

**Comments Received  
From MB/GIT Chairs on  
Chesapeake Bay Watershed Agreement  
(Draft (v. 6, 6/6/13))**

**Section 1: Preamble**

1. Paragraph 2
  - Strike entire paragraph (“~~The Chesapeake Bay Program partnership was formed 30 years ago...~~”)
2. Paragraph 2
  - Insert new paragraph 2: “The Chesapeake Bay watershed is one of the most extraordinary places in America. The nation’s largest estuary and its network of streams, creeks and rivers hold tremendous ecological, cultural, economic, historic and recreational value for the region and its citizens.”
  - “Highly recommend using this alternative language as the opening. It is far more inclusive of multiple values. In addition, it speaks to the watershed and avoids the rather tired Bay-centric language for which the program is so often criticized by those not directly along the Bay’s shores.”
3. Paragraph 3
  - “The first Chesapeake Bay agreement was signed in 1983. It laid the foundation for a cooperative program that now includes all of the states in the Chesapeake Bay watershed, EPA and the Chesapeake Bay Commission.”
    - Comment: The text in this sentence seems to describe the overall cooperative program. Doesn’t this include more than just a single federal agency. Either change the intent of the sentence to speak to the signatories, or broaden to the federal government rather than just EPA.
4. Paragraph 4
  - Edits: The partnership seeks to ~~guide the evolution~~ protect and restore the Bay ecosystem to benefit.
    - Comment: Again, this language continues to use narrow wording that excludes values that are important to people. Further, it does not embrace the range of goals and outcomes included in the draft agreement. Alternative more inclusive language is: “The partnership seeks to protect and restore the health, heritage, natural resources, and social and economic value of the nation’s largest estuarine ecosystem and the natural sustainability of its watershed.”
  - Insert new language at end: “We are committed to a future that sustains highly valued ecosystem benefits and makes the region resilient to development pressure.”
5. Paragraph 5

- “Nitrogen has been reduced by over 100 million lbs annually since 1985”
  - Comment: “This is not accurate. Practices have been put in place to reduce N by over 100M lbs but the actual load reduction to the Bay has not yet occurred.”
- Add new language/bullets:
  - ..”but there is more to be done:
    - Oyster populations remain at historically low levels
    - Population growth continues at a rate of....
    - X acres of trees are lost annually
    - Etc., etc”

#### 6. Paragraph 7

- “This agreement makes clear our continuing goal to protect and restore the living resources...”
  - Comment: Same issue as noted above. Also, not sure the purpose needs to be stated twice in the preamble.

#### 7. Paragraph 8

- Strike entire paragraph: “~~This agreement also acknowledges the reality that the partnership cannot currently afford to deal with every issue.....~~”
- Add new language: “Regional differences in governance, economy, culture, and the environment converge at the local level, but the Chesapeake Bay watershed ecosystem is driven by forces beyond local control. At the same time, changes occurring on a local scale contribute to the environmental quality of life in the region as a whole. The partnership will seek out feasible and appropriate actions to reduce vulnerability to changes at the local level while employing new technological and policy solutions that will make a difference at the watershed scale.”

### Section 2: Vision

- Alternative Vision Statement:
  - Comment: Suggest incorporating “Alternative Language provided by WV” into first paragraph of Vision.
  - Comment: Support shorter version or some variation.
  - Comment: disagree with proposed alternative. While the vision text in the draft may be a bit wordy it is evocative, understandable and inclusive.
  - Edit: “The Chesapeake Bay Program partners envision a healthy, balanced and sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and engaged citizens and 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.”
  - Comment: The mission statement is more narrow than both the vision and the goals/outcomes. More inclusive language, consistent with what was suggested above, would be:

“... we strive to accelerate efforts to protect and restore the health, heritage, natural resources, and social and economic value of the nation’s largest estuarine ecosystem and the natural sustainability of its watershed.”

#### Section 4: Goals and Outcomes

- Opening Paragraph:
  - Strike last sentence: “~~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.~~” Replace with: Nothing in this agreement imposes any additional requirements on the signatories under the Clean Water Act, nor does it relieve any of the signatories from existing or future requirements under the Act.
  - Edit first sentence: “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~~, non-government organizations, individual citizens and others.”
    - Comment: This does not include all NGOs important to the effort, such as local and regional land trusts. Either generalize to non-governmental organizations or add to the list.

#### Sustainable Fisheries Goal

- Comment on Oyster Outcome:
  - “This outcome relates to oysters for habitat as well as populations. May want to modify to reflect ecological restoration outcome (in accordance with oyster metrics) and consider a separate goal in support of oyster aquaculture (oysters as seafood).”

#### Vital Habitats Goal:

- Comment on Brook Trout and Fish Passage Outcomes: “These outcomes relate to fish – need to decide if we want to consolidate under Sustainable Fisheries (or not).”

#### Water Quality Goal:

- Comment: The toxic contaminant goals and outcomes regarding toxics need to be kept separate from the other goals. Clear separation will help the jurisdictions pick and choose the items they want to commit to.
- Edits to outcome: **2025 Watershed Implementation Plans (WIP) Outcome**: Have all controls installed by 2025 to ultimately achieve the Bay’s DO, water clarity/SAV, and chlorophyll a criteria, ensuring that fish can breathe and SAV can grow.
- New Outcome: (suggested by Toxics Contaminants workgroup; prefer to insert after 2017 WIP Outcome; The desire is to have the outcome be more specific and time bound as it is developed for the new Agreement.)  
Toxic Contaminants

(a) Implement practices to reduce loadings of persistent, bioaccumulative and toxic (PBT) contaminants and non-PBT contaminants that have likely effect on the ecosystem resources.

(b) Improve knowledge of the effects of contaminants of emerging concern on the health of fish and wildlife so future strategies can be considered.

## Section 5. Principles

- **#2 Comment:** This seems to be a restatement of the mission, which is not really necessary in principles. If partners feel it must be restated here than it should be written in a way that is entirely consistent with the mission wording, which this is not. It also needs to avoid the issues noted with the mission in comments above.
- **#5 Comment:** note the distinction between the principle which focuses on “residents” and the goal which focuses on “students.” Not sure what is intended here.
- **#6 Edit:** Utilize science-based decision-making and seek out ~~new~~ innovative technologies in advancing our management actions and strategies of management based upon a changing system.
- **#7 Edit:** 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~~ land use.
- **New Principles:**
  - Ensure that the program effectively represents the interests of people throughout the watershed, including a broad diversity of cultures, demographics, and ages.
  - Using place-based approaches that produce recognizable benefits to local citizens while contributing to larger ecosystem goals.

## Section 6. Operational Commitments

- **#1 Comment:** [“Accountability framework”], it is not conducive to building partnerships. Further, it is impractical given the sovereign missions of the vast array of organizations and agencies who we need to accomplish the goals set out. It is off-putting to potential partners. It is also not necessary – tracking and progress reporting gets at the issue.
- **New:** Conduct systematic independent as well as internal evaluations on an as needed basis to assess the integrity of strategy implementation, the root causes concerning any incomplete progress in achieving key goals and outcomes, and to improve program effectiveness and efficiency.

## Section 6: Effective Date

## Section 7: Affirmation and Signatures

- Edit: 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 watershed ecosystem.

**Supplemental Materials**

**Supplemental Document – Governance Document**

**Supplemental Document – Management Strategies**