

Alejandra Salazar

Política Ambiental

Pronatura México, A.C.

Sitio Web: <http://www.pronatura.org.mx>

Reciba saludos cordiales desde México,

Quisiera agradecer por parte de Pronatura México, A.C. el envío del Borrador del Plan Operativo 2008 de la CCA y la atenta invitación para hacer comentarios y sugerencias al mismo. Pronatura México, A.C. es una asociación civil que trabaja desde 1986 para la conservación de la flora, fauna y ecosistemas prioritarios del país, promoviendo un desarrollo de la sociedad en armonía con la naturaleza.

En relación al Plan Operativo 2008, vemos que es bastante coherente con el Plan 2005-2010 de la CCA y que da continuidad a los programas ya existentes. Y aunque en algunos casos se proponen proyectos nuevos, están alienados a los programas, objetivos y metas predeterminados.

Nos percatamos además de una gran similitud en los temas que propone trabajar la CCA el próximo año y los que desarrolla Pronatura actualmente. Identificamos varias sinergias que nos interesaría explorar con ustedes de forma tal que podamos potenciar las acciones de conservación estratégicas en México. Por el otro lado, nos gustaría que se incorpore el tema de Agua en el Plan Operativo, específicamente el manejo de cuencas transfronterizas para el mantenimiento de los flujos ecológicos y la conservación de ecosistemas dulceacuícolas. Por el otro lado, también creemos que es importante hacer énfasis en el desarrollo de estrategias de mitigación y adaptación conjuntas para enfrentar los efectos del Cambio Climático (agua, biodiversidad terrestre, biodiversidad marina) y que se incluyan dentro de los planes y programas que se establezcan para la conservación de sitios prioritarios tanto marinos y terrestres así como manejo de vida silvestre.

Nosotros en particular vemos con beneplácito que temas importantes en nuestra agenda también gozan de reconocimiento a nivel trilateral (monarca, vaquita, planeación, áreas marinas protegidas y comercio sustentable)

En relación al Atlas Ambiental de América del Norte, queremos ofrecer nuestro apoyo para la integración de nuevas capas cartográficas en lo referente a áreas terrestres y marinas protegidas y áreas de distribución de especies cuya conservación es prioritaria. A través de los Centros de Información Pronatura para la Conservación, hemos colaborado con distintas instituciones y organizaciones no gubernamentales (CONABIO, CONANP, TNC, por mencionar algunas) para la elaboración de la planeación eco-regional de todo el país y disponemos por lo tanto de información cartográfica de distribución de especies prioritarias (fauna y flora) a nivel nacional. Esta planeación también identifica las amenazas más relevantes para la conservación de estas especies prioritarias basándose en un robusto sistema de

información geográfica. Creemos que lo anterior podría facilitar también la parte de "Examen de la factibilidad de nuevas capas temáticas y métodos innovadores de divulgación cartográfica" contenida en el Plan Operativo.

Por el otro lado, también participamos en un proceso coordinado por Conabio y Conanp para la realización del GAP Analysis (Compromiso de México para el Convenio de Diversidad Biológica) que determina vacíos y omisiones en la conservación y que podrían ser de utilidad para el Atlas Ambiental también.

Así mismo, estamos interesados en apoyar los proyectos de la CCA relativos a "Conservación de Especies y Espacios de Preocupación Común" puesto que tenemos gran interés en las áreas naturales marinas y hemos desarrollado diversos ejercicios de planeación estratégica e identificación de sitios marinos prioritarios. De igual forma, en el 2008 Pronatura estará reforzando sus actividades para el fortalecimiento de capacidades participativas con las comunidades pesqueras en la zona del alto golfo de California para determinar las opciones más viables de reconversión productiva como alternativas a la pesca con redes agalleras por lo que nos gustaría que pudiéramos participar en el proyecto de "Recuperación de la Vaquita y Fomento de Medios de Vida Locales Sustentables".

Sin más por el momento, estoy a sus órdenes para cualquier aclaración y/o comentario.

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On behalf of Pronatura México, A.C., I wish to thank you for forwarding the draft 2008 Operational Plan of the CEC and the kind invitation to submit comments and suggestions with respect thereto. Pronatura México, A.C. is a civil association that has been working, since 1986, on the conservation of priority flora, fauna and ecosystems in the country, promoting the development of society in harmony with nature.

We find the 2008 Operational Plan to be fairly consistent with the CEC's 2005-2010 Plan, offering continuity to already existing programs. Even where new projects are proposed, they are in line with the predetermined programs, objectives and goals.

We also noticed a great similarity in the topics that CEC proposes to work on for the next year, with those currently carried on by Pronatura. We identified several synergies that we would be interested in exploring with you, in order to strengthen strategic conservation actions in Mexico. We would also like to see the issue of water incorporated in the Operational Plan, specifically the management of transboundary basins to maintain the ecological flows and conservation of freshwater ecosystems. In addition, we believe it is important to stress the development of joint mitigation and adaptation strategies to head off the effects of climate change (water, land biodiversity, marine biodiversity), and that such strategies should be included in the plans and programs established for the conservation of marine and land-based priority sites and for wildlife management.

In particular, we are pleased to find that key issues on our agenda are also being given trilateral recognition (monarch, vaquita, planning, protected marine areas and green trade).

As regards the North American Environmental Atlas, we want to offer our support for the integration of new cartographical layers with respect to protected land and marine areas and the distribution areas of priority species. Through Pronatura's Conservation Information Centers, we have collaborated with different institutions and non-governmental organizations (CONABIO, CONANP and TNC, to name a few) to draft the nationwide eco-regional planning. We also have mapping information on the national distribution of priority species (fauna and flora). This planning also identifies the most relevant threats to the conservation of these priority species based on a robust geographical information system. We believe that this may also facilitate the section on "Explore the feasibility of new thematic layers and innovative map dissemination methods" in the Operational Plan.

We have also participated in a process coordinated by CONABIO and CONANP for the GAP Analysis (Mexico's Commitments under the Convention on Biological Diversity), identifying gaps and omissions in conservation, which may also be of use for the Environmental Atlas.

We are also interested in supporting CEC projects on the "Conserving Species and Spaces of Common Concern," as we have a great interest in natural marine areas and have developed various exercised for the strategic planning and identification of priority marine sites. Likewise, in 2008 Pronatura will reinforce its participative capacity-building activities with fishing communities in the upper Gulf of California, to determine the most viable options for productive reconversion as alternatives to fishing with gillnets. Thus, we would like to participate in the project "Recovering the Vaquita and Promoting Sustainable Local Livelihoods".

I remain at your service should you have any question and/or comment.

Please receive our warmest regards from Mexico.

Dr. Andrzej Zeromski

Universidad de Guadalajara

México

Observaciones sobre la propuesta del Plan Operativo de la CCA para 2008

Área de Información Ambiental

1. Existe un desfase entre el planteamiento de la problemática del futuro sustentable del continente de América del Norte, y el marco de información y conocimiento ambiental que propone producir la CCA para tal fin.
2. Lo que se pretende -por ahora- es la producción de información básica, que resulta insuficiente para tratar las situaciones complejas de la sustentabilidad.
3. Tal es el caso de la información cartográfica ambiental. El plan anuncia la entrega de nuevas capas de información cartográfica para el año próximo, pero estas capas están constituidas por información cartográfica tradicional, misma que resulta efectivamente indispensable para un atlas ambiental, mas en su parte introductoria; siendo insuficiente para los fines generales de la obra. Es posible que la información a la cual me refiero se incluya en una fase posterior del proyecto, pero esto no se puede evaluar sin contar con las descripciones del proyecto específico del Atlas Ambiental. No queda aún clara la idea general de la obra.
4. Los otros logros plasmados para el 2008 están dentro de las metas para el período 2008-2010. Quizás sería conveniente dar prioridad al establecimiento de un Sistema de Monitoreo del Cambio del Suelo, colocándolo después del proyecto del libro informativo; resaltando, en particular, la importancia de los cambios en las superficies aptas para la producción de alimentos.

Guadalajara, México, noviembre 23 de 2007

Lic. Daniel Basurto Gonzalez, Lexcorp-abogados, S.

Col. Polanco Mexico, D.F.

Sitio Web:<http://www.lexcorp-abogados.com.mx>

Hago referencia a la atenta convocatoria para la presentación de comentarios sobre los proyectos de la CCA para el 2008, sobre el particular, me permito hacer las siguientes consideraciones:

1. Un área de acción muy amplia con un presupuesto disminuido.

En 2007, el presupuesto era de 13\$ EU^[1] y el presupuesto de 2008 es de 9\$ EU (p.4).

El Plan cuenta con 19 proyectos. Parece difícil lograr metas y objetivos de 19 proyectos que están en áreas muy diferentes: el Estado del Medio Ambiente en América del Norte (muy general), las Cadenas de Abasto, la Industria Electrónica más Limpia, los mercados de energía renovable sustentabilidad y competitividad aplicación de la legislación ambiental y comercio, la salud, las sustancias químicas, la conservación de especies, de la Mariposa Monarca (especialmente).

Este Plan, que puede calificarse de Tratado Internacional, no debería ser tan genérico, ambiguo y específico en algunos temas. Sería mejor delegar algunos puntos especiales a otras entidades o crear otras entidades para estos asuntos, considerando las necesidades regionales de las partes.

2. Lo que falta al Plan.

- **Evita el asunto del cambio climático.**

La única referencia al cambio climático se encuentra a la página 9: "*Recopilar información sobre los principales factores de impulso del cambio ambiental en América del Norte hacia 2030 y organizar una conferencia sobre perspectiva ambiental para reunir la opinión tanto de expertos como de la ciudadanía acerca de las oportunidades para la cooperación ambiental entre las Partes.*" Este tipo de acciones funcionan en otras partes del mundo desde decenas. Hay un retraso en estas propuestas: El cambio climático ya está probado y las acciones ahora deben incluir la mitigación (como reducir las emisiones que calientan la atmósfera) pero también la adaptación (como luchar contra sequías, incendios...).

- No hay coerción.

Este Plan aparece como una ayuda, una promoción para que las empresas y gobiernos...pudieran actuar más ecológicamente, si quisieran. Sin embargo, no hay ninguna fuerza obligatoria, tampoco sanciones.

3. Propuestas.

- Reforzar las acciones concretas.

La propuesta numero 4: *Mejoramiento Ambiental de las Cadenas de Abasto* debería estar reforzada. Es una de las pocas propuestas que implica una acción concreta.

Las acciones de información y promoción son necesarias para prevenir la población y gobiernos pero no bastan.

- Incluir acciones para vigilar la aplicación de las leyes ambientales actuales.

El intento de uniformizar las leyes ambientales del Norte de América tiene que acompañarse con medidas para asegurar sus cumplimientos.

4. Algunas interrogantes.

a) Como se puede evidenciar el uso adecuado de los recursos y la eficiente asignación a efecto de que se evite privilegiar grupos, personas o entidades sin conocimiento real de la problemática a evaluar en los 19 proyectos, prestaciones y otros gastos?

b) Como se puede aterrizar el hecho de que los trabajos deban ser enfocados a la esencia de lo que es la CCA, es decir, la cooperación que debe existir para la prevención y control de la contaminación de los 3 países en donde por las características propias uno de ellos es el que requiere mayor asistencia, colaboración y cooperación de los otros 2; lo que se traduce en el costo que para cada uno representa la aportación a la CCA.

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I refer to the kind call for comments on the CEC projects for 2008. In this regard, I wish to offer the following considerations:

1. A very broad area of action with a limited budget.

In 2007, the budget was US\$13 million,^[2] while the 2008 budget is US\$9 million (p.4). The Plan consists of 19 projects. It seems difficult to attain the goals and objectives of 19 projects in such different areas: the State of the Environment in North America (too general), Supply Chains, Cleaner Electronics Industry, renewable energy markets, sustainability and competitiveness, environmental law enforcement, trade, health, chemicals, species conservation, and the monarch butterfly (in particular).

This Plan, which could qualify as an International Treaty, should not be so generic, ambiguous and specific on certain issues. It would be better to delegate certain special points to other entities or to create other entities for these matters, considering the parties' regional needs.

2. What the Plan is missing.

- Avoidance of climate change

The only reference to climate change appears on page 9: "*Assembly of information concerning the key drivers of environmental change in North America to 2030, and the hosting of an environment outlook conference to gather both expert and public opinion on opportunities for environmental cooperation among the Parties.*" This type of action works in other parts of the world, from the tens [sic]. These proposals are delayed; climate change is already proven, and actions now must include mitigation (how to reduce atmosphere-heating emissions) but also adaptation (how to fight droughts, fires, etc.).

- No enforcement

The Plan appears as an aid, an encouragement to business and government, to act more ecologically if they wish. However, there is no mandatory force or penalty.

3. Proposals.

- Reinforce concrete actions.

Proposal 4: *Greening Supply Chains*, should be reinforced. This is one of the few proposals requiring concrete action.

The reporting and promotion actions are necessary for the awareness of the public and government, but do not suffice.

- Include actions to enforce current environmental law.

The intent to create uniform environmental laws in North American should be accompanied by measures to ensure compliance.

4. Some questions.

a) How will the sound use of resources and the efficient distribution of funds be evidenced, so as to avoid privileged treatment for groups, persons or entities without actually addressing the problems to be covered in the 19 projects, benefits and other expenses?

b) How will the fact that work should focus on the essence of the CEC, i.e. cooperation for pollution prevention and control in the 3 countries, each of which believes it requires greater assistance, collaboration and cooperation than the other 2, be addressed, in regard of the cost implied in each country's contribution to the CEC?

[1] *Controlling the environmental and social impacts of NAFTA: successes and missteps in implementing the side agreements*, Irène Artru, 2004-07-12

<http://www.dfait-maeci.gc.ca/nafta-alena/artru-en.asp>

[2] *Controlling the environmental and social impacts of NAFTA: successes and missteps in implementing the side agreements*, Irène Artru, 2004-07-12

<http://www.dfait-maeci.gc.ca/nafta-alena/artru-en.asp>

Donald A. Davis, U.E

Member

Canadian Monarch Butterfly Conservation Plan Committee

North American Monarch Butterfly Conservation Plan Committee

Re: 2008 Draft Project Description - Project 17 - Conserving the Monarch butterfly and promoting sustainable livelihoods

I have thoroughly read this excellent document and want you to know that I give this initiative my complete support.

I am particularly pleased that this project will address the underlying trade related pressures on the Monarch and its habitat. In discussion with the Mexican government, the proliferation of illegal logging, wood processing and related activities not only in the buffer zones but also the core protected zones must be addressed. While it is understandable that there are demands and pressures for wood resulting from the close proximity of the Biosphere Zone to the world's largest city, these unabated illegal activities are having a detrimental and negative impact on the Eastern North American Monarch Butterfly population and the migration phenomenon.

There must be a commitment to and concrete strategies for monitoring unlawful activities in the Biosphere Zone and enforce existing laws.

Programs designed to provide local citizens with opportunities for alternative incomes or to reforest the Biosphere Zone - including trees on which the monarchs overwinter, as well as trees planted as a cash crop for local citizens - should be encouraged as part of this important plan.

This being said, both Canada and the U.S.A. have important roles to play in their own countries with regard to the loss of habitat, excessive use of pesticides and herbicides, excessive mowing of roadways and so on.

Hopefully constructive dialogue will result in achievable goals and plans.

Elizabeth Florescu

Director of Research

Millennium Project, WFUNA

Website: <http://www.millennium-project.org>

The CEC's 2008 Operational Plan highlights again CEC's great work and efforts to homogenize the assessment, reporting, and regulation systems across North America, and has to be commended. Hopefully, it will also enhance enforcement capabilities.

The observations I would have are more of a general nature and therefore for eventual consideration in future plans rather than triggering any changes to this one. Also, some might fall beyond CEC's mandate, although the CEC might be a relevant forum for addressing and/or promoting the subjects.

- **water:** as a topic of the "state-of-environment" project and a remarkably important issue, a comprehensive address is needed, including water-related regulations in place, as well as gaps that still need to be covered by regulations or need increased enforcement; determining if water is considered a commodity or resource or if both, then clearly stipulate when is what; harmonization of water pollution regulations and standards at continental level to create legal systems mandatory across the continent; and map pollution sources and impacts to increase enforcement measures and reduce effects (e.g. address environmental impacts of Alberta's tar-sands exploitations) Note: although the pollution subject might fall in the area of the "Monitoring and Assessing Pollutants across North America" project, a special focus on water would be valuable.
- **climate change:** (potentially in the framework of the digital North American Environmental Atlas) assess the most vulnerable areas to the effects of climate change and design and suggest appropriate adaptation and mitigation strategies; similarly, vulnerability assessment of highly populated areas to climate change and/or natural disasters possibly triggering mass migration, and suggestion of strategies to overcome eventual "taken by surprise" consequences of social, as well as environmental points of view
- **new technologies:** in the spirit of pro-active rather than reactive policies, improve, accelerate, and harmonize at continental level the assessment of possible environmental and health implications of new technologies such as bio and nanotechnology, and work with experts to suggest standards and regulations to assure continental policy coherence at all stages - from lab research to end use and safety
- **Northwest Passage:** although probably falling beyond the CEC's mandate, CEC might be an appropriate forum for some negotiations that might help put forward possible strategy suggestions to address security, environmental, and sovereignty issues.
- **communications:** in addition to "raise general awareness of CEC activities" and "inform more specialized audiences of project-related information," CEC's mission should also include increasing general public environmental education. In absence of adequate continental and large scale initiatives concerning general public environmental

education and awareness, CEC might consider expanding its programs to reach out as large segments of population as possible, so that educated citizens elect environmentally-concerned politicians to promote more environmentally sound policies.

- **environmental security:** it should be at least mentioned in some context -- in view of many studies that consider environmental issues the most important threat to national (also global and such, North American) security.

A general observation: although the emphasis on bringing Mexican environmental standards to the USA and Canadian levels is understood, the focus on a pan-continental harmonized policy shouldn't be lesser, since the US and Canada still have a long way to go to reach common standards, assessment systems, and agreement on important environment-related issues, and the speed of harmonization should be accelerated.

Concerning the budget, I guess that the numbers will be adjusted to reflect the new exchange rate -- Canadian dollar stronger than the US dollar -- which doesn't seem likely to get reversed any time soon.

Regards

Fernando Leija Torres

Comentarios al Plan Operativo de la CCA

Sobre las Prioridades Programáticas 3.2

En el concepto 3.2.1 Información para la toma de decisiones

Sobre el punto de fortalecer la capacidad de los responsables de las decisiones de América del Norte para comprender los asuntos ambientales

Considero tomar en cuenta para el caso de México, que los funcionarios del nivel municipal su duración es de tres años, los del estado seis años, los del nivel federal seis años. Asimismo en mi punto de vista es considerar a ONG.

En el punto de integrar la información necesitaría para describir el estado del medio ambiente en América del Norte e identificar de manera temprana tendencias y problema incipientes.

En el caso de México, considero de que este trabajo se debe de tomar la información de las fuentes, federales, estatales, municipales, ONG y ciudadanía, en virtud de que mucha información no esta considerada en los organismos gubernamentales.

3.2.2. Desarrollo de capacidades

Similar que el anterior.

Proyectos 3.3.1 Información ambiental

Evaluar las condiciones ambientales actuales en las cuatro temáticas.

Similar que el anterior, se tiene que investigar, porque en algunos casos no existe información, en otros esta incompleta, o se encuentra maquillada

3.3.3 Medio ambiente y comercio

8 Evaluación Ambiental del TLCAN

Considero importante para que se limite lo anterior de áreas contaminadas por la falta de aplicar las leyes y desconocimiento de las mismas, en las década de los 60 a los 90 con el programa fronterizo de las maquiladoras

10 Aplicación de la legislación ambiental y comercio

En el caso de México, el punto es que se aplique la ley, se debe desconsiderar a ONG en capacitación y estudiantes,

13 Monitoreo y evaluación de contaminantes en América del Norte

La franja fronteriza cuenta con áreas contaminadas por el inadecuado manejo y control de los residuos sólidos peligrosos y biológico infecciosos., considero de que las fuentes de la información se deben de considerara a la ciudadanía y ONG.

SINOPSIS

La información se debe de obtener de todas las fuentes, en virtud de que existe una gran cantidad dispersa., considerando también a las ONG y la ciudadanía., la capacitación se debe de considerara a la ciudadanía y ONG en virtud de que la mayoría de funcionarios son de paso, razón por la cual se disculpa su interés por el tema.

Comments to CEC Operational Plan for 2008

With respect to Program Priorities 3.2

Item 3.2.1, Information for Decision-making

On the point of strengthening the capacity of North American decision-makers to understand continental environmental issues, I think it should be considered that Mexican municipal officials have three-year appointments, while state and federal officials have six-year appointments. I also believe that NGOs should be considered.

On the point of developing the information needed to describe the state of the North American environment and identifying emerging trends and issues, in the case of Mexico, I think that this work should take information from federal, state and municipal sources and NGOs, since much information is not considered in government agencies.

3.2.2. Capacity Building

Similar to the above.

Projects 3.3.1 Environmental Information

Assess the current environmental conditions in the four topical areas.

Similar to the above, research is required because in some cases there is no information, and only incomplete or embellished information exists in others.

3.3.3 Environment and Trade

8 Environmental Assessment of NAFTA

I think it is important to limit this to areas polluted due to a lack of enforcement or ignorance of the law, from the 1960s to the 1990s, with the border maquiladora program.

10 Trade and the Enforcement of Environmental Laws

In the case of Mexico, the issue is to enforce the law, considering NGOs in training and students.

13 Monitoring and Assessing Pollutants across North America

The border region has areas polluted due to the unsound management and control of hazardous solid waste and biological, infectious waste. I think the information sources should include the public and NGOs.

SUMMARY

Information should be obtained from all sources, as there is a wide range of sources, including NGOs and the public. Training should include the public and NGOs since most officials have temporary appointments, and have only a passing interest in the issues.

John Plaut

Summit, New Jersey

JPAC - Here is my comment and the comment of my NGO. Please transmit it to JPAC members and include it in the record of comments. If there is an opportunity to enlarge on my comments in public testimony, I would appreciate the opportunity to do so: Congratulations on your continued advocacy of continental environmental issues and the transparency of your mechanisms. If the CEC and JPAC wish to continue to be fully relevant they must include in their agenda (1) issues of climate change and (2) alternate sources of non-carbon based renewable and non-renewable energy, and resultant cooperation of the Parties on joint programs thereon. Jon Plaut Summit, New Jersey. President, Global Learning Inc. Former member of JPAC.

Leo Petrilli

Website: <http://www.planethawk.org>

Hello, I will keep the number of my forwards limited for now.

As an environmentalist, concerned with cancers, asthmas, and all elements of health, especially the large numbers of children being born with these ailments, I would like to let you now I will be addressing many issues, not just the five suggested in this e-mail regarding trade. But the issues of smog, ozone, greenhouse gases, global warming, and therefore climate change. These are the added issues of trade. Shamefully added to this -- Cancer, asthma, children being born with many painful and deadly diseases, many of which are full of such suffering, and ultimate death...

As we ship more freight with Diesel Engine Exhaust, this will be one of the issues I wish to discuss.

I am cc'ing several interested individuals. And some health professionals whom I know could us all do a healthier job for the planet and its people.

The first species, we should be trying to preserve, are of course Humans. Then lets help the others.

Be well and thanks for this opportunity.

Ing. Luis Felipe Ayala Soto

Colonia el Sahuaro, Hermosillo, Sonora, México

Respetuosamente.

Por este medio de la manera mas atenta, me permito manifestar a ustedes los siguientes comentarios sobre los proyectos de la CCA propuestos para 2008.

Primeramente para manifestar que a estas alturas de la humanidad, en lo que se refiere al aspecto ambiental AIRE-SUELO-AGUA-BIOTA, lo que se requiere es empezar a dejar los asuntos de escritorio, a las soluciones en concreto.

Sirva esta para felicitar a la CCA, por retomar el tema de Cambio Climático, oficialmente como un asunto particular apegado al interés global real, y sus efectos en el aire, tierra, agua, y la vida en general.

Por tanto, se requiere también retomar donde se ha quedado el estudio de Emisiones atmosféricas de las centrales eléctricas en América del Norte, de Paúl Miller (2002), en continuidad a los contaminantes faltantes juntamente con los análisis químicos de los combustibles usados.

Debido a la basta información científica existente en materia de cambio climático, dirigir los proyectos que se estimen desarrollar, considerando como prioritario, el establecimiento de medidas que permiten reducir las emisiones, y sobre todo alentar la aplicación de tecnologías que ya existentes para la captura de los gases de efecto invernadero en sus diversas emisiones.

Integrar a la CCA, con mayor énfasis al Secretariado de la ONU, (UNFCC) que maneja los mecanismos de desarrollo limpio derivados de tratado de Kyoto, para el financiamiento de los proyectos de reducción de emisiones de forma global.

Igualmente para felicitar también a la CCA, por retomar el tema del agua, que había quedado excluido hasta ahora. La cantidad, calidad del abastecimiento del agua, su protección, reciclaje y re uso, en zonas desiertas y en proceso de desertificación, así como el exceso del recurso en otras áreas, deben ser temas básicos de la CCA. UNA NUEVA CULTURA INTEGRAL DEL AGUA

En este renglón, implementar la integración de una oficina que vea el agua, como parte del la problemática del cambio climático de forma trinacional.

Tal es el caso de los eventos meteorológicos recientes que a han afectado política y económicamente a todos los niveles sociales, y han costado vidas humanas.

Se requiere prever con anticipación todo evento meteorológico para determinar en tiempo real, con oportunidad los niveles de humedad del suelo, y la cantidad de agua precipitable, así como los posibles efectos de escurrimiento, el área de afectación, en cada evento meteorológico, y estar en condiciones de advertir a la población, en prevención.

Se requiere apoyar al US NOAA, con una computadora que permita incrementar las horas de pronóstico de 48 horas a una semana.

Todo ello permitirá se involucren las áreas de la ingeniería ambiental para el establecimiento de las obras publicas básicas de contención, así como las medidas de protección civil oportunas. E igualmente el mejoramiento de la calidad de los materiales usados en las obras publicas juntamente con protectores a la corrosión ambiental por causa del CO₂, y lluvia acida.

Por otro lado, el concepto de la sustentabilidad queda cojo si no se integra al de la vulnerabilidad. Todas las instancias ambientales del mundo están considerado la vulnerabilidad como un tema ambiental básico, la CCA, lo considera solo en el proyecto 18^a, relativo las especies invasoras.

Hay vulnerabilidad en todos los temas ambientales.

En este sentido, el proyecto del Google Earth y fuentes de información que lo alimentan, deben ser apoyado con mayor énfasis, a fin de que se le integren, la latitud y longitud real de las fuentes de emisión y posibles fuentes de emisión, para valorar la vulnerabilidad real de dichas emisiones, en tiempo real, y su dispersión local, regional y trasnacional, y transcontinental.

Hay muchas fuentes de información relacionadas a la emisión de contaminantes, así como su dispersión, trayectoria, disposición, local, regional, internacional y transcontinental, que no están siendo integradas como parte de las iniciativas medio ambientales para protección civil de la CCA.

Por falta de tiempo, seria de interés ampliar el plazo para dar más comentarios al respecto.

Agradezco de antemano las atenciones que a bien tengan prestar al presente.

Atentamente

Respectfully:

I hereby submit to you the following comments on the proposed CEC projects for 2008.

First, at this point in human history, with respect to AIR-SOIL-WATER-BIOTA environmental issues, what is needed is to start getting matters off the desk and offering concrete solutions.

I want to congratulate the CEC for addressing the issue of climate change, officially as a matter of actual global interest, and its effects on the air, earth, water and life, in general.

It should also pick up where Paul Miller (2002) left off in the study of Air Pollution from power stations in North America, together with the outstanding pollutants and the chemical analysis of fuels used.

Due to the vast scientific information existing on climate change, projects should be aimed primarily at reducing emissions and encouraging the application of existing technologies to capture greenhouse gases in their different releases.

The CEC should be more closely linked with the UN Secretariat (UNFCCC), which manages clear development mechanisms under the Kyoto treaty [sic], to fund emissions reduction projects globally.

I also want to congratulate the CEC for addressing water issues, which have been excluded until now. The quantity and quality of the water supply and its protection, recycling and reuse in desert and desertified regions, as well as excess water in other areas, should be basic topics for the CEC. A NEW, COMPREHENSIVE WATER CULTURE

In this regard, implement a trinational water office as part of the climate change problem.

This is the case of recent meteorological events that have affected all social levels politically and economically and that have cost human lives.

All meteorological events need to be predicted in a timely manner to determine, in real time, the levels of soil moisture and precipitation, as well as the possible runoff and the area to be affected in each meteorological event, to give the public prior warning.

The support of the US NOAA is needed, with a computer to increase forecast hours from 48 hours to one week.

All this will enable the involvement of environmental engineering to establish basic public containment works and timely civil protection measures, as well as the improved quality of materials used in public works, along with protection against environmental corrosion caused by CO₂ and acid rain.

On the other hand, the concept of sustainability is incomplete without the concept of vulnerability. All environmental authorities worldwide are considering vulnerability as a basic environmental topic. The CEC considers it only in the project on invasive species.

There is vulnerability in all environmental issues.

In this regard, the Google Earth project and information sources that feed it should be given greater support to include the actual latitude and longitude of emissions sources and potential

sources, to assess the actual vulnerability they create, in real time, and their local, regional, transnational and transcontinental dispersion.

There are many information sources relating to pollutant releases and the local, regional, international and transcontinental dispersion path, which are not being included as part of the CEC's environmental initiatives for civil protection.

Given the lack of time, the comments period should be extended.

I appreciate your attention to this letter.

Yours truly

Mathieu Fortin

Montmagny, Québec, Canada

Bonjour,

Tout d'abord, je tiens saluer les efforts de la CCE dans le domaine de l'environnement, continuez votre beau travail. Toutefois, en réponse à votre sollicitation d'observations publiques, j'ai quelques remarques à formuler. Devant l'urgence d'agir pour assurer l'avenir de notre planète, je crois que les organismes environnementaux devraient toujours chercher à concentrer leurs efforts sur les actions qui auront le plus d'impact. En Amérique du Nord, nous consommons trop, beaucoup trop ! Plutôt que de traiter les symptômes, attaquons nous à la cause du problème ! La sensibilisation du public et de l'industrie sont primordiales. Réduisons notre consommation. Aussi, j'aurais aimé voir dans votre plan opérationnel un projet qui concerne l'impact de la construction et des bâtiments sur l'environnement. Les bâtiments sont responsables d'environ 30 à 40% de la consommation de ressources et d'énergie en Amérique du Nord. Voilà un problème de taille auquel il faudrait s'attaquer. Merci pour votre attention.

Hello,

First I want to take this opportunity to congratulate the CEC for its efforts in the area of the environment: keep up the good work! However, in response to your call for public comment, I have a few remarks to make. Given the urgency of acting to preserve the future of our planet, I think that environmental organizations should always try to focus their efforts on the actions that will have the biggest impact. In North America, we consume too much - far too much! Instead of treating symptoms, let's attack the cause of the problem! Raising public and industry awareness is crucial. Let's reduce our consumption. Also, I would have liked to see in your operational plan a project concerning the impact of construction and buildings on the environment. Buildings are responsible for 30-40 percent of energy consumption in North America. That's a big problem for us to deal with. Thank you for your attention.

Raul Pacheco-Vega

Researcher in Environmental Affairs

Centro de Innovación Aplicada en Tecnologías Competitivas A.C. (CIATEC)

Guanajuato, México

Dear colleagues of NACEC

I am very pleased to see that the 2008 strategic program is, overall, well written and focused on real priorities. There are a number of elements that worry me and thus I am submitting my commentaries in writing.

a) Lack of focus on the SEM unit.

By and large, the Citizen Submission on Enforcement Matters (CSEM) is one of the most well-known mechanisms to pressure governments to enforce domestic environmental laws. It has been discussed extensively in the literature and it is currently the focus of one of my research projects with Professors Jonathan Fox and Inger Weibust.

However, as I read the Strategic Plan, I saw very little emphasis on future projects on the CSEM. I think there is a real need to study this mechanism but from a field perspective. That has been the rationale underlying the project I am currently undertaking with Professors Fox and Weibust.

The CSEM has great potential even if it is perceived to be a "tooth-less" process. I would hope that the CEC has a stronger long-term plan for the SEM unit than the Operational Plan would suggest.

b) Excessive focus on competitiveness and sustainability.

The debate on competitiveness and sustainability is, in my opinion, over-debated. There are many other projects where resources could be better spent. As an academic, I am well aware of the status of the debate in the literature on competitiveness and sustainability. If anything, I think some emphasis should be placed on training and educating industry on the benefits of an environmentally-friendly production process and the effect of cleaner technologies on the bottom-line.

c) Little focus on PRTRs

It seems to me as though the CEC is reducing/limiting the scope of its work on PRTRs. I think that the fact that Mexico has just begun producing reports from the RETC should be an incentive (not a deterrent) to continue the work on PRTRs. Particularly, I think that the CEC should support the implementation of RETC by ENGOs. Since it is an environmental policy instrument that is based on citizen participation and use of information, it would be a good idea to support ENGOs to train and educate industry reporters and the general public on the value

of RETC information. I really would hope that all the work that the CEC has put on PRTRs is not lost due to this lack of emphasis.

d) Too much focus on projects that would yield very little in the long term.

I am not a specialist in conservation of marine species so I am not able to speak about the vaquita project, but I am worried that maybe some of the projects suggested are not going to be yielding results just yet.

e) Suggested improvement on JPAC's composition process

As an academic, I am substantially worried about the transparency of the JPAC members' selection process. I am aware of the fact that each government decides to nominate the members to JPAC. However, I am not aware of what the process for each country is. Since the Secretariat and all three governments are so concerned with trying to harmonize all three countries' environmental policies (and since all three countries contribute equally to the CEC budget), then there should be a harmonization process of the JPAC members' selection process. I believe that this would increase the transparency of the process and would also help build credibility of JPAC as a real citizen participation mechanism.

I also think that there is no emphasis on your operating plan on how you plan to make JPAC more accountable and how the members will relay the discussions to the general public in each one of the three countries. Since JPAC is supposed to be a mechanism for citizen input into the CEC decision making processes, it would be good if JPAC itself did a substantial effort to represent the views of the public. As it operates right now, JPAC is composed of citizens chosen by each country whose views may (or may not) represent the general public views.

I also would suggest an independent examination of the issue of length of tenure in JPAC. Some members have been participants for only a year, some are going on seven years. I think that renewing the composition of JPAC would be very healthy, particularly those members who have exceeded a three-year term. Re-appointment should not happen at least within a period of 10 years. No examination of this issue has ever been undertaken, and I don't see it in your operational plan for 2008 either.

Ricardo Henkel

Universidad Autónoma del Estado de México

Coordinador Comité Investigación y Desarrollo

Con el gusto de saludarte, agradezco la info que me has enviado relativa a emitir los comentarios al programa 2008 de la CEC mismos que a continuación te haré.

1. No encuentro un proyecto que hable acerca de la importancia de sanear las cuencas; es un tema que ya se ha tratado, sin embargo considero que es de vital importancia por lo siguiente:
 - a) Día con día la población de los tres países va en aumento
 - b) La demanda de recursos (como el agua) aumenta lineal y exponencialmente
 - c) El abatimiento de los niveles estáticos y dinámicos de los mantos freáticos es una realidad cada vez mas preocupante
 - d) Los costos para la extracción del recurso agua consecuentemente es mayor
 - e) Los gobiernos en muchos de los casos tienen que absorber los costos de dicha extracción vía subsidios para evitar un desgaste político al elevar el cobro del suministro del agua
2. Por los anteriores motivos, sugiero respetuosamente que en el apartado de contaminantes y salud, se incluya el tema de recuperación y saneamiento de las cuencas hidrológicas por un solo motivo que te daré

"El derecho a un ambiente sano es un derecho humano de tercera generación" de acuerdo a la carta de derechos humanos y, considero esto como un motivo mas que suficiente para que se tenga este como un tema prioritario en la agenda del 2008.

Finalmente te comento que continuo con el trabajo de la recuperación de la cuenca del río Lerma y que hoy, 21 de noviembre, hemos reunido con el apoyo de la asociación industria limpia en el estado de México, a funcionarios Federales, Estatales y Municipales quienes se han comprometido para impulsar acciones a favor del río Lerma.

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This is to send my regards, and thank you for the info provided to me with regard to the submission of comments on the 2008 CEC Program, which I submit below.

1. I cannot find a project that speaks to the importance of basin cleanup. This issue has already been dealt with, but I think it is vitally important for the following reasons:
 - a) The three countries' populations increase day by day
 - b) The demand for resources (such as water) increases linearly and exponentially
 - c) The falling static and dynamic levels of water tables is of growing concern
 - d) Water extraction costs are increasing accordingly

- e) Governments often have to absorb the costs of such extraction through subsidies to avoid the political cost of increasing water supply fees
- 2. Therefore, I respectfully suggest that the section on pollutants and health include the topic of hydrological basin recovery and cleanup, for this one reason:

"The right to a healthy environment is a third-generation human right" according to the letter on human rights, I believe this is more than sufficient reason to include it as a priority topic in the 2008 agenda.

Lastly, I want to let you know that I am continuing to work on the Lerma river basin recovery, and today, November 21, we have met with the support of the clean industry association in Mexico State, and Federal, State and Municipal officials, who have committed to fostering the Lerma river.

Rolando C. Ríos Aguilar

Coordinador de investigación e integración de programas especiales Instituto Nacional de Ecología/Semarnat

Por instrucciones del Dr. Adrián Fernández Bremauntz, Presidente del Instituto Nacional de Ecología, me permito señalarle la disposición de este Instituto de proporcionar a la CCA la información que requiera y que esté en nuestras manos, para el logro de los proyectos de investigación que ejecutará en el año 2008.

Nos parece de suma importancia la realización del Informe sobre el Estado del Medio en América del Norte, proyecto en el que participó el INE durante la década de los noventa; así como la realización del Atlas cartográfico de recursos naturales y los estudios relativos a la interfase medio ambiente - economía.

Les suplicamos mantenernos al tanto del desarrollo de los proyectos y si en alguna de las fases de estos se requiere la consulta técnica del INE, nos manifestamos a sus órdenes.

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At the instructions of Dr. Adrián Fernández Bremauntz, Chairman of the National Institute of Ecology, this is to let you know that this Institute is available to provide the CEC with any information it may require and that is in our possession, to carry out the research projects to be undertaken in 2008.

We believe that the North American State of the Environment Report-in which the INE participated during the 1990s-is of utmost importance, as are the Atlas of natural resources and the environment-economy studies.

Please keep us informed as the projects progress. We remain at your service should any stage of the studies require technical consultation with INE.

Sarah Stewart

Deputy Counsel, International Trade Policy
Humane Society International

Humane Society International (HSI) appreciates the opportunity to submit these comments in response to your request for input regarding the Commission for Environmental Cooperation's proposed Operational Plan for 2008.

HSI operates as the international arm of The Humane Society of the United States (HSUS).

Founded in 1954, The HSUS is the largest animal protection organization in the United States, and in conjunction with HSI, maintains a constituency of over 10 million. As the international arm of The HSUS, HSI works to promote the protection of all animals around the world by participating in programmatic activities in developing countries, advocating for the effective enforcement of international environmental treaties, and furthering humane and sustainable international trade policy.

HSI actively participates in discussions of international trade policy at the World Trade Organization addressing such issues as equitable development, humane and sustainable agriculture, environmental conservation, and wildlife and habitat protection. In addition, as a member of the Trade and Environment Policy Advisory Committee in the United States, HSI advises the United States Trade Representative and the United States Environmental Protection

Agency on international trade policy. Locally, HSI implements a number of trade capacity building and technical assistance programs in developing WTO Member countries to support sustainable economic development, including humane agricultural practices and habitat protection policies.

Comments on the CEC's Proposed Operational Plan for 2008

HSI is pleased to see that the CEC's Operational Plan for 2008 contains initiatives designed to promote advancement of environmental protection, in particular those that are linked to wildlife protection, conservation of species, and sustainable use of biodiversity. *See e.g., Operational Plan at Sections 3.2.2 (Capacity Building), 3.2.3 (Trade and Environment), 3.3.5 (Conservation of Species).*

HSI is encouraged that the CEC's 2008 Plan includes a focus on strengthening capacities to improve compliance with wildlife laws and to conserve species and habitat. Among others, capacity building activities HSI is pleased to see are planned for 2008 include the recovery of the vaquita purpose through the use of sustainable fishing gear, training of local fishermen in the use of environmentally friendly gears and disentanglement techniques in critical turtle nesting sites, and the training of customs and other law enforcement officials in the identification of and enforcement against illegal shipments of protected species and wildlife.

As a non-governmental organization, HSI believes the successful operation of the citizen submission process set forth in Articles 14 and 15 of the North American Agreement on Environmental Cooperation (NAAEC) is critical to ensuring effective enforcement of environmental laws in the U.S., Canada and Mexico. The CEC's 2008 Operational Plan indicates that "the success of the process requires that it be well known, accessible, transparent, reliable, and that it be used appropriately." *Id.* at Section 5 (Submissions on Enforcement Matters Process). The 2008 Plan also indicates that "the credibility of NAAEC Articles 14/15 depends on objective, rigorous, and consistent consideration of submissions...." *Id.*

In the summer of 2007, HSI along with two Mexican NGOs, CEMDA and COMARINO, filed a submission with the CEC alleging that Canada was failing to enforce its environmental laws concerning the commercial seal hunt. *See* SEM-07-003 (Seal Hunting). As a submitter, HSI became familiar with the citizen submission process. To this end, HSI has some suggestions to ensure the goals set forth in the 2008 Operational plan are met.

First, to HSI's knowledge, the CEC's working procedures have not been reviewed or revised since 2002. HSI believes that for the citizen submission process to operate effectively, it must be monitored, and lessons learned must be incorporated into the working procedures as necessary. This will aid in consistency in the CEC's decision-making and allow the submission process to evolve. HSI is planning to attend a conference in December 2007 hosted by the Joint Public Advisory Committee. This conference will focus on the submissions process and how it might be improved. HSI strongly believes this is an invaluable opportunity to understand the strengths and weaknesses of the process, and improve upon them as necessary. One such way includes review and as necessary, revision, of the CEC's working procedures. Second, and related to the point above, one issue that HSI believes must be considered is the transparency of CEC determinations.

There are very limited guidelines for the CEC Secretariat to follow in making their determinations. Some determinations are extensively detailed, while others are brief and the reasoning of the determination is hard to discern. HSI is of the view that one way this could be remedied is to revise the working procedures to provide the CEC with a framework that will allow for consistency among determinations. For example, at present, the working procedures regarding determinations as to whether the submissions meet the criteria under Article 14 only require that the Secretariat "inform the submitter of its reason(s)..." *See, e.g.,* CEC Working Procedures at Sections 6.1, 6.3. The working procedures could be amended to require the Secretariat to provide "detailed reasoning and explanation" as to why a submission fails to meet certain criteria, rather than just list the reasons. Indeed, for determinations concerning whether a response is merited from the Party under Section 8.1, the working procedures only require the Secretariat to notify the submitter. Here again, HSI strongly urges that the Secretariat be required to provide detailed reasoning prior to terminating the process, particularly in cases where the submitter has provided additional information after the initial submission. HSI additionally believes the working procedures should require the CEC to respond to "material" arguments made by interested parties (arguments that are likely to influence the ultimate determination made). Without such transparency, determinations will be unpredictable, discouraging submitters and undermining the efficacy of the overall process. At a minimum, in

the absence of a traditional appeals process, there should be a process in which submitters can request further explanation from the CEC if their submission is rejected without detailed explanation. HSI is hopeful that the suggestions outlined above will greatly add to the success of the submissions process.

Please do not hesitate to contact the undersigned if there are any questions regarding these comments.