



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 22 2012

Office of
International and
Tribal Affairs

Ms. Karen M. Chapman
Chair, U.S. National Advisory Committee
Environmental Defense
223 North Union Street
Delaware, OH 43015

Dear Ms. Chapman:

On behalf of Administrator Lisa P. Jackson, I would like to thank you for the National Advisory Committee's (NAC) advice of December 12, 2011 reporting on its October 2011 meeting and providing valuable recommendations to the United States regarding the Commission on Environmental Cooperation (CEC), specifically the CEC Communications Strategy, the Submissions on Enforcement Matters (SEM) review, and Transboundary Environmental Impact Assessments (TEIA).

Your recommendations on the draft CEC Communications Strategy are very sound advice and will make the strategy much more effective. Your advice has provided an important starting point for the U.S. position in our response to the CEC Communications Strategy and we think, if fully implemented can serve to elevate the CEC's visibility in the U.S. We will bring your suggestion regarding refilling the CEC Communications Director position to the attention of the other Parties, but recognize that all of us, including the Secretariat, must operate within the confines of an increasingly tight budget for the next few years.

We appreciate your recommendations on providing meaningful input to the NAC on the SEM Modernization Process and proposed revisions, which we fully support. The U.S. representative and Chair of the SEM Task Force will work with you to ensure greater transparency throughout the process, including sharing of relevant materials in advance of NAC meetings and publication of the process with the general public. It is my understanding that the SEM Modernization Process has also been added to the NAC/GAC meeting in April.

We appreciate your advice regarding Transboundary Environmental Impact Assessments. The unique partnership created by the NAAEC provides an opportunity for our three countries to enter into negotiations on how best to assess the environmental impacts of proposed projects along the border. It has been difficult to reach consensus on this issue in the past, particularly because of the inherently different governance systems in the three countries. While the U.S. supports putting this issue back on the table for discussion, unfortunately, not all the other Parties to the NAAEC have agreed. However, the U.S. will continue to try to advance this issue with the Parties.

As always, your guidance is highly valued and respected. Your feedback is very helpful to us throughout the year and we look forward to your support in planning the upcoming CEC Council Session that the U.S. will chair in New Orleans this summer. I look forward to meeting with you at your Spring meeting in Washington.

Sincerely,

A handwritten signature in cursive script that reads "Michelle DePass".

Michelle DePass
Alternate Representative for the
United States

NAC Advice 2011-3: CEC Draft Communications Strategy

We generally agree with the advice provided on the draft CEC Communications Strategy and have shared the points raised to the CEC Secretariat in the US position on the draft plan.

We agree that a survey would be helpful in determining the extent of public awareness of the CEC in the U.S., but would not want an "extensive" survey to hold up implementation of the communications strategy. Therefore in line with NAC's recommendation to clearly define target audiences, we amended this recommendation to request the Secretariat to develop a targeted survey of key audience awareness and knowledge of CEC products. We also agree with the need to develop simpler messages for printed materials.

With regards to the recommendation that the CEC hire a Communications Director, we will bring this to the attention of the Parties. We note that all of us, including the Secretariat, must operate within the confines of increasing tight budgets and the need to maximize existing resources, this recommendation may be difficult to achieve. However, the Secretariat has capable staff in the communications office and the Executive Director is well experienced in the communications field.

NAC Advice 2011-4: Submissions on Enforcement Matters Evaluation Process

Regarding your requests related to the SEM Modernization Review Process, EPA would be very pleased to provide the NAC with a comprehensive update during the NAC's spring meeting. Additionally, EPA will communicate with the NAC prior to the NAC meeting to help ensure the NAC has ample time to consider SEM review issues and provide meaningful input. Please feel free to contact the EPA lead for the SEM review process, Jocelyn Adkins, at any time. Her contact information is 202-564-6212, adkins.jocelyn@epa.gov.

NAC Advice 2011-5: Transboundary Environmental Impact Assessment

We greatly appreciate your thoughtful input regarding the TEIA issue and share your view that the matter continues to warrant attention. Regarding your recommendation that the CEC undertake a study of past-approved projects on both sides of the U.S.-Mexico border, the U.S. will raise this idea with its CEC counterparts in Mexico and Canada. EPA will continue to consider this and other potential options for addressing TEIA concerns and communicating those ideas with both the NAC and the GAC.

With regards to the recommendation to re-engage with Mexico and Canada to compare positions and possibilities to reach agreement, the U.S. has already raised this issue with the Parties. Unfortunately, not all the Parties have agreed to put this issue back on the table for discussion, but the U.S. will continue to try to advance this issue.