

# Tribal Waste and Response Assistance Program

## Steering Committee Charter

### Article I. Mission

The TWRAP SC will maintain a cooperative exchange of information between American Indian Tribes, USEPA OSWER, federal partners, and other organizations to assess, understand, and prevent environmental impacts that adversely affect health, culture, and natural resources.

### Article II. Committee

**Section 2.01 Membership:** The Committee is an advisory body composed of tribal representatives that represent a broad range of expertise and geographical distribution. Each tribal representative serving on the Committee must be employed by a federally recognized tribal government and engaged in Office of Solid Waste and Emergency Response (OSWER) issues.

**Section 2.02 Number and Terms of Office:** The Committee may consist of up to ten members. The term of office is two years notwithstanding the exception described below. In order to establish staggered terms, the inaugural Committee, which is comprised of nine members, shall select five members to serve three years instead of the standard two years. The remaining four members shall serve the standard two-year term. There are no term limits for Committee members who apply for selection following the expiration of their term.

**Section 2.03 Applications:** Any person engaged in tribal OSWER issues and who is an employee of a federal recognized tribal government may apply for Committee membership. To be eligible to participate as a member of the Committee, each applicant must have authorization from an elected official. Applicants must be employed by a federally recognized tribal government and must be engaged in OSWER related issues.

**Section 2.04 Selection:** Applications, containing a description of the roles and responsibilities of Committee members, will be made available each year in the spring. Interested parties submit their completed applications to the administrator of the grant. The open seats on the Committee shall be filled from the pool of nominees by a special selection team composed of one representative from the administrator of the grant, the

OSWER project officer, three tribal professionals, and three USEPA Regional office staff. Nominees will be selected based on the criteria in the Committee announcement. There is no requirement to fill all open seats on the Committee. The Committee shall strive to at all times to maintain a minimum of seven members to help ensure broad programmatic experience and national geographic distribution.

**Section 2.05 Interim Vacancies:** If a Committee member is for any reason unable to complete the two year term, the position shall remain vacant until the next nomination and selection cycle unless the Committee decides to take action to ensure a minimum of seven members are on the committee in accordance with Section 2.04.

### **Article III. Voting**

**Section 3.01 Overview:** The Committee is a consensus-based organization, and aspires to achieve consensus whenever possible. When the desired consensus can be reached, no vote will be necessary. All Committee members may participate in deliberations and discussion related to Committee decision making, and are included in the consensus process. However, should consensus be unattainable, the majority voting processes as outlined below shall be executed.

**Section 3.02 Quorum:** A quorum for conducting official business is met when more than fifty percent (50%) of the Committee representatives are in attendance not including proxies given under Section 6.04.

**Section 3.03 Consensus:** A consensus is a recommendation or agreement reached by the Committee as a whole, lacking any dissent.

**Section 3.04 Majority Vote:** Majority vote shall be the method used for modifications to the Charter, and other similar decisions, as determined by the Committee. A majority is more than fifty percent (50%) of the votes present at a Committee meeting with a quorum.

**Section 3.05 Super-Majority Vote:** The Committee shall determine which actions require super-majority vote for passage. A super-majority vote requires the agreement of eight of the ten potential voting members. If there are vacant Committee positions or members not in attendance the super majority vote requirement shall decrease by one for each open spot.

### **Article IV. Officers, Duties of Officers**

**Section 4.01 Chair:** The Chair shall facilitate, or designate a facilitator, for discussion and consensus during Committee meetings, and conduct business in an orderly fashion. The

Chair may convene separate subcommittees to accomplish goals and objectives. If the Chair cannot attend a Committee meeting, the Vice-Chair shall be designated to act in his or her place. The Chair shall be elected by the Committee through majority vote. When the Committee is not in session the Chair acts as its representative to the outside world and as its spokesperson.

**Section 4.02 Vice-Chair:** The Vice-Chair is responsible for ensuring that they or a designee on the Committee creates a written record of all meetings, teleconferences, and discussions, as well as arranging for the transmittal of this information to all members of the Committee, and other individuals as identified. The Vice-Chair may request administrative support from the grant administrator to complete this task. In the absence of the Chair, the Vice-Chair assumes the responsibilities of the Chair. The Vice-Chair shall be elected by the Committee through a majority vote.

**Section 4.03 Terms:** The terms of office for the Chair and Vice-Chair shall be one year. Terms are limited to a period of four consecutive years.

#### **Article V. Sub-Committees**

The Committee shall form Ad Hoc Committees for the purpose of accomplishing specific tasks.

**Section 5.01 Ad Hoc Committees:** The Committee shall as necessary, establish by majority vote, Ad Hoc Committees and their members for the purpose of addressing specific tasks. Ad hoc committees shall be responsible for completing the task for which they were created and reporting to the full Committee as required.

#### **Article VI. Meetings, Decision Making, and Responsibilities of the Committee**

**Section 6.01 Meetings:** The Committee meets quarterly, two of which are in person, with additional meetings and conference calls to be held as necessary.

**Section 6.02 Attendance:** It is a critical responsibility for Committee members to attend all scheduled meetings and participate in all conference calls on a regular basis. Two consecutive absences at scheduled meetings and/or conference calls are grounds for dismissal. Dismissal due to member attendance is at the discretion of the grant administrator and OSWER. Committee members may not appoint an alternate representative to participate in their absence.

**Section 6.03 Recommendations:** Committee members should make every effort to participate in meetings. If they cannot participate, they may submit in writing their

comments and recommendations prior to the meeting. The Committee provides recommendations to the EPA and the grant administrator. The grant administrator's staff reviews the recommendations for feasibility and other concerns and reports their findings to the Committee. The grant administrator may also bring recommendations to the Committee for review.

**Section 6.04 Proxy:** A Committee member may submit a proxy vote for a planned action, in writing (includes email and fax), to the Chair and Vice-Chair. The Chair and Vice-Chair shall represent that representative's position in the consensus or voting process should that become necessary. A proxy vote shall not transmit any authority to represent a position not described by the representative in advance of the discussion.

**Section 6.05 Topics and Agenda:** The Chair, Vice-Chair or a designee of their choosing shall submit a call for topics to the Committee, the grant administrator, and EPA at least 30 days prior to a scheduled meeting. The Chair, Vice-Chair or a designee of their choosing shall submit a draft agenda to the Committee, the grant administrator, and EPA at least 15 days prior to a scheduled meeting. The Chair, Vice-Chair or a designee of their choosing shall accept agenda items from the Committee, the grant administrator, and EPA up to seven (7) days prior to a scheduled meeting.

**Section 6.06 Meeting Notes:** The Vice-Chair or a designee of their choosing shall be responsible for distributing copies of meeting proceedings and Committee recommendations to all Committee members, as well as the grant administrator and EPA. The Vice-Chair or a designee of their choosing shall ensure that meeting notes are recorded, approved, and distributed. The Vice-chair may task the grant administrator with the logistical responsibility of note-taking. Draft notes shall be released internally to the Committee, the grant administrator, and EPA within two weeks of the completion of a quarterly or special meeting. Thereafter, any recipient of the notes may submit requests for changes or amendments for two weeks following the receipt of the draft notes to the individual charged with note recording. The Vice-Chair will electronically distribute the final notes for approval immediately following the expiration of the comment period. Members shall indicate their approval by electronic response to the Vice-Chair within two weeks of receipt of the final notes. A failure to respond shall be treated as approval. Any outstanding meeting note issues shall be addressed by the Committee at the next scheduled meeting. Following approval, meeting notes shall be made publicly available on the TWRAP website.

**Section 6.07 Special Meetings and Conference Calls:** Committee members may request a special meeting or conference call through the Chair or Vice-Chair. The Chair or Vice-

Chair (or their appointed delegate) can convene a special meeting or conference call but a quorum must be present in order to carry out any official business.

**Section 6.08 Informal Action:** If all Committee members consent in writing (includes email and fax) to any action taken or to be taken by the Committee and the writing or writings evidencing their consent are provided to the Chair or Vice-Chair, the action shall be as valid as though it had been authorized at a Committee meeting.

## **Article VII. Amendments**

**Section 7.01** This Charter may be altered, amended, or repealed, and a new charter may be adopted, by a majority vote of the Committee members at any scheduled meeting of the Committee where a quorum is present. Members of the Committee will be given at least two week's written notice of intent to alter, amend, repeal, or adopt a new charter at such a meeting.

## **Article VIII. Charter Review**

**Section 8.01** The charter shall be reviewed on an as needed basis.

**Article IX. Charter Approval**

<p><u>Virginia LeClere</u>                  Virginia LeClere, Chair                  Prairie Band of Potawatomi Nation</p>	<p><u>8/19/15</u>                  Date</p>
<p><u>Victoria Kotongan</u>                  Victoria Kotongan, Vice-Chair                  Native Village of Unalakleet</p>	<p><u>8/19/15</u>                  Date</p>
<p><u>Victoria Flowers</u>                  Victoria Flowers                  Oneida Tribe of Indians of Wisconsin</p>	<p><u>8/19/15</u>                  Date</p>
<p><u>Alexander James</u>                  Alexander James                  Yakutat Tlingit Tribe</p>	<p>_____                  Date</p>
<p><u>Tim Kent</u>                  Tim Kent, Environmental Director                  Quapaw Tribe</p>	<p><u>8/19/15</u>                  Date</p>
<p><u>Katherine Kruse</u>                  Katherine Kruse, Environmental Response Program Specialist                  Keweenaw Bay Indian Community</p>	<p><u>8/19/15</u>                  Date</p>
<p><u>Rob Roy</u>                  Rob Roy                  La Jolla Band of Luiseno Indians</p>	<p><u>8-19-15</u>                  Date</p>
<p><u>Elliott Talgo</u>                  Elliott Talgo                  San Carlos Apache Tribe</p>	<p><u>08-19-15</u>                  Date</p>
<p><u>John Wheaton</u>                  John Wheaton                  Nez Perce Tribe</p>	<p><u>8-19-15</u>                  Date</p>