



## WRAP Charter

*Approved December 2009*

This statement sets forth the purposes, principles and operating procedures for the Western Regional Air Partnership (WRAP).

### **PURPOSES**

The WRAP provides a venue for Western states, tribes, local air agencies, federal land managers and the USEPA to:

- 1) Maintain and update the regional haze work that WRAP has developed and continue to make the data and tools available for states and tribes to use as they implement their regional haze implementation plans;
- 2) Develop a common understanding of current and evolving regional air quality issues in the West, such as regional haze, ozone, fine and coarse particulate matter, nitrogen deposition and critical loads, and mercury and other hazardous air pollutants;
- 3) Examine and discuss Western regional air quality issues from a multi-pollutant perspective;
- 4) Develop and maintain regional databases that support regional and sub-regional technical analyses. This includes collection and analysis of data from various sources to produce regionally consistent, comparable, complete, and transparent results, able to be utilized and relied upon by individual jurisdictions and agencies;
- 5) Collaborate with USEPA to ensure that, to the maximum extent possible, WRAP data and analyses are compatible with and leverage work conducted at the national level. This could include WRAP work to compile data and analyses related to international, off-shore, and other sources of air pollution affecting Western air quality;
- 6) Evaluate the air quality impacts associated with regionally significant emission sources, such as mobile sources, fire, traditional and alternative energy development/extraction, windblown dust, and electricity generation, and, as warranted, to discuss regional and cross-jurisdictional strategies to improve air quality and mitigate the impacts from such sources;
- 7) Consult with air quality agencies in other regions to reduce duplication of effort and enhance efficiency and consistency of databases and analyses;

- 8) Evaluate how the impacts of climate change may affect air quality in the West; and
- 9) As requested by the membership, formulate and advance consensus positions on Western regional air quality issues.

## **PRINCIPLES**

The WRAP is a voluntary partnership of states, tribes, local air agencies, federal land managers and USEPA. The Partnership recognizes the unique legal status and jurisdiction of tribes and seeks to promote policies that ensure fair and equitable treatment of all participating members of the WRAP. The Partnership also recognizes state, tribal and local air agency authority and responsibility to develop, adopt, and implement individual air quality plans within their jurisdictions.<sup>1</sup>

Further, the Partnership recognizes the role of the U.S. Environmental Protection Agency and its responsibility to develop national regulatory initiatives, review and approve State and Tribal implementation plans, and develop Federal implementation plans as necessary. In addition, the Partnership recognizes the affirmative responsibility of the federal land management agencies under the Clean Air Act to protect the air quality related values, including visibility at mandatory Class I federal areas and to manage all the areas under their respective jurisdictions for the public purposes set forth in their governing statutory authorities.

The WRAP has no regulatory authority and recognizes that all legal authority is reserved by its members in accordance with existing law. The Partnership also recognizes the United States' trust responsibility as carried out by the federal agencies to protect tribal resources from degradation.

As a voluntary partnership, the WRAP is formed as an organization exempt from the Federal Advisory Committee Act. The WRAP will conduct its processes consistent with the concepts of open and participatory government.

## **OPERATING PROCEDURES**

- **Membership**

Membership in the WRAP is open to all states, federally recognized tribes, and local air agencies located in the geographical region encompassed by the states of: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

---

<sup>1</sup> The Clean Air Act expressly authorizes EPA to treat a tribe in the same manner as a state for the regulation of all air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction without distinguishing among various categories of on-reservation lands. (CAA sections 110 (o), 164(c), 301(d)).

Membership in the WRAP is also open to the US Forest Service, National Park Service, Bureau of Land Management, Fish and Wildlife Service, and US EPA.

In order to become a recognized member of the WRAP, eligible states, tribes, local air agencies, and federal agencies shall submit an official letter to the WRAP requesting membership and designating primary and secondary contacts for the jurisdiction or agency.<sup>2</sup>

Any tribe in the WRAP region may participate in the WRAP; however, for membership/Board matters brought to a vote, recognized membership is needed.

- **Board of Directors**

The WRAP Members shall establish a Board of Directors consisting of five state, five tribal, five federal, and two local air agency representatives. The state, tribal, and local directors shall be elected by their respective delegations to staggered two-year terms, with the option for directors to be re-elected to additional terms. The directors representing eligible federal agencies shall be appointed by their agencies to two-year terms with the option of extension at the option of the respective agencies.

- **Alternates**

A Board member may designate an alternate from their jurisdiction or agency to represent them at a meeting of the Board by notifying the co-chairs in writing three days prior to the meeting.

- **Officers**

The officers of WRAP shall consist of: a) two Co-Chairs - one being a state government representative and one being a tribal government representative; b) a Treasurer; and c) a Secretary. Officers shall be elected from among the membership of the Board of Directors by a majority vote of the Board.

- **Duties of Officers**

The WRAP Co-Chairpersons shall develop agendas for and jointly preside at all WRAP membership meetings and meetings of the Board of Directors and shall facilitate consensus on all issues that come before the organization.

The WRAP Secretary shall create a written summary of WRAP membership and board meetings and transmit this information to all members of WRAP.

---

<sup>2</sup> Current state and tribal members of the WRAP Board as of 1/1/09 shall automatically be recognized members of the WRAP under this revised Charter, unless otherwise indicated by official letter to the WRAP from that state or tribe.

The WRAP Treasurer shall produce quarterly financial statements and propose budgets to the members of WRAP.

- **Powers of WRAP Board**

In directing the activities of the WRAP, the Board of Directors may:

- Solicit and accept funding;
- Hire staff, or arrange for the provision of staff support, to carry out its activities;
- Approve work plans;
- Approve contracts for support from outside experts and consultants;
- Establish a Technical Steering Committee from the membership to oversee and direct the technical and analytical work of WRAP staff, contractors, and work groups;
- Establish Work Groups from the membership to manage specific elements of the work plan; and
- Call membership meetings.

- **Quorums**

A quorum at meetings and conference calls of the Board of Directors shall be representation from two thirds of the current members of the Board.

- **Meetings of the Board of Directors**

The WRAP Board of Directors shall hold an annual meeting each year but may meet as often as is necessary to conduct its business. Business shall only be conducted in the presence of a quorum. All decisions whether by voting or consensus shall require a quorum.

All meetings of the Board of Directors, whether in-person or via teleconference, shall be open to the membership (including an option to participate for members to participate via teleconference) and conducted according to Robert's Rules of Order. Minutes of the meeting and other status or program reports shall be made available to the public as appropriate determined by the Board of Directors.

The WRAP Board shall provide the membership with at least 15 days prior notice of its meetings. The notice shall indicate the time, date, place and purpose of the meeting and include a summary of the agenda. Meetings shall be held at a reasonable time, and in a place reasonably accessible to the membership. The Co-Chairpersons shall submit to all members of the Board of Directors any matter being proposed for a vote no fewer than ten days in advance of the meeting at which the vote is scheduled to be taken.

- **Consensus and Issue Resolution**

It is the intent of the WRAP Board to resolve all issues on a consensus (general agreement) basis. Whenever there is disagreement among Board members, each member must commit to making all reasonable efforts to achieve consensus.

The WRAP Board may vote on administrative matters when consensus cannot be reached on such issues. Administrative matters include the election of officers, budget adoption and other issues related to the general management of the organization. A vote for determining whether a matter is of an administrative nature requires the support of two thirds of the Board members present. Passage of any matter on which a vote is taken requires the support of a majority of the Board members present. When consensus cannot be reached, positions of members may be recorded for purposes of the public record.

- **Stakeholder Participation**

The WRAP Board of Directors shall be responsible for ensuring appropriate stakeholder participation in its process. This shall include: 1) ensuring that meetings of the WRAP membership are open to the public; 2) providing opportunities for stakeholder review and comment on WRAP products; and 3) approving participation in WRAP technical work groups by non-members who have particular expertise in a given subject area such that their participation is likely to improve the quality of the work being conducted.

- **Charter Amendments**

This charter may be amended by a 2/3 vote of the current membership of the organization, with each member state, tribe, local air agency, and federal agency having one vote. Amendments to the charter shall be introduced 14 days prior to any vote to amend the charter.