

WTCAC/WI Tribal Caucus Meeting

July 27, 2010

Joint meeting of the Wisconsin Tribal Conservation Advisory Council and the Wisconsin Tribal Caucus called to order at 8:40 a.m. by Jonathan Pyatskowitz, WTCAC President.

Introductions of those present from the Wisconsin Tribes and the Environmental Protection Agency.

Jonathan introduced the co-chair of this morning's session, Jeff Mears, Oneida Nation Tribal Caucus Member. Jeff outlined the agenda and the purpose of today's meeting to explore the possibility of WTCAC assuming the role of the Wisconsin Tribal Caucus.

Kathleen Mayo from EPA was introduced. She has accepted a temporary appointment to be the Acting IEO WI Tribal Liaison. EPA can't advertise and fill the permanent position until the current person in that position has retired. Kathleen will be working out of the Chicago office. Kathleen has worked in the EPA Water Quality Standards department as well as the Region 9 western office. She has also worked for USGS and the Fish & Wildlife Service. She is an enrolled member of a Wisconsin Tribe. She would like all Tribes to submit suggestions as to ways to make things work better between EPA and the WI Tribes.

Willie Harris talked briefly about the vacant Region 5 IEO Director Position. The position needs to be reposted and advertised again. In the meantime Willie will remain as Acting Director.

Jeff Mears explained the procedure for appointing a second WI RTOC Tribal Representative. Currently WI only has one representative to the Region 5 RTOC. The second member needs to be first nominated by his own Tribal Council. Then that nomination needs to be supported by the WI Tribal Caucus Members. When approved the nomination is then forwarded to the Chair of the Region 5 RTOC. Councilman Eric Chapman, Sr. from Lac du Flambeau has expressed an interest to be the second WI RTOC Tribal Representative. Lac du Flambeau Resolution No. 148(10) was introduced, nominating Eric Chapman, Sr. Gary Schuettpelz (Menominee) made the motion to approve Eric Chapman, Sr. as the second WI RTOC Tribal Representative. Motion was seconded by Jeff Mears (Oneida). Vote, all approved, 0 opposed.

The early morning session concluded at 9:10 a.m.

WTCAC meeting was called to order at 9:30 a.m. by Jonathan Pyatskowitz, WTCAC President.

Roll Call

Present: Bad River (Lori Lemieux), LCO (Brett McConnell), Menominee (Jonathan Pyatskowitz), Stockbridge-Munsee (Luke Hennigan), Ho-Chunk (Sara Schmidt), Mole Lake (Roman Ferdinand), St. Croix (Katie Stariha), Red Cliff (Tracey Ledder). Have a quorum.

Others Present:

Melonee Montano – Red Cliff	Natalene Cummings – FCPC
Jason Ritter – Bad River	Kevin Gunderson – Ho-Chunk
Bruce Pecore – Menominee	Gary Schuettpelz – Menominee
Eric Chapman, Sr. – LDF	Dee Ann Mayo – LDF
Jeff Mears – Oneida	Jerry Thompson – WTCAC
Edward Fairbanks – EPA MN	Jennifer Manville – EPA MI
Kathleen Mayo – EPA WI	Willie Harris – EPA Regional Office

We have five people who are WTCAC members as well as their Tribal Caucus members. Tribal Caucus was a nonprofit group but WISTOC hasn't met for about 15 years. Don't really have an established group to combine with WTCAC. Just looking to try to get representatives for a Tribal Caucus to re-establish WI Tribes with EPA Region 5 RTOC.

Ed and Jennifer explained how their States Tribes function as a Caucus. Discussion ensued as to how WTCAC could serve as the Tribal Caucus. Some possible examples would be to have the 2nd WTCAC member as the Caucus member, or set up the Caucus as a sub-committee.

Jerry explained the functions of WTCAC and the role they play as a Technical Committee. Jonathan explained how WTCAC works with NRCS to access program dollars. Explained how WTCAC reviews standards and makes cost share and practice recommendations to NRCS.

Eric suggests that a position paper be prepared for the Tribal Chairs to explain how WTCAC & the WI Tribal Caucus could be combined.

Gary suggests that WTCAC be the Tribal Caucus.

Willie briefed the group on the National Tribal Consultation Policy. Each Region is expected to develop their own consultation procedures. Proposed a working group of Tribes and EPA to work on developing procedures.

WI Caucus would bring issues together and forward to RTOC reps to bring to Region 5.

Motion by St. Croix to have Jerry draft an issue paper to explain how WTCAC & Tribal Caucus can be combined, or one and the same. 2nd by Red Cliff. All approved.

EPA Representatives were excused as WTCAC and Tribal Caucus Members met to discuss issues to be brought forward to the RTOC.

Discussion about Caucus issues to be brought forward.

*Department bureaucracy ignoring the proper protocol for govt to govt consultation and meeting notification.

*EPA set out a document to comment on EPA consultation. Timeliness.

*Kathleen Mayo should be stationed in WI and not in Chicago to better facilitate Tribal Caucus activities. Need the Tribal Liaison in the field immediately.

*Need EPA strong commitment to establish permanent Tribal positions and not interim acting positions. Tribes should have opportunity to provide qualification criteria for positions.

*Ask for Region 5 IEO director posting, dates, qualifications.

*What is the set aside funding status for the grant competitive request, from funds that should not have been competitive?

*Received a request from Region 5 air program for the counties with Tribal interests. The need request was not clear and specific.

*Is there an Opportunity for an Air Program Specialist to be funded to serve WI Tribes? Direct Implementation Cooperative Agreement (DICA)?

*Tribes need to know what program each division has that Tribes can become eligible to acquire in order to manage those programs on the Tribal Nation. (TEA) Need permanent tribal staff positions to deliver those programs and not lose the capacity building of temporary staff.

*Need EPA understanding that each Tribe is a Sovereign Nation and should be recognized as such.

Motion by Ho-Chunk to adjourn. 2nd by Bad River. All approved.

Meet back at 12:30 p.m. for Region 5 RTOC meeting.

Wisconsin Tribal Caucus Issue Paper

The eleven Wisconsin Tribal Nations are in need of a State Tribal Caucus to provide coordinated program and policy recommendations to the United States Environmental Protection Agency (EPA).

The Wisconsin Tribes have been without a State Tribal Caucus, and a designated EPA Tribal Liaison, for approximately 10 years. This has resulted in Wisconsin Tribes not having a coordinated opportunity to bring environmental and policy issues to EPA Region 5, through the established Region 5 Tribal Operations Committee (R5TOC), that are necessary to address many local environmental problems. This has also resulted in Wisconsin Tribes in not having timely access to program information that would have been beneficial to Wisconsin Tribal Nations.

The Wisconsin Tribal Conservation Advisory Council (WTCAC) is an established consortium of members of the eleven Wisconsin Tribal Nations, appointed by Tribal Presidents or Tribal Council Resolutions, to work with the various USDA Agencies to coordinate the delivery of USDA programs. WTCAC is a 501(c)(3) non-profit organization with established By-Laws and a Strategic Plan that identifies long term goals of multi-federal agency participation. WTCAC membership consists of Tribal Council members, Tribal Environmental Directors, and Tribal Environmental staff, of which 5 are already the designated Tribal Caucus representative to EPA.

Therefore it is recommended that the Wisconsin Tribal Conservation Advisory Council assume the additional role of the Wisconsin Tribal Caucus. It is also recommended that Wisconsin Tribal Nations appoint their current Tribal Caucus member to the WTCAC council to serve in the Wisconsin Tribal Caucus role.

The adoption of these recommendations will prevent Wisconsin Tribal Nations from having to establish yet another environmental/conservation council whose function and responsibilities can be accomplished within the existing Wisconsin Tribal Conservation Advisory Council. The Wisconsin Tribal Caucus members will meet quarterly, in conjunction with a regularly scheduled WTCAC meeting.