforcement of Environmental Laws

GAC Priorities:

- 1. Transboundary movements of hazardous wastes*
- 2. Illegal trafficking of HFCs*
- 3. Illegal trafficking and traceability of CITES Appendix II species*

Discussion

Members called attention to ongoing issues concerning effective enforcement of environmental laws that EPA could help to resolve such as the Eastern Michaud Flats Contamination Superfund site that is located in the boundaries of the Fort Hall Indian Reservation in Fort Hall, Idaho. Ms. Gonzales agreed that highlighting these types of issues affecting tribes (274 federally recognized) should be considered in the GAC priorities and included in the advice letter to EPA.

Partnerships and Enhanced Roles for Stakeholders and Citizens

Members suggested that the advice to EPA include inquiries to the CEC on how it plans to work with indigenous communities in North America as the 2021–2025 draft Strategic Plan unfolds. Members also pointed out that indigenous communities are able, and have, the traditional ecological knowledge to respond to environmental issues, but need the proper forum to have their concerns elevated.

Ms. Sandoval proposed that the CEC considers addressing environmental issues in partnership with the Natural Resources Canada, Mexico's Comisión Nacional para el Uso Eficiente de la Energía, and the U.S. Department of Energy (DOE) by modeling the DOE's Office of Energy Efficiency and Renewable Energy's (EERE) innovative funding approach being issued via EERE's Advanced Manufacturing Office. She also noted that the CEC could establish subprograms, including research and development (R&D) projects, R&D consortia and early-stage technical partnerships through competitive, merit reviewed funding opportunities designed to investigate new manufacturing technologies across the three countries.

General Comments

Mr. Morales elaborated on how the COVID-19 pandemic has placed a new perspective on the need for international cooperation in matters of public health and well-being. The enormous economic devastation experienced in all aspects of local, regional, national and international economies, will undoubtedly weaken the institutional, statutory and regulatory frameworks, which are designed to protect the public health and safety of the natural environment. The opportunity exists to develop innovative and effective solutions to address these challenges of which the CEC could play a role.

Ms. Brock emphasized the need to consider the root cause of issues and the impact of economic disparities in advice to EPA. Other members agreed.

NAC Separate Meeting

Dr. Pardo opened the NAC discussion on EPA charge Questions 1 and 2, the five Strategic Priorities and the NAC prioritized list.

Environmental Issues and Challenges and Opportunities for the CEC

Strategic Priority 1—Circular Economy and Resource Efficiency

NAC Priorities:

- 1. Recycling and waste management in North America*
- 2. Sustainable production, resource and energy efficiency practices*
- 3. Plastics and microplastics*

Discussion

Ms. Simone Sagovac (Southwest Detroit Community Benefits Coalition), NAC member, commented on approaching the NAC priority list by focusing on issues that would have a broad reach to downstream effectors, such as (1) recycling, especially plastics, and (2) sustainable production in terms of a redesign of materials, new processes and sharing of research.

Ms. Sara Hopper (Corteva/DuPont), NAC member, focused her responses on cooperation (e.g., mechanisms on which the three countries can collaborate), best practices, data and scientific information. She posed two questions: On what issue can the committee agree on a common set of facts? What approaches will yield the highest value for less cost? Ms. Hopper also emphasized thinking about sustainability broadly as feeding the world and making sure people have access to food, rather than solely focusing on some of the assumptions of sustainable production as cleaner chemistry.

Ms. Jennifer J. Ronk (Dow Chemical Company), NAC member, suggested focusing on the transboundary benefits, being action oriented and providing advice on efforts that ensure a more sustainable future around the circular economy.

Mr. Tracy D. Hester (University of Houston Law Center), NAC member, commented on ranking the Strategic Priority areas by the impact of the related issues trilaterally and not endorsing the numerical order in the draft CEC Strategic Plan as indicating the level of importance. Dr. Pardo pointed out the risk in this approach of not taking an in-depth look within the Strategic Priorities and considering their relative importance. The NAC can collectively communicate its consensus on a priority in the advice letter.

Members suggested highlighting issues excluded in the Strategic Priority areas, such as climate change, which should be included in circular economy and resource efficiency priorities. EPA noted that the Parties negotiated on the Strategic Priorities. Although the term climate change is not specifically stated, it is indirectly addressed in the broad Strategic Priority 2 and related issues focusing on alternatives to ozone-depleting substances and HFCs.

Dr. Vincent R. Nathan (Center for Houston's Future), NAC member, interpreted the process of generating the NAC prioritized list as the committee's approach to providing comments on its priorities regarding issues within the context of the Strategic Priority areas and, therefore, addressing the charge.

Strategic Priority 2—Clean Air, Land and Water

NAC Priorities:

- 1. Air quality*
- 2. Fresh water science, data and management*
- 3. Pollutant release data and information*

Discussion

From his perspective, Dr. Nathan pointed out that climate change is clearly addressed in this list of related issues on Strategic Priority 2. He further elaborated on EPA's use of health-based standards to make decisions on regulations and economic-based standards for decisions on de-regulations regarding clean air, land and water. Dr. Nathan suggested incorporating comments in the advice letter that deregulating health-based standards (from the default values) affects the most vulnerable populations. Dr. Pardo added that prior NAC advice has addressed this topic and should be revisited.

Strategic Priority 3—Shared Ecosystems and Species

NAC Priorities:

1. *Priority migratory species*
2. *Connected and priority habitats*
3. *Sustainable management of coastal and marine ecosystems*

Discussion

Given that preservation and recovery of a species (e.g., monarch butterfly) requires understanding its decline, Ms. Hopper elaborated on opportunities for the three countries to collaborate on one species that requires healthy habitats, for example, in each of the three countries, regardless of the burden to one particular country. The focus should be on prompting high-impact change by adopting a common understanding of what needs to be accomplished and then aiming to achieve it.

Mr. Andrew P. Carey (U.S.–Mexico Border Philanthropy Partnership), NAC member, called attention to the borderland issues involving the Tijuana River Valley pollution affecting the United States and Mexico, in which significant financial investments have been proposed. Impacts to the border regions, as well as the other environmental issues raised by members—particularly in the May 2019 NAC advice letter—should remain at the forefront of the NAC recommendations to EPA.

Members pointed out the likely change in governments and leadership in the three countries over the span of the 5-year Strategic Plan and suggested including statements in the advice letter on how such a change could potentially affect the Strategic Priorities.

Strategic Priority 4—Resilient Communities

NAC Priorities:

1. *Sustainable cities*
2. *Remote, coastal and indigenous communities*
3. *Resilience of food production sectors*

Discussion

Mr. Hester recommended that the CEC consider including extreme weather events in the priorities on resilience, and Dr. Pardo suggested proposing topics that the CEC North American Extreme Events Advisory Group could address. Ms. Ronk noted that extreme weather events could be included in the issues related to remote, coastal and indigenous communities.

Strategic Priority 5—Effective Enforcement of Environmental Laws

NAC Priorities:

1. *Illegal trafficking and traceability of CITES (Convention on International Trade in Endangered Species) species*
2. *Illegal trafficking of HFCs*
3. *Transboundary movements of hazardous wastes*

Discussion

Regarding the Strategic Priority 5, Mr. Hester reasoned that the related issue of the safety of environmental defenders should be ranked higher in importance in the NAC prioritized list because of the long-term implications. Other members agreed.

Dr. Nathan sought clarity on whether EPA is enforcing or implementing the Montreal Protocol to combat illegal trafficking of HFCs. Mr. Hester clarified that the United States is a party to this protocol and has been incorporating those agreements into Title VI of the Clean Water Act.

Partnerships in North America and Enhanced Roles for Stakeholders and Citizens

Mr. Carey remarked on how increasing awareness in the environmental community of the substantial number of CEC grant opportunities would be one way to strengthen partnerships and build participation in the CEC initiatives and projects. He also noted that providing co-investment opportunities to interested parties, including philanthropic groups, could increase the CEC collection of resources and help resolve some of the environmental issues discussed in this meeting.

Mr. Hester explained that the provisions in the new ECA allow, for the first time, the CEC to accept resources and donations from other organizations to supplement the CEC budget. Partnerships with nonprofits or nongovernmental organizations are now possible. He recommended reviewing the ECA to identify new structures that the Parties could advocate concerning new partners and additional resources for the CEC.

Dr. Pardo asked about issues to reiterate from previous NAC advice letters. Mr. Carlos Perez (Galica, LLC), NAC member, noted prior discussions on youth engagement that could be highlighted in the advice letter.

Dr. Nathan suggested exploring collaborative partnerships between the three countries that could address environmental issues in the border states. Mr. Carey explained that such partnerships have been established between the United States and Mexico for California/Baja, Arizona/Sonora and Texas/Chihuahua.

Mr. Carey identified a potential list of partners: Border Trade Alliance, Arizona-Mexico Commission, Smart Border Coalition, Flex Ltd., Border Legislators Conference, Council of State Governments and border legislators across the three countries.

Ms. Ann Marie Chischilly, Esq., (Northern Arizona University), NAC member, called attention to two tribal consortia—Inter Tribal Council of Arizona and California Tribal Leaders Council—that work with tribes in the border states and would be ones to engage in partnerships.

Members suggested establishing stakeholder groups in Canada and Mexico similar to the United States NAC and GAC and engaging watershed commissions.

General Comments

Given the COVID-19 pandemic and the restrictions on travel and gatherings, Ms. Sagovac asked how opportunities were being created and policies implemented to further environmental goals at the state and local levels. In the Flint and Detroit, Michigan, regions, various cooperative entities are forming to connect people to resources and are using advanced technologies. The obvious positive environmental impact is a decrease in air pollution because of the reduction in travel and the increase in virtual meetings. She asked about ways to incentivize innovative working from home and telecommuting efforts that could be linked to the Strategic Plan. Dr. Pardo noted that a statement can be included to suggest that the CEC and EPA seek opportunities to incentivize innovative initiatives in response to emergency situations, such as COVID-19.

Ms. Hopper underscored the use of science-based decision-making and ways to reduce political polarization around issues of science and facts as they relate to the environment.

Ms. Chischilly called attention to the funding issues in Indian country for tribes depending on federal funds to support their environmental programs. Because of COVID-19, most of the work orders are not being met. In a support letter to EPA, the tribes have asked for flexibility on work plan deliverables and the extension of grants. This is an issue likely affecting all three countries.

Next Steps

The Chairs will draft the advice letters and circulate to the members for comments. The finalized document will be forwarded to Mr. Carrillo to submit to the EPA Administrator by April 27, 2020.

Adjournment

The meeting adjourned at 3:01 p.m. EDT.

Action Items

- ❖ Dr. Pardo will share her draft advice letter on the development of the new draft CEC 5-Year Strategic Plan from 2021–2025 with the NAC members for their comments.
- ❖ Ms. Gonzales will share her draft advice letter on the development of the new draft CEC 5-Year Strategic Plan from 2021–2025 with the GAC members for their comments.

Summary Certification

I, Sally Ann Gonzales, Chair of the Governmental Advisory Committee, and I, Theresa A. Pardo, Chair of the National Advisory Committee, certify that the meeting minutes for the date of April 10, 2020, as hereby detailed, contain a record of the persons present and give an accurate description of matters discussed and conclusions reached and copies of all reports received, issued or approved by the advisory committees. My signature date complies with the 90-day due date after each meeting required by the GSA Final Rule.



Sally Ann Gonzales
Chair, GAC

May 22, 2020
Date



Theresa A. Pardo, Ph.D.
Chair, NAC

May 18, 2020
Date

Appendix A: Meeting Participants

NAC Members

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Appendix B: Meeting Agenda



**Official Meeting of the
National and Governmental Advisory Committees to the
U.S. Representative to the Commission for Environmental Cooperation**
Final 4/7/2020

TELECONFERENCE AGENDA

Friday, April 10, 2020

11:00 a.m. – 3:00 p.m. EDT (10 a.m. Central, 9 a.m. Mountain, 8 a.m. Pacific Time)

Call-in number: TBC

Washington, DC 20460

Call to Order and Introductions

Oscar Carrillo, Designated Federal Officer, EPA

11:05 a.m. Opening Remarks

Monisha Harris, Director Federal Advisory Committee Management Division (OMS)

11:10 a.m. Welcome and Overview of Agenda

Theresa Pardo, Chair of the National Advisory Committee

Sally Ann Gonzalez, Chair of the Governmental Advisory Committee

11:20 a.m. Update on U.S. Priorities & Guidance

Jane T. Nishida, Principal Deputy Assistant Administrator (PDAA), OITA, EPA

11:35 a.m. Question & Answer Period on previously reviewed presentations:

1. Overview of the Draft CEC Strategic Plan by Richard A. Morgan, ED, CEC
Nadtya Hong, Esq., Acting CEC Coordinator, (OITA), EPA

2. JPAC Report-Out Update by Robert W. Varney, Chair, JPAC

12:00 p.m. Public Comments Period

NAC/GAC Discussion on Strategic Plan

12:10 p.m. Joint NAC/GAC Discussion on Selected Issues List

Theresa Pardo, Chair of the National Advisory Committee

Sally Ann Gonzalez, Chair of the Governmental Advisory Committee

1:00 p.m. BREAK

- 1:10 p.m. **Committees Meet Separately to Discuss Charge Questions**
Questions 1 & 2: What are the environmental issues and challenges facing North America over the next 5 years? What are the opportunities for the CEC, considering the organization's mission and mandate, to address these issues/challenges over the next five years?
- 1:50 p.m. **Question 3:** How can the CEC amplify its work through partnerships in North America?
- 2:20 p.m. **Question 4 & 5:** Where in this Strategic Plan do you see opportunities for enhanced roles for stakeholders and citizens? Any General Comments?
- 2:50 p.m. **Next Steps**
- 3:00 p.m. **ADJOURN**

Appendix C: Charge Letter for April 10, 2020, NAC/GAC Meeting

CHARGE LETTER: NAC/GAC MEETING

April 10, 2020
Virtual Meeting

Dear NAC/GAC Members,

BACKGROUND:

The CEC is entering a pivotal moment in its history, as its new draft Strategic Plan represents a transition from the NAAEC and NAFTA trade regime —under which it was created over a quarter of century ago—to a reaffirmed key role under the U.S.-MX-CA Agreement (USMCA) and the Environmental Cooperation Agreement (ECA), thus giving it continuity and modernizing its approaches. The USMCA and ECA are both responding to the need for strong environmental protections with an expansion of environmental commitments and priorities and are creating new opportunities for strategic cooperation.

The ECA establishes the framework for trilateral cooperation among the Parties on a range of issues related to the conservation, protection and enhancement of the environment, with strong, low-emission, resilient economies, sustainable management of natural resources, and support for green growth and sustainable development. It also modernizes the traditional cooperative activities of the Parties by encouraging the exchange and involvement of delegations, personnel, and information from academic, private, and NGO sectors and the development of performance measures and indicators.

The Draft 2021-2025 Strategic Plan supports the objectives and commitments established by the Parties in these agreements, which recognize the role of environmental cooperation and the role of public participation in promoting mutually supportive trade and environmental policies. The strategic priorities set out in this draft Strategic Plan consider the Environment Chapter of the USMCA (Chapter 24) and Article 10 activity areas of the ECA. These strategic priorities align with the cooperative work areas included in the ECA, which aim to help achieve overarching objectives pertaining to specific environmental and sustainable development issues, such as: strengthening environmental governance; reducing pollution and supporting strong, low-emission, resilient economies; conserving and protecting biodiversity and habitats; promoting the sustainable management and use of natural resources; and supporting green growth and sustainable development.

NAC/GAC CHARGE

The U.S. seeks advice from the NAC/GAC on the development of the new draft CEC 5-Year Strategic Plan from 2021-2025. The plan includes five new strategic priorities and two cross cutting approaches that are found below:

Strategic Priority 1 – Circular Economy and Resource Efficiency

Strategic Priority 2 – Clean Air, Land and Water

Strategic Priority 3 – Shared Ecosystems and Species

Strategic Priority 4 – Resilient Communities

Strategic Priority 5 – Effective Enforcement of Environmental Laws

Cross-cutting Approach 1 – Modernized and Effective Solutions

Cross-cutting Approach 2 – Diverse & Inclusive Stakeholder Engagement & Public Participation

General Comments

Please provide your advice using the five questions below under each of the 5 strategic priorities:

1. *Under each strategic priority (SP), What are the environmental issues and challenges facing North America over the next five years?*
2. *What are the opportunities for the CEC, considering the organization's mission and mandate, to address these issues/challenges over the next five years?*
3. *How can the CEC amplify its work through partnerships in North America?*
4. *Where in this Strategic Plan do you see opportunities for enhanced roles for stakeholders and citizens?*
5. *General Comments*

Strategic Priority (SP) & Cross Cutting Approach (CCA)	Five Questions For each Strategic Priority
SP 1 – Circular Economy & Resource Efficiency	1. <i>Under each strategic priority (SP), what are the environmental issues and challenges facing North America over the next five years?</i>
SP 2 – Clean Air, Land and Water	2. <i>What are the opportunities for the CEC, considering the organization's mission and mandate, to address these issues/challenges over the next five years?</i>
SP 3 – Shared Ecosystems and Species	3. <i>How can the CEC amplify its work through partnerships in North America?</i>
SP 4 – Resilient Communities	4. <i>Where in this Strategic Plan do you see opportunities for enhanced roles for stakeholders and citizens?</i>
SP 5 – Effective Enforcement of Environmental Laws	5. <i>General Comments</i>
CCA 1- Modernized & Effective Solutions	
CCA 2- Diverse & Inclusive Stakeholder Engagement & Public Participation	