



Joint Public Advisory Committee (JPAC)
Comité Consultivo Público Conjunto (CCPC)
Comité consultatif public mixte (CCPM)

22 March 2004

Sr. Francisco Giner de los Ríos,
Subsecretario de Gestión para le Protección Ambiental
Secretaría de Medio Ambiente y Recursos Naturales
Chair of the North American Air Working Group

RE: JPAC Comments on the *Draft North American Air Working Group Long-term Strategic Framework for Air-related Activities of the Commission for Environmental Cooperation*

Dear Sr. Giner de los Ríos:

On 10 March 2004, representatives of the Joint Public Advisory Committee (JPAC) attended a meeting of the North American Air Working Group (NAAWG) in Oaxaca, Mexico. The purpose of this meeting was to seek JPAC's input to the *Draft North American Air Working Group Long-term Strategic Framework for Air-related Activities of the Commission for Environmental Cooperation* (CEC). Further, JPAC was asked to contribute thoughts on additional mechanisms for regularly engaging a broad range of stakeholders in future discussions regarding CEC air work.

First, let me say that the JPAC representatives, including myself, found this meeting to be very productive. It demonstrated the benefits of engaging JPAC early in the planning process, permitting JPAC to contribute both strategic and practical advice. As I indicated at the conclusion of the meeting, it would be premature for JPAC to provide advice to the CEC Council at this point—rather we have chosen to summarize our contributions in the form of a letter to NAAWG. As such, the following comments are offered as a summary of our discussion and not in any order of priority:

The Draft Framework

- Generally, the draft framework represents an enormous undertaking. While we understand that this is an evolving document, nevertheless, it would benefit from a clearer vision statement and perhaps by a short introduction describing the CEC and its role in North American air issues. We must all remember that not everyone in North America knows about the CEC or is familiar with its objectives.
- The goals as currently expressed are not easily quantifiable, making evaluation and realignment difficult. We assume that as the framework evolves into a plan, clear targets and timeframes will emerge.
- Costs associated with implementing the Goals and Actions are also enormous. While it is understood that the objective will be to seek partners or 'turn over' projects to governments to undertake or implement, it is important to be clear that without adequate resources these actions are far beyond the ability of the CEC to pursue.

- Each country has a domestic regulatory process and an air program in place. As a first step, and before establishing specific priority areas for action, it would be very useful to better understand what already exists. From there, actions can be targeted using a risk-based approach and placing resources where the need is greatest. Such a survey would also permit NAAWG to more readily identify common priorities as a basis for building further collaboration.
- The challenges surrounding the improvement of air quality do not operate in a vacuum. They are closely related to human health, the energy sector, pollution prevention, etc. The CEC has programs dealing with all these matters. The draft framework should be very explicit in detailing how the air work will be linked with other programs of the CEC to create synergies, avoid duplication and maximize the use of limited financial resources.
- Other institutions and agencies are currently working bilaterally on air issues on the Mexican/US and Canadian/US borders, at the state/provincial level and locally. A better understanding of these processes could assist the CEC in determining what can be contributed through trilateral action.
- Public access to information related to air quality, because it is so closely related to individual and community well being, is critical. Each of the three countries has legislation related to the ‘public right to know.’ While it is of course important to have access to information as a goal, it should also be made clear that this is also a right and consequently an obligation of government.
- Ultimately, we assume, the objective of the framework will be to contribute analysis and information for policy development. Understanding the sovereign right of each country to legislate in these matters, it is our hope that, over time, this important work will be used to promote regulatory amendments to improve air quality.

Improving public participation

It is important to separate the involvement of JPAC from efforts to improve stakeholder or public involvement in your activities. Having said that, however, does not diminish the importance of continuing to involve JPAC in your meetings and we hope that the results thus far will make the case for maintaining such a role for us.

Improving public involvement is a continuing challenge for the CEC as it is for JPAC itself. Several ideas were discussed during the meeting that merit further consideration:

- Successful models exist for stakeholder involvement in the development of air quality standards and research. Several were identified during our discussion. A better understanding of these models could assist NAAWG and we would recommend that a survey of these be conducted.
- Concerted efforts should be made to engage the private sector in your work. Building partnerships with industry is key to the long-term success of the program.
- In a similar vein, networks exist to engage domestically, bilaterally and internationally on air quality matters. These networks should be brought into the work of NAAWG by being asked to comment on documents and inviting representatives to participate in NAAWG meetings, events, etc. It would also be very helpful if NAAWG representatives attended key meetings of these networks.

- Pilot projects aimed at building capacity should be considered. For example, using local people to man monitoring stations has proven to be a very effective way of engaging and informing local populations.
- The three federal agencies involved in air quality have huge databases they use for public consultation. These lists should be shared with the CEC to narrow the target groups and ensure that information is sent to the appropriate people when public comment is being solicited or information is transmitted.
- The Council members and Alternate Representatives attend many other events and participate in other important venues as representatives of their governments. They should be encouraged to inform on and promote this work whenever possible.
- Finally, JPAC sees no reason why NAAWG should not hold its meetings in public.

We were reassured at this meeting that the political will exist in all three countries to move this initiative forward. There are expectations that this document will be ready for presentation to Council during the June Council Session and we would urge that the opportunity to engage Council on this issue in June not be missed.

Be assured of JPAC's continuing interest in your work.

Sincerely,

[Original signed]

Donna Tingley
JPAC Chair for 2004

c.c: NAAWG members
CEC Alternate Representatives
CEC Executive Director
CEC Head of Pollutants and Health
CEC Air Program Manager
JPAC members
NACs/GAC members