

U.S.-Chile Joint Commission for Environmental Cooperation

2007 – 2008 Work Program

Introduction

The objective of the Agreement on Environmental Cooperation between the Government of the United States of America and the Government of the Republic of Chile (U.S.-Chile Environmental Cooperation Agreement, or ECA) is to establish a framework for cooperation between the United States and Chile to promote the conservation and protection of the environment, the prevention of pollution and degradation of natural resources and ecosystems, and the rational use of natural resources, in support of sustainable development.

The Joint Commission for Environmental Cooperation, set up under the ECA, is responsible for establishing and developing programs of work in accordance with the provisions of Article III. This work program reflects national priorities for cooperative activities, as agreed upon by the Parties. During 2007 – 2008, the Parties intend to continue and build upon the cooperative work initiated in 2005 – 2006, and to continue to follow up on the themes reflected in each of the projects conducted under the environment chapter of the Free Trade Agreement (“FTA”). The Work Program focuses on the following priority areas, with the following corresponding general objectives:

1. Strengthening effective implementation and enforcement of environmental laws and regulations: Exchange information and experiences on environmental legal and regulatory regimes; enforcement and compliance policies, tools and practices; and approaches to environmental monitoring, that contribute to strengthening the effectiveness of implementation of environmental laws and regulations in the United States and Chile. (See FTA Art. 19.2.1(a); ECA Art. III.2;).
2. Encouraging development and adoption of sound environmental practices and technologies, particularly in business enterprises: Encourage enterprises to develop and adopt sound environmental practices and technologies, and to show that doing so not only benefits the environment, but can be done in a manner consistent with maintaining international competitiveness (See FTA Art. 19.10 (Principles of Corporate Stewardship); ECA Art. II.2(d), Art. V(d).)
3. Promoting sustainable development and management of environmental resources, including wild fauna and flora, and protected wild areas: Promote the conservation and protection of the environment, the prevention of pollution and degradation of natural resources and ecosystems, and the rational use of natural resources, in support of sustainable development. (See FTA Environment Chapter preamble; ECA Art. III.2(d).)

4. Civil society participation in the environmental decision-making process: Share experiences in promoting public participation in the decision-making process regarding environmental matters, and enhance openness and transparency in regulatory and program implementation. (See FTA Arts. 19.3 and 19.4; ECA Arts. III.1 and IV).

5. Environmental education: Exchange knowledge and experiences regarding environmental education strategies and programs, with a principal focus on basic and community-level education. (See FTA Annex 19.3, Art. 4; ECA Art. V(b)).

The Parties intend to explore the development of partnerships with private sector and civil society organizations in carrying out their cooperative work wherever possible. The Parties also note ongoing bilateral cooperative work in other fora, and intend to seek through this work program to build upon and complement this existing bilateral work. In addition, the Parties intend to explore opportunities for mutual collaboration in these priority areas with other countries in the Western Hemisphere.

The Commission may agree to augment this work program with additional projects at any time. The Parties recognize that the activities described in this work program are subject to revision by the organizations implementing the projects. The project activities described in this work program are subject to the availability of funds.

This Work Program consists of two sections. Section One is a matrix of activities for which minimal resources are available, for which programming is already under way, or which are otherwise top priority for implementation. Section Two is a list of priority themes and potential activities of mutual interest for which resources have not been identified (including those corresponding to the above five priority themes, as well as additional areas such as environmental health and natural disasters). The Parties may pursue these activities through initial consultations, exchange of data and sharing of experiences, such as by means of digital video-conferences and electronic communications. Should additional resources become available for more intensive cooperation in these areas, the Parties may develop more specific actions. The Parties intend to identify and exchange lead points of contact for each priority area within three months of approval of this work program. Project leads will be expected to develop, as appropriate, performance measures, and to annually report on progress in implementing projects as well as their outcomes and impacts.

SECTION 1: TOP PRIORITY ACTIVITIES TO BE IMPLEMENTED

Areas	Activities	Sub-activities / details	Participants
1. Strengthening effective implementation and enforcement of environmental laws and regulations	1.1. Building capacity for assuring compliance with environmental laws, and regulations.	1.1.1 Building on the training workshop for judges in environmental law (April 2006), conduct follow-up training for judges and prosecutors on environmental law enforcement and litigation, with an emphasis on training Chilean trainers to continue capacity-building in this area.	<u>U.S.:</u> EPA, DOJ, DOS, NGOs. <u>Chile:</u> DIMA, CONAMA, CDE, SAG, CONAF, MINMINERÍA, MIDEPLAN, MOP, MTT, MINDEF, SERNAGEOMIN.
		1.1.2 Fellowship in Chile by an EPA expert on environmental law, enforcement and compliance	<u>U.S.:</u> EPA, DOS, Partners of the Americas. <u>Chile:</u> CONAMA, CDE, DIMA, SERNAGEOMIN, Ministry of Mining.
2. Development and adoption of sound environmental practices and technologies, particularly in business enterprises	2.1 Promoting development and use of clean energy	2.1.1 Consultations on approaches to clean energy, including market mechanisms, for example: <ul style="list-style-type: none"> - Promoting renewable energy opportunities, especially geothermal, as well as wind, biogas, solar, hydroelectric power to include sharing of prospective policy, regulatory and financial models for the adoption of renewable energy technologies. - Improving energy efficiency in selected industry and construction sectors. Explore establishment of an appliance standards and labeling program drawing on current best practices, beginning with a capacity building workshop and development of action plan - Reducing pollution in the transport sector, including follow up to the Diesel Retrofit project under the FTA, and supporting the Clean Fuels Partnership initiative. 	<u>U.S.:</u> DOS, DOE, NREL, USTDA, NGOs. <u>Chile:</u> DIMA, CNE, CONAMA, MINMINERIA, MINVU, MINECON, SAG, MOP, MTT, SERNAGEOMIN, NGOs.

Areas	Activities	Sub-activities / details	Participants
	2.2 Reducing Environmental Impacts of Mining	2.2.2 Consultations and follow up on projects conducted under the FTA on mining, including on: <ul style="list-style-type: none"> - Environmental assessment of mining projects and land-use planning; - Generation and treatment of acid discharge, mine closure, management and disposal of wastes, and efficient energy use. - Capacity building on public private initiatives on clean production for the small mining sector at the regional level in Chile in order to promote and implement respective agreements with the private sector on clean production. 	<u>U.S.:</u> EPA, DOI, USTDA, DOS. <u>Chile:</u> DIMA, CONAMA MINMINERIA, SERNAGEOMIN Consejo Nacional de Producción Limpia ENAMI, SONAMI, MINSALUD.
	2.3 Improving Agricultural Practices	2.3.1 A fellowship for SAG official with USDA/APHIS to build capacity on environmental impact assessment in agricultural decision-making, and the promotion of follow up exchanges.	<u>U.S.:</u> USDA/APHIS, DOS, Partners of the Americas. <u>Chile:</u> SAG, DIMA, CONAMA.
2.3.2 Continued consultations on approaches to promoting sustainable agriculture and appropriate handling of pesticides and fertilizers, in follow up to project conducted under the FTA Environment Chapter.		<u>U.S.:</u> EPA, USDA, DOS. <u>Chile:</u> SAG, CONAMA, DIMA.	
2.3.3 Continued consultations on approaches to reducing the use of methyl bromide, in follow up to project conducted under the FTA Environment Chapter.		<u>U.S.:</u> EPA, USDA, DOS. <u>Chile:</u> SAG, CONAMA, DIMA.	
3. Promoting biodiversity conservation and sustainable	3.1 Building Capacity for Protected Area Management and	3.1.1. Patagonia Volunteer Expedition Project: Volunteers will restore park resources through trail repair and habitat restoration within Chilean protected areas. Monitoring of prior year restoration efforts will identify best practices.	<u>U.S.:</u> USDA/FS, DOI/NPS, DOS. <u>Chile:</u> CONAF, CONAMA, DIMA, Fundación Patagonia.

Areas	Activities	Sub-activities / details	Participants
management of natural resources.	Eco-tourism	3.1.2 Sustainable Eco-tourism Workshop: Conduct a pilot workshop to build capacity for responsible eco-tourism. Bring together community, business, non-governmental organizations and park managers to develop an eco-tourism strategy for Torres del Paine and Puerto Natales as the park's gateway community.	<u>U.S.:</u> USDA/FS, DOS. <u>Chile:</u> CONAF, CONAMA, DIMA, Fundación Patagonia.
		3.1.3 "Protected Area Partners" Program: Discuss establishment of a framework for bilateral "Protected Area Partners," that would enable managers to work directly with one another to improve management, interpretation and conservation of protected areas. Explore a pilot project between PN Torres del Paine and Yosemite NP.	<u>U.S.:</u> DOI/NPS, USDA/FS, DOS. <u>Chile:</u> CONAF, CONAMA, DIMA
	3.2 Ensuring sustainable wildlife and plant trade	3.2.1 Consultations on approaches to combat illegal trade in wildlife and to improve implementation of the Convention on International Trade in Endangered Species (CITES).	<u>U.S.:</u> USFWS, DOJ, DOS, USTR, NGO's. <u>Chile:</u> DIMA, CONAMA, SAG, Aduanas.
	3.3 Marine Protected Areas	3.3.1 Conduct follow-up consultations (including promoting exchanges of experts) to build capacity on approaches to management of marine protected areas, in coordination with work undertaken pursuant to the U.S.-Chile Fisheries Cooperation Talks.	<u>U.S.:</u> NOAA, DOS. <u>Chile:</u> SUBPESCA, SERNAPECA, CONAMA, PROYECTO GEF MARINO, DIRECTEMAR, DIMA.

Areas	Activities	Sub-activities / details	Participants
	3.4 Marine Science and Fisheries	<p>3.4.1 Pursuant to the U.S.-Chile Fisheries Cooperation Talks, consultations and exchanges of information and experience, and joint collaboration on marine and fisheries issues, including:</p> <ul style="list-style-type: none"> - Research on cetaceans (whales and dolphins), small pelagic fish (anchovies and sardines), swordfish ecology, marine turtle conservation, and large marine ecosystems (including Transboundary Diagnostic Analysis and Strategic Action Program) - Capacity building for improved fisheries enforcement, including training for Chileans in the U.S., support for the Monitoring Compliance and Surveillance (MCS) Network; coordination to implement Illegal, Unregulated and Unreported (IUU) Fishing National Plans, and collaboration on toothfish and swordfish management and enforcement. - Cooperative efforts between the two governments and with industry on environmental aspects of aquaculture, including data exchange and information on new regulations. - Development of joint databases and cooperative efforts to improve models and detection techniques for Harmful Algal Blooms. 	<p><u>U.S.:</u> NOAA, DOS.</p> <p><u>Chile:</u> SUBPESCA, SERNAPESCA, DIMA, CONAMA.</p>

Areas	Activities	Sub-activities / details	Participants
4. Civil Society participation in the environmental decision-making process	4.1 Sharing Experiences in Promoting Public Participation in Environmental Decision-making, Laws, Procedures, Approaches and Techniques	4.1.1 In follow-up to the EPA/CONAMA (2006) workshop on public participation and environmental dispute resolution, continue technical consultations to: <ul style="list-style-type: none"> ▪ Exchange information on laws, procedures and approaches pertaining to public participation; ▪ Exchange techniques to facilitate civil society participation in collaborative approaches to resolving environmental problems that affect communities. 4.1.2 Collaboration on methods for providing input to and receiving recommendations from advisory or other committees intended for appropriate national bodies.	<u>U.S.:</u> EPA, DOJ, DOS, NGOs., USTR <u>Chile:</u> DIMA, CONAMA, NGOs
	4.2 Pollutant Release and Transfer Registry	4.2.1 Continue consultations and information exchange to support Chile's efforts to implement a Pollutant Release and Transfer Registry; examine the possibility of including mercury in this Registry; serve as a regional resource on PRTR.	<u>U.S.:</u> EPA, DOS. <u>Chile:</u> CONAMA, DIMA UNITAR.

Areas	Activities	Sub-activities / details	Participants
5. Environmental Education	5.1 Building capacity for environmental education.	5.1.1 In follow-up to the August 2006 Train-the-Trainer Workshop, expand the GLOBE-Chile Program in 2007, including: <ul style="list-style-type: none"> - Training 300 new teachers in basic protocols - Participation of 15 new schools in the GLOBE-Chile Program - Active participation of a total of 40 schools in the GLOBE-Chile Program 	<u>U.S.:</u> EPA, DOS, NASA, GLOBE Program <u>Chile:</u> DIMA, CONAMA, Ministry of Education (MINEDUC), Educational associations
		5.1.2 Workshop for Environmental Education in Protected Areas: Train CONAF rangers on methods to promote environmental education and awareness for visitors within Chile's protected areas.	<u>U.S.:</u> USDA/FS, DOI/NPS, DOS. <u>Chile:</u> CONAF, MINEDUC, CONAMA, DIMA

SECTION TWO: PRIORITY ACTIVITIES FOR ADDITIONAL TECHNICAL CONSULTATIONS

1. Environmental laws, regulations and enforcement:

- Approaches to effective environmental regulation for pollution control, fresh water evaluation and monitoring (including wetlands), hazardous and solid wastes, toxic chemicals and natural resource management.
- Strategies and methodologies for environmental impact assessments (EIA), including, for example, collaboration on strategies, methodologies, tools and means used in the assessment of impacts, public participation in EIA processes, consideration of alternatives and mitigation measures, and approaches to EIA in specific sectors.
- Strategies, policies and technical skills for enforcing environmental norms, regulations and agreements.

Possible Partners: U.S.: EPA, DOI, DOJ, USDA-FS, DOS, NGOs. Chile: DIMA, CONAMA, SAG, CONAF, MINSAL, MTT, MOP (DGA and DOH), SERNAGEOMIN, Aduanas, MINDEF, CDE, DIRECTEMAR, SUBPESCA, SERNAPESCA.

2. Sound environmental practices and technologies, particularly in business enterprises:

A. Cleaner Production

- Information exchange on respective voluntary “beyond compliance” initiatives and dialogue to explore public-private partnerships and interactions between U.S. and Chilean private sector entities to promote cleaner production.
- Joint activities to promote capacity for cleaner production in other countries in the Latin America and Caribbean region.

Possible Partners: U.S.: DOS, EPA DOC, State environmental agencies, trade associations, NGOs.

Chile: DIMA, CONAMA, MINMINERIA, SAG, Consejo de Producción Limpia, SERNAGEOMIN; Other related ministries and services, NGOs, business associations.

B. Contaminated Mining Sites

- Superfund (Fund for the cleaning of most contaminated sites in the United States): background, legal fundamentals, regulations, case studies and capacity building of professionals from Chilean public sector).
- Risk assessment, valuation of remediation costs and technology, and operation of contaminated sites
- Capacity building and workshops on environmental damage and closure of mines, with real cases on project evaluation and follow-up.

Possible Partners: U.S.: EPA, DOS. Chile: CONAMA (Headquarters and Bio Bio Region); Corporación de la Madera (CORMA), MINMINERIA, SERNAGEOMIN, Copper Chilean Commission (COCHILCO), DIMA.

C. Sound Management of Chemicals

- Technical consultations to promote effective implementation of SAICM including specific work on mercury and lead in light of other mutual commitments and priorities.

Possible Partners: U.S.: EPA, DOS. Chile: CONAMA, DIMA, MINMINERÍA

3. Conservation of Biodiversity and Sustainable Management of Natural Resources:

A. Forest Management and Illegal Timber Harvesting:

- Sustainable mechanisms for the management of forests, protected forests areas, control of illegal timber harvesting and illegal trade related activities.
- Approaches to remote sensing of forest activities and technologies for timber tracking.

Possible Partners: U.S.: DOI/FWS, USDA/FS, DOJ, DOS, NASA.

Chile: DIMA, CONAF, CONAMA, CDE, CORMA, INFOR.

B. Preventing the Transmission of Invasive Species

- Practical decision making tools for invasive species management;
- Evaluating trade impacts of invasive species;
- Proposals for border controls to prevent the entry of invasive species.
- Preventing effects of ballast water: technical consultations and exchange of experiences on practices, regulation and management
- Coordination with APEC strategy

Possible Partners: U.S.: USDA, EPA, DOI, FWS, DOS, NISC; DHS/CBP, DHS/CG.

Chile: CONAMA, CDE, CONAF, DIRECTEMAR, SAG, SUBPESCA, SERNAPESCA, SERNATUR, DIMA.

C. Karukinka: An Alliance for Conservation in Tierra del Fuego:

Discuss development of a public-private partnership to aide in management and sustainable use of this reserve.

Possible Partners: U.S.: USDA/FS, DOS. Chile: CONAF, CONAMA, DIMA, SERNATUR

D. Cooperative exchanges on recreative fishing

Possible Partners: U.S.: USDA, EPA, DOI, FWS, DOS.

Chile: CONAMA, CDE, CONAF, DIRECTEMAR, SAG, SUBPESCA, SERNAPESCA, SERNATUR, DIMA.

4. Natural Disasters

- Implementation of warning and emergency management systems to mitigate the effects of natural and human-caused disasters.
- Volcanic monitoring and supervision
- Establishing models for mass evacuations and early warning systems

Possible Partners: U.S.: NOAA, DOI/USGS, USDA Forest Service, DOS.

Chile: DIMA; CONAMA, MINVU, MOP, MTT, National Emergency Office (ONEMI), MINEDUC, SERNAGEOMIN, SHOA

5. Environmental Health

- Exchanging information and collaboration on critical issues in children and women's environmental health, including on exposure pathways (air, water, soil) and health effects that are unique to children and women, and policy options for addressing related concerns.
- Coordination with initiatives under the Health and Environment Ministers of the Americas process.
- Scientific collaboration and information exchange on issues relating to the health and veterinary aspects of wildlife conservation.

Possible Partners:

U.S.: HHS, EPA, DOS, DOI/USGS

Chile: MINSAL, CONAMA, DIMA, MINEDUC, CDE

ANNEX 1: LIST OF AGENCIES / ACRONYMS

United States	Chile
<ul style="list-style-type: none"> ▪ Department of Agriculture (USDA) <ul style="list-style-type: none"> ○ U.S. Forest Service (FS) ▪ Department of Commerce (DOC) <ul style="list-style-type: none"> ○ National Oceanic and Atmospheric Administration (NOAA) ▪ Department of Energy (DOE) <ul style="list-style-type: none"> ○ U.S. National Renewable Energy Laboratory (NREL) ▪ Department of Health and Human Services (HHS) ▪ Department of Homeland Security (DHS) <ul style="list-style-type: none"> ○ Customs and Border Protection (CBP) ○ US Coast Guard (USCG) ▪ Department of Interior (DOI) <ul style="list-style-type: none"> ○ US National Park Service (NPS) ○ US Bureau of Land Management (BLM) ○ US Fish & Wildlife Service (FWS) ○ US Geological Survey (USGS) ▪ Department of Justice (DOJ) ▪ Department of State (DOS) ▪ Environmental Protection Agency (EPA) ▪ National Aeronautic and Space Administration (NASA) ▪ National Invasive Species Council (NISC) ▪ US Trade Development Administration (USTDA) ▪ US Trade Representative (USTR) 	<ul style="list-style-type: none"> ▪ Agricultural and Livestock Service (SAG) ▪ Direction General of Maritime Territory and Merchant Marine (DIRECTEMAR) ▪ Direction of Environmental, Antarctic and Maritime Affairs, Ministry of Foreign Affairs (DIMA) ▪ General Water and Water Works Directorates, (DGA and DOH) ▪ Chilean Forest Research Institute (INFOR) ▪ Ministry of Defense (MINDEF) ▪ Ministry of Health (MINSAL) ▪ Ministry of Planning and Cooperation (MIDEPLAN) ▪ Ministry of Public Works (MOP) ▪ Ministry of Transport and Telecommunications (MTT) ▪ National Customs Service (Aduanas) ▪ National Energy Commission (CNE) ▪ Ministry of Economy (MINECON) ▪ Ministry of Education (MINEDUC) ▪ Ministry of Urban Housing (MINVU) ▪ National Fisheries Service (SERNAPESCA) ▪ National Geologic and Mining Service (SERNAGEOMIN) ▪ National Commission for the Environment (CONAMA) ▪ National Forest Corporation (CONAF) ▪ State Defense Council (CDE) ▪ National Geology and Mining Service (SERNAGEOMIN) ▪ National Tourism Service (SERNATUR) ▪ Undersecretariat of Fisheries (SUBPESCA) ▪ Ministry of Mining (MINMINERIA) ▪ National Clean Production Council ▪ National Mining Enterprise (ENAMI) ▪ National Mining Association (SONAMI) ▪ National Emergency Office (ONEMI) ▪ Naval Hydrographic and Oceanographic Service (SHOA)