

# U.S. EPA REGION 5 TRIBAL OPERATIONS COMMITTEE

## CHARTER

### Section 1.0: Purpose

The Region 5 Tribal Operations Committee (RTOC) is a partnership between federally-recognized Tribes in U.S. EPA Region 5 and the Region 5 office. The RTOC enhances the protection of human health and the environment in Indian Country and facilitates implementation of tribal environmental protection programs. This partnership focuses on:

- Developing regional strategic plans and corresponding budgets to ensure environmental protection in Indian Country;
- Identifying tribal capacity needs and developing recommendations to address deficiencies;
- Defining the Agency's trust responsibilities for particular environmental or human health issues facing Indian Country;
- Developing policies for implementing environmental protection programs in Indian Country;
- Review and comment on regional environmental strategies on issues of importance to tribes; and
- Facilitate compliance with the US EPA Indian Policy.

The RTOC will not replace the Agency's responsibility for consultation on a government-to-government basis when appropriate.

### Section 2.0: Membership

The U.S. EPA Region 5 Tribal Operations Committee shall include a Region 5 Tribal Caucus and Region 5 senior managers.

#### 2.1 Region 5 Tribal Caucus

2.1.1 Representatives. Tribal government representatives serving on the RTOC form the "Region 5 Tribal Caucus." Two tribal government representatives from each state will represent all tribes located within their respective state. Tribal government representatives from each state area are selected by all tribes located in that state.

2.1.2 Duties. Members of the Region 5 Tribal Caucus are expected to: (1) gather input from all the Tribes within their respective state and advance that input to the RTOC in a timely, fair, and objective manner; (2) provide timely reports to the Tribes within their respective state on the proceedings and outcomes of RTOC deliberations; (3) provide specific suggestions for RTOC meeting agendas; (4) actively prepare for and participate in RTOC meetings, formulating solutions to issues raised during RTOC deliberations; (5) actively

participate in ad hoc and/or standing committees and subgroups formed by the RTOC; (6) select Tribal representatives from Region 5 to serve on other U.S. EPA groups; and (7) select the recipient of the annual Taimi Lynne Hoag Award.

2.1.3 Appointment. The Tribes within in each state are responsible for determining a method for selecting representatives for their respective state. Tribal representatives shall be verified each September by written correspondence to the RTOC Co-Chairs.

2.1.4 Removal. Failure to attend two consecutive regularly scheduled RTOC meetings may be grounds for removal. The Tribes within each state may elect to change representation prior to the end of the one-year term.

## 2.2 U.S. EPA Region 5 Senior Managers

### 2.2.1 Representatives.

Regional Administrator	Deputy Regional Administrator
Assistant Regional Administrator	Regional Counsel, ORC
Air and Radiation Division, Director	Water Division, Director
Superfund Division, Director	Waste, Pesticides, & Toxics Division, Director
Indian Environmental Office, Director	Office of Public Affairs, Director
Great Lakes National Program Office, Director	
Office of Science, Ecosystems and Communities, Director	

2.2.2 Duties. Indian Environmental Office (IEO) will be responsible for meeting logistics, development and distribution of meeting agendas and notes, maintaining the RTOC Action Item Tracking Matrix, and providing support to the Region 5 Tribal Caucus. As appropriate and as resources allow, support to the Region 5 Tribal Caucus may include technical information and research, assistance with communication and coordination, and resources to participate in meetings and conference calls. Region 5 senior managers will represent their respective Divisions and Offices by: (1) actively preparing for and participating in RTOC meetings as required by the agenda, formulating solutions to issues raised during RTOC deliberations; (2) sharing relevant information on policies, procedures, and programs in a manner that allows the Tribal Caucus to provide meaningful input to Agency decisions affecting Indian country; (3) providing timely reports to EPA staff on relevant proceedings and outcomes of RTOC deliberations; (4) providing specific suggestions for RTOC meeting agendas; and (5) actively participate in ad hoc and/or standing committees and subgroups formed by the RTOC. Region 5 senior managers, working through their staff when appropriate, will maintain ongoing dialogue with RTOC member tribes.

## 2.3 RTOC Co-Chairs

The Region 5 Regional Administrator and one member of the Region 5 Tribal Caucus will serve as the RTOC Co-Chairs. The Region 5 Tribal Caucus will select the Tribal co-chair to serve a two-year term.

## **Section 3.0: Meetings**

### **3.1 Meeting Frequency and Location**

The RTOC will meet three times each calendar year. One meeting will be held in Chicago and two meetings will be held in Indian Country. Meetings in Indian country will rotate among the three states. The location and date of RTOC meetings may be changed by mutual consent of the RTOC Co-Chairs.

### **3.2 Meeting Notes**

The IEO will draft notes from each RTOC meeting in a timely manner. After notes are approved as "final" by RTOC members present at an RTOC meeting, the IEO will distribute them to Tribal environmental contacts, regional inter-tribal organizations, and the American Indian Environmental Office (AIEO). The names and contact information of all RTOC meeting attendees will be included with the meeting notes.

### **3.3 RTOC Action Item Tracking Matrix**

The IEO will be responsible for maintaining the RTOC Action Item Tracking Matrix, which records the status of commitments and deadlines agreed to during RTOC deliberations. Copies of the RTOC Action Item Tracking Matrix will be distributed with the meeting agenda.

## **Section 4.0: Selection of Tribal Representatives for Other EPA Work Groups**

### **4.1 National Tribal Operations Committee**

4.1.2 Representatives. Two Tribal representatives shall be selected to represent Region 5 on the National Tribal Operations Committee (NTOC).

4.1.3 Duties. NTOC Representatives are expected to: (1) gather input from Tribes in Region 5 and advance that input to the NTOC in a fair and objective manner; (2) attend NTOC meetings and participate in NTOC conference calls; (3) provide reports and/or updates at the RTOC meetings on NTOC topics/issues; (4) serve on ad hoc and/or standing committees and subgroups formed by the NTOC.

4.1.4 Appointment. NTOC representatives shall rotate between tribes located within different states on a staggered basis. Tribes located within the same state shall not have more than one representative at a time, unless the tribes located within the state next in the rotation decline to serve. The Tribes located within each state will be responsible for designating a primary representative and an alternate representative, and notifying the RTOC Co-Chairs of their candidates. The RTOC Co-Chairs will notify the AIEO of the designated Region 5 representative.

4.1.5 Term. The NTOC representative terms shall be two years in length unless the current representative is an elected officer of the NTOC. That representative will be allowed to serve out the remainder of his/her elected term.

4.1.6 Removal. By majority vote of the Region 5 Tribal Caucus, an NTOC Representative may be removed for failure to complete the duties of the position.

## 4.2 Tribal Science Council

4.2.1 Representatives. One primary representative and one alternate representative shall be selected to represent Region 5 on the Tribal Science Council (TSC).

4.2.2 Requirements. The following are minimum requirements for serving as a TSC Representative (primary or alternate): (1) education or background experience that will allow adequate representation of the interests of Tribes in Region 5 on technical matters; (2) employment by a federally-recognized Tribe, authorized Tribal Consortium, or a Tribally-affiliated organization such as a Tribal College.

4.2.3 Duties. The primary TSC Representative is expected to attend meetings and participate in conference calls of the TSC, and to report on those proceedings at each RTOC meeting. The alternate TSC Representative shall act for the primary TSC Representative when he/she is unable to perform any duty or requirements, and shall replace the primary Representative in the event he/she can no longer serve on the TSC.

4.2.4 Nomination and Appointment. Any federally-recognized Tribe in Region 5 may make nominations for the primary TSC Representative, alternate TSC Representative, or both. The nomination shall be in writing and accompanied by a letter of interest, a resume, and/or other statement of qualifications for the nominee. The TSC Representatives shall be appointed by a majority vote of the Region 5 Tribal Caucus. The RTOC Co-Chairs will notify the U.S. EPA Office of Research and Development of the designated Region 5 representative.

4.2.5 Term. The term of the TSC Representatives shall be for two years, beginning on the first day of October and ending the last day of September.

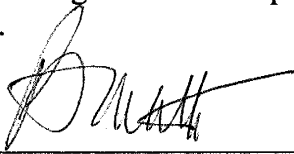
4.2.6 Removal. By majority vote of the Region 5 Tribal Caucus, the TSC Representatives may be removed for failure to complete the duties of the position.

## 4.3 Other EPA Work Groups

From time to time, national EPA work groups may request tribal representation from Region 5. The Region 5 Tribal Caucus will request nominations from all federally-recognized tribes in Region 5 and select representatives by majority vote.

**Section 5.0 Certification**

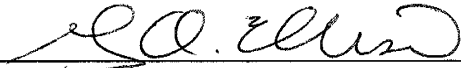
U.S. EPA Region 5 Tribal Operations Committee members have reviewed and agreed to this Charter.



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Bharat Mathur, Acting U.S. EPA Regional Administrator  
and RTOC Co-Chair

6-13-06

Date



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Stan Ellison, Tribal RTOC Co-Chair

19 June 2006

Date