

OFFICE OF ENVIRONMENTAL MANAGEMENT

TRIBAL ENVIRONMENTAL AGREEMENT

Between

The Ponca Tribe of Indians of Oklahoma signed an Agreement with the United States Environmental Protection Agency, Region 6 on August 27, 1987:

INTRODUCTION:

The environment of the Ponca Tribe plays an integral role in the spirit life of the Ponca people. Thus, protecting the integrity of the environment is essential to the preservation of our people now and for generations to follow.

The government of the Ponca Tribe is dedicated to this goal. In March of 1987, the Ponca Tribe submitted an Indian Environmental General Assistance Program application for establishing an Office of Environmental Management (OEM) within its tribal structure and for training its staff. The Ponca OEM, when in full operation, will be charged with the preservation and protection of the Ponca Tribe's natural resources and the protection of the public health of its people. The Ponca Tribe further recognizes that the success of our efforts to protect the Ponca environment will have an effect on the land adjacent to the Ponca Tribe. Similarly, the activities of neighboring tribal governments, the Oklahoma Department of Environmental Quality (ODEQ), and the US Environmental Protection Agency (EPA) will have an effect on us and our ability to successfully protect the quality of our environment.

Accordingly, the Ponca Tribe will strive to build and foster a cooperative and mutually beneficial relationship with these governmental agencies. We believe that such a relationship will enhance our ability to protect the land, water, and air for which we are responsible.

GUIDING PRINCIPLES:

The Ponca Tribe will be guided by the following principles in its environmental relationship/partnership with neighboring tribal governments, the Oklahoma Department of Environmental Quality, and the US Environmental Protection Agency.

1. The Ponca OEM will strive to build a good working relationship with its neighboring tribal governments, ODEQ, and EPA based on cooperation between neighboring sovereigns, acting out of mutual interest and respect.
2. The Ponca OEM will endeavor to cooperate with its neighboring tribal governments, ODEQ, and EPA, on a reciprocal basis where cooperation will best protect the integrity of the environment. Such cooperation will not include relinquishment of jurisdiction to set and enforce environmental standards nor in any manner compromise the exclusive right of the Ponca Tribe to set policies, standards, and rules governing pollution sources within the boundaries of the Ponca Tribe.
3. The Ponca OEM will endeavor to resolve any differences that may arise with its neighboring tribal governments, ODEQ and EPA over environmental matters through direct communications with appropriate officials.

4. The Ponca OEM will endeavor to develop cooperative environmental programs with ODEQ and EPA in order to enhance the ability of the Ponca OEM to protect the environment.
5. The Ponca OEM will work cooperative with ODEQ and EPA to develop and strengthen its tribal environmental program and will work cooperatively with ODEQ in areas under its control in a reciprocal manner.
6. The Ponca OEM will serve as the primary point of contact between the ODEQ and EPA in environmental matters. The environmental coordinator for the Ponca Tribe will actively pursue discussion with EPA for technical assistance, training, and other matters that will benefit the environment of the Ponca Tribe.
7. The Ponca Tribe has sovereign jurisdiction over all environmental matters within the boundaries of the Ponca Tribe.

ROLES AND RESPONSIBILITIES

This agreement will be one of cooperation between equal governments, acting out of mutual self-interest and mutual respect. The Ponca OEM will through EPA Grant assistance build its capacity to plan, develop, and establish environmental protection programs for the Ponca Tribe. The EPA will provide funding for planning, hiring staff, monitoring, and assessing environmental resources and pollution threats to the Ponca Tribe.

ENVIRONMENTAL GOAL

The goal of the Ponca OEM is to ensure through this agreement:

- A. recognition and respect for our tribal sovereignty and our jurisdiction of pollution sources within the boundaries of the Ponca Tribe, and
- B. to provide for our tribal members unrestricted access to clean air, safe drinking water, clean waterways, and clean soil for the Ponca people.

AMENDMENTS

By mutual agreement, this document can be revised and renewed annually, either party can request an amendment by offering suggestions for change. Both EPA and the Ponca Tribe anticipate projects, time lines, and funding estimates.

SIGNATORIES

By signing into this Agreement, I agree to communicate, cooperate, and enter into a mutual dialogue to discover solutions to the pressing environmental needs of the Ponca Tribe of Indians of Oklahoma.

Signed by A. Lionel Leclair, Chairman 8/27/97

Signed by Jerry Clifford, EPA Acting Regional Administrator
8/27/97