Governance and Management Framework for the Chesapeake Bay Program Partnership

March 31, 2020

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Introduction:

This document describes the organizational function and governance for the Chesapeake Bay Program partnership in advancing Bay protection and restoration through the Chesapeake Bay Watershed Agreement (the Agreement) signed in 2014. For the purposes of this document, the term "Chesapeake Bay Program" refers to the collective partnership, representing the signatories of the Agreement (the State of Maryland, the Commonwealth of Virginia, the District of Columbia, the State of Delaware, the Commonwealth of Pennsylvania, the State of West Virginia, the State of New York, the Chesapeake Bay Commission and the U.S. Environmental Protection Agency for the federal government) as well as the broad range of stakeholders (including local governments, businesses, watershed organizations and other non-governmental organizations) who participate in the different levels of the organization and in the development and implementation of Management Strategies. For information on the 30-year history of the partnership and its efforts in Bay protection and restoration, see the Chesapeake Bay Program website at: http://www.chesapeakebay.net/about/how/history.

Section 117 of the Clean Water Act as amended in 2000 defines the Chesapeake Bay Program as "the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement." It further defines the Chesapeake Executive Council as the signatories to the Agreement, calls for the U.S. Environmental Protection Agency (EPA) to maintain a Chesapeake Bay Program Office (EPA CBPO), and authorizes funding to be used for protecting and restoring the Chesapeake Bay. This Governance Document is and must remain consistent with all that is described and defined under Section 117 of the Clean Water Act as amended.

As the Chesapeake Bay Program has embraced an "adaptive management" approach to respond to changing conditions and better information, the structure and governance of the program will change and evolve over time to better plan, align and assess partner activities and resources to meet Chesapeake Bay Program goals. This adaptive approach will be reflected in this document, and revisions to this document will be made periodically, or as needed.

Chesapeake Bay Program Vision and Principles:

The Chesapeake Bay Program partners envision an environmentally and economically sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and access to the water, a vibrant cultural heritage and a diversity of engaged citizens and stakeholders. The following principles are an overarching framework by which the Chesapeake Bay Program commits to operate. These principles encompass the partners' collective, core values and are intended to help guide us in our work as the partnership develops policy and takes actions to achieve the Agreement's Goals and Outcomes.

The partnership will:

- Collaborate to achieve the Goals and Outcomes of the Agreement.
- Achieve Goals and Outcomes in a timely way at the least possible cost to our citizens.
- Represent the interests of people throughout the watershed fairly and effectively, including a broad diversity of cultures, demographics and ages.
- Operate with transparency in program decisions, policies, actions and reporting on progress to strengthen public confidence in our efforts.
- Use science-based decision-making and seek out innovative technologies and approaches to support sound management decisions in a changing system.
- Maintain a coordinated watershed-wide monitoring and research program to support decision-making and track progress and the effectiveness of management actions.

- Acknowledge, support and embrace local governments and other local entities in watershed restoration and protection activities.
- Anticipate changing conditions, including long-term trends in sea level, temperature, precipitation, land use and other variables.
- Adaptively manage at all levels of the partnership to foster continuous improvement.
- Seek consensus when making decisions.
- Use place-based approaches, where appropriate, that produce recognizable benefits to local communities while contributing to larger ecosystem goals.
- Engage citizens to increase the number and diversity of people who support and carry out the conservation and restoration activities necessary to achieve the Goals and Outcomes of the Agreement.
- Explore using social science to better understand and measure how human behavior can drive natural resource use, management and decision-making.
- Promote environmental justice through the meaningful involvement and fair treatment of all people, regardless of race, color, national origin or income, in the implementation of the Agreement.

Chesapeake Executive Council Diversity, Equity, Inclusion and Justice Statement

On August 18, 2020, the Chesapeake Executive Council adopted a Diversity, Equity, Inclusion and Justice (DEIJ) Statement to reaffirm their commitment to embrace diversity, equity, inclusion and justice in all areas of the Chesapeake Bay Program to achieve the partnership's mission.

The partnership committed to:

- Strengthen and improve diversity, equity, inclusion and justice in our organizational structure, leadership, policies, strategic goals, restoration and conservation activities, workplans and program delivery, including guidance on including DEIJ and environmental justice criteria in grant targeting and evaluations.
- Engage, recruit and retain leadership, staff, appointees, interns and volunteers that reflect the diversity of people living within the Chesapeake Bay region.
- Foster a culture of inclusion, respect and mutual learning within the Chesapeake Bay Program by leading organizational change and empowering new voices and perspectives in our outreach, engagement and internal decision-making.
- Following consultation and coordination, determine how to best include federally recognized tribes in the Bay watershed in partnership activities.
- Develop long-term relationships, partnerships and increased collaborative planning with organizations led by and primarily serving communities of color and other underrepresented populations that result in informed and mutually beneficial decisions and outcomes.
- Ensure the benefits of our science, restoration and partnership programs are distributed in a fair and equitable manner without adverse, disproportionate impacts on vulnerable populations, especially those of lower socioeconomic status, Indigenous, historically underrepresented communities and people of color.
- Continue to learn and share best practices as an organization in our evolving understanding of how best to promote DEIJ.

Principals' Staff Committee DEIJ Action Statement

The Chesapeake Bay Program Principals' Staff Committee (PSC) signed the Principals' Staff Committee DEIJ Action Statement to accept and implement the recommendations in the DEIJ Strategy. The PSC committed to the following five actions:

- Within six months of the signing of the Chesapeake Executive Council statement, a draft implementation plan for the DEIJ Strategy will be presented to the PSC. The development of this plan will include direct outreach to underrepresented communities for input and feedback.
- Within three months of the signing of the Chesapeake Executive Council statement, explore a process for a community advisory board composed of environmental justice leaders and representatives from organizations led by people of color or other underrepresented groups. This board could be part of one of the partnership's existing advisory boards (Citizens Advisory Committee or Local Government Advisory Committee).
- Advancement of the DEIJ Strategy through work plan development and implementation for all GITs and Workgroups on their respective strategy review system schedules.
- Meaningful inclusion of DEIJ milestones on the agendas for the Management Board and PSC meetings at a minimum every six months with a commitment to update the Chesapeake Executive Council annually.
- Meaningful consideration of DEIJ in development of any future Chesapeake Bay Watershed Agreement(s).

The Chesapeake Executive Council recognized that people of color, low socioeconomic status and Indigenous heritage are underserved by conservation and restoration efforts and underrepresented in decision-making and the environmental field. Their representation in program staff and partners is smaller than their representation in the watershed. Black or African American, Hispanic or Latinx, and Indigenous people are especially underrepresented in the science and engineering workforce.

Commented [DO1]: Note from Tuana:
Wherever "underrepresented" is first mentioned we should specifically write which groups are currently underrepresented in our partnership and note that wherever else we mention underrepresented in this document we are referring to such groups. Perhaps we can do this with a footnote?

Commented [SM2R1]: Tuana,

We looked at the Diversity Workgroup's survey results: https://www.chesapeakeprogress.com/engaged-communities/diversity

The available diversity profile doesn't provide breakdowns within people of color. It only provides the total share of POC, which does not seem to get at the intention behind BIPOC and center Black and Indigenous folks. Instead, we've pulled from more general language from the Living Glossary.

Flagging here that staff may be able to include more specific groups within POC with a link to this data source, either in the body of the text here or in a footnote.

Ethical Behavior Guidelines:

No participant in a Chesapeake Bay Program discussion shall seek to influence consensus or action by the group in such a way as to derive any direct or indirect personal profit or gain. These guidelines shall also apply to the member's business or other nonprofit affiliations, family and/or significant other, employer, or close associates who may stand to receive a benefit or gain. Any participant in a discussion which may fall under the descriptions above is expected to announce that they may have a potential conflict of interest and shall refrain from further participation in any discussion or decision on such matter. Chairs and Co-Chairs of meetings shall remind all participants of this policy before decisional discussions begin.

Chairs and Co-Chairs of meetings are expected to be particularly sensitive to potential conflicts of interest by themselves resulting from decisions of the group and conduct the meeting and their input accordingly.

Suspected violations of this policy should be reported to the Chair of the Management Board for further review, or elevated to the Chair of the Principals' Staff Committee where appropriate.

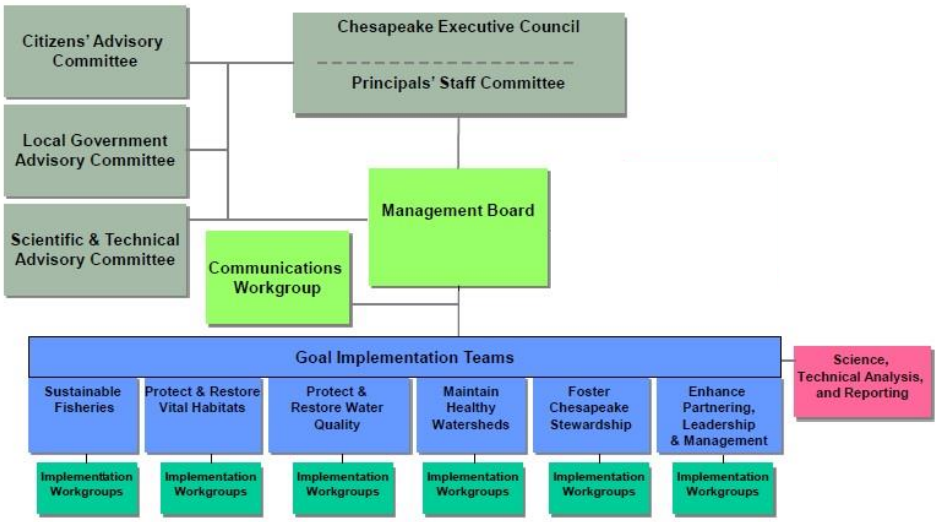
All participants in the Chesapeake Bay Program Partnership should be familiar with these ethical behavior guidelines, conduct themselves in a manner that places the highest priority on allowing consensus to occur and be respectful of all opinions, including balancing the priorities of the members' respective organization/jurisdiction with the priorities of the Partnership.

Organizational Structure:

The Chesapeake Bay Program is a partnership that includes not only the signatory representatives, but the broad array of local governments, businesses, watershed organizations and other non-governmental organizations (NGOs) and citizen and university representatives who participate in the different levels of the organization and in the development and implementation of the Management Strategies. For the past 30 years, the Chesapeake Bay Program has been well served by a robust organizational structure that has

guided the important work of the program. Figure 1 shows the current organization of the Chesapeake Bay Program.

Figure 1. Organizational Structure of the Chesapeake Bay Program



The structure and governance of the Chesapeake Bay Program will change and evolve over time as a result of the application of adaptive management. The adaptive management process will foster both (1) continual improvement of the Chesapeake Bay Program's organizational performance and (2) improved ecosystem management by allowing adjustments to the organizational structure based on the relations between improving scientific knowledge, management actions and progress toward the goals of the Chesapeake Bay Program. Following the adaptive management process, the partnership will likely learn that there are features of the organizational structure and governance that require modification. Changes to structure and governance in the future will be coordinated by the Management Board. For example, the CBP through the 2020 Executive Council DEIJ Statement made a commitment to actively engage, recruit and retain leadership, staff, appointees, and volunteers that reflect the diversity of people living within the Chesapeake Bay region. The following section provides a description of the governance (mission, functions and responsibilities, leadership, membership and operations) of the various organizational entities that comprise the Chesapeake Bay Program.

Commented [PT3]: Note for CBP: May need to edit this (and other relevant sections beyond this) eventually if the Community Advisory Board is created.

All meetings are open to the public,[1] with notification, at a minimum, through the Chesapeake Bay Program website (www.chesapeakebay.net) including date, time, location, agenda and materials. While all meetings are open to the public, there may be space or phone-line limitations. Therefore, a summary of actions and decisions will also be available on the Chesapeake Bay Program website following the meeting.

Chesapeake Executive Council (EC): The EC establishes the policy direction for the restoration and protection of the Chesapeake Bay ecosystem and its living resources. It provides leadership to promote public support for the Chesapeake Bay restoration and protection effort ("the Bay effort") and is accountable to the public for progress made under the Bay agreements.

(a) Key Functions and Responsibilities:

- Provide the vision and strategic direction for the restoration and protection of the Chesapeake Bay ecosystem and its living resources through the adoption of agreements, directives or resolutions, or the issuance of letters or other policies.
- As described in the sections on how Goals and Outcomes can be changed, approve revised or added Goals of the Agreement and significant changes to Outcomes.
- Provide leadership to promote public support for the Bay effort.
- Provide public accountability on progress toward Goal achievement under the Agreement.
- Report on progress to the public annually using clear measurable objectives.
- Direct changes as needed in the adaptive management system to improve program performance and resource alignment.
- Pursue strategic opportunities to align resources and secure new resource opportunities to achieve identified annual priorities.
- Solicit and receive counsel and advice from the Advisory Committees.
- Provide direction to the Principals' Staff Committee on issues related to the restoration and protection of the Chesapeake Bay and its living resources.

(b) Leadership and Membership: Establishment of the EC is authorized by Section 117 of the Clean Water Act. The EC consists of "full members," corresponding to the signatories of the Agreement and other participating members, as shown below. Leadership of the EC is rotated among the full members on a mutually-agreed basis determined at each annual meeting. In the event that a new EC Chair must be selected at a time outside of the annual meeting, Principals' Staff Committee members will act as a proxy for their EC member by soliciting their input. A decision will be made at the next Principals' Staff Committee meeting on behalf of the EC. The decision will be memorialized in writing and signed by signatory representatives on the Principals' Staff Committee on behalf of the EC members. The lead member is responsible for planning EC activities and drafting the agenda for the annual meeting. Current EC membership can be found at: http://www.chesapeakebay.net/groups/group/chesapeake_executive_council, and includes:

- The Governors of Delaware, Maryland, New York, Pennsylvania, Virginia and West Virginia
- The Mayor of the District of Columbia
- The Chairman of the Chesapeake Bay Commission
- The Administrator of the U.S. Environmental Protection Agency

(c) Federal Agencies: While the federal agencies and the Federal Leadership Committee for the Chesapeake Bay Program are formally represented by the EPA on the EC, representatives are

[1] BMP Panels, because negotiations can be highly deliberative or sensitive, will follow protocols adapted from the National Academy of Sciences procedures. The "Protocol for the Development, Review, and Approval of Loading and Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Watershed Model" can be found here.

invited to attend EC meetings based on issues being addressed at a the meeting (i.e., U.S. Department of Agriculture, U.S. Department of Interior, U.S. Department of Commerce, Department of Army/Corps of Engineers, Department of Defense, Department of Transportation and Department of Homeland Security).

(d) Duration of Membership: State Governors and the Mayor serve for the duration of their elected terms. Federal members serve for the duration of their appointment to their agency. The Chesapeake Bay Commission (CBC) Chair serves for the duration of their chairmanship.

(e) EC Operations:

- *Ground Rules:* The structure of the EC meeting is coordinated by the Chair with assistance from the EPA CBPO under guidance of the full Principals' Staff Committee. The format, location, and content (e.g., presentations, breakout sessions, participants, speaking roles, and other participation details) of the EC meetings are to be determined well in advance of the meeting to ensure an efficient and effective meeting.
- *Decision-Making:* Decision-making at the EC will be done by members or their representatives through a unanimous or consensus based approach. If after substantial discussions consensus cannot be reached, a supermajority vote by full members or their designees will be utilized, requiring at least seven out of nine "yea" votes.
- *Attendance at Annual Meetings:* EC members are expected to attend the annual public meeting. In the event of an unforeseen conflict, the highest possible appointee should attend in their place. If an individual attends with the purpose of representing their signatory organization, that individual is invited to speak at the press conference following the meeting.
- *Frequency and Duration of Annual Meetings:* The EC meets at least annually. The meetings are typically half-day meetings held at highly visible venues as chosen by the lead EC organization.
- *Budgeted Resources:* Financial support for the EC annual meeting is provided by EPA CBPO and the lead EC organization.
- *Staffing and Support:* A senior EPA CBPO employee is assigned to help coordinate activities and the annual EC meeting. Additional support is provided by EPA CBPO staff.
- *Business between Annual Meetings:* In the event that business must be conducted between annual EC meetings, each principals' staff will act on their behalf at the Principals' Staff Committee level. If a meeting of the EC is required, a special meeting or conference call may be called by the Chair or by a majority of the members of the EC. The purpose of the meeting will be stated in the call for the meeting and will be scheduled in consultation with all EC members. Public notice of all meetings will be made, at a minimum, through the Chesapeake Bay Program website as soon as possible after logistics are confirmed.

Principals' Staff Committee (PSC): In parallel with the mission of the EC, the PSC acts as the policy advisors to the EC, accepting items for EC consideration and approval, and setting agendas for EC meetings. The PSC translates the restoration vision by setting policy and implementing actions on behalf of the EC. The individual members of the PSC arrange and provide briefings to their principals, the Agreement signatories. The PSC also provides policy and program direction to the Management Board.

(a) Roles and Responsibilities:

- Set agendas for EC meetings.
- Review and recommend actions to the EC related to changes to Goals and Outcomes in the Agreement. Approve revised or additional Outcomes of the Agreement, unless they are significant as determined by the PSC, whereupon they are sent to the EC for final approval.

- Report to the EC annually on implementation of Management Strategies.
- Provide policy and program direction to the Management Board.
- Solicit and receive counsel and advice from the Advisory Committees.
- Resolve issues presented by the Management Board that require executive-level resolution.
- Prepare the EC principals for discussions on key issues with other members of the EC, the public and the media.
- Identify strategic opportunities to align resources or seek new resource opportunities to achieve identified annual priorities and present to the EC for action.

(b) Leadership and Membership: The PSC Chair is a representative of the signatory that is chairing the EC. When the PSC Chair is not able to lead the meetings, the Chair will designate another member of the PSC to take their place. The PSC is comprised of high-level state and federal leaders. State membership to the PSC consists of a delegation that includes members at the cabinet office, Secretary, Director, or Commissioner level of environmental, natural resource, agriculture and other relevant agencies. States have the latitude to decide upon the size of that delegation and may add to or subtract from their delegation at any time. Federal membership to the PSC consists of a federal delegation at a level commensurate with state secretary level. CBC membership consists of the Commission's Executive Director. At the PSC, all members of the delegations are invited to participate in the discussion; however, each delegation is expected to provide one position for decision-making purposes. Each delegate will designate to EPA CBPO staff a standing alternate to represent their agency in cases where the member cannot attend. Advisory Committee Chairs serve in an advisory capacity to the PSC and are therefore non-voting members of the PSC.

(c) Duration of Membership: Members are appointed by their respective EC member and remain on the PSC until either their EC member changes or identifies a new representative.

(d) PSC Operations:

- *Ground Rules:*
  - The PSC meetings are coordinated by the lead member with assistance from EPA CBPO. The format, location, and content (e.g., presentations, breakout sessions, participants, speaking roles, and other participation details) of the PSC meetings are to be determined well in advance of the meeting to avoid unexpected outcomes and provide an effective planning process.
  - An agenda will be circulated at least three weeks in advance of the meeting date.
  - Decision documents will be circulated at least two weeks prior to the meeting date. Members may not be expected to make decisions on topics for which materials were not provided within the two-week timeframe.
  - Meetings allow for issues to be discussed and for decisions to be made that further clarify policies related to restoration goals and metrics.
  - Issues identified by the Management Board and progress reports related to EC interests are a major focus of PSC meetings.
- *Decision-Making:* Decision-making at the PSC will be done by signatory delegations through a unanimous or consensus based approach. If, after substantial discussions, consensus cannot be reached, a supermajority vote by delegation will be utilized, requiring seven out of nine "yea" votes. Such votes may be tabled at the meeting and taken up at a further time to allow for further discussion in order to reach consensus.
- *Attendance at Meetings:* Meeting attendance may be in-person or by conference call. A quorum of 50% of those on the PSC, regardless of agency representation proportions, must be present for decisions to be made.

- *Planning PSC meetings:* PSC meetings will occur three times per year with an option to schedule additional meetings, if needed. The PSC chair will establish the meeting or conference call dates and locations based on consultation with PSC members. All meeting information is posted on the Chesapeake Bay Program website..
- *Setting Priorities:* Priority-setting for the PSC is at the discretion of the Chair with input from members. Priorities are identified as related to EC vision and implementation issues identified by the Management Board, Advisory Committees or individual PSC members.
- *Budgeted Resources:* Financial support for the PSC meeting is provided by EPA CBPO and the lead EC organization.
- *Staffing and Support:* The PSC is co-coordinated by executive-level EPA CBPO staff and a representative of the signatory that is chairing the EC. In addition, the EPA CBPO provides staff support to the PSC.

Management Board (MB): The MB provides strategic planning, priority setting and operational guidance and manages the implementation of the goals, outcomes and strategies of Chesapeake Bay watershed agreements and supporting policies.

(a) Roles and Responsibilities:
- Individual Management Board members:
  - Represent and speak for the Watershed Agreement signatory or federal agency that they represent. As such, MB members are expected to coordinate action on behalf of their entire signatory or federal agency and raise issues with their signatory or federal agency and the MB that affect implementation of the Watershed Agreement.
  - Make decisions at MB meetings on behalf of their signatory or federal agency on all issues for which appropriate decision documents have been posted on the MB website at least two weeks prior to the MB meeting.
  - When short-notice is required, work with the MB members to devise an acceptable and respectable path forward.
- The Management Board as a whole will:
  - Address implementation of all Watershed Agreement outcomes.
  - Review Management Strategies and Work Plans to ensure that actions are implemented and remain on track via the Biennial Strategy Review System and regular progress reports to the PSC. In this role, the MB is accountable for:
    - Ensuring that partnership efforts and resources are aligned effectively to ensure achievement of the Watershed Agreement Outcome, OR
    - Notifying the PSC of policy / implementation issues that require additional and coordinated leadership to meet the Watershed Agreement Outcome.
    - Accepting Management Strategies as complete.
  - Create, commission, and dissolve Goal Implementation Teams and Action Teams as needed to ensure effective implementation and oversight of Management Strategies and designate Goal Implementation Team Chairs/Co-Chairs and Action Team leads.
  - Frame issues and ensure that critical data, information, options and analyses are performed to support effective decisions by the PSC/EC.
  - Respond to Advisory Committee recommendations, in writing, within 90 days of receiving their reports, which may be extended an additional 30 days at the request of the MB Chair.

(b) Leadership and Membership: The MB is chaired by the Director of the EPA CBPO. With the exception of the federal government representatives, each signatory has a single representative on the MB, who is generally an individual of the rank below the signatory's representation on the

PSC. Typically this indicates a level of Assistant Secretary, Office Director, Executive Director, Chief, or equivalent. Each delegate will designate to EPA CBPO staff a standing alternate to represent their agency in cases where the member cannot attend. Advisory Committee Chairs serve in an advisory capacity to the MB and are therefore non-voting members of the MB. Goal Implementation Team Chairs are also non-voting members of the MB. The MB also includes the following core federal agency partners listed below. Current MB membership can be found at: https://www.chesapeakebay.net/who/group/management_board.

- U.S. Department of Defense
- U.S. Department of Homeland Security
- U.S. Department of Transportation
- U.S. Environmental Protection Agency
- Natural Resources Conservation Service
- U.S. Forest Service
- U.S. Army Corps of Engineers
- National Oceanic and Atmospheric Administration
- U.S. Fish and Wildlife Service
- National Park Service
- U.S. Geological Survey

(c) Duration of Membership: The Chair and members serve for indefinite terms.

(d) MB Operations:

- *Ground Rules:*
  - The meeting time of the MB is for decision-making, time-critical discussions, and hearing summary results of the GITs or Action Teams.
  - An agenda and decision documents are circulated at least two weeks prior to the meeting date. Members may not be expected to make decisions on topics for which materials were not provided within the two-week timeframe.
  - Each jurisdiction, federal agency and CBC has one voice in decision-making.
- *Decision-Making:* Decision-making at the MB will be done by members through a unanimous or consensus based approach. All members have a voice in discussions contributing to the development of consensus, a seat at the table and the right to receive all communication and materials. If after substantial discussions consensus cannot be reached, the issue will be decided by supermajority vote of signatory members, requiring seven out of nine "yea" votes. As non-voting members, Advisory Committee Chairs and Goal Implementation Team Chairs may participate as advisors. The federal members will act as one delegation (with one vote) if a vote is required.
- *Attendance at Meetings:* Meeting attendance may be in-person or by conference call. Members who are not able to attend are expected to designate an alternate. A quorum of 50% of those on the MB, regardless of agency representation proportions, must be present for decisions to be made. When the MB Chair is not able to lead the meetings, the Chair will designate an alternate MB member or comparable leader to chair the MB.
- *Frequency and Duration*: Meetings are held monthly and may alternate between in-person meetings and teleconferences. A schedule for meetings will be determined at the beginning of the year and the scheduled format (i.e., in-person or teleconference) will be maintained to the greatest extent possible.
- *Setting Priorities:* For general operation of the MB, it is the responsibility of the Chair and the Coordinator to track and facilitate discussion on the highest MB priorities following input from the entire group.

- *Budgeted Resources:* The EPA CBPO provides funding for priority activities identified by the MB in collaboration with the Goal Implementation Teams on an annual and as-available basis. Requests for EPA funds will be processed by the MB Chair.
- *Staffing and Support:* The EPA CBPO provides significant staffing and logistic support to the MB. A senior member of the CBPO is assigned as MB Coordinator. One or more of the staff members of an NGO supported by a grant from EPA, currently the Chesapeake Research Consortium (CRC), will be assigned to provide administrative and research support. In addition, there is a close and supportive relationship between the MB and the Enhance Partnering, Leadership, and Management Goal Implementation Team. This Goal Implementation Team: provides significant coordination of the adaptive management system cycle, facilitates the MB's responsibility in overseeing the system, keeps the cycle on schedule and provides the MB the information it needs to use the system as a management framework and a method for continually improving program performance.

Goal Implementation Teams (GITs): The GITs are intended to focus and drive implementation to achieve very explicit progress and results within the scope of their goal area. The GIT goal areas are consistent with the broad Goals of the Agreement, except that a sixth goal area has been added to support the MB with coordination and management of the overall Bay Program. The mission, membership and activities of the individual GITs can be found at http://www.chesapeakebay.net/about/organized. The following are general governance rules and procedures that remain consistent across all GITs. Where more specific rules are needed, each GIT has the discretion to develop their own charters, as long as they are consistent with this section. The six GITs serve to:

- Protect & Restore Fisheries;
- Protect & Restore Vital Habitats;
- Protect & Restore Water Quality;
- Maintain Healthy Watersheds;
- Foster Chesapeake Stewardship, and
- Enhance Partnering, Leadership, & Management

(a) Roles and Responsibilities:

- Develop Management Strategies and 2-Year Work Plans to realize the Agreement Outcomes assigned to that GIT by the MB, and submit to the MB to accept as complete. Through the SRS process, identify, every two years, existing resources, gaps in those resources, and opportunities to align resources for that particular Outcome.
- Create and commission workgroups for specific actions under the purview of their GIT as needed. Appoint leaders of workgroups.
- Collaborate with other GITs to identify opportunities to strategically align resources across Outcomes.
- Identify needs for monitoring, modeling, indicator/metric development and information management for development by the Science, Technical Analysis and Reporting team.
- Seek opportunities to engage Advisory Committees and the Communications Workgroup as needed.
- Recommend GIT Chair and Vice Chair (or Co-Chairs) for designation by the MB.
- Review membership annually to ensure diverse and adequate representation.

(b) Leadership and Membership: Each GIT has either one Chair and one Vice Chair, or Co-Chairs. While the Chair, Vice Chair, or Co-Chairs can be federal, state, or from other organizations such as NGOs, at all times either the Chair, Vice Chair or one Co-Chair must be federal or state. GIT

Chairs are non-voting members of the MB. GIT Chairs, Vice Chairs or Co-Chairs serve two-year renewable terms, with concurrence of the MB. New GIT Chairs, Vice Chairs, or Co-Chairs will be designated by the MB with recommendations from GIT members. At the end of a two-year term, the GIT collectively discusses the renewal or change of their Chairmanship, Vice-Chairmanship, or Co-Chairmanship. The renewal of a Chair or Co-Chairs will have concurrence from both the GIT and the MB. Otherwise, the Vice-Chair assumes the role of Chair with concurrence from the GIT and the MB, and the new Vice-Chair will be selected by GIT members. In the event that the Vice-Chair declines the nomination, the GIT will nominate a new Chair and gain concurrence from the MB. In the case of a Co-Chair arrangement, it is preferable that one of the Co-Chairs remains in place and a new Co-Chair is brought in at either the one-year or three-year point in time in order to stagger leadership transition and offer consistency for the team. The GIT Chair is responsible for coordinating with the MB on strategic plans for achieving high-priority restoration outcomes as well as periodically providing updates to the MB on progress and roadblocks encountered through the SRS process. The MB works closely with GIT leaders while also empowering them to have the greatest discretion possible over short-term adjustments to execution of strategic plans to allow quick adaptations to changing internal and external circumstances. The Chairs and Vice Chairs, or Co-Chairs, shall be individuals representing agencies with significant authority in that GIT's topic area and those individuals should be at a management level within their organization.

The GITs and their respective workgroups strive to maintain a membership that is representative of the signatories to the Agreement and those that take leadership roles in the CBP structure, while empowering Advisory Committees and non-signatories. Membership should be based on the following construct to the maximum extent possible (Table 1):

- Members from each signatory (one each with an alternate identified) (9)
- At-large members[2] (up to 6 with option to identify an alternate)
- One advisor from each GIT Workgroup (invited)
- One advisor from each CBP Advisory Committee (invited)
- A diversity of ethnicities and cultures, including people of color and other underrepresented groups

Table 1. GIT and STAR Membership Criteria Template

(*Insert GIT name here*) Goal Implementation Team Members		
Affiliation	*Primary*	*Alternate*
Delaware		
District of Columbia		
Maryland		
New York		
Pennsylvania		
Virginia		
West Virginia		
Chesapeake Bay Commission		
U.S. Environmental Protection Agency		
At-Large		

[2] In an effort to empower non-signatory partners in the decision-making process, priority for at-large membership will be reserved for NGOs, quasi-governmental organizations, federal agencies, academic institutions, and other local practitioners.

At-Large		
At-Large		
At-Large		
At-Large		
At-Large		
Workgroup #1		
Workgroup #2		
Workgroup #3		
Workgroup #4		
Workgroup #5		
Citizens Advisory Committee		
Local Government Advisory Committee		
Scientific & Technical Advisory Committee		

When selecting members, each GIT should consider the following guidelines:

- Broad and inclusive representation (e.g., signatories, advisory committees, key organizations);
- A diversity of ethnicities and cultures, including people of color and other underrepresented groups;
- Level of commitment (e.g., ability to attend meetings, willingness to participate in activities related to implementation of Management Strategies); and
- Skills and perspectives (e.g., geographic diversity, expertise).

GITs may submit a request to the MB for modifications to these membership criteria if a different membership structure is deemed more appropriate.

(c) Duration of Membership: GIT members serve indefinite terms.

(d) GITs Operations:

- *Ground Rules:* Meetings are held at the discretion of the Chair/Co-Chairs with input from GIT members, but should generally be held only when there is a task that requires a group effort. An agenda and decision documents are circulated at least two weeks before the meeting. Members may not be expected to make decisions on topics where materials were not provided within the two-week timeframe. The agenda should spell out specific goals for meeting with time limits for each item. All meetings are open to the public[3] and meeting materials, actions and decisions are posted on www.chesapeakebay.net. Workgroups are convened and Chairs are appointed as needed and at the GIT Chair's discretion in consultation with GIT members.
- *Decision-Making:* The GITs and workgroups will use a unanimous or consensus based process that ultimately concludes in a polling of the members, to get a sense of the will of the group. If the poll is unanimous or if consensus reached, the decision is approved. If consensus cannot be reached, the decision will be elevated to the next level in the hierarchy with a description of the positions of the members, in particular those of dissenting members.
- *Reporting, Accountability and Performance Metrics:* The Chair/Co-Chairs is/are responsible for maintaining a clear sense of purpose, specific performance goals, and reporting on Management Strategies and 2-Year Work Plans through the SRS process.

[3] BMP Panels, because negotiations can be highly deliberative or sensitive, will follow protocols adapted from the National Academy of Sciences procedures. The "Protocol for the Development, Review, and Approval of Loading and Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Watershed Model" can be found here.

- *Staffing and Support:* Pending a decision by the Chair and the EPA CBPO Director, a Coordinator will be available to each of the GITs. EPA CBPO staff will provide administrative support in the areas of budget, facilities, administrative office tasks and meeting planning.

(e) GIT Workgroups: Workgroups will follow the same governance structure as their respective GIT, with the following exceptions:

- Workgroup Chairs do not need to be federal or state employees.
- Non-management level candidates are eligible for Chair.
- Nominees for Chair shall be approved by the GIT.
- Decisions such as changes in programmatic policy, work plans, or management strategies; proposals for allocation of resources; membership criteria; and leadership nominations should be elevated to the appropriate GIT.
- In cases where a pre-existing external group serves a dual role as a CBP workgroup, these CBP workgroup governance guidelines may be modified, and should be determined through collaboration between the workgroup, lead GIT(s), and MB, as appropriate.

Action Teams: Action Teams may be established by the PSC, MB or GITs as needed to meet very explicit and short-term needs or products. Generally, an Action Team is also appropriate for an issue that does not reside within the context of a particular GIT, or that requires special expertise and/or is subject to special time pressure such that existing GITs are not the best mechanism for addressing it.

(a) Roles and Responsibilities:

- Assemble a team of individuals with expertise relevant to the issue the Action Team is to address.
- Adopt/adapt operating procedures (i.e., meetings, subgroups) to meet the objectives (deliverables and timetable) for action on the problem.
- Conduct analysis of the problem.
- Report to the PSC, MB and/or GIT with recommendations or options for resolving issues.
- Disband after reporting results.

(b) Leadership and Membership:
Leadership of the Action Team will be determined by the group that created the Action Team. The leadership of the Action Team will determine the membership in consultation with the group that created the Action Team and will be guided by the skill sets required to address the issue the Action Team is to address. Members will be drawn from volunteers as well as from targeted invitations at the discretion of the leader.

(c) Action Team Operations:
Operating procedures for the Action Team are those found under the GIT section of this document. Special considerations for Action Team operating procedures include:

- They are charged with a specific mission and strategic priorities.
- Staffing will be dependent on the mission.
- Action Teams dissolve when the mission is accomplished.
- Action Teams present their work products and findings to the group that created the Action Team.

Science, Technical Analysis and Reporting (STAR): The STAR's purpose is to coordinate monitoring, modeling, and analysis needed to update, explain, and communicate ecosystem conditions and changes to support decision-making to achieve the Agreement Goals and Outcomes. The STAR works closely with the GITs to help address their technical needs through coordination with multiple science partners.

(a) Roles and Responsibilities:

- Support other units of the Bay Program organization (principally the GITs) by providing assessment, data management, modeling, monitoring and technical analysis
- Manage Bay Program-funded monitoring networks and coordinate with additional science providers to utilize additional networks to address the Agreement.
- Ensure information quality, management and access.
- Update and deliver the status and trends (indicators) of ecosystem conditions.
- Explain ecosystem conditions and changes.
- Expand modeling to better understand and predict ecosystem response.
- Coordinate and engage in climate change activities, including providing staff support to the Climate Resiliency Workgroup.
- Synthesize and communicate results (working with the Communications Workgroup and Creative Team) to inform decision-making.
- Interact with the Scientific and Technical Advisory Committee to consider recommendations from their workshops for enhancing science in the Chesapeake Bay Program.

(b) Leadership and Membership:

Leadership for the STAR follows a similar process used for GITs. STAR operates with Co-Chairs and rotates these positions every 2-4 years. The MB approves new Co-Chairs that are nominated from STAR. Membership in the STAR draws from the EPA CBPO and other core federal agencies, states, NGOs, universities, representatives from each GIT and the STAR workgroup Chairs. Each signatory jurisdiction is invited to belong to the STAR but most choose to be members of a STAR workgroup (such as Integrated Monitoring Networks) where they have the most interest. Each federal and state agency, or academic partner, brings its own resources to varying degrees to support science activities of the STAR. While the STAR provides science support, coordination, leadership and infrastructure for the Bay Program, restoration is managed by the MB with support from the Enhance Partnering, Leadership and Management GIT. The STAR is a non-voting member of the MB.

When selecting STAR Co-Chairs, the MB should consider the following guidelines:

- Broad and inclusive representation (e.g., signatories, advisory committees, key organizations);
- A diversity of ethnicities and cultures, including people of color and other underrepresented groups; and
- Skills and perspectives (e.g., geographic diversity, diverse professional expertise, including both the science and social science fields).

(c) STAR Operations:

The STAR Co-Chairs work closely with the STAR coordinator and staff to develop monthly agendas. The STAR has workgroups to address the above responsibilities. The workgroups operate under a degree of autonomy and interact directly with the GITs and associated workgroups to support their science needs. The Climate Resiliency Workgroup is the largest workgroup, given it is responsible for implementation of specific actions to achieve the Climate Resiliency Goal of the Agreement. In doing so, the Climate Resiliency Workgroup interacts with all other GITs and workgroups.

Communications Workgroup: The Communications Workgroup facilitates cross-jurisdictional communication among Bay Program partners by providing a collaborative forum to discuss communications issues, needs, strategies and shared messages. The Communications Workgroup also provides communications advice and recommendations to Chesapeake Bay Program staff and partners where needed, which can include support toward communications-related management actions. The Communications Workgroup provides professional guidance to the Chesapeake Bay Program partnership Communications Office in support of its mission to use consistent messaging, expanded media coverage and effective stakeholder outreach to provide accurate and timely reporting of watershed protection and restoration.

(a) Roles and Responsibilities:

- Set annual priorities for the Chesapeake Bay Program partnership Communications Office.
- Amplify Chesapeake Bay Program media materials where appropriate.
- Provide expert advice and recommendations when asked to address the communications needs of Bay Program groups (e.g. MB, GITs, or Advisory Committees).
- Facilitate cross-jurisdictional communication among Bay Program partners by providing a collaborative forum to discuss communications issues; share ideas, resources and skills; and engage in professional development.
- Establish a two-way street between individual partners (i.e., organizations, agencies and jurisdictions) and the Chesapeake Bay Program partnership to publicize and promote each other's work to protect and restore the watershed.
- Invite presentations or request further information from science or other experts on issues when appropriate.

(b) Leadership and Membership:

The Workgroup is led by a Chair and a Vice-Chair. Terms for each are two years, with the expectation that the Vice-Chair will advance to the Chair position. A senior member of the Chesapeake Bay Program partnership Communications Office is assigned as Coordinator. Members of this group will include the staff of the Chesapeake Bay Program partnership Communications Office, the CRC Communications staffer, and professional communications and public relations representatives from the EPA, Delaware, Maryland, Pennsylvania, New York, Virginia, West Virginia and the District of Columbia. The workgroup may also include similar professionals from other relevant federal/state agencies (e.g., National Oceanic and Atmospheric Administration (NOAA) and the National Park Service), environmental justice leaders and representatives from organizations led by people of color or other underrepresented groups~~, especially appointees to the future Community Advisory Committee~~.

~~).~~ When selecting Workgroup Chairs, Vice-Chairs and Members, the MB should consider the following guidelines:

- Broad and inclusive representation (e.g., signatories, advisory committees, key organizations);
- A diversity of ethnicities and cultures, including people of color and other underrepresented groups; and
- Skills and perspectives (e.g., geographic diversity, diverse professional expertise, including both the science and social science fields).

(c) Communications Workgroup Operations:

- *Ground Rules*: The Communications Workgroup may establish ad hoc or standing committees or teams to address specific topics. Such teams report directly to the group. In

Commented [PT4]: Jim – you made this suggestion to add this. First, is it premature to say this? If not, is there a reason why appointees to this future Advisory Board should be on the Communications Workgroup? Does the CAC do this? I still worry that currently in our conversations we will be asking CAB members to do a lot by potentially serving on the CAC and LGAC, Comm WG, etc. especially if they are not compensated, I don't think that will be feasible.

Commented [PT5R4]: Also Sarah/Dom - it should say Community Advisory Board, even though I am not sure that will be the final name.

Commented [PT6R4]: Response from Jim: I'm fine with taking that out because it's probably premature at this point.

Commented [SM7R4]: We have left it deleted, as per Jim's comment, but also leaving the comment trail here as a record for future iterations of the document.

order to facilitate improved communications between the GITs, workgroups, advisory committees and the Communications Workgroup, specific members of the Communications Workgroup act as liaisons between these entities and the Workgroup. Each liaison should: understand the current and ongoing work of their assigned GIT, workgroup or advisory committee; seek out opportunities and offer ideas to promote their work to Chesapeake Bay Program partners and the public via Communications Office channels; and bring information on the above-mentioned work to the attention of the Workgroup.

- *Decision-Making*: The Communications Workgroup will operate under a consensus decision-making process.
- *Frequency and Duration*: Meetings are held monthly to provide updates on relevant work, news, issues and information from each member/state, agency or region.
- *Setting Priorities:* The Communications Workgroup will meet once a year to set communications priorities for the coming year, ensuring that the priorities are aligned with those established by the MB.
- *Professional Development*: The Communications Workgroup meets in-person twice a year to provide professional development opportunities to its members.

Chesapeake Bay Program Advisory Committees: The three Advisory Committees are made up of appointed and/or elected volunteers who provide independent perspectives from critical stakeholder groups and strengthen the natural and social science basis for Bay protection and restoration activities. The Advisory Committees are the independent thinkers and advisors to the EC, PSC and MB.

- The Local Government Advisory Committee (LGAC) was created by the Chesapeake Bay Executive Council through the 1987 Chesapeake Bay Agreement. The purpose of the LGAC is to advise the EC on how to effectively implement projects and engage the support of local governments to achieve the Goals of the Agreement. The LGAC's mission is to share the views and insights of local elected officials with state and federal decision-makers and to enhance the flow of information among local governments about the protection and restoration of the Chesapeake Bay watershed. Current membership and operational details for the LGAC can be found at: https://www.chesapeakebay.net/who/group/lgac.

- The Chesapeake Bay Program is committed to actively engaging, recruiting and retaining appointees and volunteers that reflect the diversity of people living within the Chesapeake Bay region, including people of color and other underrepresented groups. The Citizens Advisory Committee (CAC) is charged with advising the leadership of the Chesapeake Bay Program by representing a sample of residents and stakeholders in the Chesapeake Bay watershed. Since 1984, this group has provided a non-governmental perspective on the Bay effort and on how Chesapeake Bay Program policies and programs affect citizens who live and work in the watershed. In this role, the CAC has been a strong advocate for increased transparency and accountability, citizen engagement and education, and independent evaluation of the restoration work of the partnership. When appropriate and applicable, the CAC shares information about the watershed restoration efforts with those groups whom individual members may be affiliated. The membership is broad-based with representatives from agricultural and homebuilding industries, business, conservation, environmental foundations, law, and civic groups, including environmental justice groups and organizations led by ~~s.~~people of color or other underrepresented groups. Current membership and operational details for the CAC can be found at: https://www.chesapeakebay.net/who/group/citizens_advisory_committee.

- The Scientific and Technical Advisory Committee (STAC) provides scientific and technical guidance to the Chesapeake Bay Program on measures to protect and restore the Chesapeake Bay. Since its creation in December 1984, the STAC has worked to enhance scientific communication and outreach

throughout the Chesapeake Bay watershed and beyond. The STAC provides independent scientific and technical advice in various ways, including (1) technical reports and position papers, (2) discussion groups, (3) assistance in organizing merit reviews of Chesapeake Bay Program programs and projects, (4) technical workshops, and (5) interaction between STAC members and the Chesapeake Bay Program. The STAC serves as a liaison between the region's scientific community and the Chesapeake Bay Program. Through professional and academic contacts and organizational networks of its members, the STAC ensures close cooperation between the various research institutions and management agencies represented in the Bay watershed. Current membership and operational details for the STAC can be found at: http://www.chesapeake.org/stac/.

(a) Key Functions and Responsibilities: Certain functions and responsibilities are common to all three of the Chesapeake Bay Program Advisory Committees.

- Make independent recommendations to the EC, PSC and MB.
- Participate in EC, PSC and MB meetings as advisors.
- Participate in the development and implementation of the Management Strategies developed as part of the Agreement as appropriate.
- Establish annual priorities that support the Chesapeake Bay Program strategic priorities and the progress of the Agreement Goals and Outcomes.
- Share progress on priorities and Advisory Committee activities with the PSC and the MB.
- Advise the GITs and the Action Teams as needed.
- Support and advise the Communications Workgroup as needed.

Process for Decision-Making:

Over the 30-year history of the Chesapeake Bay Program, the partners have signed four agreements, and numerous directives, resolutions, adoption statements and other documents that create cooperative action to protect and restore the Bay watershed. This complex and challenging endeavor has relied upon collaborative decision-making. Consensus building among the Program partners (all parties can live with the decision) remains the preferred decision-making approach. A consensus decision-making process is a group decision-making process that not only seeks the agreement of most participants, but also the resolution or mitigation of minority objections. The goals of consensus decision-making are to be:

- *Inclusive*, of new and/or historically underrepresented voices and perspectives by fostering a ~~of as many members as possible,~~ culture of respect and mutual learning.
- *Participatory*, actively soliciting the input and participation of all~~.~~, including people of color and other underrepresented groups who have traditionally been excluded from the decision-making process.
- *Cooperative*, striving to reach the best decision for the group, rather than the majority,
- *Egalitarian and equitable*, with all afforded, as much as possible, equal opportunities input into the process and additional weight and consideration given to input from historically underrepresented voices and perspectives, and
- *Solution-oriented*, emphasizing common agreement over differences and reaching effective decisions using compromise to resolve mutually-exclusive positions.

The Chesapeake Bay Program is committed to ensuring environmental justice in its consensus decision-making processes. The EPA defines environmental justice as the "fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies." Consensus decision-making, in the context of environmental justice, requires building mutually beneficial relationships with overburdened communities. Program partners should consider:

- Clearly stating the expected level of community engagement, including how input will inform analysis, options considered and outcome of decision-making

- Developing performance measures in coordination with communities
- Identifying whether assistance is needed to help communities understand technical information and participate in well-informed discussions

There are, however, situations in which consensus is inappropriate or in which consensus is not necessary for progress to be made. Whatever approach is used to make decisions, it is important that members of the organizational group feel included, understand ~~understand~~ exactly what the process is and ~~have~~ shared expectations for how they will evaluate a decision's potential beneficial or adverse impacts, especially on communities of low socioeconomic status, communities of color and environmental justice communities ~~and people of color~~. ~~and that they~~Before decisions are made, members should identify the points in the process when the group will engage with ~~feel included in the process~~potentially impacted communities and other partners outside the organizational group. ~~.~~Finally, when decisions are made, the approach used must be recorded in meeting minutes along with the outcome of the decision.

- Decision-making at the EC, PSC, and MB is done through consensus by signatory representatives. As a last resort, if consensus cannot be reached, a supermajority vote will be utilized.
- Decision-making for GITs is done through consensus by members participating in Management Strategies.

Process for Issuance of Executive Council directives:

EC directives specify the will of the EC on future actions that the Chesapeake Bay Program partnership should undertake. EC directives do not necessarily represent a commitment of resources by any individual EC member, but rather define the collective desire of the EC for work by the partnership.

Proposed EC directives are first submitted to MB for approval. If approved by the MB, the directive is then forwarded to the PSC for approval. The proposed directive must be received by the PSC at least 2 weeks in advance of the PSC meeting at which it will be discussed. After discussion, all PSC members will be polled for the record on a) their EC member's position on issuance of the directive as per the CBP Consensus Continuum and, b) their EC member's commitment to sign the directive no less than one month in advance of the EC meeting.

In all cases, EC member signatures only are permitted on EC directives. Designee signatures are not allowed.

If the PSC approves the directive ***unanimously***:

- If at least seven of the nine EC member signatures have been obtained one month in advance of the EC meeting, the directive may still be issued at the EC meeting without all nine signatures. The missing signature(s) may be obtained either at the EC meeting or up to two months after the meeting. If the missing signature(s) are still not obtained two months after the EC meeting, the directive will be considered final and the unsigned signature lines will be struck from the document.
- If less than seven of the nine EC member signatures are obtained one month in advance of the EC meeting, the directive will ***not*** be issued.

If the PSC approves the directive ***without unanimity*** as per the Consensus Continuum (i.e. not all members support the directive, but no member "Holds" or "Stops" the directive) with a minimum of seven EC members willing to sign the directive, the directive may still move forward for signature by those members who support its issuance at the EC meeting. Signatures of all seven or eight EC members

Commented [SM8]: Consider standardizing this phrasing throughout when referring to groups who might be adversely impacted?

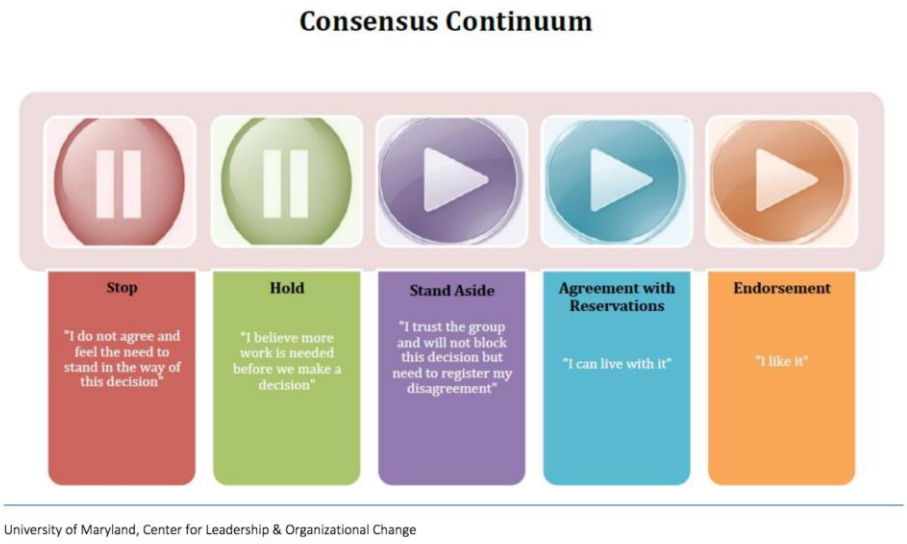
Commented [PT9R8]: Yes, for when talking about disproportionate environmental effects, right? That sounds good. From Ivan: should said lower socioeconomic status, not just economic

who agreed to sign it must be obtained one month in advance of the EC meeting or the directive is not issued.

Consensus-Building Process: Once an agenda for discussion has been set, each item of the agenda is addressed, in turn. Typically, each decision arising from an agenda item follows a simple process:

- Discussion of the item: The item is discussed with the goal of identifying opinions and information on the topic at hand. The general direction of the group and potential proposals for action are often identified during the discussion.
- Formation of a proposal: Based on the discussion a formal decision proposal on the issue is presented to the group by the presenter and the Chair/Co-Chairs or Vice-Chair.
- Call for consensus: The facilitator of the decision-making body calls for consensus on the proposal. Each member of the group is asked to clearly state their intention to agree, disagree or modify the proposal. For visual representation of various positions at the time of a decision during the consensus-building process, see Figure 2.
- Identification and addressing of concerns: If consensus is not achieved, each dissenter presents their concerns on the proposal, potentially starting another round of discussion to address or clarify the concern. The dissenting party/parties will supply an alternative proposal or a process for generating one, so any unique or shared concerns with proceeding with consensus can be addressed. To allow time for resolution of the concern, a consensus decision will be sought at the next meeting of the PSC, MB, GIT or Workgroup.
- Modification of the proposal: The proposal is amended in an attempt to address the concerns of the decision makers. The process then returns to the call for consensus. If consensus again cannot be reached, the decision is sent to the next level in the organization.

Figure 2. University of Maryland Consensus Decision-Making Continuum

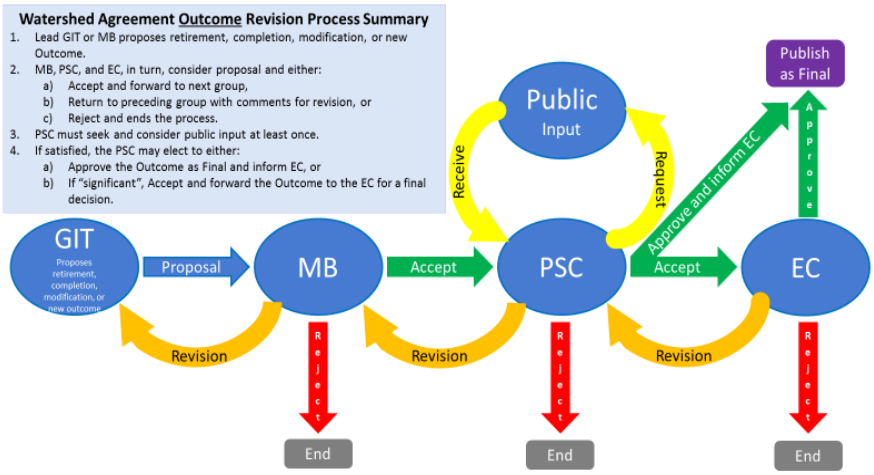


Process for Changes to the 2014 Chesapeake Bay Watershed Agreement Goals, Outcomes and Management Strategies: The signatories to the Agreement recognize that the scientific, technical, economic, and policy arenas within which we are collectively operating to realize the Goals and Outcomes identified in the Agreement are constantly changing, that the Agreement should be flexible enough to adapt to these changes and, therefore, included language in the Agreement allowing for the adoption or modification of Goals and Outcomes if warranted. The following section describes the processes that the Partnership will go through to implement such changes. However, any adoption or modification of the original Goals or Outcomes should only be made with the utmost respect for maintaining the integrity of the original Agreement and should never be made lightly.

- **Goals:** The Goals articulate the desired high-level aspects of the Bay Program partners' Vision in the Watershed Agreement. The EC makes the decision to approve revised or added Goals to the 2014 Watershed Agreement. Changes or additions to the Goals will be approved by the EC. Proposed changes to Goals or the addition of new Goals are open for public input before being finalized. Final changes or additions are publicly posted to the Bay Program website.

- **Outcomes:** The Outcomes related to each Goal are the specific, time-bound, measurable targets that directly contribute to achievement of the Goals. The lead GIT or Management Board (with lead GIT input) may propose "retirement" (for existing Outcomes that have passed their due date without completion but for which no further effort is recommended), "completion" (for existing Outcomes that have been met), "modification" of existing Outcomes, or creation of "new" Outcomes to the Management Board. Accompanying the recommendation should be a brief, written description providing justification and background, data to support the recommendation, proposed wording, partner and resource implications, and (in the case of "modified" or "new" Outcomes) proposed baseline measures and lead Workgroup.
    - Upon consideration and discussion of the recommendation, the Management Board may choose to:
        - a) reject the recommendation,
        - b) refer the recommendation back to the lead GIT for further revision and possible resubmission, or
        - c) accept the recommendation and forward the recommended action and accompanying written description (with or without Management Board modifications) to the PSC for consideration.
    - The PSC may choose to:
        - a) reject,
        - b) refer back to the Management Board for further revision, or
        - c) accept the recommendation. Prior to making a final decision on whether to accept the recommendation, the PSC must receive public input.
    - The PSC must then decide if the revised/new Outcome is significant enough to warrant forwarding to the EC for final approval or if the PSC is comfortable approving the revised/new Outcome as final and informing the EC of their decision. See Figure 3.

Figure 3. Process for proposing changes to 2014 Chesapeake Bay Watershed Agreement Outcomes



- **Management Strategies:** The Management Strategies outline the means for accomplishing the Outcome as well as monitoring, assessing and reporting progress and coordinating actions among partners and stakeholders. Where appropriate, Management Strategies should describe how local governments, nonprofit and private partners will be engaged; where actions, tools or technical support are needed to empower local governments and others to do their part; and what steps will be taken to facilitate greater local participation in achieving the Outcomes. In particular, Management Strategies should describe how diverse communities will be engaged, particularly people of color and other underrepresented groups, and what actions, tools or technical support is needed to engage these communities meaningfully in strategy decisions. The Management Strategies should also describe how the strategies will be evaluated to ensure the benefits of the science, restoration and partnership programs are equitably distributed and do not cause disproportionate adverse impacts on vulnerable communities, especially low-income communities and people of color. A component of the Management Strategies are the 2-Year Work Plans, which are updated biennially through the SRS process.

Participation in Management Strategies or in the achievement of Outcomes is expected to vary by signatory based on differing priorities across the watershed. This participation may include sharing knowledge, data or information, educating citizens or members, working on future legislation, and developing or implementing programs or practices. Management Strategies, which are aimed at implementing Outcomes, will identify participating signatories and other stakeholders, including local governments and NGOs, and will be implemented in two-year periods. Stakeholders and other interested parties will be notified of the development of the Management Strategy, the GIT meeting dates, times, and locations, and availability of the draft Management Strategy for public input. –This notification will be mainly through the Chesapeake Bay Program website and social media, but will include outreach to non-traditional partners, especially potentially impacted communities. –The signatories and other partners will update and/or modify such commitments every two years. Specific Management Strategies will be developed in consultation with Advisory Committees, stakeholders, organizations and other agencies, and

Commented [DO10]: How might this process leverage Community Advisory Committee. existing Citizens Advisory Committee or Diversity Work Group?
Formal step for Lead GIT to consult with one of these groups on impact evaluation and engagement strategy?
How might this process vary for different types of revisions?
Vary required public input opportunities based on specific criteria/potential impact of revision?
Would it be helpful to include concrete examples of different revisions?
What are the grounds on which EC/PSC reject a proposed revision?
The proposed change must provide justification and background, supporting data and partner and resource implications. Could also add community implications (and supporting data) to accompanying documentation?

Commented [PT11R10]: I think these are great points to raise to CBP leadership for their consideration

Commented [SM12R10]: Great – we'll leave them here for future consideration.

will include a period for public input and review prior to final acceptance as final. The PSC will report on implementation of Management Strategies every two years.

Management Strategies may address multiple Outcomes if deemed appropriate. GITs will reevaluate biennially and update strategies as necessary, with attention to changing environmental and economic conditions. Partners may identify policy changes to address these conditions and minimize obstacles to achieve the Outcomes. Stakeholder input will be incorporated into the development and reevaluation of each of the strategies. The Chesapeake Bay Program will make these strategies and reports on progress available to the public in a transparent manner on its websites and through public meetings of the appropriate GITs and the MB. The GITs will submit Management Strategies to the MB for review. The Management Board will accept these strategies as complete.

If the MB determines that any strategy or plan developed prior to the signing of the Agreement meets the requirements of a Management Strategy as defined above, no new strategy needs to be developed. This includes, but is not limited to, the strategies and plans for implementing the Chesapeake Bay Total Maximum Daily Load (TMDL).

Biennial Strategy Review System:
The Chesapeake Bay Program's Biennial Strategy Review System (SRS) is the adaptive management-based review process by which the Partnership seeks to meet the following 2014 Chesapeake Bay Watershed Agreement commitment:

> "Goal Implementation Teams will re-evaluate biennially and update strategies as necessary, with attention to changing environmental and economic conditions. Partners may identify policy changes to address these conditions and minimize obstacles to achieve the Outcomes."

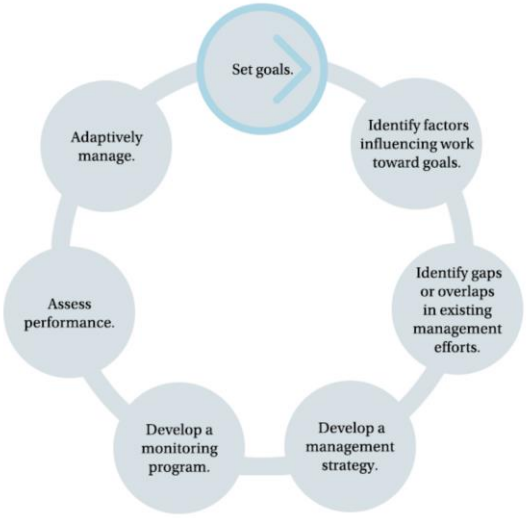
The SRS is intended to use lessons learned over the previous two years of implementation, including new understanding and developments in the science, fiscal, and policy arenas, and apply them to improve the certainty of the effectiveness of our Strategies and 2-Year Work Plans.

The SRS is an adaptive management process, as described by the Decision Framework (Figure 4) and approved by the PSC. During this process, the Partnership will review its progress toward each Outcome in the Agreement; identify the management approaches and actions that are or are not working; adjust our Management Strategies and 2-Year Work Plans as appropriate; and develop the next set of 2-Year Work Plans.

The Management Board is the lead for implementing this process, and each Outcome will receive individual attention from them during this review process, which will be repeated every two years. The lead Goal Implementation Team for each outcome is responsible for completing necessary analyses; presenting results and recommendations to the Management Board; and incorporating resulting decisions in revised Management Strategies and 2-Year Work Plans. The Enhance Partnering, Leadership and Management GIT is responsible for facilitating the SRS process.

For more information on the SRS, please visit the "Biennial Strategy Review System" section of the Enhance Partnering, Leadership and Management Goal Implementation Team page.

Figure 4. Chesapeake Bay Program Adaptive Management Decision Framework



BMP Expert Panel Process:
There is a Management Board-approved expert panel process to evaluate new Best Management Practices (BMPs) for calculating the reductions of nutrients and sediment. The lead for implementing this process is the Water Quality Goal Implementation Team. Issues identified as those having policy implications are elevated by the expert panel to the Management Board for final resolution.