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U.S. Governmental Advisory Committee
*Independent Federal Advisors
on the North American
Agreement on Environmental Cooperation*

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November 25, 2015

Committee Members

- Jeffrey Wennberg
Chair
Vermont
- Laurie Berman
California
- John Bernal
Arizona
- Ginny Broadhurst
Washington
- Kirk Cook
Washington
- Teri Goodman
Iowa
- Justin G. Johnson
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- Dale G. Medearis
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- Edna A. Mendoza
Arizona
- Vincent R. Nathan
Texas
- Octaviana Trujillo
Pascua Yaqui Tribe
- Cristina Viesca-Santos
Texas
- Roger Vintze
California
- Gerald Wagner
Blackfeet Tribe

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator McCarthy:

The Governmental Advisory Committee (GAC) to the U.S. Representative to the North American Commission for Environmental Cooperation (CEC) held its forty-fifth meeting via teleconference on October 23, 2015. This letter represents our full advice resulting from that meeting.

During our meeting Denise Sirmons, Director of the Office of Diversity, Advisory Committee Management and Outreach (ODACMO), brought welcoming remarks and officially announced that our own Octaviana Trujillo has been appointed to the JPAC. Director Sirmons also informed us that Gail Small of the NAC was appointed as one of the experts on Traditional Ecological Knowledge pursuant to the 2015 Council Session in Boston. Finally, she announced that a GSA review of advisory committees has concluded that the NAC and GAC qualify as Presidential Advisory Committees.

Office of International and Tribal Affairs Assistant Administrator Jane Nishida introduced Mark Kasman, Director of Regional and Bilateral Affairs for OITA to the committees and provided detailed updates about the Trans-Pacific Partnership (TPP), the 2015 U.N. Climate Change Conference in Paris (COP 21), and Agency tribal efforts. Her briefing also covered the NAPECA grant proposal review process and the status of the leadership transitions underway in Canada and Mexico.

Irasema Coronado, Executive Director of the CEC Secretariat, provided an update on progress at the Secretariat, including administrative improvements, the elimination of the SEM review backlog, and a significant increase in public engagement. Following Director Coronado's presentation it was my pleasure to express the unanimous view that her tenure has been the most positive and effective our committee has seen.

Bob Varney, representing Joint Public Advisory Committee (JPAC) chair Gustavo Alanís Ortega, reviewed the JPAC meeting in April, their comments on the draft Strategic Plan, engagements with the TEK roster of experts, and the JPAC July meeting focusing on stormwater and green infrastructure. He also previewed the upcoming JPAC annual planning meeting.

A thorough review of the CEC's 16 current operational plan projects was provided by Karen Richardson, Director of Programs for the CEC. And as always Sylvia Correa, Senior Advisor for North American Affairs and member of the General Standing Committee offered the committee valuable insight concerning the work of the Council, Alt Reps and GSC.

As always, the GAC wishes to acknowledge the excellent support provided by the Office of Diversity, Advisory Committee Management & Outreach (ODACMO) and thank Director Denise Sirmons, Associate Director Mark Joyce and NAC/GAC Designated Federal Officer Oscar Carrillo and all of the ODACMO staff for their support, before, during and after the meeting.

The GAC deeply appreciates EPA's continued support of our role in advising the United States Government on the enhancement of environmental conditions throughout North America. We look forward to your response, and hope you find the following advice helpful.

Sincerely,



Jeffrey Wennberg, Chair
Governmental Advisory Committee

cc: Jane Nishida, Assistant Administrator for the Office of International and Tribal Affairs
Denise Sirmons, Director, Office of Federal Advisory Committee Management & Outreach
Oscar Carrillo, Designated Federal Officer
Sylvia Correa, Senior Advisor for North American Affairs
Gustavo Alanís Ortega, Chair, Joint Public Advisory Committee
Irasema Coronado, Executive Director, CEC
Members of the U.S. National and Governmental Advisory Committees

Governmental Advisory Committee (GAC)
to the U.S. Representative to the
Commission for Environmental Cooperation (CEC)

Advice 2015-7 (November 25, 2015):

Charge Question: Maintain momentum during political transitions

The preface to the charge question noted the success of the Council Session in Boston and the significant progress the CEC has made in recent years, but pointed out that all three countries and the Secretariat are undergoing transitions that most likely will result in three new members of the Council within a year. Typically, changes such as these cause the progress of the organization to stall while the new leadership gets acclimated. The single charge question sought our advice on

“ . . . how to maintain the CEC’s positive momentum during this time of political transition, particularly as it relates to the projects in the 2015-16 Operational Plan –Climate Change Mitigation & Adaptation, Green Growth, and Sustainable Communities and Ecosystems.”

Prior to the October NAC/GAC meeting, President Enrique Peña Nieto appointed Rafael Pacchiano Alamán as the new Secretary of Environment and Natural Resources for Mexico and since our meeting Canadians have elected a new government, and Catherine McKenna is the new Minister of Environment and Climate Change. The GAC shares the concern that progress might stall with the transitions but notes that the timing is nonetheless about as good as it can be, given the strategic and operational planning cycles. Both the Strategic and Operational Plans have been recently adopted and by the time the next Operational Plan is considered, a successor administration to that of President Obama will be in place.

In the meantime, projects addressing the strategic priorities of Climate Change Mitigation and Adaptation, Green Growth, and Sustainable Communities and Ecosystems are approved, funded and underway. The GAC believes the current suite of projects fit the strategic priorities as well as any in memory. The GAC anticipates continued support for the priorities and therefore the completion of the Operational Plan projects.

We also see an opportunity to further connect climate, ecosystems, and blue and black carbon through the use and transportation of fuels. Transportation, both as a fuel consumer and as a means of delivering fuels for other uses, is a cross-cutting issue that deserves attention in future operational plans. This issue directly connects the first bullets under Climate Change Mitigation and Adaptation and Green Growth:

- *Developing, comparing, and implementing greenhouse gas (GHG) emissions mitigation actions, consistent with international commitments.*
- *Establishing best practices to promote innovative technologies and measures for clean and efficient transportation, including the establishment of an Emissions Control Area (ECA) throughout North America.*

The GAC recognizes the critical role of the Executive Director as evidenced by the remarkable progress the Secretariat has made under the leadership of Irasema Coronado. Director Coronado's term will expire in January and her successor will be nominated by Mexico. The GAC recommends that the United States and the Council encourage the new executive director to continue the administrative and policy reforms instituted under Director Coronado.

Recommendations:

- 1. The GAC anticipates continued support for the Strategic Priorities through this transitional period. We see no impediment to the completion of the Operational Plan projects.***
- 2. Greater consideration should be given to cross-cutting transportation-related projects in the next Operational Plan.***
- 3. The U.S. and its partners on the Council should encourage the new executive director to continue the administrative and policy reforms initiated by Executive Director Coronado.***

Governmental Advisory Committee (GAC)
to the U.S. Representative to the
Commission for Environmental Cooperation (CEC)

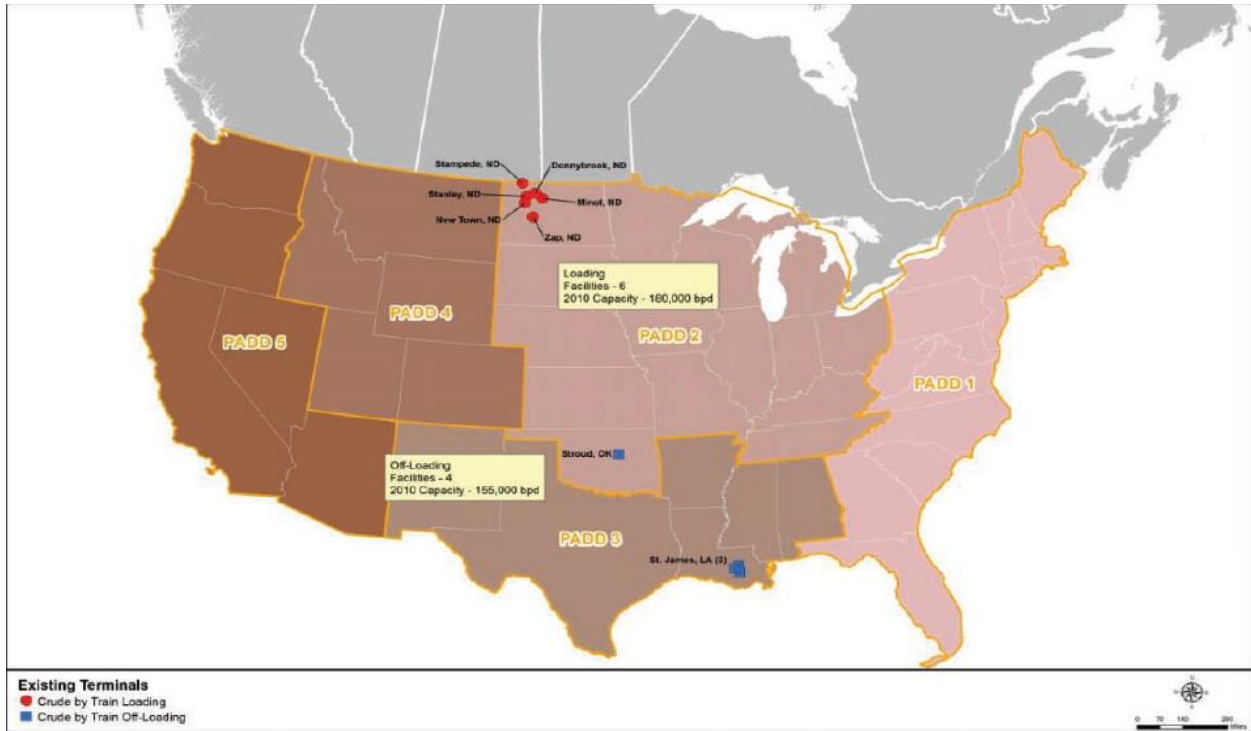
Advice 2015-8 (November 25, 2015):
Comments on Response Letter dated September 16, 2015

The GAC appreciates EPA's response to our advice letter dated May 7, 2015. The committee wishes to seek a better understanding of several responses.

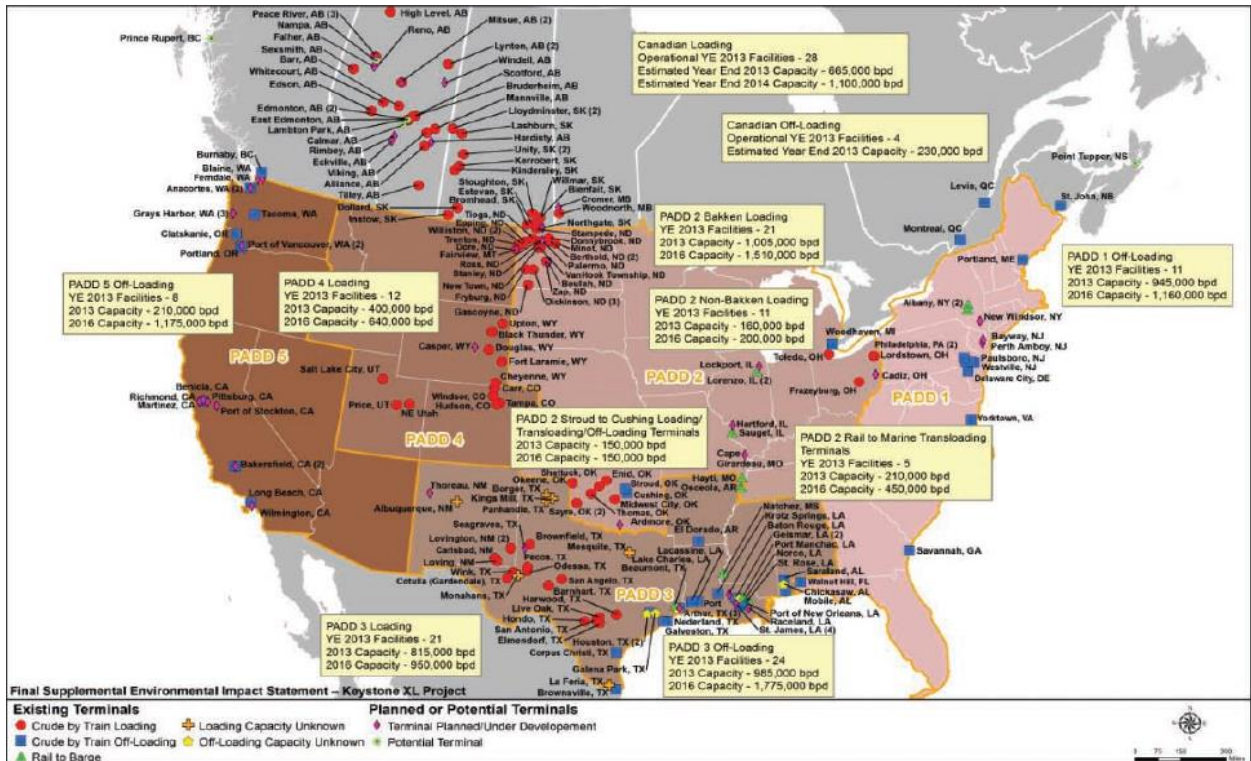
- Regarding Advice 2015-5, "Community Reaction to Renewable Energy Development," we were not aware of any retrospective studies by the BECC and NAD Bank regarding community attitudes after the installation of renewable energy projects. We are aware of prospective studies documenting expected impacts and benefits on local communities, but the GAC's recommendation was to have the CEC conduct studies of community attitudes and opinions as much as five years after the project was completed. The purpose is to provide communities that are currently evaluating a proposed project the opportunity to understand how attitudes evolved concerning similar projects years after the project was completed. The focus should be tri-national and not limited to BECC and NAD Bank related projects. Please pass along links or abstracts of studies that serve this purpose.
- Regarding Advice 2015-6, "Oil Trains Briefing," the information provided in the response letter is very helpful. The GAC is aware of a dramatic increase in the transportation of fuels by rail in the last few years, and believes it is becoming a significant bi-lateral or tri-lateral environmental and public safety concern. The request for a briefing was to help the committee evaluate whether and in what way the CEC might undertake studies or other activities to assist the CEC partner nations anticipate or address public and sub-national jurisdiction concerns. The increase in transportation of oil by rail has been extremely significant and has resulted in many explosions and demonstrated the need for better preparedness by local emergency response teams. Attached are maps from the Washington Department of Ecology showing the growth in U.S. oil-rail terminals between 2010 and 2013. Given EPA's active participation in inter-agency and international emergency preparedness and response, the requested briefing should be relatively easy to assemble. The GAC repeats our request for this briefing, possibly as an agenda item in our April 20-21 2016 meeting in Washington, D.C.

Recommendations:

- 1. Please provide more information about BECC and NAD Bank studies of post-installation community reactions to renewable energy projects.***
- 2. Please provide a background briefing on the growth of oil trains and attendant environmental and safety concerns, especially as they affect cross-border regions.***



United States Existing Terminals - 2010



United States/Canada Existing and Proposed Terminals - 2013