**Chesapeake Bay Watershed Agreement**

**Draft 1 for MB Consideration at**

**Meeting on June 13, 2013**

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**Section 1: Preamble**

The Chesapeake Bay is the nation’s largest and most productive estuary, a powerful economic engine and is recognized as a national treasure.

The Chesapeake Bay Program partnership was formed 30 years ago with a simple document that recognized the “historical decline of living resources” in the Chesapeake Bay and committed the signatories to a cooperative approach to “fully address the extent, complexity, and sources of pollutants entering the Bay.”

The first agreement signed in 1983 laid the foundation for a cooperative program that now embraces all the Chesapeake Bay watershed jurisdictions, EPA and the Chesapeake Bay Commission. It is enhanced and supported by multiple federal agencies, local governments, citizens, academic and scientific institutions, nonprofit organizations and others. The Clean Water Act also establishes a statutory basis for such a program in the common interest of the citizens of the United States. We have established a foundation of science and policy on which the actions and commitments of the program and its partners continues to build.

The partnership seeks to guide the evolution of the Bay to benefit both the people and the living resources. Our combined efforts are focused on immediate results, while recognizing we are engaged in long-term effort that must be sustained for generations. We recognize that our long-term success will require a forward-looking approach that anticipates changing conditions, including long-term trends in sea level, temperature, precipitation, and other aspects of environmental variability. Retrospective or historic views of the Bay are useful, but they will not be sufficient to guide management.

This agreement is the culmination of what we have accomplished and learned during the last thirty years and sets the stage for our future actions. We have accomplished a great deal, but there is more to be done:

* Nitrogen has been reduced by over 100 million lbs annually since 1985
* 2500 miles of streams and rivers have been opened to migratory fish species
* Populations of striped bass and blue crabs have been returned to sustainable levels
* 20% of the total land area in the watershed has been permanently protected
* 7500 miles of forest buffers along streams, rivers and the bay have been planted since 1996
* Thousands of students in the watershed have been exposed directly to the bay and its rivers as part of their primary and secondary education.

We know that we are most effective when our efforts are focused on realistic goals; we know that we need each other to be successful.

This agreement makes clear our continuing goal to protect and restore the living resources of the Chesapeake Bay and its tributaries through the restoration of water quality and through the wise stewardship of our aquatic and terrestrial resources.

This agreement also acknowledges the reality that the partnership cannot currently afford to deal with every issue. We recognize the need to direct our individual and collective efforts to deal with the most important issues using strategies that will achieve the greatest results.

Therefore, we the signatories of this agreement commit to Chesapeake Bay Partnership contained herein….

**Section 2: Vision**

We envision a healthy, balanced and sustainable Chesapeake watershed with:

* Water that achieves water quality standards, that supports ecological resources, and is swimmable and fishable in streams, rivers and the Bay;
* Abundant and healthy populations of living resources including blue crabs, oysters and fish;
* Fish and shellfish that are safe to eat;
* Abundant forests, thriving farms and maritime communities that benefit both the economy and the environment;
* A broad network of land and water habitats that are resilient to the impacts of climate and weather and the impacts of human activities;
* Extensive areas of conserved lands that reflect the region’s heritage while providing scenic vistas;
* Ample access to the Bay and its tributaries in every watershed jurisdiction to provide opportunities for recreating on or near the water;
* Environmentally literate students and citizens who are stewards of nature and understand their personal impacts on the environment; and
* Local governments, businesses, schools and universities, watershed organizations, neighborhoods, and individuals committed to implementing actions that will achieve the goals and outcomes of this agreement and vibrant sustainable communities.

\*\* **Alternative Language** (provided by WV): The Chesapeake Bay Program partners envision a healthy, balanced and sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and engaged stakeholders.

**Section 3: Mission**

Working through a deliberate, coordinated and cooperative approach, we strive to accelerate efforts to protect and restore the Chesapeake Bay ecosystem and its abundant living resources. We work both independently and collaboratively—with our partners and stakeholders—to implement targeted management strategies that will achieve our shared goals and outcomes and inspire others to take action.

**Section 4: Goals and Outcomes**

Realizing the vision of a healthy and vibrant Chesapeake Bay Watershed will require a greater degree of collaboration than has been seen before, the Partners recognize that the Goals outlined herein will not be achieved without the support and involvement of those working at the local level, including local governments, businesses, schools and universities, watershed organizations, individual citizens and others. Therefore, the Partners commit to support implementation of actions consistent with the Goals outlined herein and more specifically with the outcomes developed by the Principals’ Staff Committee. The goals and outcomes identified herein are not binding and neither restrict nor compel the partners to take any specific actions. Further, it not release any of the partners from the requirements of the Clean Water Act or any other federal or state statutes or regulations.

**~~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.

**~~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.
* ***Forestry 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.

**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.

**~~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.

**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.*

**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).

* **Student Outcome:** Increase the number of students participating in meaningful watershed educational experiences in elementary, middle, and high school.
* **Educator Outcome:** Improve access to sustained professional development opportunities, tools, and resources that support teacher efforts to provide students with high-quality environmental education.
* **School Outcome:** Increase the number of schools in the region that maintain their buildings, grounds, and operations to support positive environmental and human health outcomes.
* **Local Education Agency Outcome:** Increase the number of local education agencies that establish and support a system wide approach to environmental education that includes meaningful watershed educational experiences.

**Identified Gaps:** Toxic Contaminants, Social/Environmental Indicators

**Section 5: Principles**

*Section5 describes the overarching framework by which the Chesapeake Bay Program and its partners and stakeholders agree to operate. Principles and operational commitments are related and aligned with each other. Principles are defined as our collective core values which dictate our organizational behavior.*

The Partners agree to the following principles:

1. Work together in an environment of mutual respect and trust while respecting the sovereign authority of each partner.
2. Work to improve local water quality, the natural environment and quality of life across the watershed and its tributaries leading to the restoration of the Chesapeake Bay.
3. Strive for improvement in both the environment and the economy through the program’s management actions.
4. Acknowledge, support and embrace local governments and other local entities in Bay restoration actions.
5. Advance the environmental literacy of Bay watershed residents.
6. Utilize science-based decision-making and seek out new technologies in advancing our management actions and strategies of management based upon a changing system.
7. Recognize that our long-term success will require a forward-looking approach that anticipates changing conditions, including long-term trends in sea level, temperature, precipitation, and other aspects of environmental variability.
8. Institute and adhere to adaptive management principles throughout all levels of the partnership to foster continuous improvement.
9. Implement collaborative, consensus-based decision-making approaches.
10. Continue to operate with transparency in program decisions, policies and science.

**Section 5: Operational Commitments**

*Operational commitments reflect those Principles and describe our intent for program-wide actions.*

The Partners agree to the following Operational Commitments:

1. Implement an adaptive managementsystem that ensures continual improvement of our ability to achieve goals, outcomes, and strategies including development and implementation of a tracking and accountability framework.
2. Develop management strategiesfor each outcome, approved by the Management Board that ~~includes~~ identifies jurisdictions, federal agencies and other partners committed to ~~supporting~~ providing leadership toward the achievement of that outcome.
3. Management strategies, outcomes and goals will be evaluated on a biennial basis by the Management Board with recommendations going to the Principals’ Staff Committee (PSC) for approval.
4. Engage the Advisory Committees (CAC, LGAC and STAC) as non-voting members of the PSC.
5. Demonstrate strong, regional leadership by convening an annual public meeting of the Chesapeake Bay Executive Council.
6. Strengthen ongoing local government and stakeholder relationships.
7. Maintain a coordinated Bay-wide monitoring and research program as necessary to support decision-making and track progress and the effectiveness of management actions.
8. Recognizing changing environmental conditions, explicitly identify opportunities to pursue management strategies that will be robust and resilient across a range of future conditions.
9. Effectively coordinate management actions with monitoring systems to understand patterns of change and ensure performance over time.
10. Commit to an environmentally literate public leading to increased individual stewardship by engaging more fully in place-based community restoration actions, improving partner and stakeholder outreach and messaging, formal (K-12) and non-formal educational opportunities and enhanced teacher professional development.
11. Work to advance the Chesapeake Bay Programs’ technological capability and use it to evaluate the effectiveness of management strategies.
12. Engage and involve the business community more routinely regarding Bay restoration by improving the “Businesses for the Bay” concept to include more and diverse partners.
13. Develop “governance guidelines” to identify the roles, responsibilities and working relationships of and between all partners
14. Develop governance procedures for the Chesapeake Bay TMDL. (***Question for MB; keep as separate commitment or as part of governance guidelines?***)
15. (Placeholder language) *Work collaboratively to develop and execute management strategies for solving mutual obstacles to restoration implementation including: solving permitting problems, building local government capacity, expediting approval of new and innovative best management practices, and identifying and developing innovative financing solutions*.

**Section 6: Effective Date**

This Declaration is effective upon signature.

**Section 7: Affirmation and Signatures**

Whereas, the Chesapeake Bay Program Partners recognize the need to accelerate implementation of actions necessary to achieve the Goals outlined herein and realize our shared vision of a healthy and vibrant Chesapeake Bay Watershed;

By this Agreement, we the undersigned members of the Chesapeake Executive Council, reaffirm our commitment to work together as described herein to protect and restore the Chesapeake Bay ecosystem. We agree to work collectively toward the goals and outcomes of this agreement and to work both independently and collaboratively to implement specific management strategies to achieve these shared goals and outcomes.

Date: \_\_\_\_\_\_\_\_\_\_

For the Commonwealth of Pennsylvania

For the Commonwealth of Virginia

For the State of Maryland

For the State of West Virginia

For the State of New York

For the State of Delaware

For the District of Columbia

For the Chesapeake Bay Commission

For the United States of America (EPA Administrator to sign on behalf of the Federal Government and the Federal Leadership Committee)