

# Governance and Management Framework for the Chesapeake Bay Program



March 10, 2026

**Commented [DB1]:** This document holds all revisions made by March 6<sup>th</sup>, by the Implementation Team.

This clean version is provided for interpretability, while a tracked changes version is available on <https://www.chesapeakebay.net/projects/governance-and-structure-revisions>.

There are additional comments held within this document that specify critical areas for resolution and the major topics for discussion and feedback at the March 12th Management Board Meeting, and/or following.

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## **I. INTRODUCTION**

This document describes the organizational function and governance for the Chesapeake Bay Program in advancing Bay restoration, conservation and protection through the Chesapeake Bay Watershed Agreement (the Agreement) signed in 2014, and revised in 2025.

Section 117 of the Clean Water Act (33 U.S. Code § 1267 – Chesapeake Bay), 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 (EC) 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.

The “Chesapeake Bay Program” (CBP) refers to the collective partnership, to restore, protect and conserve the Bay and its watershed. It is led by signatories of *the Agreement* (the Chesapeake Bay Commission, the District of Columbia, the State of Delaware, the State of Maryland, the State of New York, the Commonwealth of Pennsylvania, the U.S. Environmental Protection Agency (as an executive representative of the federal government), the Commonwealth of Virginia, and the State of West Virginia, invites participation from a broad range of stakeholders (including, but not limited to, local governments, academic institutions, businesses, local watershed and other non-governmental organizations, and individuals). The policies and practices detailed within this document apply to CBP partnership participants. For information on the 40-year history of the partnership and its efforts in Bay watershed restoration, conservation and protection, see the CBP website at: <https://www.chesapeakebay.net/who/bay-program-history>.

As the CBP 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 CBP goals. Likewise, revisions to this document will be made periodically, or as needed.

## **II. CHESAPEAKE BAY PROGRAM VISION AND PRINCIPLES**

The CBP's Vision and Principles are established in the *Agreement*.

**Vision:** “We envision a Chesapeake Bay region where clean water flows, wildlife thrives and farms, forests and fisheries are healthy and productive. It is a place where people from all walks of life feel connected to the land, to the Bay and local waterways, to their communities and to the rich cultural heritage that makes this watershed unique. Together, we are building a future that is environmentally and economically sustainable, resilient and full of possibility—where everyone can enjoy and help conserve the natural beauty of the Bay, and the lands and waters that surround it, today and for generations to come.”

**Principles:** “The Chesapeake Bay Program commits to operate under the following principles, which reflect the partners’ collective, core values. The principles guide the work of the partnership in our governance and as we develop policy and take action to achieve the Chesapeake Bay Watershed Agreement’s Goals and Outcomes.”

### **Science**

- Use place-based approaches, where appropriate, to target specific geographic areas and produce recognizable benefits to local communities while contributing to larger ecosystem goals.
- Maintain and enhance a coordinated watershed-wide monitoring, modeling, and research program to support decision-making and track progress and the effectiveness of management actions.
- Integrate social science holistically throughout the partnership to support adaptive management, more effectively engage with communities, and incentivize individual and collective behaviors that support partnership goals.
- Adaptively manage at all levels of the partnership to foster continuous improvement informed by the best available science and strong working relationships.
- Use science-based decision-making, consider Indigenous and local knowledge, and seek out innovative technologies and approaches to support sound management decisions in a changing system.

### **Restoration and Conservation**

- Achieve Goals and Outcomes in a measurable and timely way at the least possible cost to the public.
- Conserve working lands and support economically viable forests and farms to best position landowners to help protect the Chesapeake Bay.
- Acknowledge, support and embrace local governments and other local entities in watershed restoration and protection activities.
- Anticipate and respond to changes in the landscape and environmental conditions, including long-term trends in sea level, temperature, precipitation, land use and other variables.

### **Partnership**

- Represent the interests of people throughout the watershed fairly and effectively.
- Meaningfully engage the public to foster collaboration and grow the partnership to support and carry out the restoration, conservation and protection activities necessary to achieve the Goals and Outcomes of this *Chesapeake Bay Watershed Agreement*.
- Facilitate outreach to and welcome participation by all communities regarding the partnership’s activities, decisions and implementation.
- Collaborate to achieve the Goals and Outcomes of this *Chesapeake Bay Watershed*

*Agreement.*

- Operate with transparency in program decisions, policies, actions and reporting on progress to strengthen public trust and confidence in our efforts.
- Strive for consensus across the partnership when making decisions.
- Include tribal nations in the partnership in a manner that appropriately considers their unique status as independent sovereign nations and as original stewards of the land.

### **III. COMMITMENT TO DIVERSITY, EQUITY, INCLUSION, AND JUSTICE (DEIJ)**

The EC's "Statement in support of diversity, equity, inclusion, and justice" signed in August 2020, stated, "As a partnership<sup>1</sup>, we commit 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 Watershed.
- 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 economic 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 diversity, equity, inclusion and justice."

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<sup>1</sup> The EC acknowledges that this statement is voluntary and not a contract or assistance agreement. It does not pre-empt, supersede or override any law or regulation applicable to each signatory." Each signatory will, of course, act in accordance with all applicable laws, regulations, and administration policies.

#### **IV. ETHICAL BEHAVIOUR GUIDELINES**

No participant in a CBP 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<sup>2,3</sup>. 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 members of this policy annually.

Chairs and Co-Chairs of meetings are expected to be particularly sensitive to the actual or appearance/perception of conflicts. Chairs and Co-Chairs are responsible for implementing recusals and insuring documentation (in meeting minutes or notes).

Questions regarding ethical guidelines or suspected violations of this policy should be reported to the Director of the CBPO for further review or elevated to the Chair of the Principals' Staff Committee (PSC) where appropriate.

All participants in the CBP 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.

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<sup>2</sup> The federal criminal conflict of interest statute, 18 U.S.C. § 208, prevents you from participating personally and substantially in particular matters that will have a direct and predictable effect on your financial interests and those imputed to you.

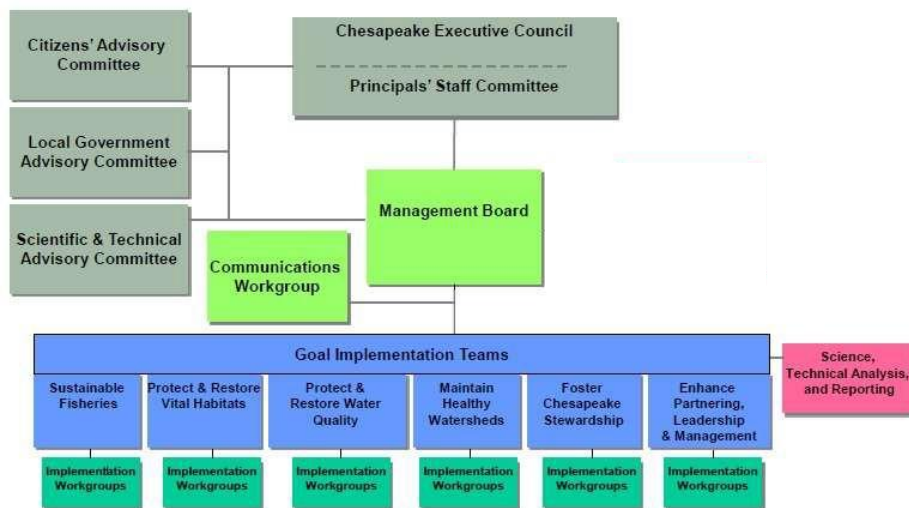
<sup>3</sup> The federal loss of impartiality rules at 5 C.F.R. Part 2635, Subpart E, prevent you from participating in specific party matters where someone with whom you have a covered relationship is a party or represents a party, if a reasonable person with knowledge of the relevant facts would then question your impartiality.



## **V. ORGANIZATIONAL STRUCTURE**

The CBP 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 community and university representatives who participate in the different levels of the organization and in the development and implementation of the Management Strategies. For more than 40 years, the CBP 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 CBP.

**Figure 1.** Organizational Structure of the CBP



The roles and responsibilities of the organizational units identified in Figure 1 are described in the appropriate sections of the Governance Document below. The Chesapeake Bay Program Office assigns staff time to assist in the critical coordination, administration, and technical support necessary for the efficient operation of organizational units.

The structure and governance of the CBP 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 CBP'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 CBP. 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 PSC. 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 CBP.

## A. CHESAPEAKE EXECUTIVE COUNCIL (EC)

The EC establishes the policy direction for the restoration, conservation and protection of the Chesapeake Bay watershed and its ecosystem and living resources. The EC provides leadership to promote public support and transparency for the Chesapeake Bay watershed restoration, conservation and protection effort and is accountable to the public for progress made under the Chesapeake Bay Watershed Agreement.

### 1. Roles and Responsibilities:

- a. Provide the vision and strategic direction for the restoration, conservation and protection of the Chesapeake Bay ecosystem and its living resources through the adoption of agreements, charges or resolutions, and the issuance of letters or other policies.
- b. Approve revised or added Goals of *the Agreement* and significant changes to Outcomes (as described in Section V(A)(6)).
- c. Provide leadership to promote public support.
- d. Direct the Policy Steering Committee (PSC) to develop and implement priorities for the restoration, conservation and protection of the Chesapeake Bay watershed and its resources in alignment with the Chesapeake Bay Watershed Agreement Goals and Outcomes.
- e. Provide public accountability on progress toward Watershed Agreement Goal achievement.
- f. Report on progress to the public annually using clear metrics.
- g. Direct changes as needed to improve program transparency and performance.
- h. Pursue opportunities to align resources and secure new resources to achieve identified annual priorities.
- i. Solicit and receive counsel and advice from the Advisory Committees.

### 2. Leadership and Membership: Establishment of the EC is authorized by Section 117 of the Clean Water Act. The EC consists of signatory members of *the Agreement*. Leadership of the EC is rotated among the signatory 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, PSC members will act as a proxy for their EC member. The decision will be made at the next PSC meeting on behalf of the EC and will be memorialized in writing and signed by signatory representatives on the PSC on behalf of the EC members. The EC Chair 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](http://www.chesapeakebay.net/groups/group/chesapeake_executive_council), and includes:

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

### 3. Federal Agencies: Federal agencies are formally represented by the Environmental Protection Agency (EPA) on the EC. The EPA Administrator may invite representatives from federal agencies to attend private EC meetings based on issues being addressed at the meeting.

4. **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 term.
5. **EC Operations:**
  - a. *Ground Rules:* The structure of the EC meeting is coordinated by representation of the Chair with assistance from the EPA CBPO under guidance of the PSC. 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 it is efficient and effective. At one meeting per year, the EC will:
    - elect or re-elect a Chair, and
    - receive the annual recommendations of the Advisory Committees and direct the partnership to respond to the Advisory Committee recommendations within 90 days.
  - b. *Decision-Making:* Decision-making at the EC will be done by signatory members or their representatives.. Decisions brought to the EC must be unanimously approved at the PSC prior to being submitted to the EC. If a decision cannot be achieved through consensus at the PSC level, then it does not proceed for enactment at the EC. The PSC signatory members ultimately represent their EC signatory members.
  - c. *Attendance at Annual Meetings:* EC signatory 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.
  - d. *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 EC Chair.
  - e. *Budgeted Resources:* Financial support for the annual EC meeting is provided by EPA CBPO and the EC Chair.
  - f. *Staffing and Support:* An EPA CBPO employee is assigned to help coordinate activities of the annual EC meeting. Signatory representatives from all signatories are also to provide staffing support. Additional support is provided by EPA CBPO staff and/or contracted support.
  - g. *Business between Annual Meetings* The EC Chair and/or the majority of EC signatory members may schedule meetings in addition to the annual meeting. If that occurs, 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 meetings will be made, at a minimum, through the CBP website as soon as possible after logistics are confirmed.
6. **Process for Issuance of Executive Council Directives:** EC directives specify the will of the EC on future actions that the CBP 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 approved by PSC. If approved, the directive is then forwarded to the EC for approval. The proposed directive must be received by the PSC members at least 2 weeks in advance of the PSC meeting at which it will be discussed.

**Commented [DB2]:** For MB Discussion: Seeking feedback on the appropriate alignment between EC and the PSC decision-making.

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 Bay Program's Decision-Making 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 *via consensus*:

- If at least a supermajority (e.g., 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 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 a supermajority (e.g., 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 *via consent* as per the Decision-Making Continuum (i.e., not all members support the directive, but no member "Holds" or "Stops" the directive) with at least a supermajority 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 EC members who agreed to sign it must be obtained one month in advance of the EC meeting or the directive is not issued.

## **B. POLICY STEERING COMMITTEE (PSC)**

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 for their EC signatory members. The PSC signatory members (primary and secondary) that report to the EC Chair will serve as the PSC Chair.

### **1. Roles and Responsibilities:**

- a. Translate the EC direction and provide strategic, actionable and time-bound priorities, tasks, assignments, and deliverables for the Goal Teams (GTs) to achieve. Priorities will be determined based on available and committed resources, identification of where and how the CBP can add value to existing jurisdictional and federal programs, and the direct connection to the achievement of the Chesapeake Bay Watershed Agreement Goals and Outcomes.
- b. Serve in the capacity as a primary or secondary signatory member. Primary and secondary signatory members generally will be high ranking officials. Secondary members will have the same role and responsibility as the primary members and may attend and participate in PSC meetings on behalf of the primary members. Up to two secondary PSC signatory members may serve at the discretion of the primary PSC signatory member and / or EC signatory member. Secondary signatory members should have a reporting chain to the primary signatory member in order to ultimately ensure alignment of strategic policy-driven prioritization and decision-making.

**Commented [DB3]:** For MB Discussion: Overarching interest in detailing the PSC priority-setting framework.

- c. Review overall CBP annual budget and prior year's expenditures supplied by the EPA CBPO and recommend funding allocation based on EC direction for the next 12-month period. This annual budget and prior year's expenditures may be based on the Chesapeake Bay Accountability and Recovery Act (CBARA) annual report, with each reporting partner providing information about their budget / expenditures, along with a high-level report of projects and programs. This cycle should start no later than two months after the EC meeting and commencement of the new EC Chair. The PSC Chair will confer with EPA CBPO on the level of detail anticipated in the budget and expenditure report prior to the report being provided, but it should be no less than what is required in 33 U.S. Code Section 1267(e)(7).
  - d. Evaluate available resources and additional resource commitment necessary to achieve Goals and Outcomes of *the Agreement*. Re-evaluate priorities when necessary and/or based on resource availability.
  - e. Make decisions to ensure CBP work products align with the priorities set by the PSC to achieve the Goals and Outcomes of *the Agreement*. CBP work products would generally be tangible outputs that are developed by the CBP at any level and be published under the branding / scope of the CBP. The purpose of a work product would generally be to inform, advance, or guide the CBP partnership.
  - f. Incorporate Advisory Committees, GTs, and Program Support Teams into the PSC for purposes of soliciting tangible and actionable advice and counsel.
  - g. Develop and implement a method for creating, approving, and revising CBP work products.
  - h. Develop and implement a method for determining the assessment of work product effectiveness and Goal Team output, and whether those work products lead to measurable progress toward achievement of the Goals and Outcomes. Make adjustments based on the assessment, as necessary.
  - i. With assistance from the EPA CBPO, Program Support Teams and the Advisory Committees, develop and implement an enhanced communication and transparency strategy to further understanding of local and jurisdictional priorities, needs, and challenges. Review and evaluate assessment of progress on current activities and Outcomes provided by GTs and EPA CBPO and adjust resource allocation and prioritization as needed to achieve the Chesapeake Bay Watershed Agreement Goals and Outcomes.
  - j. For transparency, ensure founding documents and decisional items are stored in a logical and accessible online repository.
  - k. Prepare the EC signatory members for discussions on key issues with other members of the EC, the public and the media.
  - l. 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.
  - m. Set agendas for the EC meetings and report to the EC at least once annually on implementation of Management Strategies pursuant to the Goals and Outcomes of *the Agreement*.
2. **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, they will designate their alternate to serve in their role. The PSC is comprised of high ranking officials.

Jurisdictional signatory membership to the PSC consists of primary and alternate members that may include members at the cabinet office, Secretary, Deputy, Director, or Commissioner level of environmental, natural resource, agriculture and other relevant agencies. Signatory jurisdictions have the latitude to decide upon the size of the delegation as well as if they would want to enlist one or two alternates to serve with the primary PSC signatory member. 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 primary and up to two alternate signatory members for decision-making purposes. The alternate signatory members should report up through their chain to the primary member. Each signatory member of the PSC has an equal vote, meaning there will be one vote per signatory member only. Advisory Committee Chairs serve in an advisory capacity to the PSC and may attend and participate in meetings as non-voting members.

3. **Federal Agencies:** The federal government is represented at the PSC by EPA's Regional Administrator (or designee) from the agency's mid-Atlantic regional office. EPA will also serve as the voting PSC voting member. Federal agencies may have their Federal Leaders Council member (or designee) attend PSC meetings as a non-voting member to provide technical expertise and other federal leadership support.

#### Federal Policy Council<sup>4</sup>

To ensure robust federal coordination at the PSC level, federal agencies will coordinate through the Federal Policy Council (FPC) and the Federal Managers Council (FMC) with a designee from each of the following agencies<sup>5</sup>:

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

FPC will serve as a senior and policy-advising body with members that consist of career members from that agency's Senior Executive Service. Through the Federal Policy Council (FPC), federal agencies jointly identify cross-cutting priorities aligned with Watershed Agreement outcomes. These priorities provide clear direction for federal engagement in the Partnership and guide agency planning and coordination. Each agency identifies how its programs, authorities, and investments contribute to the agreed-upon federal priorities. The FPC will provide federal leadership on emerging agency priorities within the CBP to ensure alignment with Administration priorities and to identify opportunities to collaborate and strategically leverage resources to achieve shared

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<sup>4</sup> The FPC and FMC operate independently of the Federal Leadership Council, which defined under *Executive Order 13508 Chesapeake Bay Protection and Restoration* is responsible with overseeing the development and coordination of programs and activities, including data management and reporting, of agencies participating in protection and restoration of the Chesapeake Bay. The FLC is chaired by the EPA and includes senior representatives US Department of Agriculture, Department of Commerce, Department of War, Department of Homeland Security, the Department of Interior, and the Department of Transportation.

<sup>5</sup> Additional agencies interested in joining the FPC or FMC, must coordinate through CBPO, and will be added contingent on active engagement at the FPC and FMC levels.

objectives. FPC members are designated by the appropriate<sup>6</sup> leadership from their agency, and FPC nominations are re-certified digitally every two years. Agencies should submit their FPC nominations to EPA's CBPO, which is responsible for maintaining the active member list.

FPC meetings will be held quarterly with the goal of occurring approximately two weeks before each PSC meeting. EPA's CBPO Director will serve as a non-voting co-chair<sup>7</sup> for the meeting along with a co-chair FPC member that rotates annually among non-EPA agencies. EPA CBPO will solicit agenda items prior to each meeting. Presenters at FPC meetings should aim to share their materials with the FPC 72 hours ahead of each meeting. The FPC should aim for consensus on decisional issues, however voting and rules of order will mirror those listed in this document for the broader Partnership. The FPC will not vote / act on any measure that prescribes or restricts how another agency uses their appropriated funding.

4. **Duration of Membership:** PSC primary signatory members are appointed by their respective EC member. PSC primary signatory members may appoint their secondary member(s) and will remain on the PSC until either their EC member changes or identifies a new representative.
5. **PSC Operations:**
  - a. *Ground Rules:*
    - The PSC meetings are coordinated by the PSC Chair or PSC Chair alternate(s) with assistance from the EPA CBPO.
    - PSC meetings for the entire year will be scheduled within one month following the EC annual meeting or by January 1 of the following calendar year, whichever is later, to ensure availability of PSC signatory members throughout the year.
    - No more than one PSC meeting per quarter will be scheduled unless the PSC Chair or the majority of PSC signatory members decides more frequent meetings are necessary.
    - 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 at least six weeks in advance of the meeting to avoid unexpected outcomes and provide an effective planning process.
    - An agenda with topics identified, descriptions of those topics, and if the topics are informational / pre-decisional (No Action) or decisional (Action) will be circulated at least three weeks in advance of the meeting date.
    - Decisional documents will be circulated at least two weeks prior to the meeting date. If decisional documents are not ready at least two weeks in advance of the meeting, the decisional item will be tabled until the following quarterly meeting.
    - Meetings allow for issues to be presented to the PSC and for decisions to be made that further clarify policies, strategy, and priorities related to Chesapeake Bay Watershed Agreement Goals and Outcomes.
  - b. *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

<sup>6</sup> Agencies have discretion to determine the leader that designates their FPC.

<sup>7</sup> Unless designated by the EPA Regional Administrator.

meeting and taken up at a further time to allow for further discussion in order to reach consensus. The EPA CBPO will host a central repository of decisions made by the PSC with appropriate background information to include, at a minimum, ongoing work and efforts completed by jurisdictions and other stakeholder groups to better inform current and future decisions. This repository will be accessible to the public and PSC signatory members.

- c. *Attendance at Meetings:* Meeting attendance may be in-person or by conference call. A quorum of 50% of those on the PSC, regardless of if they serve in a primary or alternate role, must be present for decisions to be made.
  - d. *Planning PSC meetings:* PSC meetings will occur at least once a quarter 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 within one month after the EC annual meeting. Meeting information is posted on the CBP website.
  - e. *Setting Priorities:* The PSC will set priorities based on EC charge and direction and the responses to the Advisory Committee recommendations, with a primary focus of Goal and Outcome achievement. Unless otherwise directed by the EC, all work planned and accomplished by the CBP partnership will be directly tied to progress toward the Chesapeake Bay Watershed Agreement Goals and Outcomes. The workload will be shared across the signatory members in accordance with their available resources. The Advisory Committees will leverage their networks to seek out active stakeholder and public participation in the development of priority tasks and assignments. The PSC will create, commission, and dissolve GTs, Workgroups, Steering Committees, and Action Teams as needed to ensure effective implementation and oversight of Management Strategies and designate Goal Team Chairs. The PSC may explicitly direct GTs to form specific short-term Action Teams specific to the priority tasks and assignments linked to achievement of Chesapeake Bay Watershed Agreement Goals and Outcomes.
  - f. *Budgeted Resources:* Financial support for the PSC meeting is provided by the EPA CBPO.
  - g. *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 and Program Implementation Teams provide staff support to the PSC.
6. **Process for Changes to *the Agreement*:** 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 Agreement* and should never be made lightly.
- **Goals:** The Goals articulate the desired high-level aspects of the Bay Program partners' Vision in *the Agreement*. The EC makes the decision to approve revised or added Goals to *the 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 and Targets:** The Outcomes and Targets related to each Goal are the



specific, time-bound, measurable targets that directly contribute to achievement of the Goals. The lead Goal Team or 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 PSC.

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.

- The PSC may choose to:
  - Reject the recommendation
  - Refer the recommendation back to the Goal Team for further revision, or
  - 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 a change 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.

### C. GOAL TEAMS (GTs)

Goal Teams are groups of cross-sector government leaders, subject matter experts, and key shareholders who coordinate and steer the implementation of work to achieve goals, outcomes, and targets under *the Agreement*. They provide guidance, direction and in some cases, decision-making for the work under the goal. The GTs receive direction from and report directly to the PSC. They serve as a bridge between Workgroups and the PSC, connecting and translating high level policy decisions into measurable on-the-ground action. The mission, membership, and activities of the individual GTs can be found at <http://www.chesapeakebay.net/about/organized>.

The following are governance rules and procedures that remain consistent across all GTs. Where more specific rules are needed, each GTs has the discretion to develop their own charters, as long as they are consistent with this section.

The four GTs endeavor to support:

- Clean Water
- Engaged Communities
- Healthy Landscapes
- Thriving Habitat, Fisheries and Wildlife

#### 1. Roles and Responsibilities:

- a. Coordination and the development of Management Strategies and Workplans that support attainment Goals and Outcomes of *the Agreement*.
- b. Through the Management Strategies and the adaptive management process, identify and, where possible, assign resources to support implementation, document gaps in resources, and pursue opportunities to align resources for Outcomes and Targets.
- c. Communicate with the PSC on policy / implementation issues that are beyond the GT's ability or authority to address and therefore require PSC leadership and guidance.
- d. Identify areas of alignment across Outcomes and workgroups where the GT can support collaborative efforts

- e. Frame issues and ensure that critical data, information, options and analyses are performed to support effective decisions by the PSC and EC.
  - f. Approve workgroup leadership nominees (chairs, co-chairs, and / or vice-chairs)
  - g. Create and commission new workgroups or action teams for specific actions under the purview of their GTs as needed and in consultation with EPA CBPO leadership to provide staffing and coordination.
  - h. Collaborate with other GTs to identify opportunities to strategically align resources and implementation efforts across Outcomes.
  - i. Engage with workgroups to understand resource needs and priorities. Ensure workgroup activities align with the strategic direction from the PSC.
  - j. Identify needs for monitoring, modeling, indicator/metric development and information management for development by the Science, Technical Analysis and Reporting (STAR) team and other communications or operations and management support from other Program Support Teams, as necessary.
  - k. Seek opportunities to engage Advisory Committees.
  - l. Nominate GT co-chairs for designation by the PSC.
  - m. Review membership biennially to ensure active engagement and adequate representation.
2. **Leadership:** Goal Teams are led by two co-chairs nominated by GT members and are approved by the PSC. Co-chairs should have subject matter expertise and authority within their respective agencies to direct policy, budgetary, and resource decision-making to support implementation of the Goals and Outcomes under *the Agreement*. Co-chairs can be state or federal employees, and may be from other entities when there is appropriate justification. Co-chairs serve as intermediaries between the organizational components of Program Implementation and Program Leadership. They facilitate the GT decision-making process while fostering cross-Outcome communication. The co-chairs are responsible for maintaining a clear sense of purpose across GTs' workgroups, and reporting on implementation progress to the PSC. Co-chairs serve two-year terms which can be renewed at the recommendation of the GT or Federal Managers Council (FMC) with concurrence from the PSC. At the end of the two-year term, the GTs collectively discusses the renewal or change of the co-chairs leadership terms. It is preferable that one of the co-chairs remain 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 co-chairs are responsible for providing regular updates to the PSC on progress and roadblocks encountered through the adaptive management process. The PSC works closely with the GTs' co-chairs 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.
3. **Membership:** GTs maintain a membership that appropriately represents the signatories to *the Agreement* and allows participation from, Advisory Committees, workgroup leadership, and other select at-large members with expertise in the field and significant stake in the implementation and attainment of Goals and Outcomes. GTs consist of decision-making members and members in an advisory capacity as described below:
- Decision-making members from each signatory are offered a voting seat, which will be self-selected or appointed by their PSC representative. To encourage future succession planning and shared ownership, either the full member or the alternate should be a leader within their organization. (one each with an alternate identified) (9)
- At-large members (up to six with option to identify an alternate)
  - Advisory members:

- Goal Workgroup Chairs
- One advisor from each CBP Advisory Committee
- Additional signatory representatives, including from Program Support Teams

**Table 1.** Goal Team Membership Template

Goal Team Members		
<i>Affiliation</i>	<i>Primary</i>	<i>Alternate</i>
Delaware		
District of Columbia		
Maryland		
New York		
Pennsylvania		
Virginia		
West Virginia		
Chesapeake Bay Commission		
Federal Government		
At-Large		
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		
Agricultural Advisory Committee		

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, academic institutions, and other local practitioners. At-large members will be confirmed by the Goal Team through the established decision-making process of the Team. Signatories may opt out of participating in GTs for those Goals and Outcomes to which they have not committed to. A co-chair may also serve as the designated signatory representative.

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

- Signatory members should be individuals representing partner organizations with significant authority in that Goal Team's topic area and those individuals should be at a management level or leaders within their organization.
- Level of commitment (e.g., ability to attend meetings, willingness to participate in activities related to implementation of Management Strategies); and

**Commented [DB4]:** For MB Discussion: Specific interest in resolving and clarifying an appropriate GIT Chair identification and nomination process.

- Skills and perspectives (e.g., geographic diversity, expertise).

Individual members:

- Communicate with and coordinate action on behalf of their entire signatory, federal agency, or organization that affect implementation of Goals and Outcome.
- Make decisions at Goal Team meetings when needed on behalf of their signatory, federal agency, or organization.
- Ensure Goal Team and Workgroup operations and activities are consistent with approved Management Strategies and following established governance and structure protocols

Federal Managers Council:

FMC will serve as an operational and implementation body with members that consist of managers or senior experts from their agency. The FMC will coordinate on implementation of collective priorities, share technical expertise, address cross-agency challenges, and elevated to the FPC as appropriate. Federal agencies coordinate funding, technical assistance, and staff capacity to focus resources where they can achieve the greatest impact. This may include sequencing investments, co-funding efforts, or jointly supporting Partnership initiatives. The Senior Executive Service FPC member nominates an FMC member. Like the FPC, FMC nominations are re-certified digitally every two years. EPA's CBPO is responsible for maintaining the active member list. Unlike the higher-level FPC meetings, FMC meetings will be held monthly with EPA's CBPO Director serving as a non-voting chair along with a co-chair FMC member that rotates annually among non-EPA agencies.

Like the FPC, the EPA CBPO will solicit agenda items prior to each FMC meeting. Leads and speakers at FMC meetings should aim to share their materials with the FMC 72 hours ahead of each meeting. The FMC should aim for consensus on decisional issues, however voting and rules of order will mirror those listed in this document for the broader Partnership. The FMC will not vote/act on any measure that prescribes or restricts how another agency uses their appropriated funding. All other voting and rules of order will mirror those listed in this document for the broader Partnership.

4. **Duration of Membership:** Goal Team members from signatories serve indefinite terms. Other members (workgroup chairs, at-large, etc), should serve 2-year terms renewable at the discretion of the Goal Team.
5. **Operations:**
  - a. *Ground Rules:* Meetings are generally held on a quarterly basis to match the cycle of PSC, with GT meetings being held the month prior to the PSC meeting. Co-chairs, with input from the GTs, reserve the right to hold meetings more or less frequently. An agenda and any decisional documents are circulated at least 72 hours before the meeting. Members may not be expected to make decisions on topics where materials were not provided within the 72-hour timeframe. The agenda should spell out specific goals for meeting with time limits for each item. All GT meetings are open to the public<sup>8</sup> and meeting materials, actions and decisions are posted on

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<sup>8</sup> 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](#).

[www.chesapeakebay.net](http://www.chesapeakebay.net).

- b. *Decision-Making*: GTs will use a unanimous or consensus-based process when making decisions. A consensus decision-making process is a group decision-making process that not only seeks *the Agreement* of most participants, but also the mitigation of minority objections GTs can use other decision-making processes, such as super majority-voting, if consensus cannot be reached or when it's not necessary. GTs may also elevate decisions to the PSC if consensus cannot be reached. In these instances, GTs should develop by-laws or charters that clearly define how non-consensus decisions will be made, including which members are voting versus who is acting in a non-voting advisory capacity (if applicable). Finally, when decisions are made, the approach used must be recorded in meeting minutes along with the outcome of the decision.
- c. *Reporting, Accountability and Performance Metrics*: The Co-Chairs are responsible for maintaining a clear sense of purpose, specific performance goals and reporting on Management Strategies.
- d. *Staffing and Support*: Pending a decision by the Co-Chairs and the EPA CBPO Director, at least one Coordinator and staffer will be available to each of the GTs and are responsible for providing administrative support in the areas of facilities, administrative office tasks and meeting planning.

#### D. **Workgroups:**

Workgroups provide technical and programmatic expertise to focus and drive implementation to achieve progress for outcomes and associated targets.

##### 1. **Roles and Responsibilities:**

- a. Draft and implement Management Strategies and associated workplans for their respective outcomes and targets.
- b. Identify existing resources, gaps in resources, and opportunities to align resources for outcomes and targets.
- c. Play a primary role in the adaptive management for their outcomes and targets, and regularly reporting on progress.
- d. Work with the GT to identify approaches for maintaining or accelerating progress on outcomes, highlight approaches that have been particularly effective, and assist in determining resources needed to support progress.
- e. Nominate workgroup leadership for Goal Team approval.

- 2. **Leadership and Membership**: Workgroups should maintain a membership that appropriately represents the signatories and organizations who have a stake in the associated outcome (i.e. are contributing resources, providing data for related indicators, conducting outreach, programing, etc.). Workgroup chairs should be individuals representing agencies and organizations with significant authority or expertise in that workgroup's topic area. Workgroup chairs do not need to be federal or state employees.

- 3. **Workgroup Operations**: Workgroups will follow the same governance as their respective Goal Team, with the following exceptions:

- a. Chairs can serve indefinite terms.
- b. Non-management level candidates are eligible for Chair, but to the extent possible should be management level or leaders within their organization.
- c. Nominees for Chair shall be approved by the Goal Team.
- d. Decisions such as changes in Management Strategies and workplans; proposals for allocation of resources; membership criteria; and leadership nominations should be elevated to the appropriate Goal Team.
- e. 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 respective Goal Team with a description of the positions of the members, in particular those of dissenting members.

#### E. ACTION TEAMS

Action Teams may be established by the PSC or Goal Teams 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 GTs, or that requires special expertise and/or is subject to special time pressure such that existing GTs are not the best mechanism for addressing it.

1. **Roles and Responsibilities:**
  - a. Assemble a team of individuals with expertise relevant to the issue the Action Team is to address.
  - b. Adopt/adapt operating procedures (i.e., meetings, subgroups) to meet the objectives (deliverables and timetable) for action on the problem.
  - c. Conduct analysis of the problem.
  - d. Report to the PSC and/or GIT with recommendations or options for resolving issues.
  - e. Disband after reporting results.
2. **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.
3. **Action Team Operations:** Operating procedures for the Action Team are those found under the GTs section of this document. Special considerations for Action Team operating procedures include:
  - a. They are charged with a specific mission and strategic priorities.
  - b. Staffing will be dependent on the mission.
  - c. Action Teams dissolve when the mission is accomplished.
  - d. Action Teams present their work products and findings to the group that created the Action Team.

F. **CHESAPEAKE BAY PROGRAM SUPPORT**

General support towards the implementation of *the Agreement* is provided in several manners, including, but not limited to, staff contributions from federal, state, and local governmental entities, and numerous collaborators involved with the CBP's Goal and Workgroup entities. Coordinated support towards the general operations and coordination of the CBP, and technical support towards the implementation of *the Agreement*, is primarily maintained by the EPA CBPO (33 U.S. Code § 1267(b)(2)(A)). The EPA CBPO is responsible for coordinating with appropriate Federal, State, and local authorities, and assisting the signatories in developing and implementing specific action plans to carry out the responsibilities to *the Agreement*. Functions of the EPA CBPO are specified in 33 U.S. Code § 1267(b)(2)(B). Broadly, the EPA CBPO provides coordination support for all elements of the CBP, including, but notwithstanding, the EC, PSC, GTs, Workgroups, and Advisory Committees. Coordination support may be provided for a specific element and / or between CBP elements, as needed. The EPA CBPO aims to provide holistic support while aligning decision-making with the appropriate entity.

Programmatically, the CBP will maintain specific support directed towards the leadership and implementation elements in the following manner:

1. **Leadership Support (EC and PSC):** An "Operations and Management" (O&M) Workgroup will be maintained to support the long-term planning and operational effectiveness of the CBP.
  - a. **Roles and Responsibilities:**
    - 1) Maintain guidance on CBP's Governance and Management Framework and develop updates for PSC review and approval, as necessary.
    - 2) Maintain guidance on CBP's accountability practices (see Section VII) and develop updates for PSC review and approval, as necessary.
    - 3) Assist in the implementation of CBP's accountability practices (see Section VII), particularly related to executing program-wide reviews, evaluations, or meetings, and through direction by the PSC.
    - 4) Develop, revise, and/or maintain other program-wide policies, guidance, and/or best practices as deemed necessary by the PSC.
  - b. **Leadership and Membership:** The O&M Workgroup will be led by two Co-Chairs, identified and selected by the PSC. Co-Chairs must be Signatory representatives of the CBP, may serve indefinite terms, but are subject to re-affirmation every two years by the PSC. Membership of the O&M Workgroup will include representatives from each signatory, which will be self-selected or appointed by their PSC representative. Up to six at-large members, with an option to identify an alternate, may also be nominated by the O&M Workgroup and approved by the PSC. At-large membership must rotate every 3 years but may serve another term in the future.
  - c. **O&M Operations:**
    - 1) The O&M Workgroup will convene publicly at least twice a year, in alignment to the scheduling and needs of the PSC.
    - 2) The O&M Workgroup, and GT co-chairs and coordinators will convene annually to address any standing issues related to governance and accountability, and/or to

**Commented [DB5]:** For MB Discussion: Overarching interest for feedback in this entire section.

advance new considerations related to policies or guidance to the PSC.

- 3) A coordinator and staffer will be provided by the EPA CBPO.
  - 4) As a support function, the O&M's scope of decision-making entails the formulation of proposed revisions (and any alternatives) to policies, guidance, and best practices considered foundational to the operations and management of the CBP. Thus, as needed, the O&M Workgroup will follow Workgroup decision-making rules identified in Section VI, with all decisions subject to PSC affirmation.
2. **Implementation Support (GTs and Workgroups):** In support of GTs, Workgroups, and/or Action Teams, two technical support teams will be maintained.

a. **Roles and Responsibilities:**

A science and analytical support team will:

- 1) Provide data management, modeling, monitoring and technical analysis, and facilitate collaboration amongst CBP science providers.
- 2) Provide synthesis products and reports to better communicate scientific results, ecosystem condition and change, and aid in science informed management decisions.
- 3) Provide computing and maintain authoritative scientific data and applications for reporting, data management and access, and information sharing needs of the CBP.

An outreach and engagement support team will:

- 4) Provide GTs and workgroups guidance and assistance when developing and/or implementing actions and activities that advance their outcomes utilizing elements of communications, outreach, stewardship, local engagement and social science.
- 5) Support partnership communication through media outreach, web- and print-based products, multimedia, outreach, social media and engagement with stakeholders around the watershed, including internally within the partnership.
- 6) Provide web services and create and maintain digital products in support of educational, coordination, and accountability needs of the CBP.

- b. **Leadership & Membership:** Technical support teams are intended to be flexible based on implementation needs and thus do not have membership requirements. Each support team is required to maintain a list of participants and each participant's meeting attendance. To remain in good standing, participants are expected to attend and participate in two-thirds of planned meetings, upon their second meeting attended. Each technical support team is led by two Co-Chairs. Co-Chair positions are typically held by CBPO staff but are open to any Signatory partners. Co-chairs may serve indefinite terms and are subject to re-affirmation every year by the participants that are in good standing. Coordination support will be provided by the CBPO, as necessary.

c. **Implementation Support Operations:**

- 1) Technical support teams are not required to hold public meetings, unless the co-chairs deem it appropriate for broader coordination and / or information sharing.



## G. CHESAPEAKE BAY PROGRAM ADVISORY COMMITTEES

The four Advisory Committees are made up of appointed and / or elected volunteers who provide independent perspectives from critical partners and interested parties and strengthen the natural and social science basis for Chesapeake Bay watershed restoration, conservation and protection activities. In recognition of the partnership's commitment to diversity, membership of the Advisory Committees should be as broad and inclusive as possible, representing the full diversity of ethnicities and cultures, including people of color and other underrepresented communities within the watershed. The Advisory Committees are the independent thinkers and advisors to the EC and PSC and actively engage with the GTs throughout the year to help implement the CBP directives and strategic priorities identified by the EC and the PSC. Advisory committee leadership may meet together at least once annually, after the first PSC meeting of the year, to coordinate and prioritize how AC members will support and engage with the PSC and GTs to support the programmatic priorities which have been identified by the EC. The ACs will report to PSC how they will engage the GTs and through this and the letters to the EC, the AC annual priorities will be established.

- **The Agricultural Advisory Committee (AAC):** was created by the EC through a directive (no. 24-1) signed on December 10, 2024. The committee advises the EC and PSC on strategies and opportunities for agricultural operations to more effectively meet the Chesapeake Bay watershed's restoration and conservation goals. Consisting of farmers, urban farmers, agribusiness representatives and technical professionals who help farmers fund and implement conservation practices, the AAC is a voice for producers and industry. The AAC focuses on high-level policy issues, ensuring its scope complements, but does not overlap, the technical work conducted by other groups within the CBP partnership. Current membership and operational details for the AAC can be found at: <https://www.chesapeakebay.net/who/group/agricultural-advisory-committee#about>
- **The Local Government Advisory Committee (LGAC)** was created by the EC 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 Stakeholders' Advisory Committee (Stakeholders' Committee)** is charged with advising the leadership of the CBP 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 CBP policies and programs affect watershed residents. In this role, the Stakeholders' Committee has been a strong advocate for increased transparency and accountability, community engagement and education and independent evaluation of the restoration work of the partnership. When appropriate and applicable, the Stakeholders' Committee 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. Current membership and operational details for the Stakeholders' Committee can be found at:

[https://www.chesapeakebay.net/who/group/citizens\\_advisory\\_committee](https://www.chesapeakebay.net/who/group/citizens_advisory_committee).

- **The Scientific and Technical Advisory Committee (STAC)** provides scientific and technical guidance to the CBP 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 CBP programs and projects, (4) technical workshops and (5) interaction between STAC members and the CBP. The STAC serves as a liaison between the region's scientific community and the CBP. 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/>.
1. **Roles and Responsibilities:** Certain functions and responsibilities are common to all four of the CBP Advisory Committees:
    - a. Make independent recommendations to the EC, PSC and engage with GTs in moving forward strategic priority actions identified by the EC and PSC. Advisory Committees will use established CBP distribution lists to disseminate annual recommendations, letters, and reports. ACs may serve in a communication function to share feedback on the activities and achievements of the GTs, based on their independent stakeholder role.
    - b. Utilize their networks to share information with GTs and the PSC, and vice-versa.
    - c. Participate in EC PSC, and GTs as advisors.
    - d. Participate in the development and implementation of the Management Strategies developed as part of the Chesapeake Bay Watershed Agreement, as appropriate.
    - e. Engage with local constituents, where appropriate, to assist in understanding of CBP work products, priorities, and deliverables associated with the Chesapeake Bay Watershed Agreement Goals and Outcomes.
    - f. Establish annual priorities that support the CBP strategic priorities Share progress on priorities and Advisory Committee activities with the PSC and the GTs.
    - g. Advise the GTs as needed and as selected through the Advisory Committee Annual Conference.
    - h. Support and advise the Strategic Engagement Team as needed.

## **VI. PUBLIC MEETING PROCEDURES**

### **A. GENERAL GUIDANCE FOR MEETING PARTICIPATION**

**Commented [DB6]:** For MB Discussion: Overarching interest for feedback in this subsection.

Official meetings of the Bay Program are conducted in a hybrid fashion, unless otherwise specified, with in-person or virtual attendance acceptable. In line with *the Agreement's* Partnership Principles of advancing transparency and accountability, all Program meetings where regular business is conducted or decisions are made will be open to the public for observation. Public notification will be provided, at a minimum, through the CBP website ([www.chesapeakebay.net](http://www.chesapeakebay.net)) including date, time, location, agenda and materials. While meetings are open to the public, there may be space, phone-line or bandwidth limitations. Exceptions to this general rule are:

- The annual EC meeting: which has two components: a private meeting of the Members which is closed to the public, and a public press conference during which EC members will relate actions and decisions from the closed meeting to the public and answer questions from the press.
- BMP Expert 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".
- Signatory meetings: these meetings may be held between the signatories to allow for candid conversations. Decisions will not be made during signatory meetings.
- Similarly, certain groups may need to discuss data, studies, or surveys that are not yet available to the public.
- Finally, group chairs and supporting staff may meet privately with group members (or their supporting staff) to set agendas and coordinate future meetings. While discussion of relevant topics may take place in these meetings for the purpose of coordination, no Program actions or decisions will be finalized until discussed and decided upon, officially, at a public meeting.

In line with *the Agreement's* Partnership Principles (Section II) of meaningfully engaging the public and welcoming their participation in the Program, during public meetings, members of the public may always participate in discussions with and provide feedback to Program members at the discretion of the chair(s). The Strategic Engagement Team shall maintain a set of standard operating procedures to be employed in instances where feedback from the public is solicited as part of a meeting agenda. This may include:

- Guidance for notifying the public of feedback opportunities;
- Use of "plain language" as applicable;
- Consideration of meeting times most conducive to public participation;
- Mechanisms to collect questions and comments from the public in advance of CBP meetings to be considered during meetings; and
- Designation of appropriate follow-up actions based on feedback.

The chat function of the virtual meeting serves as a tool to help facilitate discussion and provide resources, but should not be considered a substitute for live conversation. Group members may use the chat to participate in the discussion if technical difficulties prohibit video or audio interactions, to express a simple reaction to a speaker (e.g. agreement or disagreement) without the verbal discussion, or to share relevant information and resources with all attendees (e.g. introducing oneself if sitting in for an absent member or sharing a document that was referenced in the conversation). At the discretion of the chair(s), the chat

may also be used for contemporaneous conversation and questions to occur among all observers. The chat function shall be monitored by a designee of the chairs during each agenda item, and to the best of their ability, the chairs shall strive to review and address any outstanding issues in the chat before closing an agenda item.

To ensure that all participants and observers are in agreement on what took place during the meeting, a summary of actions and decisions from the day's discussions will be reviewed verbally, compiled during the meeting by a designee of the Chair. This document will be made available via email for one week, and then published to the CBP website following the meeting. Should members have modifications to suggest during the review, changes are best be made to the document before the meeting is adjourned, although subsequent clarification may be sought and resolved prior to or at the beginning of the next meeting. Meeting minutes, if taken, may provide more details of the group's discussion and will be vetted with membership for accuracy before posting online to the repository of actions and decisions.

## **B. GENERAL GUIDANCE FOR DECISION-MAKING**

Over the 40-plus-year history of the CBP, the partners have approved five agreements and numerous directives, resolutions, adoption statements and other documents that create cooperative action to protect and restore the Bay watershed. These collective decisions commit the partnership, and / or a partner, to a course of action, allocates authority, resources or responsibility, or establishes direction, policy, priorities or expectations to advance the implementation of *the Agreement*. These commitments rely on collaborative decision-making, that is:

- a. Inclusive, of as many members and communities as possible by fostering a culture of respect and mutual learning;
- b. Participatory, actively soliciting the input and participation of all, including deliberate discussions between members informed by feedback from the public as appropriate;
- c. Cooperative, striving to reach the best decision for the group, rather than the majority,
- d. Recognizing that time and resources are limited so identifying and advocating in a manner that is efficient and meaningfully advances efforts to successfully meet the Goals and Outcomes of *the Agreement*;
- e. Respectful of the corporate nature of the Partnership and our shared responsibilities under *the Agreement*;
- f. Egalitarian and equitable, with all afforded equal opportunities for input into the process, solution-oriented, emphasizing common agreement over differences and reaching effective decisions using compromise to resolve mutually-exclusive positions.

## **C. DECISION RULES**

Different decision rules can be applied based on the type of decision and the entity involved. Factors such as the overall importance or consequence of the decision, the duration and scale of its impact, the level of complexity, and the level of investment required have determined the decision rules. More consequential decisions, such as revisions to *the Agreement* and EC Directives should warrant more rigorous and structured decision-making rules than workgroup decisions. Suggested decision rules by entity are summarized in the table below, where the Primary Decision Rule should be attempted first, and if it cannot be achieved, the Secondary Decision Rule should be used to achieve a decision.

**Table 2.** Chesapeake Bay Program Decision-Making Rule Matrix

Entity - Decision Rule	Name	Description	Examples
EC - Primary	Consensus	<p>A collaborative decision-making process in which members engage in deliberation with the goal of reaching a solution that <b>all participants can actively support</b>, or at minimum willingly accept, as the best collective outcome. It emphasizes shared understanding, integration of perspectives, and broad alignment prior to adoption of a decision. “Can everyone support this?”</p> <p>Decision Continuum – All members respond with “Endorsement”</p>	Watershed Agreement revisions, Directive, Charge, Resolution, Public Statement
EC - Secondary	Supermajority	A decision is adopted upon receiving an affirmative vote equal to or exceeding a specified threshold greater than a simple majority (e.g., two-thirds or three-quarters of voting members). All stand aside votes will be counted as an affirmative vote toward the decision (note - is stand aside permitted?)	
PSC -Primary	Consent	<p>A decision-making process in which a proposal is adopted unless a member raises a reasonable and substantive objection. <b>It does not require full agreement or enthusiastic support; rather, it requires that no member believes the decision would cause harm</b> to the organization’s purpose, values, or functioning. “Does anyone have any substantive objection to moving forward?”</p> <p>Decision Continuum – All members respond with “Endorsement”, “Endorsement with Reservation” and/or “Stand Aside”</p>	Strategic Priorities, Management Strategy approval, Workplan approval
PSC - Secondary	Supermajority	A decision is adopted upon receiving an affirmative vote equal to or exceeding a specified threshold greater than a simple majority (e.g., two-thirds or three-quarters of voting members). All stand aside votes will be counted as an affirmative vote toward the decision (note - is stand aside permitted?)	

GT - Primary	Consent	<p>A decision-making process in which a proposal is adopted unless a member raises a reasonable and substantive objection. <b>It does not require full agreement or enthusiastic support; rather, it requires that no member believes the decision would cause harm</b> to the organization’s purpose, values, or functioning. “Does anyone have any substantive objection to moving forward?”</p> <p>Decision Continuum – All members respond with “Endorsement”, “Endorsement with Reservation” and/or “Stand Aside”</p>	Management Strategy development, Workplan development
GT - Secondary	Supermajority	<p>A decision is adopted upon receiving an affirmative vote equal to or exceeding a specified threshold greater than a simple majority (e.g., two-thirds or three-quarters of voting members). All stand aside votes will be counted as an affirmative vote toward the decision (note - is stand aside permitted?)</p>	
Workgroup - Primary*	Consent	<p>A decision-making process in which a proposal is adopted unless a member raises a reasonable and substantive objection. <b>It does not require full agreement or enthusiastic support; rather, it requires that no member believes the decision would cause harm</b> to the organization’s purpose, values, or functioning. “Does anyone have any substantive objection to moving forward?”</p> <p>Decision Continuum – All members respond with “Endorsement”, “Endorsement with Reservation” and/or “Stand Aside”</p> <p>*All workgroup decisions must be affirmed by its GT members before being finalized.</p>	Workplan development, Workplan implementation
Workgroup - Secondary	Simple Majority	<p>A decision is adopted when more than fifty percent of the votes cast by eligible voting members are in favor of the motion. All stand aside votes will be counted as an affirmative vote toward the decision (note - is stand aside permitted?)</p>	

**Commented [DB7]:** For MB Discussion: Specific interest in identifying most appropriate decision-making practices for Workgroups, and whether or not, and/or to what degree, decisions are affirmed by Goal Team.

## D. DECISION-MAKING PROCESS

1. **Pre-Decision:**
  - a. The group leadership ((co-)chair(s) and coordinator team), with input from the group members, determines that a decision should be made.
  - b. The decision topic proposal is formally identified in the meeting agenda and posted on the meeting page at least 2 weeks in advance of the meeting.
2. **Decision Making in Meeting:**
  - a. 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.
  - b. 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 (co-)chair(s) or vice-chair.
  - c. Call for decision position: The facilitator of the decision-making body calls for decision position on the proposal under the specified decision rule (primary or secondary). Each member of the group is asked to clearly state their position on the proposal. For visual representation of various positions at the time of a decision during the decision-making process, see Figure 1.
  - d. Identification and addressing of concerns: If the decision rule 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 decision may be sought at the next meeting of the PSC, Goal Team or Workgroup.
  - e. 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 decision. If the primary decision rule again cannot be reached, the secondary decision rule is used, such as a supermajority or simple majority vote.
  - f. Call for vote position: The facilitator of the decision-making body calls for vote position on the proposal. Each member of the group is asked to clearly state their position on the proposal.
3. **Decision Making via Email:** If after the discussion and modification of a proposal, members need additional time to obtain their entity position, decision positions can be acquired via email to finalize a decision that will be publicly documented in the Actions and Decisions document available on the CBP Website and in the repository of decisions made by the partnership.
4. **Documenting Decisions:**

EPA CBPO is responsible for coordinating with respective decision-making bodies. All decisions will be clearly documented including the decision rules applied and, when appropriate, the gradient of agreement reflected in the discussion. EPA CBPO is responsible for maintaining a live database that tracks the decision-process and outcome of each decision will be posted publicly, along with the method of decision-making used. When formal votes are conducted, the results will be included in a decision log on the group page. Any dissenting views or reservations will also be recorded when relevant. To ensure transparency and clarity, the outcomes of all decisions will be summarized both on the individual group pages and in a consolidated summary table of that group's decisions.

**Figure 1.** University of Maryland Decision-Making Continuum

### Consensus Continuum



University of Maryland, Center for Leadership & Organizational Change

#### E. MODIFICATION OR REVERSAL OF PREVIOUS CONSENSUS DECISIONS

In the spirit of adaptive management, the partnership should always be open to modifying or reversing previous decisions and resulting policies as new information comes to light or operational landscapes change. A standing consensus decision and resulting policy can only be modified or reversed by a subsequent consensus decision by the organizational group (or a subsequent replacement of that group) that made the original decision or a higher organizational group. As a result:

- The burden of achieving consensus is on those proposing the modification of the previous decision, not on those seeking to maintain the previous decision.
- The question posed before the group should be worded as, "Should we change the previous consensus decision?", not "Should we keep the previous consensus decision?".

#### F. UNAVOIDABLE ABSENCE FROM MEETINGS

In a situation such as a lapse in appropriation, state of emergency, or other extraordinary circumstance beyond a member organization's control as approved by that decision body's (Co-)Chair(s) that prohibits a voting representative of the member organization from participating in a previously scheduled meeting, the meeting may still occur for the purposes of updating attending members; however, any decisional items must be deferred if at least one representative of each relevant signatory delegation cannot be present. In the event of a prolonged absence, the PSC has the authority—following the decision-rules identified above—to continue decisional meetings if they determine such action is necessary to maintain progress in meeting Goals and Outcomes of *the Agreement*.



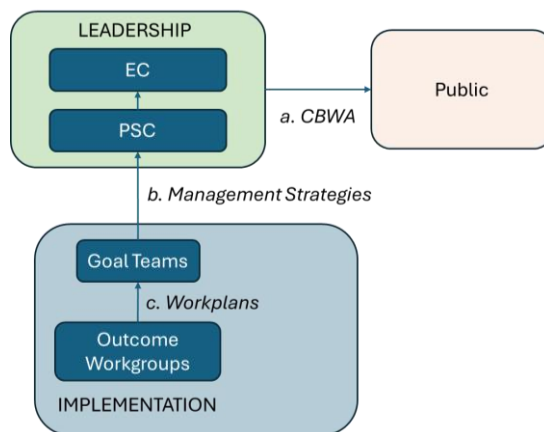
## VII. ACCOUNTABILITY AND ADAPTIVE MANAGEMENT:

**Commented [DB8]:** For MB Discussion: Overarching interest for feedback in this entire section.

### A. ACCOUNTABILITY:

Programmatic and public accountability towards implementing *the Agreement* is accomplished through the following framework (Figure 2) using specific mechanisms described in Section VII(A)(1-3).

**Figure 2.** Chesapeake Bay Program Accountability Model



1. **Chesapeake Bay Watershed Agreement (CBWA)** – The EC is ultimately responsible for implementing *the Agreement* and is accountable to the public. Implementation progress is communicated, to the degree possible, to the public and interested stakeholder groups at the annual EC meeting. The PSC is responsible for tracking quarterly implementation progress and ensuring that information related to implementation progress is publicly available.
2. **Management Strategies (MS)** – Management Strategies “outline the means for accomplishing each Outcome and its Targets as well as monitoring, assessing, and reporting progress and coordinating actions among partners and stakeholders as necessary” (*the Agreement*). Goal Teams are responsible for the development and implementation of their respective MS components and are held accountable by the PSC. Specific details of MS development and content can be found in [TBD - Supporting Material or Appendix] ). Management Strategies are to be in place through 2040, while being subject to iteration after six years following approval by the PSC in 2027. Goal Teams are also responsible for preparing for an independent evaluation that will take place in 2033, which will seek to assess Outcome progress, successes and/or gaps of individual strategies, and the strategic alignment between partnership and individual Signatory Partner initiatives.
3. **Workplans** – Outcome workgroups are responsible for the development and

implementation of three-year workplans and are held accountable by the GTs. Workplans are planning documents, developed by an Outcome Workgroup(s) and are derived from the programs' MS. Workplans should establish collaborative activities that advance Outcome implementation and set clear expectations for success. GTs ensure that the required capacity outlined in each workplan is reasonable and aligns with PSC and EC direction. Implementation is tracked consistently by the Goal Team. Specific details of workplan development and content can be found in [TBD - Supporting Material / Appendix]

## **B. ADAPTIVE MANAGEMENT:**

For the purposes of the CBP, "adaptive management" means a framework for strategic planning, action, and evaluation leading to knowledge acquisition and continuous improvement in the management of the CBP and collaborative efforts towards the achievement of Goals and Outcomes of *the Agreement*. Components of the adaptive management framework are aligned with accountability mechanisms as depicted in Figure 3. The CBP's adaptive management framework is acknowledged to be different from more rigorous adaptive management models, thus individual GTs and Workgroups are encouraged to consider if adaptive management, as detailed by the U.S. Department of the Interior<sup>9</sup>, can be applied to specific natural resources management questions.

As described in VII(A), Management Strategies and Workplans serve as strategic planning documents on six and three-year time frames, respectively, for action by GTs and Workgroups. To support the effectiveness of these plans, three types of evaluation reviews will be conducted.

1. **Annual Reviews:** are executed by the PSC and are extended meetings for holding an annual budget review (Section V(B)(5)(c)), reviewing implementation progress, and determining new priorities. Support for meeting execution is provided by the current PSC Chair and the CBPO.
2. **Workplan Reviews:** are executed by all GTs and Workgroups and designed to be a synchronized cross-program reflection. Reviews are aligned with the three-year duration of each workplan. Towards the end of a three-year workplan, a CBP-wide symposium will be held to share and document implementation success and challenges and initiate the reconfiguration or development of new workplans. Support for preparing the symposium agenda is provided by the Operations and Management Workgroup, while logistical support is provided by CBPO.
3. **Strategy Reviews:** are conducted by an independent third party and are steered by the PSC, with support from the Operations and Management Workgroup. Strategy Reviews are meant to assess the current progress towards achieving the Goals and Outcomes of *the Agreement*, review core assumptions with existing Management Strategies, and assess the current functioning of CBP operations and practices. A program evaluation report will be prepared by the third party and presented to the PSC. CBPO will provide funding for conducting and preparing the program evaluation.

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<sup>9</sup>Williams, B. K., R. C. Szaro, and C. D. Shapiro. 2009. Adaptive Management: The U.S. Department of the Interior Technical Guide. Adaptive Management Working Group, U.S. Department of the Interior, Washington, DC.

**Figure 3.** Chesapeake Bay Program Adaptive Management Framework.

### Plan

- a) Set or revise goals and outcomes
- b) Conduct situation analysis
- c) Prioritize
- d) Develop or revise strategy

### Act

Coordinate & implement workplans  
Monitor progress

### Evaluate & Adjust

Assess performance  
Communicate findings

**Annual Review** – Where are we? **Prioritize needs.**

**Workplan Review\*** – Did we get there? **Reconfigure and/or develop plans.**

**Strategy Review** – Are we headed in the right direction? **Reconfigure strategies.**

\*CBP Symposium every 3 years

