

## APPENDIX 1

### **ANNEX V TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES ON COOPERATION FOR THE PROTECTION AND IMPROVEMENT OF THE ENVIRONMENT IN THE BORDER AREAS ("LA PAZ AGREEMENT")**

Recalling that in the preamble to Annex V the Parties affirm their intention to ensure a reduction in air pollution concentrations for the benefit of their citizens living in the urban areas along the United States-Mexico border; and

Recognizing the importance of the participation of the local communities in carrying out the efforts to achieve this objective;

The Parties, having decided to establish a Joint Advisory Committee for the improvement of Air Quality (hereinafter "the Committee") in the Ciudad Juárez, Chihuahua/El Paso, Texas/Doña Ana County, New Mexico air basin (hereinafter "air basin"),

Have agreed as follows:

#### **DEFINITION**

The air basin is defined as the geographic area that includes El Paso County, Texas and those parts of Doña Ana County, New Mexico and the metropolitan area of Ciudad Juárez that are within 100 km of the border.

#### **OBJECTIVE**

The Committee is established for the purpose of developing and presenting recommendations to the Air Work Group established under the La Paz Agreement regarding strategies for the prevention and control of air pollution in the air basin.

#### **SCOPE OF ACTIVITIES**

The Committee may develop recommendations for the Air Work Group on:

- a) The joint development by the Parties of studies and analyses on integrated air quality monitoring and modeling, and air pollution prevention and abatement strategies in the air basin;
- b) Exchanges of information on air quality matters such as air quality data, air emissions data, and data on compliance with each Party's air emissions standards:

- c) Technical assistance programs, technology exchanges, and training in areas relevant to preventing and reducing air pollution in the air basin;
- d) Environmental education and outreach programs for the general public relevant to preventing and reducing air pollution in the air basin;
- e) Exploring strategies to prevent and reduce air pollution in the air basin, including recommendations on emissions trading and other economic incentives as well as improving the compatibility of air quality programs in the air basin; and
- f) Such other air quality improvement issues as the Committee may deem to be pertinent to the air basin and as may be recommended by the Parties.

The Parties will provide a guidance document to the Committee detailing more specific subject areas which the Committee should consider. This guidance document may be updated periodically by the Parties.

The recommendations may include analyses of the estimated costs, and possible financial sources, to implement the recommendations. The recommendations may also address the availability of technology and training necessary for their implementation.

## **STRUCTURE AND ORGANIZATION**

The committee will consist of 20 persons, ten of whom are to be selected by each Party, in close consultation with state and local governmental officials and the public in the air basin.

The ten U.S. representatives will include (i) one representative of the federal government; (ii) one representative from each of the governments of the States of Texas and New Mexico; (iii) one representative from local government in El Paso, Texas; (iv) one representative from local government in Doña Ana County, New Mexico; and (v) five persons, residing in the air basin, who are not employed by the federal or any state or local government. At least one of these five persons will be a representative of the business community and at least one will be a representative of a nongovernmental organization, a major portion of whose activities concerns air pollution.

The ten Mexican representatives will include (i) one representative of the federal environmental agency (SEMARNAP); (ii) one representative of the federal health agency (SSA); (iii) one representative of the environmental authorities of the State of Chihuahua; (iv) one representative of the environmental authorities of the Municipality of Cd. Juárez; (v) one representative of the health authorities of Cd. Juárez; and (vi) five persons, residing in the air basin, who are not employed by the federal or any state or local government. At least one of these five persons will be a representative of the private sector, at least one will be a representative of a nongovernmental organization, at least one will be a representative of the academic institutions of Cd. Juárez and at least one will be a representative of the Consulting Council for Sustainable Development in the Northern Region.

The federal representatives will preside over the Committee.

The Committee will establish its own rules of procedures, subject to approval by the Parties. Meetings of the Committee will generally be open to the public.

The Air Work Group will consider the recommendations of the Committee and inform the Committee of any action taken pursuant to such recommendations.

The recommendations of the Committee will not be binding on the Air Work Group or the Parties.

### **ENTRY INTO FORCE**

The Parties will periodically review the implementation of the Appendix.

This Appendix will remain in force indefinitely, unless one of the Parties notifies the other in writing through diplomatic channels of its desire to terminate it, in which case the Appendix shall terminate six months after the date of such written notification.

**[IN WITNESS WHEREOF** the undersigned, being duly authorized by their respective governments, have signed this Appendix.

Done at Mexico City, this \_\_th day of May, 1996 in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA;

FOR THE GOVERNMENT OF  
THE UNITED MEXICAN STATES:]