

Chesapeake Bay Program Community Advisory Board Draft Recommendations and Options (February 18th, 2021)

Introduction and Background:

This document supports the DEIJ Action Team's presentation to the Principals' Staff Committee, which summarizes key items and recommendations for consideration by PSC members. The purpose of this memo is to dive more deeply into the work to date by the Community Advisory Board (CAB) Subgroup, identifying questions for PSC and community feedback. At the March 2 PSC meeting, members are asked to identify:

- 1) Elements that may be missing from this plan,
- 2) Options that are not viable, and
- 3) Feedback on planned next steps.

Members of the Action Team will use that discussion to guide outreach to communities through Spring 2021 and return to the PSC with refined recommendations at the following meeting.

Community Advisory Board (CAB) Subgroup Recommendations

Where subgroup has consensus and priority

For PSC consideration, the DEIJ Action Team proposes that the 2021 Executive Council (EC) sign a directive authorizing the creation of a new Advisory Board (CAB)¹ to advance environmental justice and DEIJ implementation in the Chesapeake Bay Program. The directive would stipulate appointment authority and funding mechanisms. As directed by the Principals' Staff Committee (PSC) during their October 8, 2020 meeting, the CAB should be a freestanding board that has cross-pollination with the Citizens Advisory Committee (CAC) and possibly the Local Government Advisory Committee (LGAC) and Science and Technical Advisory Committee (STAC). The subgroup confirms and agrees that the new Advisory Board should be a stand-alone group with their own budget, charge, bylaws, and support staff.

Reporting Responsibility

Like the other three independent Advisory Committees:

- The new Advisory Board Chair would have a seat on the Management Board and Principals' Staff Committee, with regular inclusion on agendas to present findings and recommendations.
- The Advisory Board would provide and present annual, actionable recommendations to the Executive Council. The Executive Council Chair and members would be encouraged to meet with the CAB outside of the annual Executive Council meeting.
- The budget needs for the first year of a new Advisory Board would be up to \$350,000. The first year includes a contract for a third-party facilitator to help the members establish operations.

Prioritizing Inclusion, Meaningful Engagement, and Retention

Retention of appointees is critically important. Factors influencing board member retention include:

¹ The name of the Advisory Board is under discussion.

- Clarity of charge from the PSC and EC (including distinction of roles from the Diversity Workgroup and the Citizens Advisory Committee)
- Initial support for a facilitator to guide the board members through creating operational procedures, bylaws, and priorities
- Extensive onboarding to Chesapeake Bay Program organization, governance, and purpose
- Timeliness and quality of response and action from Chesapeake Bay Program leaders and partners to Board's recommendations and advice
- Respect for members' time, expertise, and interests
- Consideration of professional compensation beyond travel reimbursements
- All relationships and collaborations create an equitable exchange of shared knowledge and insights that lead to informed and mutually beneficial decisions and outcomes

A Goal Implementation Team–funded project led by the Diversity Workgroup, “Cultivating and Strengthening Relationships with Underrepresented Stakeholders,” could help inform the development of metrics. The project, which will start in March 2021, will include focus groups with environmental justice leaders and representatives from organizations led by and serving underrepresented communities. The goal of the focus groups is to understand how the Bay Program partnership can better serve these communities, what their needs and barriers are for participating in Bay restoration activities, and their vision for mutually beneficial partnerships with CBP partners. The project will also include a one-day conference or forum to initiate connections between such leaders and the Chesapeake Bay Program.

Standing up the Board Through a Competitive Request for Applications

The subgroup assumes that the cooperative agreement to support the community advisory board will be issued through a competitive Request for Application (RFA) process and managed by the US Environmental Protection Agency (EPA) Chesapeake Bay Program Office (CBPO). The first year of funding for the new Advisory Board should include a one-time cost for a facilitator to work with the staff support and the newly appointed board members to develop specific mission, vision, and operations.

This subgroup will provide a framework of bylaws for the board members' consideration and plan for how to seat the first cohort (in progress).

Discussion Points for PSC Consideration: Appointing Authorities, Size of the Board, Membership, and Expectations of Organizational Engagement

Where subgroup has diverging opinions

The PSC's DEIJ Action Statement reads, “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).”

The subgroup has identified multiple paths to achieve this vision and will seek community feedback during an outreach process in March and April 2021. The PSC shall review these options now for initial input, with more informed decision making to occur at the Spring 2021 PSC meeting.

1. Appointing Authorities:

The subgroup agrees the new Advisory Board appointees should have the same authority as other advisory committee appointees. Can appointments by the Governors and the DC Mayor be made quickly enough to have the board operational soon after its creation? What is the process to create these new appointments in executive offices so appointments can be made quickly following approval of the board?

Additionally, how will the appointing environment be inclusive and diverse with appointments to ensure adequate representation from a variety of experiences, perspectives, and geographies?

Discussion Point Options:

- A. Appointed through Executive Council members
- B. Appointed by another body: PSC, Diversity Workgroup, or contracted support organization
- C. Hybrid appointment through the Executive Council and another NGO similar to CAC.
- D. Initial candidate names recommended by the Diversity Workgroup, MB, and the PSC for consideration upon creation by the Executive Council body in December 2021.
- E. Each jurisdiction establishes its own local Diversity Workgroup, to nominate appointees. The CBP Diversity Workgroup nominates an additional number of appointees for at-large appointments.

2. Size of the Board /Number of Appointees /Membership / Retention:

For comparison, the LGAC has 24 members and the CAC has 28 members. The Citizens Advisory Committee has a combination of members appointed by executives and at-large members appointed by the board of the Alliance for the Chesapeake Bay. An Advisory Board of this size will limit the amount of potential meaningful compensation available to members within the generally understood budget. There also will be a lot of heavy work in the first few years as the DEI Strategy is implemented and the board becomes established. This will likely require expertise and time commitment greater than a typical citizen volunteer is able to provide, and the subgroup is concerned about retention of members. Is a membership this size appropriate to the anticipated work?

Additionally, the Advisory Board must attract and retain interested, qualified and involved individuals who can add continuing and substantive support to the CBP's diversity, equity, inclusion, and justice initiatives.

Discussion Point Options:

- A. Standard Advisory Committee Model: Plan and budget for a membership of up to 25. Members are not compensated for their time but are reimbursed for travel, hotel, etc. Members include community and environmental justice leaders as well as representatives from organizations led by and serving

people of color and/or other underrepresented groups. Members are appointed to a 2-year term for the first cohort, and then shift to a 4-year term, with the option of renewal.

B. Advisory Committee Model with Additional Compensation: Plan and budget for a membership of up to 25 members like other Advisory Committees, but members are also compensated (maximum \$82/hour) for participating in meetings or other potential activities such as reviewing key partnership agreement and decision/workplan documents, participating as members of GITs/workgroups, leading roundtable discussions in communities (as is done with LGAC), reviewing grant proposals, etc. Members include community and environmental justice leaders as well as representatives from organizations led by and serving people of color and/or other underrepresented groups. Members are appointed to a 2-year term for the first cohort, and then shift to a 4-year term, with the option of renewal.

C. Compensated Board Model: Launch the Board with a smaller, highly experienced membership of DEIJ and environmental justice leaders (7 to 10) with an expectation of investing expertise in advising the implementation of the DEIJ Strategy and compensated at the EPA contractor rate (maximum \$82/hour) or similarly for professional consulting. Members are appointed to a 2-year term, with the option for renewal.

D. Launch with Option C on a short appointment term, and shift to Option A or B after two years.

The CAB Subgroup has developed a potential budget for options A and B above.

3. Expectation of Organizational Engagement /Involvement in Operations/Daily Decision Making

Some members and staff of existing Advisory Committees choose to participate in Goal Implementation Teams and Workgroups, where they have expertise and interest, while other members cannot because of time constraints. For example, over half of the CAC members are not paid as a part of their jobs to attend committee meetings. What is the expectation of Advisory Board members to participate at the GIT or workgroup level and across the CBP? They can have more direct input when decisions are being made, but it may be a significant time burden if they volunteer and CBP work is not directly related to their paid jobs. Decisions on options above will determine the scope and breadth of the Advisory Board's participation.

The DEIJ Strategy states *"Identify specific decision-points and other milestones within the GIT workplans and other governance and management processes supporting the development and implementation of the Chesapeake Bay Watershed Agreement, where communities of color, low income communities and other underrepresented groups can influence the development and implementation of the Chesapeake Bay Watershed Agreement."* Per the DEIJ Strategy, this has not been addressed.

Discussion Point Options:

- A. CAB members and staff are eligible to participate in GITs and Work Groups as volunteers.
- B. CAB members and staff are eligible to participate in GITs and Work Groups and members will be compensated accordingly.
- C. CAB members and staff are expected to participate in GITs and Work Groups as part of their compensated role on CAB.

- D. Staff representing CAB are expected to participate in GITs and Work Groups and provide input as directed by the CAB. The CAB may identify which GITs and Work Groups the staff will monitor.

4. Proposed Funding Sources

CBP stakeholders have identified several potential sources of funding for the cooperative agreement supporting the Advisory Board. Initial budget estimates are \$350,000 for the first year of the board and around \$300,000 in subsequent years. It is recommended that the first year of funding for the new Advisory Board include a one-time cost for a facilitator to work with the staff and the newly appointed board members to develop specific mission, vision, and operations guidelines. The facilitator should build on the work and findings of the Diversity Workgroup's GIT Funding Project titled, "Cultivating and Strengthening Relationships with Underrepresented Stakeholders." Further, the subgroup assumes that the contracted organization could fundraise for supplemental costs for special projects if the Board deems it necessary.

- A. Jurisdictions share the total cost, through contributions from Most Effective Basins funds, Small Watershed Implementation Grants, or another mechanism relying on their CBP funding or local funds.
- B. U.S. EPA identifies funds to supplement the CBPO budget, perhaps from the \$3.452 million annual allocation CBPO sends to HQ for Total Maximum Daily Load implementation support.

Topics for CAB Appointees to Determine

What is the Advisory Board's name?

Should the Board anticipate a sunset or be permanent? What is success? Is there an ongoing need?

Members of the Board are encouraged to network and coordinate on priorities they bring from their own communities, as bandwidth allows. Appointees will determine how active they will be in this work.

Members of the Board may participate in meetings of the Citizens and Local Government Advisory Committees, either as formal seats or for coordinating purposes, and vice versa. There is a minimum expectation that the leadership of the Advisory Committees and new Advisory Board will meet regularly.

Additional Considerations

What Makes the Community Advisory Board Different from Existing Groups?

The Citizens Advisory Committee was created in 1984 to offer the leadership of the Chesapeake Bay Program the opinions and voices of a broad sample of residents across the watershed. These include (1) geographically relevant experiences of rural, suburban, urban, tidal and headwater residents; and (2) stakeholders like agriculture, business, watershed organizations, restoration practitioners, community organizers and advocates, education, grant-making organizations, etc. CAC members are recruited based on the need to balance the membership with a variety of stakeholder perspectives. Their advice tends to focus broadly across all the Watershed Agreement Goals based on CAC member interests and expertise,

often very specifically on accountability toward the Bay Total Maximum Daily Load, and sometimes raising emerging issues.

The Diversity Workgroup was formed following the signing of the 2014 Chesapeake Bay Watershed Agreement and is tasked with meeting the Diversity Outcome: to identify stakeholder groups that are not currently represented in the leadership, decision-making and implementation of conservation and restoration activities, and create meaningful opportunities and programs to recruit and engage them in the Bay Program's efforts. This goal encompasses all dimensions of diversity, including race, ethnicity, socio-economic status, national origin, citizenship, religion, age, physical abilities, gender, sexual identity and other factors. However, the workgroup is primarily focused on increasing representation of those who have been traditionally excluded from the Chesapeake Bay environmental field, including Black, Indigenous, Latino/a/x, Asian, Middle Eastern and/or North African (MENA), Native Hawaiian and/or other Pacific Islander, and/or mixed communities.

The Diversity Workgroup also leads efforts to incorporate DEIJ into the implementation of other goals and outcomes in the *Chesapeake Bay Watershed Agreement*. The workgroup obtained Skeo Solutions through a GIT Funding contract to conduct a DEIJ readiness assessment of the CBP that led to the development of the CBP DEIJ Strategy. Through GIT Funding, the workgroup has offered Cultural Humility training to approximately 70 members of the partnership. The workgroup aggregates and develops resources for CBP partners such as the Environmental Justice and Equity Dashboard and other tools and resources that are posted on the Diversity Workgroup webpage.

The new [Community] Advisory Board will be created in response to the PSC's 2020 DEIJ Action Statement commitments which strongly suggest three key characteristics about the board's intention (1) to focus more specifically on DEIJ and environmental justice at the CBP, (2) cultivate and strengthen partnerships between the CBP and currently underrepresented communities, and (3) to provide advice on policies that will advance DEIJ and environmental justice in the watershed effort or highlight policies that are counter to DEIJ values.

The Board would work in a collaboration with the Diversity Workgroup to avoid duplication of efforts with the GITs or implementation of programs. The Board could engage with other DEIJ leaders, learn about other successful models from communities in the watershed and across the country, and from Local, State and Federal agencies, then bring those success stories and findings to the EC/PSC in the form of recommended changes for the CBP and watershed as a whole.

The Citizens Advisory Committee provides stakeholder perspectives on Bay restoration, with a focus on the practices leading to 2025 goals and beyond.

The Advisory Board provides community perspectives on outreach and inclusion, ensuring that everyone in the watershed can contribute to and everyone is represented in the restoration effort.

The Diversity Workgroup focuses on implementation and doing the internal work that is needed to fully embrace and purposefully integrate DEIJ across all of the partnership's work.

A similar relationship that has been effective is the complementary work of the Local Government Advisory Committee (LGAC) and the Local Leadership Workgroup (LLWG). LGAC are the elected officials who offer policy advice to the EC and engage with their elected peers around watershed topics and issues. LLWG relies on the LGAC as a “sounding board” for their boots-on-the-ground to engage with local government staff and associations.

How Do We Define Meaningful Engagement?

Meaningful engagement is the concept of making every attempt at outreach count. This includes not only creating an engagement but holding onto to one’s attention long enough to create a sustainable conversation. How does the Action Team do that? First, we need to create a clear and succinct message. Those conducting outreach should be speaking the same language. Second, we need to create how we would like to gather feedback. We should all be using the same format to gather feedback so that we are able to draw substantive and actionable data that we can act upon.

How do we conduct this engagement? First, we go back to a clear, consistent, and succinct message. Clear and succinct messaging will be vital. Second, we need to make every engagement personable. If you’re presenting, when someone asks a question, address them by name in your response (i.e., Ms. Jackson, right? Ok, Ms. Jackson, what I heard you say is “Why is the CBP addressing diversity, equity, and inclusion issues now?”). Addressing someone by name goes a long way toward making them feel included in the conversation. Finally, follow up after the meeting. Not everyone will engage; however, there is an opportunity to create an ongoing dialogue with some participants.

As COVID has many areas still on restriction, the idea of face-to-face interactions does not seem possible in 2021; the Action Team will need to conduct virtual meetings, conduct surveys, send out email messages, and/or create a blog to keep the states that touch the Chesapeake Bay abreast of other jurisdictions’ work, etc. We are in the process of developing a communications strategy. The more transparent we are, the more it will be believed that we are sincere in these efforts.