

**Draft Chesapeake Bay Program Agreement
Management Board Discussion and Decisions
(5/16/13)**

*The following is sample agreement language that helps to illustrate the recommended style of the next Chesapeake Bay Agreement. **Red lettered text indicates May 16th Management Board decisions and discussion.***

Agreement Contents

Proposal: The agreement would have the following sections (example language and discussion questions for the bolded sections are found on the page noted):

Page 2: **Section 1: Preamble**

Page 2: **Section 2: Vision**

Page 3: **Section 3: Mission**

Section 4: Goals and Outcomes

- Decision on identification of responsible entities for outcomes

Section 5: Membership

Page 4: **Section 6. Principles and Operational Commitments**

Section 7: Effective Date

Section 8: Affirmation and Signatures

Supplemental Materials

Supplemental Document – Governance Document

Supplemental Document – Management Strategies

Additional Decision Points

- Treatment of TMDL issues in the partnership
- PSC Participation and Voting eligibility
- PSC/MB voting privileges

Preamble: An introductory or preliminary statement that sets out in detail the underlying facts and assumptions, and explains the document’s purpose, intent and objectives.

- What are the key points to include in the preamble (as opposed to the Governance Document)?
 - Importance of the ecosystem? Water quality focus?
 - History of the Partnership? Past Agreements and a statement that the new agreement supersedes previous agreements?
 - Examples of benefits of working as a partnership?
 - Acknowledgement of work done by other organizations and defining the narrower role of CBP?

Section 1: Preamble – history, benefits and accomplishments of the 30-year Chesapeake Bay Program Partnership.

The Chesapeake Bay - the largest estuary in the United States - is a highly complex ecosystem that includes important habitats and food webs. It is comprised of interrelated parts that interact with each other to form a whole. The Bay and its rivers, wetlands and forests provide homes, food and protection for diverse groups of animals and plants. Fish of all types and sizes either live in the Bay and its tributaries year-round or visit its waters as they migrate along the East Coast. Even the smallest creatures play an important role in this ecosystem.

Human activities affect the Chesapeake Bay ecosystem by adding pollution, using resources and changing the character of the land...

In 1983, 1987 and 2000, the states of Virginia, Maryland, Pennsylvania, the District of Columbia, the Chesapeake Bay Commission and the U.S. Environmental Protection Agency, representing the federal government, signed historic agreements that established the Chesapeake Bay Program partnership to protect and restore the Chesapeake Bay’s ecosystem.....

For almost two decades, the Chesapeake Bay Program Partners have worked together as stewards to ensure the public’s right to clean water and a healthy and productive resource.....

On this 30th anniversary of the founding of the Chesapeake Bay Program, we recognize the significant progress made to protect and restore this National treasure and by signing this agreement, we hereby reaffirm our partnership and recommit to fulfilling the public responsibility we undertook three decades ago.

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Vision – A *vision* is a concise statement that defines the mid- to long-term goals of the organization.¹ (It is intended to serve as a clear guide for choosing current and future courses of action.)

- Is the scope of the vision appropriate to provide guidance for goal setting?
- What is the most important part of the vision for your jurisdiction/organization?
- Does the vision mission provide the basis for appropriate goals and outcomes?
- Should the vision articulate what we think we will achieve by meeting the outcomes in 2025 or when we are “done”? Are they the same thing?

<http://www.ascd.org/publications/books/107042/chapters/developing-a-vision-and-a-mission.aspx>

Section 2: Vision – The Chesapeake Bay Program Partners envision a Chesapeake watershed with:

- clean water that is swimmable and fishable in streams, rivers and the Bay
- sustainable, healthy populations of blue crabs, oysters, fish and other wildlife
- a broad network of land and water habitats that support life and are resilient to the impacts of development
- abundant forests and thriving farms that benefit both the economy and environment
- extensive areas of conserved lands that protect nature and the region’s heritage
- ample access to provide for public enjoyment
- cities, towns and neighborhoods where citizens are stewards of nature

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Mission – A *mission* is a brief statement, typically one or two sentences, that defines why the organization exists.² (It identifies its core purpose and focus that normally remains unchanged over time. a mission is something to be accomplished whereas a vision is something to be pursued for that accomplishment.)

- Is the mission too broad, too narrow?
- Does the mission provide the basis for appropriate goals and outcomes?
- Should the mission reference or acknowledge work that is needed beyond that of the partnership?

Section 3: Mission – The Partners agree to work together to restore and protect the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay through a coordinated, cooperative approach. We agree to provide for continuity of management efforts and perpetuation of commitments necessary to ensure long-term results.

MB direction to GIT6 for Drafting Mission and Vision

Responses to “What does restored bay look like?”:

- **Swimmable, fishable; families enjoying the resources of the watershed**
- **Can eat fish without worry of contamination**
- **Abundant native species in and out of water**

¹ Kaplan and Norton (2008), Mastering the management system, *Harvard Business Review* p. 2

² Kaplan and Norton (2008), Mastering the management system, *Harvard Business Review*. p.2

- Extensive areas of conserved land ...reflecting cultural and natural systems
- Ecosystem in balance
- Strong economy based on farming and fisheries (commercial)...also recreation
- Opportunity to be outside near and/or on the water
- Vibrant communities connected to the ecosystem
- Resilient bay that can recover from large storms/weather events
- Healthy lands, farms, forests and maritime
- Streams reconnected to floodplains
- Environmentally literate students
- 75 percent of population engaged in their local waterways
- People understand that impact on land impacts water
- Individual stewardship; public understands how their individual footprint effects the environment

MB responses to “What about partnership do we need to take with us into the future?”:

- Strong science to make decisions (including social sciences)
- Strong agreement among partners on vision, mission and goals
- Political will;
- Recognition of importance of non-signatories to the vision and mission
- Diverse sources of funding
- Stronger connection between sound science and local decision making
- Positive collaboration/cooperation
- Communication of status and progress
- Collectively defining stretch goals and meeting them
- Positive communications; positive public news and engagement.
- Accountability & transparency
- Community in purpose; unity in goals
- Supporting and enhancing the good work of states
- Recognition of climate change (and strategies for adaptation)
- Adaptive management

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Section 4: Goals and Outcomes

Sustainable Fisheries Goal: Restore, enhance, and protect the finfish, shellfish and other living resources, their habitats and ecological relationships to sustain all fisheries and provide for a balanced ecosystem in the watershed and bay. **MB recommend draft goal to PSC with no changes.**

- **Blue Crab Outcome:** Maintain sustainable blue crab population based on the current 2012 target of 215 million adult females (1+ years old) and continue to refine population targets between 2013 through 2025 based on best available science.
- **Oyster Outcome:** Restore native oyster habitat and populations in 20 tributaries by 2025.

- **Fisheries Outcome:** Improve fisheries health and production by connecting land use decision making with ecosystem science and policy and creating a precautionary management approach to ensure the sustainability of Chesapeake bay fisheries resources across jurisdictions.

Fisheries Outcome

- **MB Action: Edits on the fisheries outcome should be sent to Peyton Robertson.**

Vital Habitats Goal: Restore, enhance, and protect a network of land and water habitats to support priority species and to afford other public benefits, including water quality, recreational uses and scenic value across the watershed. **MB recommend draft goal to PSC with no changes.**

- **Wetlands Outcome:** Restore 30,000 acres of tidal and non-tidal wetlands, enhance function of an additional 150,000 acres of degraded wetlands, and protect an additional 225,000 acres of wetlands by 2025.
 - *Black Duck:* Restore wetland habitats to support a wintering black duck population in the watershed of 100,000 birds by 2025.
- **Stream Restoration Outcome:** Restore stream health and function so that 70% of sampled stream sites throughout the watershed rate fair, good or excellent as measured by the Index of Biotic Integrity by 2025.
 - *Brook Trout:* Restore naturally reproducing brook trout populations with an 8% increase in total cumulative brook trout patch area by 2025 in Chesapeake headwater streams.
 - *Fish Passage:* During the period 2011-2025, restore historical fish migratory routes by opening 1,000 additional stream miles, with restoration success indicated by the presence of river herring, American shad, Hickory shad, Brook Trout and/or American eel.
- **Submerged Aquatic Vegetation Outcome:** Achieve and maintain 185,000 acres of SAV in the Chesapeake Bay to meet water quality standards.
- **Forests Outcome:** 1) Restore 900 miles per year of riparian forest buffer and conserve buffers until at least 70% of riparian areas are forested, and 2) Expand tree canopy in 120 communities by 2020.

Forest Outcome

- **MB Action: Edits on the forest outcome should be provided to Jeff Horan.**

Water Quality Goal: ~~Restore water quality to achieve standards for DO, clarity/SAV, and chlorophyll a in the Bay and its tidal waters as articulated in the Chesapeake Bay Total Maximum Daily Load (TMDL).~~

MB recommends draft goal to PSC as revised: "Restore Water quality to achieve standards for the Bay watershed."

- **2025 Watershed Implementation Plans (WIP) Outcome:** Have all controls installed by 2025 to achieve the Bay's DO, water clarity/SAV, and chlorophyll a criteria.
- **2017 WIP Outcome:** Have practices in place by 2017 that are expected to achieve 60 percent of the load reductions necessary to achieve applicable water quality standards compared to 2009 levels.

Water Quality Outcome

- **MB Decision: The 2025 WIP outcome is recommend to PSC with no changes.**
- **MB Action: The new Water Quality Indicator should be considered as an additional outcome under the Water Quality Goal.**

Healthy Watersheds Goal: Maintain local watersheds at optimal health across a range of landscape contexts. **MB recommends draft Healthy Watersheds Habitats Goal to PSC with minor revisions (forthcoming from GIT4).**

- *Healthy Waters Outcome:* State identified healthy waters remain healthy.

Land Conservation Goal: Conserve landscapes treasured by citizens to maintain water quality and habitat; sustain working forests, farms and maritime communities; and conserve lands of cultural, indigenous and community value. **MB recommends draft goal to PSC with no changes.**

- *Protected Lands Outcome:* Protect an additional two million acres of lands throughout the watershed currently identified as high conservation priorities at the federal, state or local level by 2025, including 695,000 acres of forest land of highest value for maintaining water quality.

Land Conservation Outcome

- **MB Decision: Recommend draft Land Conservation goal to PSC with no changes.**

Public Access Goal: Expand public access to the Bay and its tributaries through existing and new local, state and federal parks, refuges, reserves, trails and partner sites. **MB recommend draft goal to PSC with no changes.**

- *Public Access Site Development Outcome:* Increase public access by adding 300 new public access sites by 2025.

Public Access Site Development Outcome

- **MB Decision: Recommend Public Access Site Development outcome to PSC with no changes.**

Environmental Literacy Goal: *Every student in the region graduates environmentally literate having participated in meaningful watershed educational experiences in elementary, middle, and high school that were supported by teachers who have received professional development in environmental education and schools that are models of environmental sustainability.* **MB recommend draft goal to PSC with possible revisions (forthcoming).**

- *Education Outcome:* TBD

Identified Gaps: Toxic Contaminants, Social/Environmental Indicators

MB discussion on Gaps in Goals

Toxic Contaminants

- **Action: An ad hoc partners' workgroup will bring forward options for consideration at the next MB meeting. Anyone interested in participating in the workgroup should contact Scott Phillips (USGS).**

- **Action:** The Citizens Advisory Committee (CAC) and the Chesapeake Bay Commission (CBC) both welcome additional discussion (and participation by the ad hoc workgroup members) on toxics contaminants as a goal/outcome during their upcoming meetings.

Social/Economic Indicators

- **Decision:** Social/economic indicators should be included in the principles section of the new agreement.

Climate Change

- **Decision:** Climate Change should be addressed in the management strategies and principles sections of the new agreement (rather than as a stand-alone goal since it is cross-cutting). May also mention in the preamble and/or vision).

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Principles – The principles (*values*, often called core values) prescribe the attitude, behavior, and character of an organization. Value statements, which are often lengthy, describe the desirable attitudes and behavior the organization wants to promote as well as the forbidden conduct.³

- Are there key principles or operational commitments that your organization would like to have mentioned in the new Agreement that are not yet listed (e.g. decision making, accountability, resource limitations)?
- Do the current principles cover what is needed to understand the nature of commitment and the operational basis of the partnership? Are there any principles that need to be deleted that might be problematic for EC members?
- Limitations and acknowledgements?
- Should this section discuss how to address revision of goals and outcomes in the future?

Section 6: Principles and Operational Commitments

The Partners agree to the following Principles:

1. Work together to improve the environment in communities throughout the entire watershed and in its thousands of streams, creeks and rivers.
2. Coordinate and strategically manage water quality and ecosystem restoration efforts across the program in cooperation with the Federal Leadership Committee for the Chesapeake Bay and other non-governmental partners.
3. Use best efforts to accomplish the goals of the partnership outlined in Section 4 of this Agreement.
4. Use science-based decision-making and adaptive management principles
5. Commit to being transparent with the public on progress in meeting goals and outcomes, or any changes, additions or revisions to the goals, outcomes, or strategies of the partnership.

³ Kaplan and Norton (2008), Mastering the management system, *Harvard Business Review*. p.3

MB direction to GIT6 for Drafting Principles

- Support for on-the-ground efforts and local government. Need to build on and embrace the work being done by parties who aren't signing on to the agreement...and recognize that there are some things that will never be done by CBP.
- The agreement should represent interests of all people living in the watershed (e.g. include language about people...“work together to restore and protect people's lives, ecosystems,” etc... somehow connect in the human dimension.
- Aim to appeal to multiple generations – the core values of the next generation may not be the same.
- There should be a sense that activities are (or will be) place-based, real places with/for real people that can be demonstrated as successful results of this Partnership.
- Decision: Principle 3 needs to be stated more clearly. (Current: “Use best efforts to accomplish the goals of the partnership outlined in Section 4 of this Agreement.”)
- Socio-economic indicators

The Partners agree to the following Operational Commitments:

- (1) Implement an **adaptive management** system that ensures continual improvement of our ability to achieve goals, outcomes, and strategies including implementation of a tracking and accountability framework.
- (2) **Delegate** responsibilities for periodic review and necessary revisions of outcomes (based on adaptive management principles) to the **Principals’ Staff Committee**
- (3) Demonstrate strong, regional leadership by convening an annual public meeting of the Chesapeake Executive Council.
- (4) Implement a coordinated Bay-wide monitoring system and research program.
- (5) Develop **management strategies** for each outcome, approved by the **Management Board** that would include jurisdictions and federal agencies who commit to supporting the achievement of that outcome. Management Strategies, outcomes and goals will be reevaluated every two years by the Management Board with recommended changes going to the PSC.
- (6) Develop “**governance guidelines**” to identify the roles, responsibilities and working relationships of and between all the CBP members, clearly articulate the roles and responsibilities of the federal agencies, and differentiation the role of EPA in oversight of the TMDL vs. partnership decisions.

MD direction to GIT6 for Operational Commitments

- **Management strategies developed by goal teams**
- **Some form of stakeholder input to strategies**
- **Separate section in agreement that addresses management strategies (not in operational commitments)**
- **The Advisory Committees are at the table giving advice & recommendations, and their involvement should probably be reflected in the agreement.**
- **Communication about work and progress**
- **Using technology – web, social media**
- **Continue using technology to communicate success stories (web, social media, mobile)**