

FINAL 8-16-13

Issue/Comment Registry Chesapeake Bay Watershed Agreement

* comments/issues to be considered for revision of the draft full agreement filename "draft agreement for mb 7-11-13 post psc 6-27-13"

Color Key:

PSC/MB Decision	"shall do"
Signatory Comment	Consider
Other Partner Comment	Consider
Stakeholder/Public Comment	Consider

Sources Included:

GIT Chairs June Meeting	USGS June	Davis July 2	Choose Clean Water July 10
CBF Letter June 26	NOAA July 8	USACE July 10	City of Lancaster July 10
CBC email June 28	PA July 9	VACo July 8	WV Rivers Coalition July 11
USDA email July 8	Gattis July 8	Alyce Ortuzar July 18	Alliance for the Chesapeake Bay July 10
Va Resource Use Education Council 8-15-13	7-11-13 Live Stakeholder Comment Session	6-27-13 PSC discussion notes, updated at 7-12-13 MB: "MB 7-12-13 review of PSC 6-27- 13"	WASHCOG - July 30th
VA June 25	NPS/USGS/FWS July 8	Otsego County SWCD (Soil and Water Conservation District), NY	Maryland Partnership for Children in Nature - August

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		8-12-13	5th
State Water Quality Advisory Committee - August 7th	WV - August 7th	Va Association of Municipal Wastewater Agencies, Inc. (VAMWA) 8-13-13	Va Municipal Stormwater Association (VAMSA) 8-13-13 (same letter as VAMWA)
Md Association of Municipal Wastewater Agencies, Inc. (MAMWA) 8-13-13 (same letter as VAMWA)	Storm Water Association of Maryland (SWAM) 8-13-13 (same letter as VAMWA)	Alice Ferguson Foundation, 8-13-13	Chesapeake Bay Trust, 8-13-13
VIMS 8-15-13	Mattawoman Watershed Society, 8-15-13	Va Resource Use Education Council, 8-15-13	American Rivers, 8-15-13
Steve Gibb 7-9-13	Terry R. Matthews 7-10-13	Jack E. Nelson 7-10-13	William Stiles 7-11-13
Wink Hastings, NPS, 7-11-13	Joseph Love 7-18-13	Dori Grasso 7-19-13	Kathryn Price 7-20-13
Monty Hawkin 7-23-13	Doris Adebajo 7-23-12	Debbie Rowe 8-2-13	Ann Mallek 8-2-13
Md Partnership for Children in Nature 8-5-13	Brian Wessner 8-5-13	Gary R Peacock 8-6-13	Jonathan Markovich 8-6-13
Lori Arguelles 8-13-13	Chris Dudley 8-14-13	George Talcott 8-15-13	Tara Carlson 8-15-13
Yvonne Irvin 8-15-13	Dennis Murphy 8-15-13	Bonnie Bick 8-15-13	Bruce Kirk 8-16-13
PA Farm Bureau, 8-15-13	VA Farm Bureau	Susquehanna Greenway Partnership, 8-15-13	Md Sierra Club, 8-15-13
Environmental Defense Fund, 8-15-	The Nature Conservancy, 8-		

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13	15-13		
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<u>Comment/Issue</u>	<u>Issue Source & Date</u>	<u>Group assigned to consider issue</u>	<u>Status / Resolution</u> <u>Result:</u> change, no change, pending <u>Date of agreement draft</u> that reflects inclusion/revision
<u>Preamble</u>			
Add language to preamble to clarify what the signatories are specifically signing up for.	WV, NY, VA, others MB 7-12-13 review of PSC 6-27-13	none	Draft language was agreed to by the PSC signatory reps and added to the section on goals and outcomes.
Incorporating cost-minimization/effectiveness into the Bay agreement via Preamble, Principles and Operational Commitment language Preamble: <i>We recognize that there are substantial costs to achieving a clean Bay, and that ultimately those costs are borne by our individual citizens. We are committed to ensuring that the necessary actions which follow can be carried out at the least possible cost to individuals and society...</i>	CBC June 28 and MB 7-12-13 review of PSC 6-27-13 assigned to EB	Editorial Board	
Incorporating cost-minimization/effectiveness into the Bay agreement the focus of this comment is affordability and cost-effectiveness, because they are perhaps the great obstacles to success, particularly given costs estimates for Chesapeake Bay	VAMWA, VAMSA, MAMWA, SWAM 8-13-13	Editorial Board	

<p>TMDL implementation that run in the tens of billions of dollars. Regrettably, during the Bay TMDL development process, cost issues raised by the public were often dismissed as beyond the scope of the TMDL process that was allocating nutrient and sediment reduction responsibility. We hope that this has not harmed public support for and confidence in Bay restoration planning. Our Members need public support to fund and advance restoration efforts at the local level. The Partnership must look for every opportunity to instill confidence in the public that the Bay Program is working hard to minimize the cost imposed on citizens.</p> <p>Based on legislative and regulatory experiences, we believe the collective efforts of the Partnership can gain public support and produce the best results by (1) more directly acknowledging and addressing financial realities and challenges such as affordability in the context of competing societal needs at the state, local and household level and (2) designing goals and strategies to produce optimum results given the constraints. We recommend that Sections 1 through 7 be expanded and revised to confront the challenge of cost and affordability more directly. We believe that doing so will help build understanding, trust and support in the aftermath of the TMDL process. Ultimately, this will help achieve optimum restoration results.</p>			
<p><u>Incorporating cost-minimization/effectiveness into the Bay agreement</u></p> <p>We believe that any goals established in a Chesapeake Bay Agreement must be achievable and affordable. The draft agreement contains numerous goals, some of which are expressed in numeric form. We would encourage the states not to establish numeric goals in this agreement without determining that the goals are achievable and economically</p>	<p>Va Farm Bureau, 8-14-13</p>	<p>Editorial Board</p>	

<p>feasible for persons who live and work in the Chesapeake Bay watershed, including the agricultural community, the development community, and municipalities. There is no explanation for how these numbers were chosen, whether they are scientifically defensible and what specific goal they are set to achieve. Moreover, there is no explanation for the legal authority under which the states would achieve the numeric goals and how that legal authority relates to the existing Bay TMDL.</p> <p>For example:</p> <ul style="list-style-type: none"> • What is the basis for any agreement to restore 75,000 acres of wetlands on private agricultural lands? How do states intend to achieve this goal? Are these lands prior converted croplands that are excluded by regulation from the definition of "waters of the U.S?" • What is the basis for establishing a goal of 100,000 black ducks in the watershed? Is there any recognition that black ducks are migratory and their population levels may have as much to do with weather patterns in the Midwest as with anything taking place in the Chesapeake Bay watershed? • Is there any recognition that improving fish passage likely involves dam removal, which can undermine existing goals by releasing nutrients and sediments currently stored behind dams? • What is the basis for establishing an oyster outcome for Bay tributaries? Is there any recognition that salinity levels in water, which in tributaries will vary greatly depending on rainfall, can be determinative of oyster populations? Have you made the public aware that the estimate of the cost of restoring oyster populations in just one tributary in Maryland, Harris Creek, exceeds \$31 million? 			
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Given the fact that many of the goals in the draft agreement are from the President's May 2009, Executive Order 13508, "Chesapeake Bay Protection and Restoration," is the federal government going to provide the funding needed to achieve these goals?			
Paragraph 1 Strike first sentence as it doesn't add much to paragraph. (the Chesapeake Bay is the nation's largest and most productive estuary, a powerful economic engine and is recognized as a national treasure.)	NPS- USGS -FWS Comments July 1	Editorial Board	
Paragraph 2 "...now includes all the Chesapeake Bay watershed jurisdictions, EPA on behalf of the federal government and the Chesapeake Bay Commission. The Partnership is enhanced and supported by multiple state and federal agencies, local governments, citizens..."	NPS-USGS-FWS Comments July 1	Editorial Board	
Paragraph 2 Strike entire paragraph ("The Chesapeake Bay Program partnership was formed 30 years ago...")	GIT Chairs	Editorial Board	
Paragraph 2 Insert new paragraph 2: " <u>The Chesapeake Bay watershed is one of the most extraordinary places in America. The nation's largest estuary and its network of streams, creeks and rivers hold tremendous ecological, cultural, economic, historic and recreational value for the region and its citizens.</u> " "Highly recommend using this alternative language as the opening. It is far more inclusive of multiple values. In addition, it speaks to the watershed and avoids the rather tired Bay-centric language for which the program is so often criticized by	GIT Chairs	Editorial Board	

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those not directly along the Bay's shores."			
<p>Paragraph 3 "The first Chesapeake Bay agreement was signed in 1983. It laid the foundation for a cooperative program that now includes all of the states in the Chesapeake Bay watershed, EPA and the Chesapeake Bay Commission." <u>Comment:</u> The text in this sentence seems to describe the overall cooperative program. Doesn't this include more than just a single federal agency. Either change the intent of the sentence to speak to the signatories, or broaden to the federal government rather than just EPA.</p>	GIT Chairs	Editorial Board	
<p>Third paragraph: "...Our collective efforts are focused on both immediate results, while recognized we are engaged in a long-term effort..." Third paragraph: "...will require a forward-looking approach that anticipates changing conditions, including long term trends in sea level, temperature, precipitation, and other aspects of environmental variability. Retrospective or historic views of the Bay are useful, and they will be incorporated with new strategies that will increase the efficiency of meeting our goals. but they will not be sufficient to guide management. We are committed to a future that sustains highly valued ecosystem benefits and makes the region resilient to environmental and man-made pressures. Fourth paragraph: "...we have accomplished a great deal, but there is more to be done" - oyster populations remain at historically low levels - population growth continues at a rate of xxx - nutrient and sediment pollution must be reduced to meet water quality criteria Fifth paragraph: "Regional differences in governance,</p>	VA June 25	Editorial Board	

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economy, culture, and the environment converge at the local level, but the Chesapeake watershed ecosystem is driven by forces beyond local control. At the same time changes occurring on a local scale contribute to the quality of life in the region as a whole. The partnership will employ seek out feasible and appropriate actions to make improvements reduce vulnerability to changes at the local level while employing new technological and policy...”			
p. 3, third paragraph: “This agreement acknowledges the reality that the partnership cannot currently afford to deal with every issue.” We recommend deleting this sentence. It seems out of place in a document that is attempting to create a vision and commitment for Bay restoration. We recommend modifying the following sentence to say: “We will direct our individual....”	CBF June 26	Editorial Board	
Paragraph 3 The partnership seeks to protect and restore the health, heritage, natural resources, and social and economic value of the nation’s largest estuarine ecosystem and the natural sustainability of its watershed. The partnership seeks to restore and protect the Bay ecosystem to benefit both the people and the living resources of the region.	NPS-USGS-FWS Comments July 1	Editorial Board	
Paragraph 4 <u>Edits:</u> The partnership seeks to guide the evolution <u>protect and restore</u> the Bay <u>ecosystem</u> to benefit. Comment: Again, this language continues to use narrow wording that excludes values that are important to people. Further, it does not embrace the range of goals and outcomes included in the draft agreement. Alternative more inclusive language is: <u>“The partnership seeks to protect and restore the</u>	GIT Chairs	Editorial Board	

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<p><u>health, heritage, natural resources, and social and economic value of the nation's largest estuarine ecosystem and the natural sustainability of its watershed."</u></p> <p><u>Insert new language at end:</u> <u>"We are committed to a future that sustains highly valued ecosystem benefits and makes the region resilient to development pressure."</u></p>			
<p>Paragraph 4</p> <p>This agreement is the culmination of reflects what we have accomplished and learned during the last thirty years and sets the stage for our future actions. We have achieved accomplished a great deal; but there is more to be done</p>	<p>NPS-USGS-FWS Comments July 1</p>	Editorial Board	
<p>Paragraph 5</p> <p>"Nitrogen has been reduced by over 100 million lbs annually since 1985"</p> <p><u>Comment:</u> "This is not accurate. Practices have been put in place to reduce N by over 100M lbs but the actual load reduction to the Bay has not yet occurred."</p> <p>Add new language/bullets:</p> <p><u>.."but there is more to be done:</u></p> <p><u>Oyster populations remain at historically low levels</u></p> <p><u>Population growth continues at a rate of....</u></p> <p><u>X acres of trees are lost annually</u></p> <p><u>Etc., etc"</u></p>	<p>GIT Chairs</p>	Editorial Board	
<p>Paragraph 5</p> <p>But there is more to be done:</p> <p>The viability of fish, shellfish and wildlife species that are important to people - oysters, blue crabs, brook trout and black ducks for example - populations remain at significant risk. historically low levels</p> <p>Important farm and forest lands and historic and scenic</p>	<p>NPS-USGS-FWS Comments July 1</p>	Editorial Board	

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<p>landscapes are subject to development pressure</p> <p>Comment: this needs to be broadened if it is to speak to headwater communities. It's really about the bay and watershed supporting sustainable populations of the fish and wildlife species that people care about.</p>			
<p>Paragraph 6</p> <p>This agreement makes clear our continuing goal to protect and restore the living resources of the Chesapeake Bay and its tributaries through the restoration of water quality and through the wise stewardship of our aquatic and terrestrial resources.</p> <p>Comment: the purpose of the partnership is already started in paragraph 3, and is also mentioned in the mission</p>	<p>NPS-USGS-FWS Comments July 1</p>	<p>Editorial Board</p>	
<p>Strike "... but there is more to be done"; Strike last bullet "Thousands of students ..."</p> <p>Comment: This should not be included here until there is resolution on a Env. Literacy goal/outcome.</p>	<p>PA July 9</p>	<p>Editorial Board</p>	
<p>Paragraph 7</p> <p>"This agreement makes clear our continuing goal to protect and restore the living resources..."</p> <p>Comment: Same issue as noted above. Also, not sure the purpose needs to be stated twice in the preamble.</p>	<p>GIT Chairs</p>	<p>Editorial Board</p>	
<p>Paragraph 8</p> <p>Strike entire paragraph: "This agreement also acknowledges the reality that the partnership cannot currently afford to deal with every issue....."</p> <p>Add new language: <u>"Regional differences in governance, economy, culture, and the environment converge at the local level, but the Chesapeake Bay watershed ecosystem is driven</u></p>	<p>GIT Chairs</p>	<p>Editorial Board</p>	

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<p><u>by forces beyond local control. At the same time, changes occurring on a local scale contribute to the environmental quality of life in the region as a whole. The partnership will seek out feasible and appropriate actions to reduce vulnerability to changes at the local level while employing new technological and policy solutions that will make a difference at the watershed scale."</u></p>			
<p>Paragraph 8 Therefore, we the signatories of this agreement are committed to a future that sustains highly valued ecosystem benefits and makes the region resilient to development pressure. We reaffirm, strengthen and enhance our commitment to the Chesapeake Bay Partnership contained herein... <u>Comment:</u> Isn't the agreement about more than just reaffirming what we already agreed to? What about any new goals and metrics? Aligning the EO, etc.</p>	<p>NPS- USGS -FWS Comments July 1</p>	<p>Editorial Board</p>	
<p>2nd to last paragraph "This agreement also acknowledges the reality that the partnership cannot address every issue at once. Rather, we must progress in a strategic manner, focusing on efforts that will achieve to greatest results, including enabling, empowering and facilitating local governments and other stakeholders to assist in the effort."</p>	<p>LGAC, MB 7-12-13 review of PSC 6-27-13</p>	<p>Editorial Board</p>	
<p>"Nitrogen has been reduced by over 100 million lbs annually since 1985" <u>This is not accurate.</u> Practices have been put in place to reduce N by over 100M lbs but the actual load reduction to the Bay has not yet occurred.</p>	<p>USGS June</p>	<p>Editorial Board</p>	
<p>New paragraph proposed as third paragraph</p>	<p>USACE July 10</p>	<p>Editorial Board</p>	

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In 2009, President Obama signed Executive Order 13508 Chesapeake Bay Protection and Restoration which called for an increase in federal involvement and partnership coordination to support Bay restoration efforts. Similar to previous Chesapeake Bay agreements, the EO 13508 strategy outlined specific restoration and protection goals for the Bay that continue to compliment and support current and future priorities established by this new Chesapeake Bay Agreement.			
Questions on list of accomplishments : Can we pull more stats from EO progress report? And ... Should we include increased acreages in wetlands?	USACE July 10	Editorial Board	
Proposed new bullet under “There is more to be done ...” Submerged aquatic vegetation (SAV) remain at a small percentage of historic levels.	USACE July 10	Editorial Board	
Accountability / Urgency We hope that the MB, PSC, EC make sure that a new agreement contributes to a sense of urgency and accountability to return clean water to the region.	Choose Clean Water Coalition, 7-11-13	Editorial Board	
This section should inspire through recognition of the complexity, productivity and importance of the Bay as a national treasure-cultural, ecological, and economic. It should speak directly to the challenge of the Bay’s vast watershed and extensive local streams. It should briefly highlight the successful history of collaboration and need for ongoing and continued cooperative action to sustain progress. Much of the language that appears toward the end of this section regarding “regional differences” and “forces beyond local control” should be omitted because it serves only to discount the significance of the agreement as a whole. Rather,	Alliance for the Chesapeake Bay, 7-10-13	Editorial Board	

<p>one statement such as the following may capture the intent:</p> <p><i>“This agreement acknowledges the reality that the partners cannot address every issue at once. Rather, we must prioritize our individual and collective efforts in a strategic manner; focusing on those local and regional actions that will achieve the greatest results and enable, facilitate, and empower others to assist us in these efforts.”</i></p>			
<p>Preamble, Vision and Mission</p> <p>Over the decades of federal, state, local and private investment in the health of the Chesapeake Bay two fundamental lessons have been learned: 1) the health of the Bay is dependent on the well-being of a vast resource, beginning at its headwaters and encompassing the entirety of the watershed characterized by a diversity of land covers and uses, and 2) ensuring a healthy watershed and Bay requires cooperation, coordination and commitment from all those within the watershed, utilizing the resources of the Bay and impacted by the Bay’s water quality. We hope that the purpose and long-term goals outlined in the introductory sections of the Agreement will build upon these lessons to ensure that forthcoming investment and effort to clean the Bay can be sustained.</p> <p>After 30 years, this Agreement renews commitments which mean it is also appropriate and beneficial if the introductory sections of the Agreement recognize past efforts that have not succeeded, those that could deliver greater results and those that are most beneficial to the goals for a clean Bay. The Agreement should analyze carefully the past to help set the goals for this renewed commitment and prioritize efforts that will help the Bay and those dependent upon it adapt to the changes that will accompany a changing climate.</p>	<p>American Rivers, 8-15-13</p>	<p>Editorial Board</p>	

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<p>The historic character of the Bay is a rich resource fed by vibrant streams and groundwater and buffered by healthy forests and wildlands. Today we cannot erase the imprint of our development but we have learned that we achieve many of the same age old benefits by protecting, restoring and even replicating the function of nature. In recent years, some of the most significant advances toward achieving a healthy Bay have come from the use of green infrastructure, water efficiency and land use and water management emphases on natural infrastructure. A renewed Bay agreement would do well to emphasize the value of natural function, the benefits of natural infrastructure and the success of recent projects that have delivered water quality benefits through these practices.</p>			
<p>Tying together goals with vision & preamble We urge you to emphasize the critical role of proactive conservation in the vision and preamble, as well as including goals and outcomes to spur development of effective implementation strategies. Consider also the benefits of integrating or referencing this theme in habitat, fisheries, and land conservation goals and outcomes. We believe this would support much-needed integration among goals, outcomes, and strategies, and help the subtle but significant shift to pair restoration and pollution reduction with an equal partner of protection of healthy lands and waters.</p>	<p>The Nature Conservancy, 8-15-13</p>	<p>Editorial Board</p>	
<p><u>Vision</u></p>			
<p>Suggest incorporating “Alternative Language provided by WV” into first paragraph of Vision. Support shorter version or some variation. Disagree with proposed alternative. While the vision text in the</p>	<p>GIT Chairs</p>	<p>Editorial Board</p>	

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<p>draft may be a bit wordy it is evocative, understandable and inclusive.</p> <p>Edit: “The Chesapeake Bay Program partners envision a healthy, balanced and sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and engaged <u>citizens and</u> stakeholders.</p>			
<p>A broad network of land and water habitats that are resilient; to the impacts of climate and weather and the impacts of human activities;</p> <p>Comment: VA supports the alternate language provided by WV. stating “The Chesapeake Bay Program partners envision a healthy, balanced, and sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and engaged citizens and stakeholders.</p>	VA June 25	Editorial Board	
Strike entire vision in favor of Alternative Language from WV	PA July 9	Editorial Board	
<p>Bullet modified to read :</p> <p>A broad network of land and water habitats that are resilient to the impacts of climate and weather and the impacts of human activities <u>including a healthy stream network, dynamic natural shorelines, and wetlands.</u></p> <p>Comment: _don’t know if this fits here, but there is no mention anywhere of shorelines, streams, or wetlands- specifically, of having natural shorelines that are not hardened. I think it is an oversight if ‘wetlands’ and ‘shoreline’ are not mentioned anywhere in the document- especially if we are going to talk to them in the mgmt strategies</p>	USACE July 10	Editorial Board	
<p>Water that achieves water quality standards standards of quality, that supports ecological resources...</p> <p>Merge “fish and shellfish that are safe to eat” to the</p>	NPS- USGS -FWS Comments July 1	Editorial Board	

<p>“Abundant and healthy populations of living resources including blue crabs, oysters, and fish” bullet</p> <p>Add examples of species in headwater states to make it relevant to some communities.</p> <p>Alternative Language: “The Chesapeake Bay Program partners envision a healthy, balanced, and sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and engaged citizens and stakeholders.</p>			
<p>Last bullet in vision should be split into 2 bullets:</p> <ul style="list-style-type: none"> - Local governments, businesses, schools and universities, watershed organizations, neighborhoods, and individuals committed to implementing actions that will achieve the goals and outcomes of this agreement; and - Vibrant sustainable communities 	<p>LGAC, MB 7-12-13 review of PSC 6-27-13</p>	<p>Editorial Board</p>	
<p>For an agreement to be valid, it must focus on a vision of the future. And supporting local leadership and grassroots work, informing and engaging the public, is essential to this vision. We’re not sure, at this point in time, that the new agreement addresses these challenges.</p> <p>A new agreement should bring forward unfinished business. It should create a framework of collaboration. And it should create a mechanism for facilitating the work to achieve a larger vision and building trust toward the attainment of that vision.</p> <p>The TMDL is not necessarily the lens through which we should view the development of this agreement</p> <p>The vision statement serves to restate many of the goals and could potentially be refined and simplified into a single statement. Such a statement should specifically reflect a vision of future local leadership and increased citizen support and stewardship. However, in the current format, we recommend the following revised language:</p>	<p>Alliance for the Chesapeake Bay, 7-10-13 and 7-11-13</p>	<p>Editorial Board</p>	

<p><i>We envision a sustainable Chesapeake watershed with:</i></p> <ul style="list-style-type: none"> - <i>Water that achieves water quality standards, supports ecological resources, and enhances our quality of life;</i> - <i>Healthy populations of living resources including blue crabs, oysters and fish that are safe to eat;</i> - <i>Abundant forests, thriving farms and maritime communities that benefit both the economy and the environment;</i> - <i>A broad network of land and water habitats that are resilient to the impacts of a changing climate;</i> - <i>Conserved lands that reflect the region's heritage, provide scenic vistas and ensure ample access to the Bay and its tributaries in every jurisdiction ;</i> - <i>Students and citizens who are active stewards of nature and understand their personal impact on the environment;</i> - <i>Local governments who are leaders in watershed protection and restoration;</i> - <i>Citizens who are informed and understand their relationship to the Bay and its rivers; and</i> - <i>A broad base of businesses, schools and universities, non-profit and watershed organizations, and citizens who are empowered as valued partners in achieving the goals and outcomes of this agreement.</i> 			
<p>Any vision for a healthy Chesapeake Bay should include a healthy watershed and tributary system.</p> <p>A vision for a healthy watershed should provide for healthy and vibrant communities where people want to live, work, and play.</p>	<p>Susquehanna Greenway Partnership, 8-15-13</p>	<p>Editorial Board</p>	
<p><u>Mission</u></p>			
<p>"Working through a deliberate, coordinated and cooperative</p>	<p>GIT Chairs</p>	<p>Editorial Board</p>	

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<p>approach, we strive to accelerate efforts to protect and restore the Chesapeake Bay ecosystem and its abundant living resources.”</p> <p><u>Comment:</u> The mission statement is more narrow than both the vision and the goals/outcomes. More inclusive language, consistent with what was suggested above, would be:</p> <p><u>“... we strive to accelerate efforts to protect and restore the health, heritage, natural resources, and social and economic value of the nation’s largest estuarine ecosystem and the natural sustainability of its watershed.”</u></p>			
<p>Working through a deliberate, coordinated and cooperative approach, we strive to accelerate efforts to protect and restore the health, heritage, natural resources, and social and economic value of the nation’s largest estuarine ecosystem and the natural sustainability of its watershed. we strive to accelerate efforts to protect and restore the Chesapeake Bay ecosystem and its abundant living resources</p> <p>Comment: The mission cannot be more narrow than the vision and goals/outcomes. Need to realize that not all the partners “own” E.O. responsibility, I think this broader language reflects the current and anticipated work contributes of all partners.</p>	<p>NPS- USGS -FWS Comments July 1</p>	<p>Editorial Board</p>	
<p>“The mission of the Chesapeake Bay Partnership is to accelerate efforts to protect and restore the Chesapeake Bay Watershed ecosystem by working both independently and collaboratively in a deliberate, coordinated and cooperative manner.”</p>	<p>Gattis July 8</p>	<p>Editorial Board</p>	
<p>We recommend simplification of the mission statement. We offer...</p> <p><i>“The mission of the Chesapeake Bay Program Partnership is to accelerate efforts to protect and restore the Chesapeake Bay</i></p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>Editorial Board</p>	

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<i>ecosystem and its watershed through targeted, coordinated and cooperative approaches that achieve shared goals and inspire others to take action."</i>			
<u>Goals and Outcomes</u>			
General			
New or revised outcomes should be signed off by the EC	CBC MB 7-12-13 review of PSC 6-27-13	none	RESOLVED No change - PSC has already made this decision.
Outcomes should serve as aggressive targets that we can use to accelerate progress.	MD League of Cons. Voters, 7-11-13	none	RESOLVED No change - most outcomes including water quality are aggressive and partners are working to accelerate
Outcomes vs. Measuring Progress The Coalition is concerned that some of the "outcomes" under the "goals" are more a mechanism for measuring current progress, rather than aggressive targets that could be pursued to leverage additional partners and resources to accelerate progress. An example is the commitment "to apply new conservation practices on 4 million acres of agricultural working lands in high priority watersheds by 2025..." Will this lead to specific reductions in nutrient or sediment runoff? Are these practices that would not have occurred without this new agreement? It may instead be wise to include language related to accountability, transparency and verification.	Choose Clean Water Coalition 7-10-13	Issues Resolution Committee	

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All Goals (Section 4): The Partnership should explain the basis for each numeric goal or outcome and how the Partnership knows that it can realistically be attained within the targeted time frame	VAMWA, VAMSA, MAMWA, SWAM 8-13-13	Editorial Board	
The importance of coordinating local, state, and federal efforts needs to be factored in and explained throughout the goals and outcomes. [Mention the] anticipated need for additional goals, desired outcomes, and measures of success to address the list of Additional Issues for Consideration.	State Water Quality Advisory Committee – August 7, 2013	Editorial Board	
we strongly recommend that the Partnership provide stakeholders with a thorough explanation of the scientific, legal and policy reasons why they should be included.	Va Farm Bureau, 8-14-13	Editorial Board	
Introductory Paragraph Edits			
The goals of the agreement should be aspirational and not merely represent a trajectory of what is already being done. Engaging the highest levels of watershed leadership in the goals and outcomes should ensure that our elected and appointed officials provide political leadership and guidance in what will be the essential collaborative components of the restoration effort in the next decade. The introduction to this section should clearly state that these goals and outcomes represent the collective set of actions needed to achieve the mission and vision of the agreement. The opening statement refers to more collaboration (which we agree is needed) but leaves the impression that this applies	Alliance for the Chesapeake Bay, 7-10-13	Editorial Board	

<p>only to the signatories to the agreement. Obviously, broader collaboration is needed, especially to accelerate local implementation. We offer following introductory language: <i>“These goals and outcomes reinforce our ongoing work to meet the requirements of the Clean Water Act and other federal or state statutes or regulations. The Partners recognize that these goals and outcomes reinforce each other and together help to achieve our collective vision of a healthy, vibrant, and sustainable Chesapeake Bay Watershed. Achieving them will require greatly expanding collaboration, enabling, empowering, and facilitating the work of local governments as well as businesses, schools and universities, watershed organizations, and others, and building broad support for stewardship among our citizens.”</i></p> <p>We believe that an appropriate set of goals should fall into three primary categories: Restoration (such as water quality and habitat), conservation (such as healthy watersheds land conservation, and sustainable Fisheries) Engagement and Stewardship (such as local leadership, environmental literacy, and citizen stewardship)</p>			
<p>Opening Paragraph: Strike last sentence: “The goals and outcomes identified herein are not binding and neither restrict nor compel the partners to take any specific actions. Further, it not release any of the partners from the requirements of the Clean Water Act or any other federal or state statutes or regulations. ” Replace with: <u>Nothing in this agreement imposes any additional requirements on the signatories under the Clean Water Act, nor does it relieve any of the signatories from existing or</u></p>	<p>GIT Chairs</p>	<p>Editorial Board</p>	<p>This language has been revised by PSC signatory representatives and the sentences have been stricken in the MB 7/11/13 draft</p>

<p><u>future requirements under the Act.</u></p> <p>Edit first sentence: “Realizing the vision of a healthy and vibrant Chesapeake Bay Watershed will require a greater degree of collaboration than has been seen before, the Partners recognize that the Goals outlined herein will not be achieved without the support and involvement of those working at the local level, including local governments, businesses, schools and universities, watershed organizations, <u>non-government organizations</u>, individual citizens and others.”</p> <p><u>Comment:</u> This does not include all NGOs important to the effort, such as local and regional land trusts. Either generalize to non-governmental organizations or add to the list.</p>			
<p>p.4, Section 4, first sentence. “...greater degree of collaboration...” As written, it seems to refer to collaboration among the existing partners, but we think what is meant is an expansion of collaboration to more stakeholders. If so, we agree and suggest editing to make that point e.g., “...require expanded collaboration...”</p>	CBF June 26	Editorial Board	
<p>“...will not be achieve without the support and involvement of those working at the federal, state, and local level, including local government agencies....therefore the partners commit to support local implementation...”</p>	VA June 25	Editorial Board	
<p>First paragraph: Therefore, the Partners commit to support local implementation of actions consistent with the Goals <u>and outcomes</u> outlined herein (strike remainder of sentence).</p> <p>Second paragraph modified to read: “The signatories to this Agreement believe that the goals and outcomes contained herein will advance restoration and protection of the Chesapeake Bay ecosystem and its</p>	PA July 9	Editorial Board	

<p>watershed. Each jurisdiction, agency and partner will indicate its level of participation in relevant outcomes by working with the partnership to develop and implement management strategies. “</p> <p>OR replace above paragraph with below PSC negotiated language:</p> <p>“The commitments contained herein represent the set of goals and outcomes we the signatories collectively will work on to advance restoration and protection of the Chesapeake Bay ecosystem and its watershed. Each signatory, at its discretion, will indicate its level of participation in the Management Strategies developed to implement the outcomes depending upon relevance, resources, priorities, or other factors enhancing or limiting participation. Partnerships with other agencies, organizations, and stakeholders will be identified as appropriate. Signatories may decide to adjust their level of participation in the implementation of Management Strategies as circumstances warrant.”</p>			
<p>Revise second paragraph under Section 4 Goals and Outcomes:</p> <p>“The signatories to this Agreement believe that the Goals contained herein, once achieved, will advance restoration and protection of the Bay ecosystem thus moving us closer to realizing our shared vision of a healthy, balanced and sustainable Chesapeake Bay watershed. Furthermore, the signatories to this Agreement agree that the Outcomes identified under each of the Goals, represent the specific actions necessary to achieve the Goals. Each signatory, federal agency and interested stakeholder will indicate its level of commitment to achieving each of the Outcomes by working with the partnership to develop and implement Management Strategies.”</p>	<p>Gattis July 8</p>	<p>Editorial Board</p>	

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<p>First paragraph: Comment: replace “watershed organizations” to be more inclusive of all NGOs important to the effort such as local and regional land trusts. Either generalize to non-governmental organizations or add to the list. Suggested wording: “non-governmental conservation and environmental organizations”?</p>	<p>NPS- USGS -FWS Comments July 1</p>	<p>Editorial Board</p>	
<p>Second paragraph: Comment: This paragraph is all code language for opt-in/opt-out. All collaborative partnerships inherently operate on the principle that partners have the choice to play or not. Therefore it is unnecessary, counterproductive and unwise from a PR standpoint to include this in the agreement. Comment: This paragraph should be eliminated completely. If this is a partnership voluntary participation is implied. To try to parse it, either to alleviate the comfort of reluctant participants, or to provide more progressive partners with a “bully pulpit” is counter-productive to stated principles of trust and transparency.</p>	<p>NPS-USGS-FWS Comments July 1</p>	<p>Editorial Board</p>	
<p>Third paragraph: “As new opportunities, concerns and threats are identified by the partnership, additional goals and outcomes may be adopted in the future.” Comment: We need some type of statement that new goals and outcomes could be added to this agreement in the future. So the items that do not make it into this version of the agreement still can be considered in future years. This is at the heart of adaptive management.</p>	<p>NPS-USGS-FWS Comments July 1</p>	<p>Editorial Board</p>	
<p>Bullet revised to read: “Realizing the vision of a healthy and vibrant Chesapeake Bay</p>	<p>USACE July 10</p>	<p>Editorial Board</p>	

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Watershed will require a greater degree of collaboration than has been seen before, the Partners recognize that the Goals outlined herein will not <u>can only</u> be achieved without the support ...”			
Sustainable Fisheries Goal and Outcomes			
Sustainable Fisheries Goal No comments on overarching goal from MB or PSC	MB 7-12-13 review of PSC 6-27-13	none	Goal approved by PSC and MB The PSC did approve at their June 27th meeting a change to the overarching goal to move “protect” to the beginning of the goal language Original: “Restore, enhance, and protect...” Revised: “Protect, restore, and enhance...”
Sustainable Fisheries Goal Add a commitment to explore catch or total effort allocations and recognize that this is an approach that will address outstanding latent fishing efforts. Reference that the intent of the oyster outcome is for improved public/private fisheries and ecosystem services. Include an initiative on forage fish – CBF has offered some language the GIT could start with. Theirs is: <i>For the purpose of maintaining suitable cumulative forage potential for the predatory species such as striped bass, bluefish, and weakfish that support valuable commercial and recreational fisheries.</i> Include an initiative for invasive species response.	CBC June 28	GIT 1 considering these as directed at the 7-12-13 MB	Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC’s proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and improving harvest accountability Oyster Outcome Resolved - There is consensus to state the intent of restoration as ecological benefits of healthy oyster reefs, but not to reference the oyster fishery because the intent of restoration is to provide

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			<p>ecosystem services; there is now consensus on 10 tributaries by 2025</p> <p>Forage Fish Outcome Resolved - GIT 1's Executive Committee reached agreement on the following outcome language: "By 2016 develop a strategy for assessing the forage base available for predatory species in Chesapeake Bay."</p> <p>Invasive Species Outcome Resolved - There is no consensus to include an invasive species outcome</p>
<p>Sustainable Fisheries Goal We have the benefit of having the ASMFC in our backyard, and the ASMFC offers a good model for moving forward with fisheries management in the Chesapeake Bay</p>	<p>Environmental Defense Fund, 7-11-13</p>	<p>GIT 1</p>	<p>Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC's proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and improving harvest accountability</p>
<p>Sustainable Fisheries Goal Harvest accountability is critical to fisheries management, and it must be improved and recognized in the outcomes. Some level of allocation framework should be a part of the harvest limit Note importance of economics to fisheries management, the agreement</p>	<p>Environmental Defense Fund, 7-11-13</p>	<p>GIT 1</p>	<p>Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC's proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and improving harvest accountability</p>

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<p>Sustainable Fisheries Goal Surprised that blue crabs and oysters are the only species with listed outcomes. There are other critters out there that we need to deal with. Some are migratory, which may be a problem, but I expected to see something about menhaden and striped bass. Forage fish should also be addressed</p>	<p>Mason Springs Conservancy, 7-11-13</p>	<p>GIT 1</p>	<p>Forage Fish Outcome Resolved - GIT 1's Executive Committee reached agreement on the following outcome language: "By 2016 develop a strategy for assessing the forage base available for predatory species in Chesapeake Bay."</p>
<p>Sustainable Fisheries Goal We support the goal language and the outcomes for blue crabs and oysters (in at least 10 tributary rivers). According to the Bay Program website, the Bay watershed supports 348 species of finfish and 173 species of shellfish and yet except for the Brook Trout Outcome under the Vital Habitats Goal, there are only two proposed outcomes for fisheries. We believe that an additional outcome related to finfish is essential. We recommend a forage fish goal that would help support the survival and health of other iconic fish, like rockfish. Measures seeking to ensure healthy populations of fish highly-valued by the public represent a way to engage sports fisherman/women and tourist and the hospitality industry.</p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>GIT 1</p>	<p>Forage Fish Outcome Resolved - GIT 1's Executive Committee reached agreement on the following outcome language: "By 2016 develop a strategy for assessing the forage base available for predatory species in Chesapeake Bay."</p>
<p>Oysters and Menhaden: Restoring the oyster population would be a tremendous benefit and would serve as a tangible goal that would rally public support. However, the oyster outcome as drafted is far too general. It is also unclear as to what metric is used to define when the "restore" objective has been met. In addition, a goal for the menhaden fishery is also recommended based on the important role this species plays in the Bay.</p>	<p>VAMWA, VAMSA, MAMWA, SWAM 8-13-13</p>	<p>GIT 1</p>	<p>Oyster Outcome Resolved - There is consensus to state the intent of restoration as ecological benefits of oyster reefs, and there is now consensus on 10 tributaries by 2025 Menhaden Resolved - there is no consensus around a menhaden outcome but GIT 1 does recognize the importance of all forage fish</p>

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			species in the Bay; GIT 1 has reached agreement on language for a forage fish outcome
<p>While goal statements are generally broad, the underlying outcomes are typically very narrowly focused and not sufficient to meet the stated goals.</p> <p>The Sustainable Fisheries outcomes, which address only blue crabs and oysters, fall well short of the stated goal of restoring, enhancing and protecting all fish stocks, their habitats and ecological relationships. We would suggest a focus on development of integrated fisheries ecosystem indicators and biological reference points within a multispecies context that can be applied to ecosystem-based management of fishery resources.</p>	VIMS, 8-15-13	GIT 1	Forage Fish Outcome Resolved - GIT 1's Executive Committee reached agreement on the following outcome language: "By 2016 develop a strategy for assessing the forage base available for predatory species in Chesapeake Bay."
<p>Sustainable fisheries should incorporate the Brook Trout outcome. When management strategies are developed for each of these outcomes, it will be important to acknowledge the connectivity between "habitats and ecological relationships" in the effort to "restore, enhance, and protect" each fishery and "provide for a balanced ecosystem."</p>	American Rivers, 8-15-13	GIT 1 and GIT 2	Will be resolved - There will be opportunity for GIT 1 and 2 collaboration in the management strategies
Blue Crab Outcome	MB 7-12-13 review of PSC 6-27-13	none	Outcome approved by PSC and confirmed by MB
<p>Blue Crab Outcome</p> <p>Add a commitment to explore catch or total effort allocations and recognize that this is an approach that will address outstanding latent fishing efforts.</p>	MB 7-12-13 review of PSC 6-27-13	GIT 1	Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC's proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and

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			improving harvest accountability
Blue Crab Outcome The blue crab outcome is to achieve 215 million females in the Bay each year; that's a population abundance goal. That is good and needed and we support it. However, there are two additional outcomes that ASMFC offers a good example of: one is a harvest limit, which would offer conservation stability and the predictability and certainty that crab businesses and fishermen can plan around	Environmental Defense Fund, 7-11-13	GIT 1	Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC's proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and improving harvest accountability
Blue Crab Outcome We fully support the science-based (control rule) approach embodied in this outcome, but we believe it has to be adopted within a broader context and commitment to restore the health and stability of both the blue crab population and the fishery. The first five years' experience under the control rule approach has indicated that the sustainability it maintains does not necessarily translate into a stable, productive fishery. Consequently, we suggest adding an additional outcome: "Work with the industry and other stakeholders to develop a baywide allocation framework that provides individual participants either total catch or total effort allocations. Consider limited transferability of such allocations."	CBF June 26 restated orally 7-11-13	GIT 1	Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC's proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and improving harvest accountability
Blue Crab Outcome The crafting of a new Chesapeake Bay Agreement represents a real opportunity for regional fisheries managers to begin implementing management concepts initially espoused by BBCAC and discussed among key stakeholders for nearly two decades now. Advancing these approaches can reinvigorate the Chesapeake's blue crab stock by strengthening commercial	Environmental Defense Fund, 8-15-13	GIT 1	Blue Crab Allocation Resolved - GIT 1 reached consensus on CBC's proposed outcome language (with a few minor changes) for evaluating a baywide allocation management framework and improving harvest accountability; this language specifically states

<p>harvest management across jurisdictions and take into account economic and social considerations at the individual, community, and industry-wide levels while stabilizing and maintaining conservation of the resource. To achieve this, EDF recommends three additions to the Bay Agreement blue crab outcome:</p> <p>1) Commitment to setting Baywide annual catch limits, like a Total Allowable Catch (TAC); 2) Allocation of that catch limit among the management jurisdictions; and 3) Implementation of comprehensive monitoring accountability of all harvest.</p> <p>*See letter for full detail</p>			<p>“improve commercial and recreational harvest accountability” and “evaluate the establishment of a Baywide allocation-based management framework with annual levels set by the jurisdictions”</p>
<p>Oyster Outcome VA and others concerned 10 tributaries is overly ambitious. Consider right number of tributaries.</p>	<p>MB 7-12-13 review of PSC 6-27-13</p>	<p>GIT 1</p>	<p>Oyster Outcome Resolved -There is now consensus on 10 tributaries by 2025; discussions included looking at current restoration projects to consider future material needs and cost</p>
<p>Oyster Outcome Capture metrics that have been developed.</p>	<p>MB 7-12-13 review of PSC 6-27-13</p>	<p>GIT 1</p>	<p>Oyster Outcome Resolved - The oyster metrics will be included in the Management Strategy section as they guide the restoration planning process</p>

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<p>Oyster Outcome: “This outcome relates to oysters for habitat as well as populations. May want to modify to reflect ecological restoration outcome (in accordance with oyster metrics) and consider a separate goal in support of oyster aquaculture (oysters as seafood).”</p>	<p>GIT Chairs</p>	<p>GIT 1</p>	<p>Oyster Outcome Resolved - There is consensus to state the intent of restoration as ecological benefits of oyster reefs, but the outcome will not reference the oyster fishery because the intent of restoration is to provide ecosystem services</p>
<p>Oysters Outcome The 2000 agreement included a metric: a tenfold increase in oyster abundance. But in 2007 people realized that we weren’t going to make it. Also in 2007 the Oyster Advisory Commission was born, and their draft report said, do not try to restore this resource and exploit it for industry profit at the same time. At the end of 2010, we had fewer oysters than we had when we started. The reason I bring this up is to walk down memory lane, because I see similar things taking place for this new agreement. Md. and Va. would like to back off of the goal to restore oysters to tributaries; why? Is it money? Shell? Enforcement? Certainly poaching cannot be helping that goal. We shouldn’t just say that it isn’t working out so we shouldn’t do it—we should hold feet to the fire to get it done. I would like to see this work done with rigor, commitment, and penalties. The goal should NOT be business as usual</p>	<p>Mason Springs Conservancy, 7-11-13</p>	<p>GIT 1</p>	<p>Oyster Outcome Resolved -There is now consensus on 10 tributaries by 2025; jurisdictions considered the resources needed for restoration when setting a target for 2025. This outcome is not the end of oyster restoration, just a target for the next 10 years.</p>
<p>Oyster Outcome We fully support the targeted tributary approach, and yet we recognize that the original goal of twenty tributaries restored by 2025 in the EO strategy was, perhaps, too ambitious. Thus, we would support a goal of ten tributaries baywide and believe that meeting the success metrics in ten tributaries would dramatically advance oyster restoration. Furthermore,</p>	<p>CBF June 26</p>	<p>GIT 1</p>	<p>Oyster Outcome Resolved - There is now consensus to state the intent of restoration as ecological benefits of oyster reefs, there is also consensus on 10 tributaries by 2025</p>

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we believe that it is appropriate to frame the outcome in terms of restoring ecosystem services as well as the public and private fisheries.			
Forage Fish Outcome VA concerned with this. CBC supports and recommends CBF language.	MB 7-12-13 review of PSC 6-27-13	GIT 1	Forage Fish Outcome - GIT 1's Executive Committee reached agreement on the following outcome language: "By 2016 develop a strategy for assessing the forage base available for predatory species in Chesapeake Bay."
Habitat Outcome under Sustainable Fisheries Goal Questioning whether the habitat goal and outcome are sufficient to show support of sustainable fisheries habitats. No language offered.	MB 7-12-13 review of PSC 6-27-13	GIT 1 and GIT 2 coordinate	Habitat Outcome Resolved - GIT 1's Executive Committee agreed on language for a habitat outcome to identify critical spawning, nursery, and forage habitat for important fish and shellfish species and to integrate this information to inform restoration and conservation efforts
Habitat under Sustainable Fisheries Goal Currently, the goal is good. It mentions habitat, so having an outcome that address habitat is important; where that outcome lives is worth discussion. There are fisheries-specific reasons to protect habitat: to protect spawning areas, to protect critical habitat for juveniles and to restrict the harvest mortality of fish. It's worth considering keeping habitat goals	Environmental Defense Fund, 7-11-13	GIT 1 and GIT 2	Habitat Outcome Resolved - GIT 1's Executive Committee agreed on language for a habitat outcome to identify critical spawning, nursery, and forage habitat for important fish and shellfish species and to integrate

under the fisheries team			this information to inform restoration and conservation efforts
Fisheries Outcome: It is widely understood that the ongoing or periodic depletion of many ecologically key forage species such as shad, river herring, menhaden and bay anchovy undermines the health of the Chesapeake Bay food web. Individual species management plans cannot account for the health of the full complex of lower trophic level species, and ecosystem-based fisheries management has proven to be a long-term endeavor. Accordingly, we recommend the adoption of a Forage Fish Outcome for the purpose of maintaining suitable cumulative forage potential for the predatory species such as striped bass, bluefish and weakfish that support valuable commercial and recreational fisheries.	CBF June 26	GIT 1	Forage Fish Outcome - GIT 1's Executive Committee reached agreement on the following outcome language: "By 2016 develop a strategy for assessing the forage base available for predatory species in Chesapeake Bay."
Vital Habitats Goal and Outcomes			
Vital Habitats Goal No comments on overarching goal.	MB 7-12-13 review of PSC 6-27-13	none	PSC approved, MB confirmed
Vital Habitats Goal Comment on Brook Trout and Fish Passage Outcomes: "These outcomes relate to fish – need to decide if we want to consolidate under Sustainable Fisheries (or not)."	GIT Chairs	GIT 2	Resolved. No change. Fish Passage and BT outcomes will stay as habitat outcomes. Fish Passage focuses on restoring habitat for the fish, with the presence of the fish acting as a measure of

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			success. Brook trout also act as indicator for Stream Health. Both focuses on habitat issues.
Vital Habitats Goal “Restore a total of 100,000 acres ...” Comment: This does not look correct—I think the goal is to stay the same and revised language is for wetlands outcome.	USGS June	GIT 2	Will be resolved. New Wetland outcome language and justification have been reviewed by wetland workgroup and will be finalized on a conference call.
Vital Habitats Goal We support the vital habitats goal and the outcomes for wetlands, black duck, brook trout, forestry, fish passage and SAV. We are supportive of an outcome related to stream health but do not believe the current outcome as stated will be understandable by the public or easily measured. Likewise, brook trout outcomes may be more appropriately targeted to a % of natural range or specify achieving stream extent or conditions that can support future populations. The Forestry outcome would be more appropriately titled “Critical forests.” Although perhaps premature, we point out that the outcomes for SAV, wetlands, and buffers and the management strategies developed for these outcomes, should reconcile and explain the differences between existing WIPs and agreement outcomes .	Alliance for the Chesapeake Bay, 7-10-13	GIT 2	Resolved. Language has been developed to explain the differences between WIPs and agreement outcomes. Language was sent to appropriate workgroups for comments. “goal was based on a compromise between past performance (as a measure of feasible implementation rate given current funding levels), the need to meet necessary state WIP targets, and the option to re-visit the goal in 2017 as WIPs are updated.”
Vital Habitats Goal / Outcomes - Native Vegetation I’m sure this is implied in the authors’ thinking, but it really should be specified: all vegetation (trees, aquatic, etc.) must be native to the area.	Dori Grasso, 7-19-13	GIT 2	Will be resolved--May be included in Management strategy documents.
Vital Habitats Goal / Outcomes - Native Vegetation Riparian buffers and urban canopies are crucial to the	American Rivers 8-15-13	GIT 2	Will be resolved with management strategy document.

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watershed's restoration. Vegetation choices in restoration should emphasize native. Buffers should be at least 100 feet in width to best achieve the varied benefits—stream bank stability, pollutant filtration and volume control in addition to beautification and other habitat services.			
<p>While goal statements are generally broad, the underlying outcomes are typically very narrowly focused and not sufficient to meet the stated goals.</p> <p>The Vital Habitats outcomes for wetlands and SAV seem to reflect commitments that are inconsistent with current understandings of the probable impacts of climate change in the Bay. The fish passage outcome is seemingly unsupported by any efforts to address the condition of the stocks that might use newly available habitat.</p>	VIMS, 8-15-13	GIT 2	Will be resolved in Management Strategies.
<p>Wetlands Outcome Address the discrepancy between the WIP acres and GIT target of 75,000 acres in the outcome.</p>	MB 7-12-13 review of PSC 6-27-13	GIT 2	Resolved. Language has been developed to explain the differences between WIPs and agreement outcomes. Language was sent to appropriate workgroups for comments. "goal was based on a compromise between past performance (as a measure of feasible implementation rate given current funding levels), the need to meet necessary state WIP targets, and the option to re-visit the goal in 2017 as WIPS are updated."

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<p>Wetlands Outcome</p> <p>This agreement needs a date deadline on wetlands creation and restoration goals. These wetlands goals are the only ones that do not have a date deadline. Goal implementation needs to track wetlands losses, both from regulatory and natural causes, so that we maintain the current base, adding any unmitigated wetlands losses to the agreement's restoration goals.</p>	<p>William Stiles 7-11-13 public comment</p>	<p>GIT 2</p>	<p>Will be Resolved. Will add 2025 deadline to wetland outcomes and workgroup will address tracking losses during a conference call week of Aug 19th.</p>
<p>Wetlands Outcome</p> <p>Continuing sprawl and growing energy resource developments in headwater areas require specific inclusion of protecting "upland wetlands" alongside the wetland outcome of restoring tidal and non-tidal wetlands.</p>	<p>American rivers, 8-15-13</p>	<p>GIT 2</p>	<p>Resolved. No change. Wetlands protection was already moved to land conservation, therefore no need to state again in Habitat Restoration outcome.</p>
<p>Wetlands:</p> <p>It is unclear as to what metric is used to define when the "restore" objective has been met for all outcomes and when the "enhance" objective has been met for the wetlands outcome</p>	<p>VAMWA, VAMSA, MAMWA, SWAM 8-13-13</p>	<p>GIT 2</p>	<p>In progress. Will be resolved by wetlands workgroup during conference call in August.</p>
<p>Wetlands and Forestry Outcomes</p> <p>Currently, there is a wide gap between the draft agreement outcomes and the levels of implementation specified in the jurisdictions' Watershed Implementation Plans (WIP). For example, the current draft agreement goal for wetlands is: 30,000-83,000 acres, but the watershed-wide WIP goal is 106,019 acres. Similarly, the forested buffer goal would equate to roughly an additional 160,000 acres in the bay watershed, whereas the WIP watershed goal is almost 280,000 acres. These numbers should be consistent otherwise, the public could lose confidence in the WIP process.</p>	<p>CBF June 26</p>	<p>GIT 2</p>	<p>Resolved. Language has been developed to explain the differences between WIPs and agreement outcomes. Language was sent to appropriate workgroups for comments. "goal was based on a compromise between past performance (as a measure of feasible implementation rate given current funding levels), the need to meet necessary state WIP</p>

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			targets, and the option to re-visit the goal in 2017 as WIPS are updated.”
Black Duck Sub-Outcome	MB 7-12-13 review of PSC 6-27-13	none	PSC approved and MB confirmed. No change.
Stream Health Outcome	MB 7-12-13 review of PSC 6-27-13	none	PSC approved and MB confirmed. No change.
Stream Health Stream health cannot be achieved for streams that do not see the light of day. A stream health outcome for the watershed’s urban areas should be practicing the restoration practice of ‘daylighting’ to eliminate buried streams.	American Rivers, 8-15-13	GIT 2	Will be resolved in MGMT Strategy
Brook Trout Sub-Outcome There are already active programs in place (WV) - avoid duplication.	MB 7-12-13 review of PSC 6-27-13	Editorial Board	Resolved. No change.
Brook Trout Sub-Outcome As an aside, an increase of brook trout populations by 8% is a great idea. To do that, though, head water streams will need to maintain cold water. Given the forecast of climate change and continued depletion of groundwater stores, or changes to cold water aquifers, I’m skeptical that habitats will change sufficiently to *increase* populations by 8%. I think a priority should be given to protecting existing populations, rather than shooting for an increase in biomass or population size. Protecting existing populations is a tough enough endeavor. I’m worried that this plan bites off more than it can chew with	Joseph Love, 7-18-13	GIT 2	Will be resolved-- part of management strategy but not specifically mentioned in outcome. The 8% BT outcome is strongly supported by the Eastern Brook Trout Joint Venture.

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respect to brook trout			
<p>Brook Trout Sub-Outcome</p> <p>We believe the specific brook trout outcome—an 8 percent increase in cumulative patch area by 2025—to be reasonable, and encourage the Agreement’s signatories to provide the resources necessary to achieve it. TU’s staff and volunteers will work to leverage state and federal resources in pursuit of this outcome. Nationwide, TU volunteers dedicate nearly 700,000 hours of their free time to trout conservation.</p> <p>Increasing cumulative patch area will require growing the area currently occupied by brook trout and protecting existing brook trout populations. Much of TU’s work in the Chesapeake Bay watershed is focused on the latter—bolstering existing populations through improved land and water management, increasing patch size by removing barriers to fish passage, and protecting populations from the impacts of poorly planned development. Actions taken by the Agreement’s signatories to achieve this outcome must include protective measures in addition to those that expand the current range of brook trout. We encourage the Chesapeake Bay Program to engage TU in developing the management strategies related to the brook trout outcome. TU staffers are implementing hundreds of thousands of dollars’ worth of conservation projects in the Bay watershed each year. Its network of chapters and state councils are equally engaged in on-the-ground conservation work. Much could be gained by working together on the management strategies.</p>	Trout Unlimited, 8-2-13	GIT 2	Resolved. No change and Habitat GIT will engage TU when developing management strategies
<p>The Brook Trout Sub-Outcome (and Stream Health if not removed for the CWA reason explained above see very bottom of this doc under Additional Guidance for EB to see what they are talking about here) should be to “improve” rather than</p>	VAMWA, VAMSA, MAMWA, SWAM	GIT 2	In progress. Will be resolved after closer look at CWA with WQ GIT.

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"restore" for consistency with the percentage improvement target	8-13-13		
Sustainable fisheries should incorporate the Brook Trout outcome. When management strategies are developed for each of these outcomes, it will be important to acknowledge the connectivity between "habitats and ecological relationships" in the effort to "restore, enhance, and protect" each fishery and "provide for a balanced ecosystem."	American Rivers, 8-15-13	GIT 2 and GIT 1	Resolved. Brook Trout will remain a Habitat Outcome
Fish Passage Outcome New GIT 2 language "presence of Alewife, Blueback Herring, American Shad, Hickory Shad, American Eel and/or Brook Trout	MB 7-12-13 review of PSC 6-27-13	none	PSC approved, MB confirmed
Fish Passage Outcome Much of TU's work in the Chesapeake Bay watershed is focused on... bolstering existing (brook trout) populations through improved land and water management, increasing patch size by removing barriers to fish passage, and protecting populations from the impacts of poorly planned development. Actions taken by the Agreement's signatories to achieve this outcome must include protective measures in addition to those that expand the current range of brook trout. Some of those actions will be reinforced by the Agreement's protected lands, healthy waters, and fish passage outcomes, which TU supports. The management strategies developed for those outcomes should also be designed to advance the brook trout outcome.	Trout Unlimited, 8-2-13	GIT 2	Will be resolved in MGMT strategy.
Fish Passage Outcome Restoring migratory fish routes is an important outcome. Ensuring that the 1,000 miles (or more) of restored habitat	American Rivers, 8-15-13	GIT 2	Resolved. No change.

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prioritize connectivity and passage toward the headwaters is important to this outcome's ability to address restoration of the "network" described in the Healthy Habitats Goal.			
SAV Outcome new GIT 2 language: Achieve and sustain the ultimate outcome of 185,000 acres of SAV Bay-Wide. This will be demonstrated by having xx% of Bay segments achieving and sustaining their segment acreage targets for SAV by 2025.	MB 7-12-13 review of PSC 6-27-13	GIT 2 - determine % segments achieved Editorial Board - align SAV outcome with WQ goal	In Progress. Will be resolved. New language developed to align with water quality outcome. Justification document has been developed and shared. To be vetted at SAV workgroup Aug18th and approved by GIT by end of Aug.
SAV Outcome The percentage-of-Bay-segments goal does not necessarily support the 185,000 acre goal; the two can be exclusive	VAMWA, VAMSA, MAMWA, SWAM 8-13-13	GIT 2	In Progress. Will be resolved. New language developed to align with water quality outcome. Justification document has been developed and shared. To be vetted at SAV workgroup Aug18th and approved by GIT by end of Aug.
Forestry Outcome PA requests clarification - it is not 1,000 acres per year in each of the 120 communities. Clarifying language: 1,000 acres per year in a total of 120 communities. Consier an edit to help clarify this - work with Forest Service.	MB 7-12-13 review of PSC 6-27-13	Editorial Board	
Forestry Outcome It is unclear as to what metric is used to define when the "restore" objective has been met for the forestry outcome. A definition of "urban tree canopy" is required.	VAMWA, VAMSA, MAMWA, SWAM	GIT 2	Will be resolved through forestry workgroup and MGMT strategy.

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Water Quality Goal and Outcomes			
Water Quality Goal Change “while protecting human health” to “and protect human health”	MB 7-12-13 review of PSC 6-27-13	Editorial Board	Change approved by PSC, MB confirmed
EO Goal for 60% of segments meeting water quality standards for DO, clarity, and chlorophyll A MB recommended striking this from agreement	MB 7-12-13 review of PSC 6-27-13	Editorial Board	RESOLVED MB will recommend to the PSC that the 60% wording from the Executive Order not be included in the agreement in the next draft for PSC consideration by removing it from the document.
Water Quality Goal We support this goal language with one minor change. Goal should read, “ <i>Reduce pollutants to achieve the water quality necessary to support the aquatic living resources of the Bay and its tributaries and <u>protect</u> human health.</i> ” We also support the current outcomes but believe that the following additional outcomes should be seriously considered.	Alliance for the Chesapeake bay, 7-10-13	Editorial Board	
Blurring The Line Between Voluntary And Regulatory Actions Under its Water Quality Goal, the agreement adopts the 2017 interim and the 2025 final end points for nutrient and sediment reductions under the Chesapeake Bay TMDL; such an adoption may limit the future need for regulatory flexibility in achieving allocation targets. COG believes that any new agreement must not constrain such flexibility.	WASHCOG, July 30th	GIT 3	Recognizing that change is inevitable over a 15-year period in a dynamic environment like the Bay, and taking into account lag times between the achievement of the 2017 and 2025 target allocation goals, the Bay Agreement does not preclude the

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			possible need for regulatory action in the future. The Partnership is committed to adopting and implementing an adaptive management framework in meeting water quality goals and objectives.
<p>Water Quality Goal: The toxic contaminant goals and outcomes regarding toxics need to be kept separate from the other goals. Clear separation will help the jurisdictions pick and choose the items they want to commit to.</p> <p>Edits to outcome: <i>2025 Watershed Implementation Plans (WIP) Outcome:</i> Have all controls installed by 2025 to <u>ultimately</u> achieve the Bay's DO, water clarity/SAV, and chlorophyll a criteria, <u>ensuring that fish can breathe and SAV can grow.</u></p> <p>New Outcome: (suggested by Toxics Contaminants workgroup; prefer to insert after 2017 WIP Outcome; The desire is to have the outcome be more specific and time bound as it is developed for the new Agreement.)</p> <p><u>Toxic Contaminants</u> <u>(a) Implement practices to reduce loadings of persistent, bioaccumulative and toxic (PBT) contaminants and non-PBT contaminants that have likely effect on the ecosystem resources.</u> <u>(b) Improve knowledge of the effects of contaminants of emerging concern on the health of fish and wildlife so future strategies can be considered.</u></p>	GIT Chairs (may delay release due to WQ GIT concern)	GIT 3: 2025 Outcome Toxics Ad hoc followed by Issues Resolution Committee : toxics outcome suggestions	
<p>Water Quality Goal The outcomes are specific to the Chesapeake Bay nutrient</p>	VAMWA, VAMSA,	GIT 3	Recognizing that change is inevitable over a 15-year period in

<p>and sediment TMDLs; therefore, the goal should be written as “Water Quality/Nutrient and Sediment Goal.”</p> <p>Question of feasible timing for full implementation and restoration We are compelled to remind the Partnership of the importance of retaining full flexibility to adjust timing related goals to best serve the public in the future. For example, if the agriculture sector needs more time or funding to reach its sector goals, reasonable accommodations must be made in the schedule rather than seeking to transfer and impose “consequences” on other point sources. We believe that reasonable timing adjustments for responsible parties, if necessary, are a better policy than imposing consequences on other parties – a punitive approach that would likely spark controversy and litigation and produce greater delay.</p> <p>If it is not realistically achievable to complete the targeted urban storm water retrofits under the WIP by current target dates, reasonable schedule revisions must be considered to match program efforts with available resources and feasible project schedules. In Virginia, the state’s approved WIP includes a three permit cycle approach. Assuming the State issues all remaining MS4 permits in 2013, the approved 15-year program for all MS4 permittees will conclude in 2028 (three years after the 2025 target first adopted in 2010), which further evidences the need for flexibility in any reference to timing targets.</p> <p>To make optimum progress, keep public support, and be good stewards, the Partnership’s “target” must remain a target and the Partners must retain reasonable discretion to deal with the realities encountered in implementing such a massive effort and simultaneously meet the needs of the states, their localities and citizens.</p> <p>Similarly, by law the states have lead responsibility for</p>	<p>MAMWA, SWAM 8-13-13</p>		<p>a dynamic environment like the Bay, and taking into account lag times between the achievement of the 2017 and 2025 target allocation goals, the Bay Agreement does not preclude the possible need for regulatory action in the future. The Partnership is committed to adopting and implementing an adaptive management framework in meeting water quality goals and objectives.</p>
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<p>establishing water quality standards and appropriate compliance schedules, maximum extent practicable determinations, and variances. They must retain their full regulatory authority, without conflict with completing dates, targets or deadlines in the new Bay Agreement.</p> <p>Accordingly we recommend:</p> <p>(1) that any timing “targets” in the agreement should be clearly described as non-binding “targets”;</p> <p>(2) that no other language in other provisions of the agreement treat “targets” as requirements, commitments, or otherwise binding deadlines; and</p> <p>(3) that the agreement set forth a strong statement of the role of adaptive management under which partners (states) can make future adjustments were they find it reasonable to do so</p>			
<p>Factors Influencing</p> <p>Chesapeake Bay health and Bay tributary health are related but in many instances depend on different factors, including issues of scale ecosystem types, pollutants, and other key stressors. These differences need to be recognized and considered in order to set appropriate goals and outcomes that will primarily protect both the Bay and its tributaries, and facilitate meeting TMDLs at local and regional levels. Additional significant stakeholder input will be needed to accomplish this.</p>	<p>State Water Quality Advisory Committee – August 7, 2013</p>	<p>GIT 3</p>	<p>The Chesapeake Bay Program partnership is committed to using the most up to date science and data in its decision making and strategy development processes, taking into account the various stressors affecting Bay health. The partnership is also committed to working closely with stakeholders throughout the watershed in meeting its restoration goals.</p>
<p>While goal statements are generally broad, the underlying outcomes are typically very narrowly focused and not sufficient to meet the stated goals.</p> <p>The Water Quality outcomes are entirely focused on implementation of practices in the watershed. There is</p>	<p>VIMS, 8-15-13</p>	<p>GIT 3</p>	<p>The continued measurement of progress in meeting our restoration commitments not only takes into account WIP implementation but the use of</p>

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nothing that speaks to actual conditions in the Bay. We would suggest a commitment to understanding the effectiveness of the WIPs through direct monitoring and modeling of targeted Bay segments. We would also suggest a commitment to adaptive management of WIPs based on monitoring and modeling of Bay conditions. We also note the absence of any focus on toxics, and suggest this represents a significant gap.			monitoring data and our modeling tools for this assessment.
Water Quality Outcomes In addition to Watershed Implementation Plan outcomes, the water quality goal should include measurable objectives tied to those of the Clean Water Act : 1) fishable-swimmable for communities throughout the watershed	American Rivers	GIT 3	RESOLVED The Chesapeake Bay Program partnership is committed to using the most up to date science and data in its decision making and strategy development processes, taking into account the various stressors affecting Bay health, to ensure waters are drinkable, fishable, and swimmable.
2017 Outcome	MB 7-12-13 review of PSC 6-27-13	none	Approved by PSC, MB confirmed
Data Management under 2017 outcome: Improve practice data collection, verification and transparency by 2015 for the most commonly applied agricultural and urban best management practices in order to provide necessary reasonable assurance of practice implementation and strengthen accuracy and public confidence in reported pollution reductions determine if and how to include data management in the agreement - also suggested to be in Operational Commitments	MB 7-12-13 review of PSC 6-27-13	Issues Resolution Committee	RESOLVED Introductory Goal language, aligned with language already approved by the PSC for BMP Verification, will be included in the Preamble. The EB will develop introductory language for the Water Quality section, which the IRC will review. A broad statement regarding transparency

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			across the entire program is also recommended to be included in the Principles.
<p>Data Management under 2017 outcomes: <i>Improve practice data collection, verification and transparency by 2015 for the most commonly applied agricultural and urban best management practices in order to provide necessary reasonable assurance of practice implementation and strengthen accuracy and public confidence in reported pollution reductions.</i> Change “while” to “and” in the goal. Changing it from “and” from the 2000 Bay agreement calls into question why we chose to elevate (using “while”) the living resources above human health. No need to cause this unintentional commotion. Include an initiative to examine how land conservation could be factored into the TMDL (not sure if this was killed or sent to the issue resolution team).</p>	CBC June 28	Issues Resolution Committee	RESOLVED – see above
<p>Data Management under 2017 outcome WV would like the data management references to be in the principles and/or operation commitments as currently stated, not to be included in the introduction to the WQ goal.</p>	WV - August 7th	Issues Resolution Committee	RESOLVED – see above
<p>Data Management under 2017 outcome We also urge that an outcome be considered for “Data collection, verification and transparency,” specifically that continuous monitoring stations be increased. Again using Mattawoman as an example, continuous monitoring may be presently <i>decreasing</i>, with the loss in 2011 of a USGS continuous monitor on the non-tidal river, and in 2013 of a continuous monitor in the tidal estuary at Indian Head.</p>	Mattawoman Watershed Society, 8-15-13	Issues Resolution Committee	RESOLVED – see above

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<p>Without continuous monitoring, the discovery of the correlation of water conductivity to River Herring habitat usage, and the unexpected discovery of lethally low levels of dissolved oxygen in dense SAV beds would not have occurred. Such monitoring informs the signers of the Agreement of progress or lack thereof, calibrates models, identifies episodic problems, and provides a needed baseline for the inevitable evolution of restoration approaches and the effects of climate change.</p> <p>**See "Monitoring" section below chart**</p> <p>Monitoring-related comments get considered with inclusion of data management language in agreement?</p>			
<p>2025 Outcome</p> <p>Choose Clean Water Coalition: include the TMDL specifically.</p> <p>Recommended language: "... standards as articulated in the Chesapeake Bay TMDL."</p> <p>Management Board decision that Editorial Board should be certain to include the recommended language.</p>	<p>MB 7-12-13 review of PSC 6-27-13</p>	<p>Editorial Board</p>	
<p>2025 Outcome - TMDL explicit addition</p> <p>The Coalition believes that it is critical to have the Chesapeake Bay TMDL and the associated water quality standards explicitly mentioned and integrated into any new Chesapeake Bay Agreement. The language contained in the May 9, 2013 draft of a new agreement is an example of what is needed and should be retained: "Water Quality Goal: Restore water quality to achieve standards for DO, clarity/SAV, and chlorophyll-a in the Bay and its tidal waters as articulated in the Chesapeake Bay TMDL." Having any new Bay agreement without embedding the TMDL would be viewed by us as a step backward. The June 19, 2013 draft as discussed at the June 27 Principals' Staff Committee meeting does not have any</p>	<p>Choose Clean Water Coalition 7-10-13 Restated orally 7-11-12</p>	<p>Editorial Board</p>	

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<p>mention of the TMDL as the vehicle for achieving the water quality goal. This is also consistent with the July 9, 2013 abridged version. At a minimum this version must read “Water Quality Goal: Reduce pollutants to achieve the water quality necessary to support the aquatic living resources of the Bay and its tributaries as articulated by the Chesapeake Bay TMDL while protecting human health.”</p>			
<p>Water Quality Goal / 2025 Outcome Needs clarification re: link between new agreement and TMDL</p>	<p>MD League of Conservation Voters, 7-11-13</p>	<p>Editorial Board</p>	
<p>Water Quality Goal / 2025 Outcome West Virginia has already made substantial financial and resource commitments toward achieving the TMDL and it makes sense for those investments deserve acknowledgement in any new Agreement. We understand that part of the impetus behind a new Agreement was to integrate the different Bay restoration initiatives and we would advocate that the Bay TMDL needs specific mention as it serves as the vehicle for how we’re going to actually accomplish the water quality goals. We recommended that language referring to pollution reduction in the water quality goal and outcomes should be qualified with the proviso, “as those standards are articulated in the Bay TMDL” as well as inclusion of protections of human health. Not including the TMDL explicitly would be considered a backward step.</p>	<p>West Virginia Rivers Coalition 7-11-13</p>	<p>Editorial Board</p>	
<p>A major difference between the time of the first Chesapeake Bay Agreement and the current revision is the advent of the Chesapeake bay TMDLs and WIP process. This is such an important development, and is requiring so much effort and expenditure at the local levels, that the TMDLs and WIPs</p>	<p>State Water Quality Advisory Committee – August 7, 2013</p>	<p>Editorial Board</p>	

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should be explicitly addressed in the goals, desired outcomes, measures of success, and other appropriate parts of the Agreement.			
Water Quality Outcomes TU pledges to work in partnership with land management agencies and landowners to achieve the Agreement's water quality outcomes, and we ask that the full Agreement clearly articulates how they will meet the requirements of the Chesapeake Bay TMDL.	Trout Unlimited	Editorial Board	(Management Board recommended that the TMDL specifically be mentioned. How requirements will be met by land management agencies and landowners would be included in the Management Strategies for these outcomes.)
Agricultural Outcome Management Board decided to strike this as an outcome and no longer consider it for inclusion in the agreement.	MB 7-12-13 review of PSC 6-27-13	none	MB will recommend to the PSC that the ag outcome no longer be included in the agreement in the next draft for PSC consideration by removing it from the document.
Agricultural Outcome As we progress, it is more important, not less, that we plan for agricultural water supplies along with every other actual usage component that already exists. Please adopt the most current Draft Chesapeake Bay Watershed Agreement.	Kathryn Price, 7-20-13	GIT 3	Consulting with GIT3 chairs on 8/5-8/6. GIT has made previous decisions to exclude sector-specific Goals/Outcomes.
Agricultural Outcome The agreement regarding the Chesapeake Bay Watershed needs to be all inclusive of the factors that affect the watershed: the water as well as the surrounding lands that drain into it (which include farmlands). Please make sure that any new laws and regulations include these aforementioned factors.	Doris Adebajo, 7-21-13	GIT 3	Consulting with GIT3 chairs on 8/5-8/6. GIT has made previous decisions to exclude sector-specific Goals/Outcomes.

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Toxic Contaminant Outcome - Monitoring/research outcome	MB 7-12-13 review of PSC 6-27-13	none	RESOLVED The monitoring and research outcome was approved by the MB.
Toxic Contaminant Outcome - Loadings outcome PA, WV, VA - voiced objections to this outcome	MB 7-12-13 review of PSC 6-27-13	Adhoc Toxics group - respond to jurisdictions' concerns. Issues Resolution Committee - consider Adhoc group response.	UNRESOLVED The IRC is considering options developed by the Toxics Ad Hoc Workgroup. The discussion will continue on 8-21-13 with firmer positions from the signatories and a consensus decision.
Toxic Contaminants The new agreement should go further in addressing human health concerns related to toxic contaminants, endocrine disruptors, etc.	Choose Clean Water Coalition, 7-11-13	Adhoc Toxics group / Issues Resolution Committee	UNRESOLVED – see above
Toxic Contaminants We are glad that recent drafts added some mention of the impacts on human health from toxic contaminants and other emerging contaminant issues, such as endocrine disruptors. The new Bay Agreement should go further than the current general language that contains a couple of vague commitments.	Choose Clean Water Coalition 7-10-13	Issues Resolution Committee	UNRESOLVED – see above
Toxic Contaminants An agreement without a toxics goal doesn't sit well.	CBF, 7-11-13	Adhoc Toxics group / Issues Resolution Committee	UNRESOLVED – see above

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<p>Toxic Contaminants Outcome A modern Bay agreement must include a toxics outcome. One of the valuable aspects of the Bay Program partnership is the collective knowledge and information sharing among scientists and managers. Implementation of a toxic contaminants reduction strategy is an issue that can benefit from the jurisdictions' collective knowledge and successes on toxics that are severe and widespread. Toxic pollution that causes fish advisories could have long-term impacts on human health, particularly in communities at risk due to subsistence fishing. We believe it would be appropriate for future strategies to focus on reduction of persistent bio-accumulative and toxic (PBT) contaminants and non-PBT contaminants that have an effect on the ecosystem and human health. Strategies should also improve our knowledge of the effects of contaminants of emerging concern on human health and the health of fish and wildlife. This issue could rally public support and potentially engage more diverse communities.</p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>Adhoc Toxics group / Issues Resolution Committee</p>	<p>UNRESOLVED – see above</p>
<p>Toxic Contaminants MDA and USDA continue to promote atrazine and Round-Up as textbook farming practices. As we pay more to clean up the Bay, these practices are being promoted by government agencies. There needs to be some acknowledgement and effort to recognize these areas of contradiction and to close those loops</p>	<p>Alyce Ortuzar, representing herself, 7-11-13</p>	<p>Adhoc Toxics group / Issues Resolution Committee</p>	<p>UNRESOLVED – see above</p>
<p>Broader Toxics Goal and Outcomes In addition to Watershed Implementation Plan outcomes, the water quality goal should include measurable objectives tied to those of the Clean Water Act: 1) fishable-swimmable for communities throughout the watershed and 2) broader</p>	<p>American Rivers, 8-15-13</p>	<p>Issues Resolution Committee</p>	<p>UNRESOLVED – see above</p>

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biological, chemical and physical goals that respond to the gamut of clean water concerns including energy extraction land uses, waste water discharges of toxins, emerging contaminants such as endocrine disruptors, bioaccumulative chemicals of concern, and/or carcinogens.			
Conowingo Dam Outcome The MB decided that this outcome, suggested by CAC, was not suitable for the agreement and to no longer consider it.	MB 7-12-13 review of PSC 6-27-13	none Issues Resolution Committee to consider stakeholder comments	Language about the Conowingo will not be included as an outcome in the agreement. RESOLVED The IRC recommended that all language referring to the Conowingo Dam be removed from the Chesapeake Bay Watershed Agreement as the scale and level of detail was not appropriate for the agreement document.
Conowingo Dam If we're silent on that, the public is going to ask us why	Alliance for the Chesapeake Bay, 7-11-13	Issues Resolution Committee	RESOLVED – see above
Conowingo Dam Outcome The sediment behind the Conowingo Dam is an issue that needs to be addressed. An outcome in the agreement provides an opportunity to show the public that the Bay Program is serious about fully engaging the states of Maryland and Pennsylvania and private partners in solutions for the increasing sediment storage capacity behind the dam. This issue has major implications on downstream water quality and the health of habitats that are required for SAV and oyster populations. Additionally, a Bay Program collaborative solution for the dam may prove to be a positive response to concerns	Alliance for the Chesapeake Bay, 7-10-13	Issues Resolution Committee	RESOLVED – see above

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expressed by coalitions and local governments this past year. An appropriate outcome would identify a timeline for development of a plan and for beginning its implementation.			
Management Strategies to Achieve Water Quality: Feel there are omissions in federal, state, and local storm water management regulations. Maryland nutrient management plans treat all farmers with the same broad brush without distinguishing individual farm practices. So farmers who use cover crops and riparian buffers or whose practices are organic/ecological are treated the same as conventional farmers without those practices and who use synthetic chemicals and apply raw liquid manure. Concern over illegal agricultural practices including illegal animal waste discharge near or into the Chesapeake Bay. There seems to be apathy or lack of enforcement and penalties to farmers who engage in such practices. The TMDL paradigm is itself seriously flawed for two reasons: it does not include toxic chemical limits, and it claims that there are safe levels of substances that harm the bay. Chesapeake Bay Program communications should discourage fertilizer use and use of other lawn management techniques such as mowers and leaf blows which destabilize the soil and increase erosion. Alternative lawn management techniques and best practices should be communicated and encouraged. I want the lawn code to be updated to allow residents the option of replacing turf grass and not using chemicals to remove “unwanted” plants. I am asking the Montgomery County Council to insert into the lawn and yard code the right of every resident to replace turf grass with bay friendly yards.	Alyce Ortuzar 7-18-13	GIT 3	RESOLVED Will consider in Water Quality Outcome Management Strategy development process.
Land Conservation as part of TMDL CBC suggested including examining how land conservation	MB 7-12-13 review of PSC 6-	Editorial Board	UNRESOLVED

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<p>could be factored into the TMDL - a “TMDL plus,” or value-added of the Program. This would include the theme that protection is as critical a restoration, and “exploring” ways to conserve land.</p> <p>MB charge: consider a more general statement focused on providing incentives for land conservation in another section of the Agreement.</p>	27-13		
<p>Storm Water</p> <p>Storm water runoff is not mentioned in the agreement, even as Maryland is seeing local jurisdictions wrestle with this major, unmet issue. The state has created a Storm water Utility Authority, but there has been a backlash about that. People know there is a problem, but the level of technical support, knowledge and resources isn’t there, and people are scared, unsure of how to grapple with this. An agreement that better addresses storm water would help.</p>	MD League of Conservation Voters, 7-11-13	GIT 3	<p>RESOLVED</p> <p>The Chesapeake Bay Program partnership recognizes that stormwater is a significant contributor to nutrients and sediments entering the Bay and its tributaries. As such, addressing stormwater is an integral part of the 2010 Chesapeake Bay Total Maximum Daily Load (Bay TMDL). The Bay jurisdictions have developed Watershed Implementation Plans (WIPs) to meet the target allocations in the Bay TMDL and within these plans, stormwater reduction plays a major focus of their water quality improvement projects and programs. The Bay TMDL and WIPs are directly tied to the water quality goals and outcomes found in the draft Bay Agreement.</p>
Storm Water	Choose Clean	GIT 3	RESOVLED: See above response.

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The largest source of increasing nutrient and sediment pollution, and the one that impacts the most people, is not specifically mentioned in this agreement. Local governments are struggling with this increasing source of pollution, adopting stormwater utilities and other mechanisms to deal with the problem. The much delayed national stormwater rule and total silence in a new Chesapeake Bay Agreement by the state and federal governments, is a glaring omission. There is virtually nothing in this agreement to address issues in urban and populated areas.	Water Coalition 7-10-13		
Storm Water Citizen of Montgomery County, Maryland. Concerned that stormwater management regulations do not address lawns and yards	Alyce Ortuzar, representing herself, 7-11-13	GIT 3	RESOVLED: See above response.
Water Filtration / Algae Blooms The OCEAN becomes greener and greener with each passing year. Y'all need to sort out your water filter issue fast. We need bluer seas, not more green. Chances are you'll create incredible fisheries production by turning the filter back on. White marlin abundance on the inshore grounds is directly correlated with the oyster's decline. Now even our canyons sometimes have green water.. Don't allow "Deep Blue Sea" to become a quaint old saying about bygone waters.	Monty Hawkins, 7-19-13	GIT 3	Current draft WQ goals and outcomes to implement BMPs will continue to reduce nutrient loads to the Bay.
Healthy Watersheds Goal and Outcome			
Healthy Watersheds Goal and Outcome	MB 7-12-13 review of PSC 6- 27-13	none	Goal and outcome approved.

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<p>Healthy Watersheds Outcome Wink Hastings, National Park Service, 7-11-13: Is it possible to provide stronger assurance of attaining the Healthy Waters Outcome for 2025, either through watershed management or land conservation?</p>	<p>Wink Hastings Online Public Comment 7-11-13</p>	<p>GIT 4</p>	<p>RESOLVED GIT-approved recommendation: No change. Such assurance will be provided by management strategies developed in 2014.</p>
<p>Healthy Watersheds Goal: The Alliance strongly supports the goal of protecting and sustaining watersheds in good condition while restoring those that fall short of water quality and aquatic health goals (<i>protect the best and restore the rest!</i>). For some the word, protect may elicit the wrong meaning. We recommend:</p> <p><i>Sustain the health of watersheds that are currently recognized for their exceptional water quality and high ecological value.</i></p> <p>We suggest deleting the term “state-identified”. We recognize that it serves to both narrow and clarify this goal but think it also may restrict its effectiveness. Eliminating this language could broaden the goal to allow outcomes to be more clearly identified including an outcome that specifically addresses state- specific designations but would also allow the incorporation of the land conservation outcome of “225,000 acres of wetlands and 695,000 acres of forest land of highest value for maintaining water quality.” Both of these land conservation outcomes are directly aimed at sustaining healthy watershed conditions and are more appropriate outcomes here than under land conservation. Since these targets (e.g. 695,000 acres of priority forest) were carried over from the earlier agreements and the 2007 EC Directive, the baseline for measuring accountability should be clarified and /or the outcome adjusted.</p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>GIT 4</p>	<p>RESOLVED GIT-Approved recommendation: Accept the recommended change to the goal language with the addition of "and/or" to read as: Sustain state-identified healthy waters and watersheds, recognized for their exceptional quality and/or high ecological value." Wetland and forest conservation could be included among management strategies for healthy watershed protection. Drinking water source protection could be a justification for states to identify a healthy water/watershed for protection.</p>

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<p>We also believe that a future strategy may be to integrate the protection of community drinking water sources with goals for water quality restoration. There is a need to raise the profile of source water protection (generally healthy watersheds) and integrate it with our restoration efforts. Most water systems are being managed by municipalities but source water protection is often separated from WIP or other efforts. This linkage has the potential to build new public support for the Bay restoration effort.</p>			
<p>Healthy Watersheds Outcome Much of TU's work in the Chesapeake Bay watershed is focused on... bolstering existing (brook trout) populations through improved land and water management, increasing patch size by removing barriers to fish passage, and protecting populations from the impacts of poorly planned development. Actions taken by the Agreement's signatories to achieve this outcome must include protective measures in addition to those that expand the current range of brook trout. Some of those actions will be reinforced by the Agreement's protected lands, healthy waters, and fish passage outcomes, which TU supports. The management strategies developed for those outcomes should also be designed to advance the brook trout outcome.</p>	<p>Trout Unlimited, 8-2-13</p>	<p>GIT 4</p>	<p>RESOLVED GIT-approved recommendation: No change to goal or outcome language. The issues suggested could be addressed in management strategies.</p>
<p>The Healthy Watersheds Goal and Outcome seem to be limited to an anti-degradation approach for current healthy and exemplary watersheds. There is also a need for goals and outcomes to increase the health of watersheds that have lost their former exceptional quality and high ecological value. Again, to achieve such goals, strategies will be needed to prioritize related efforts for optimal cost-benefits.</p>	<p>State Water Quality Advisory Committee – August 7, 2013</p>	<p>GIT 4</p>	<p>RESOLVED GIT-approved recommendation: No change. The healthy watersheds goal and outcome, focused as they are on protection of currently healthy resources, complement other proposed restoration goals and outcomes,</p>

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			especially those proposed for stream restoration
<p>While goal statements are generally broad, the underlying outcomes are typically very narrowly focused and not sufficient to meet the stated goals</p> <p>The Healthy Watersheds goal and outcome are particularly narrowly focused and would better be identified as one of many strategies to achieve the Water Quality and Land Conservation Goals.</p>	VIMS, 8-15-13	GIT 4	<p>RESOLVED</p> <p>GIT-approved recommendation: No change. The healthy watersheds goal and outcome, focused as they are on protection of currently healthy resources, complement other proposed restoration goals and outcomes, including water quality restoration. Also, the view of the Goal Team is that protected healthy watersheds have an intrinsic value of their own sufficient to justify a separate goal and outcome in the new Bay Agreement.</p>
<p>Healthy Waters Outcome: By 2025 100% of state-identified currently healthy waters and watersheds remain healthy.” I think this is a partial goal only and could lead to a great loss in cost effectiveness of restoration efforts. Current methods to assess stream health are statistical, sampling only a fraction of streams. However, these are also the means of identifying healthy waters for maintaining high quality, implying that many high quality waters are unidentified. Restoration efforts are expensive while preservation efforts cost nearly nothing: just don’t increase impervious surface area. Failure to identify and preserve all high quality waters means that expensive restoration efforts must be greater for</p>	Chris Dudley, 8-14-13	GIT 4	<p>RESOLVED</p> <p>GIT-approved recommendation: no change. The proposal to assess unassessed waters is a good one, states have programs to extend monitoring programs to unassessed waters as budgets allow and those programs will, presumably, add waters to the states' lists of identified healthy waters and watersheds. The GIT has decided to rely upon the states' lists that will be updated</p>

<p>the same level of benefit to the Bay since high quality waters will degrade and counteract the benefits of restoration elsewhere.</p> <p>It would be better to say “Healthy Waters Outcome: By 2018, States will identify all currently or recently healthy waters through exhaustive testing of water quality in wetlands in their jurisdictions. By 2025 100% of state-identified currently or recently healthy waters and watersheds remain healthy.”</p> <p>An ounce of prevention is worth a pound of cure....</p> <p>Between now and 2018, a moratorium on cutting forests in any as yet un-assessed stream watershed should be adopted. (perhaps this part is for whoever has the forestry WG, but it’s one of those comments that nobody can really address)</p>			<p>by the states as their data allows. Also, "recently healthy waters" would be potential candidates for restoration through strategies developed by the partners in the Habitat GIT.</p>
<p>Geographically Focused Approach</p> <p>This Agreement should identify priority healthy watersheds—each state could start out w/ a pilot watershed that is experiencing land use growth pressure—find a way to work with the local decision makers that would compensate the locality for offsetting the growth pressure in that watershed—stop the destruction of the hydrology and protect the forest, stream valleys, wetlands and sensitive habitats and then apply all modern technology towards the restoration of the past disturbances that have happened in the watershed in the past.</p> <p>This approach would require the ability to work within watershed boundaries—not political boundaries in order to be successful from a natural resources prospective.</p> <p>Mattawoman Creek is an excellent candidate for protection and conservation. Short term profit for a few land speculators has caused it to be under tremendous stress. Smart Growth in the watershed can protect the creek. Waldorf (in Mattawoman Watershed) re-designed as a walkable Transit Oriented Development area, supported by transit would</p>	<p>Bonnie Bick, 8-15-13</p>	<p>GIT 4</p>	<p>RESOLVED</p> <p>GIT-approved recommendation: No change to goal or outcome language. The issues suggested could be addressed in management strategies.</p>

<p>revitalize the counties urban core and would be the path to economic success.</p> <p>Reinvestment in Waldorf, with modern storm water retrofits and careful planning could absorb the counties growth and allow for the protection of Mattawoman Creek and the other fine creeks in the county. Charles County is the third most bio diverse county in Maryland and is one of the counties under the highest growth pressure in the state. Using Mattawoman as a poster child for success would bring great belief in the restorative capacity of the Bay Program.</p> <p>Mattawoman has been so intensely studied for such a long time and it has extremely high ecological, cultural and heritage tourism value. The Bass Fishery tournaments are also highly valued by the state of Maryland and are nationally famous.</p> <p>Success here with the Mattawoman would be just the success we need to hold up as an example of how we can Save the Bay—and the Bay Program would greatly increase support by being able to demonstrate real success stories.</p>			
<p>Healthy Watersheds Goal</p> <p>A healthy watersheds outcome to protect exceptional waters must go hand-in-hand with improvement of degraded streams. As states identify healthy watersheds warranting protection and exercise conservation practices, they should include a plan to expand the area of protection by employing monitoring and restoration practices, as needed, immediately downstream.</p>	American Rivers, 8-15-13	GIT 4	
<p>Land Conservation Goal and Outcomes</p>			
<p>Land Conservation Goal and Outcomes</p> <p>No suggested changes.</p>	<p>MB 7-12-13 review of PSC 6-</p>	GIT 5 to continue any	No changes recommended. Goal/outcome will be forwarded

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VA may need continued clarification about credit for land donations and the total land not being assigned to jurisdictions.	27-13	needed clarification	to PSC and MB as is. GIT 5 staff are communicating with partners to ensure support.
Land Conservation Goal We support the land conservation goal and outcome but believe the outcome for <i>"225,000 acres of wetlands and 695,000 acres of forest land of highest value for maintaining water quality."</i> was carried over from earlier agreements and EC Directives. Clarification is needed as to whether or not these are new acres or if a new baseline will be established for measuring future accomplishments.	Alliance for the Chesapeake Bay, 7-10-13	GIT 5	RESOLVED No changes recommended. Goal/outcome will be forwarded to MB and PSC as is. GIT 5 confirmed with David Johnson that VA is comfortable with land conservation goal and outcome language.
Land Conservation Goal It is unclear as to what metric is used to define when the "protect" objective has been met for the protected lands outcome of an additional two million acres of land. A definition for "forest land of highest value" is required	VAMWA, VAMSA, MAMWA, SWAM 8-13-13	GIT 5	RESOLVED - see above.
Land Conservation What methods will be used to define the landscapes that are treasured by a highly diverse population of 18 million people? Are the "lands currently identified as high conservation priorities" delineated by an updated version of the Resource Lands Assessment? Will the identification of these lands be compatible with with "targeted conserved lands" discussed in the Bay Commission's "Crediting Conservation" report?	Wink Hastings, 7-11-13	GIT 5 had been assigned to the Healthy Watersheds goal, reassigned to GIT 5 under land conservation	RESOLVED - see above.
The Land Conservation Goal and Outcomes need to distinguish goals, outcomes, and measures of success for both natural lands and farmland.	State Water Quality Advisory Committee – August 7, 2013	GIT 5	RESOLVED - see above.

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<p>While goal statements are generally broad, the underlying outcomes are typically very narrowly focused and not sufficient to meet the stated goals.</p> <p>Land Conservation is apparently focused on preservation of selected existing conditions and uses. This seems inconsistent with what we know about impacts of changing climate and human uses. It also stops far short of a general focus on land-use management, which is one of the critical factors in the future condition of the Bay.</p>	VIMS, 8-15-13	GIT 5	RESOLVED - see above.
<p>Protected Lands Outcome: We recommend setting the goal at an additional 2.5 million acres from 2010. The 2 million acre goal was in the EO Strategy and we should be able to exceed this goal with strong multi-state commitments to land conservation.</p>	CBF June 26	GIT 5	RESOLVED - see above.
<p>Protect Lands Outcome</p> <p>Much of TU's work in the Chesapeake Bay watershed is focused on... bolstering existing (brook trout) populations through improved land and water management, increasing patch size by removing barriers to fish passage, and protecting populations from the impacts of poorly planned development. Actions taken by the Agreement's signatories to achieve this outcome must include protective measures in addition to those that expand the current range of brook trout. Some of those actions will be reinforced by the Agreement's protected lands, healthy waters, and fish passage outcomes, which TU supports. The management strategies developed for those outcomes should also be designed to advance the brook trout outcome.</p>	Trout Unlimited, 8-2-13	GIT 5	RESOLVED - see above.
Public Access Goal and Outcomes			

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<p>Public Access Goal and Outcome</p> <p>No suggested changes to language for goal or outcome. Issue with definition of public access including view only access. Support for some access sites (e.g. Great Falls) being important as view-only, but concern that the overall ratio of view-only to water access be low.</p> <p>CAC – Need to identify the amount of overall access sites that would be considered view only.</p> <p>Suggested solution (GIT 5 chair) – appropriate topic for the management strategies</p> <p>VA requested definition of “site”</p>	<p>MB 7-12-13 review of PSC 6-27-13</p>	<p>GIT 5 to revisit with CAC</p>	<p>RESOLVED</p> <p>GIT has worked with partners to revise the outcome.</p> <p>“Increase public access by adding 300 new public access sites by 2025, emphasizing opportunities for water contact (such as boating, swimming and fishing) where feasible (tracking from 2010 baseline).”</p> <p>Confirmation of acceptance has been received from GIT 5, CAC and CBC. The revised outcome is available to be forwarded to PSC and MB.</p>
<p>Public Access</p> <p>In my opinion, there is an inverse relationship between increased public access points and land conservation or stream health. I fully encourage increased public access, possibly by revitalizing the existing points rather than developing new ones. If new ones are developed, what actions will be taken to ensure that “green” technologies are used? As access points develop, I suspect paved lots will be created and trees will be cut down. In some more developed watersheds, the creation of new access points will heap insult to injury. In short, we can’t have it all. I encourage improvement of existing access points, prioritization of protecting lands over creating new access points, and use of green technology when creating new</p>	<p>Joseph Love, 7-18-13</p>	<p>GIT 5</p>	<p>RESOLVED - see above.</p>

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access points.			
Public Access More focus should be given to public access than creating 300 public access sites. For a 64,000 square mile watershed, this is roughly 1 additional public access per 213 square miles, which is a very large area. The goal should be higher, closer to 1,000. I would like to see public access integrated into more parts of infrastructure planning, such as road construction, etc. IN areas where updated or constructed bridges cross streams, there could be a gravel area off the road to allow fisherman or other nature enthusiasts simple access.	Jonathan Markovich 8-6-13	GIT 5	RESOLVED – see above.
Public Access A critical objective of the public access goal, explicitly stated, should be the purpose of educating citizens, visitors, businesses and entire communities to resource protection and restoration so they may become engaged via their connection to the watershed. This objective is consistent with the federal administration initiative, America's Great Outdoors. (Please see http://www.americanrivers.org/initiatives/blue-trails/)	American Rivers, 8-15-13	GIT 5	RESOLVED – see above.
Environmental Literacy Goal and Outcomes			
Environmental Literacy GIT & MD do not want under stewardship - Has been worked thru multiple stakeholders and jurisdictions. Strongly disagree w/ Alliance. GIT 5 suggested changes to overarching goal language to address earlier VA concerns. No language was agreed to for goal or outcomes.	MB 7-12-13 review of PSC 6-27-13	GIT 5 revisits with CAC and LGAC.	RESOLVED Public and non-governmental organization feedback has identified environmental literacy as an important goal that was not included in the Draft Agreement that was made available for public

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<p>PA concerned about goal and outcomes, particularly green buildings, since this is not in education dept's control. PA does not agree that this should go forward for public review at this time</p> <p>VA concerned about cost</p> <p>Consider work that is already being done (voiced by stakeholders)</p>			<p>comment on June 18th. Building off of the previously proposed goal and outcomes, GIT 5 has worked with jurisdictions in order to garner support for the inclusion of an environmental literacy goal and outcomes. Revised language has been shared with the jurisdictions and is available to be forwarded to the PSC and MB:</p> <p><u>Environmental Literacy Goal:</u> Every student in the region graduates with the ability to use scientific evidence and citizenship skills to act responsibly to protect and restore their local watershed.</p> <p>• <i>Meaningful Watershed Educational Experience Outcome:</i> Increase the number of students participating in teacher-supported meaningful watershed educational experiences in elementary, middle, and high school.</p> <p>• <i>School and School System Model Development Outcome:</i> Support and highlight models of sustainable schools and local education agencies that use system wide approaches for environmental education</p> <p>• <i>Environmental Literacy Metrics Outcome:</i> By 2014, develop</p>
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			baseline metrics to establish and measure outcomes related to student participation in teacher supported meaningful watershed educational experiences and related activities.
<p>Environmental Literacy Goals and Outcomes</p> <p>Environmental education, meaningful outdoor experiences, and stewardship are of vital importance to sustaining the health of the Bay. If the Bay Agreement is a centerpiece for driving and tracking action on the part of the jurisdictions toward a healthier Bay, it should surely contain in its goals an emphasis on citizen stewardship and involvement, which begins with education.</p> <p>To best support student education, a strong program should provide alongside student lessons quality teacher preparation and continuing professional development, and call for and support multiple quality student outdoor experiences during their pre-K-12 years. Further, school facilities including buildings and grounds need to be models for the “Green” healthy practices that are desired of citizens.</p> <p>The Maryland Partnership for Children in Nature defines environmental literacy as: students that possess the knowledge, intellectual skills, attitudes, experiences and motivation to make and act upon responsible environmental decisions as individuals and as members of their community. Environmentally literate students understand environmental and physical processes and systems, including human systems. They are able to weigh various sides of environmental issues to make responsible decisions as individuals and areas of their</p>	<p>Maryland Partnership for Children in Nature, 8-5-13</p>	<p>GIT 5</p>	<p>RESOLVED – see above.</p>

<p>community and citizens of the world. In Maryland, significant, rigours, and sustained actions are well underway to assure that every Maryland student graduates environmentally literate; and the process involves cooperation among formal educators and environmental education providers from government agencies, nonprofits and more. This should be a regional, if not national goal.</p> <p>Bringing environmental education into the classroom - and taking students outdoors to learn - enhances traditional learning, allowing young people to apply science, technology, engineering, mathematics, reading, and many other skills to challenges facing us in the real world. Good programs emphasize students making their own decisions and taking action based on real data. This contributes to providing rigorous/applied curriculum, student engagement and achievement, the health of communities, the economy and the region's sustainable future by helping to develop informed citizens able to make decisions and act upon them to benefit the world in which they live.</p> <p>The measurement methods to best track student participation, teacher preparedness, and other metrics are being addressed and will be in place soon. The first step is making environmental literacy and stewardship a priority through the Chesapeake Bay region.</p>			
<p>Environmental Literacy Goal. CBF firmly believes in the value of the “meaningful watershed experience” in motivating students, enhancing their learning experience, and engendering them with a strong sense of environmental stewardship. Our Education Program has been very active in working to achieve the existing goal and we will continue to provide support to achieve future goals and outcomes. We recommend replacing the existing draft</p>	<p>CBF June 26 restated orally 7-11-13</p>	<p>GIT 5</p>	<p>RESOLVED – see above.</p>

<p>outcomes with the following:</p> <p>Student Outcome: "All students participate in a meaningful watershed educational experience for a minimum of three times, one each at elementary, middle, and high school by 2017."</p> <p>Educator Outcome: "All teachers that provide and support students' meaningful watershed educational experiences will participate in relevant sustained professional development by 2017. "</p> <p>School Outcome: "All schools in the region will maintain their buildings, grounds, and operations using best practices to support environmental and human health."</p> <p>Local Education Agency Outcome: "All local education agencies will implement system wide approaches for environmental education that includes meaningful watershed educational experiences by 2017."</p>			
<p>Environmental Literacy</p> <p>it is a huge error to omit this and it could unleash a large-scale public outcry that is not necessary to instigate. Our members are supportive of efforts to improve both student and teacher exposure to these issues.</p>	CBC June 28	GIT 5	RESOLVED – see above.
<p>Environmental Literacy</p> <p>We do not find the current draft of the abridged agreement to be sufficiently formed so as to engender a meaningful response from stakeholders (i.e., it is not appropriate for stakeholder review at this time). In particular, we believe the exclusion of a goal and associated outcomes for Environmental Literacy is shortsighted in light of the feedback we received on the President's Executive Order - that we needed to include Environmental Literacy in the final strategy (as we did). Given how close we are to gaining consensus on the EL goal and</p>	NOAA July 8	Issues Resolution Committee	RESOLVED – see above.

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outcomes, we think it makes sense to gain such consensus before going forward.			
Environmental Literacy The Trust and many other organizations have been part of a two-year process to develop a regional strategy to increase the environmental literacy of students throughout the watershed, and there is broad support for that strategy. To not have that work reflected in the draft agreement is very unfortunate, and deters from much of the momentum and support that has been built over time within the jurisdictions for that work. We would very much like to see that goal elevated within the agreement, to the same level as many of the others, and effort made to ensure that the process of moving the agreement forward does not erode other progress that has been made in other goal areas.	Chesapeake Bay Trust, 7-11-13	GIT 5	RESOLVED – see above.
Environmental literacy: Concerned about the potential elimination of a commitment related to environmental education and stewardship. We have an obligation to empower and equip the future generation of Chesapeake Bay stewards to continue the work of Bay restoration over their lifetime. The MWEE commitment has been a keystone commitment to the existing agreement, and an organizing concept around which diverse stakeholders have come together to align programs, policies and funding streams. It would be a step backwards to not recognize that that shared vision has created a lot of opportunity and advancement on the ground. We believe an environmental education commitment should be returned to the agreement and strengthened. Ex) Take the MWEE commitment and put it underneath a broader goal around environmental literacy. We would like to	CBF, Education Workgroup, 7-11-13	GIT 5	RESOLVED – see above.

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<p>see the commitment for MWEEs for K-12 public students to increase to as many as three over a public school student's career.</p> <p>Ex) Provide teachers with the experience they need to provide MWEEs or to connect them to the classroom.</p> <p>Ex) We would like to see a goal or an outcome related to the improvement of school grounds to reflect best practices for water quality and human health.</p> <p>Ex) We would like to see an outcome related to the systemic implementation of environmental literacy programs.</p> <p>Not to reflect the work of the Mid-Atlantic Environmental Literacy Strategy would be a missed opportunity, and could cause that work to be derailed in some shape or form.</p>			
<p>Environmental Literacy Goal</p> <p>This goal was opposed by one or more members of the PSC at its last meeting. However, we believe that the environmental literacy goal, especially one that provides meaningful Bay or stream outdoor experiences for every school student, is a crucial education and outreach responsibility of the Chesapeake Bay Program. While some jurisdictions have expressed concern with this outcome, we are mindful that 80% of this commitment in Chesapeake 2000 was achieved in only 5 years of implementation. Many watershed organizations in our region deliver programs that help make these meaningful watershed experiences a reality for students and this goal provides the states with an opportunity to continue engaging these groups in contributing to the accomplishment and tracking of this outcome.</p> <p>Together with educational development opportunities for teachers, the proposed student literacy and teacher/educator outcomes (focus should be on these) are essential to the future of our restoration and protection and the need to</p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>GIT 5</p>	<p>RESOLVED – see above.</p>

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inspire a new generation of leaders and stewards. While an important goal, the current outcomes as proposed still lack a mechanism for measuring progress.			
<p>Environmental Literacy: outdoor education, teacher professional development, environmental literacy, stewardship/education through “green” construction Provide multiple meaningful outdoor environmental educational experiences for all K-12 students. In order to build our next generation of environmental stewards, students must have outdoor experiences that connect them to the world outside their classroom and prepare them for the future by studying real world issues that affect them and their communities. Continued outdoor experiences that teach students about how their actions affect the bay and their future can have an impact for a lifetime. Provide sustained support for quality environmental education professional development for teachers. Teachers need training and support in order to provide meaningful outdoor environmental educational experiences for students. They themselves must have a meaningful outdoor experience and understand how their actions impact their watershed and the Bay in order to teach the same to students. Emphasize building an environmentally literate population. The Maryland Partnership for Children in Nature defines environmental literacy as: students that possess the knowledge, intellectual skills, attitudes, experiences and motivation to make and act upon responsible environmental decisions as individuals and as members of their community. Environmentally literate students understand environmental and physical processes and systems, including human systems. They are able to weigh various sides of environmental issues to</p>	Alice Ferguson Foundation, 8-13-13	GIT 5	RESOLVED – see above.

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<p>make responsible decisions as individuals and as members of their community and citizens of the world. To have a healthy Bay, we must build a population of citizens that understand how their actions affect the Bay and how they can make choices that are good for the Bay and in turn good for themselves.</p> <p>Support 'Green' or environmentally friendly and sustainable construction. Projects that involve creating sustainable buildings, both in design and use of resources, like the Living Building Challenge, educate and inform citizens on how to live more sustainably and demonstrate various actions that can be taken to improve health of our communities, our watersheds, and the Bay.</p>			
<p>Environmental Literacy <i>K-12 Environmental Education</i> For over a decade the Chesapeake Bay Program has recognized the importance of and supported environmental education through the existing Meaningful Watershed Education Experience goal. The existence of that goal and the work to support its implementation has propelled efforts that have made the Bay region a national model in the advancement of the field of environmental literacy. Most recently this work has led to the development and adoption of the Mid-Atlantic Environmental Literacy Strategy by all partners within the Bay Program. This comprehensive strategy includes a goal to graduate environmentally literate students and outlines a coordinated strategy that complements and supports state led environmental literacy plans. In addition, work is currently underway to develop a robust tracking and measurement system to gauge progress towards implementation of the Mid-Atlantic strategy. We recommend the Bay Program adopt the following <i>goal</i>:</p>	<p>Chesapeake Bay Trust, 8-13-13</p>	<p>GIT 5</p>	<p>RESOLVED – see above.</p>

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<p>Every student in the region graduates with environmentally literacy, having participated in teacher-supported meaningful watershed educational experiences in elementary, middle and high school.</p> <p>The <i>outcome</i> for this goal would be the following: within the first year develop baseline indicators and metrics to be used to measure subsequent increases in the number of students, number of teachers receiving sustained professional development, number of green schools and number of local education agencies implementing system wide environmental literacy programs.</p>			
<p>Environmental Education Goal</p> <p>VRUEC strongly supports the inclusion, at the Goal level, of environmental education and meaningful watershed educational experiences in this proposed Fourth Chesapeake Bay Agreement. It is our understanding that at the onset of this new agreement process robust language was offered that fully expressed the status and path for environmental education efforts across the Bay watershed. It is now our understanding that the environmental education Goal and Outcomes language has been removed from the draft agreement.</p> <p>Five of the six Goals in the proposed Fourth Chesapeake Bay Agreement endeavor to advance restoration and protection of the Chesapeake Bay ecosystem and watershed. These Goals aim to develop (1) Sustainable Fisheries and (2) Vital Habitats for wetland and stream plants and animals, (3) improve Water Quality, (4) protect existing Healthy Watersheds, and (5) conserve ecologically and culturally important land through Land Conservation. Success in meeting these goals and their associated measurable outcomes will be dependent on the expertise of a knowledgeable, skillful, and well-trained</p>	<p>Va Resource Use Education Council, 8-15-13</p>	<p>GIT 5</p>	<p>RESOLVED - see above.</p>

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workforce. Environmental education provided by Meaningful Watershed Education Experiences taught by trained elementary, middle, and high school educators is essential for developing the diverse workforce necessary to accomplish the Goals and desired Outcomes of the Fourth Chesapeake Bay Agreement. Omitting the environmental education Goal removes a critical mechanism that will insure success of all the other Goals in the proposed new agreement. VRUEC encourages the inclusion of an environmental education Goal and measurable Outcomes as these will help insure the continued development of a skilled, environmentally knowledgeable workforce and create a more informed, knowledgeable citizenry able to participate in the restoration and stewardship of the Bay and its watersheds			
Environmental Literacy Every student in the watershed graduates with a basic knowledge of ecology and the importance of clean water and healthy ecosystems, preferably with at least one meaningful outdoor watershed experience.	Susquehanna Greenway Partnership, 8-15-13	GIT 5	RESOLVED - see above.
Environmental Literacy and Stewardship: Will GIT 6 resolve the issues that surround these goals? These issues should NOT be taken off the table, as there is an extreme need for additional stakeholder input about these goals (and others)	Environmental Defense Fund, 7-11-13	GIT 5	UNRESOLVED GIT 5 is developing goal/outcome language options and plans to discuss with team of stakeholders and partners in early August. GIT 5 will have stewardship language to forward to PSC and MB by August 15 th deadline.
Stewardship Goal and Outcomes			

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<p>Stewardship Goal Goal proposed at Management Board meeting PA, CBC concern with goal because it has no outcomes or measures. PA also concerned about it being measurable and achievable, particularly with as many local governments as there are in PA. NOAA suggested looking to Puget Sound for ideas of measurable outcomes for this. DC highly supports it LGAC recommends the following edits: Add “local” in front of “stewards” and add “, including local government,” after “stewards” GIT 5 chair suggested addition of a stewardship outcome under each applicable overarching goal. EPA suggested that it may be more appropriate under operational commitments VA concerned about capturing too many things under goals/outcomes Develop outcomes, consider diversity, explore Puget Sound’s outcomes</p>	<p>MB 7-12-13 review of PSC 6-27-13</p>	<p>GIT 5 work with CAC and LGAC</p>	<p>RESOLVED: Through conversations with our partners, GIT 5 has determined that consensus regarding a stand-alone stewardship goal and outcome cannot currently be reached with the jurisdictions. However, support from members of the public and non-governmental organization, received through the public comment period, suggests that stewardship needs to be a key element of the New Agreement. As such, we are proposing stewardship language for inclusion in the New Agreement’s sections on Operational Commitments and Management Strategy Elements. The proposed language is available to be forwarded to the PSC and MB.</p>
<p>Stewardship Goal Restoration of the Chesapeake Bay watershed will only occur if we enlist and engage a broader array of stakeholders and communities and start to effect the widespread behavioral change that will be required for success. The Partnership could play a lead role in developing the tools and initiatives to engage a broader constituency. As a result, we strongly support inclusion of a Stewardship Goal and outcomes in the</p>	<p>CBF June 26 restated orally 7-11-13</p>	<p>GIT 5 work with CAC and LGAC</p>	<p>RESOLVED - see above.</p>

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<p>new Bay Agreement. We're not going to accomplish restoration unless we establish goals that address expanding environmental stewardship, improving land use and explicitly engaging leadership and local governments</p>			
<p>The omission of a stewardship goal is short-sighted and does not reflect the tremendous amount of work underway, or the momentum and support among many of the jurisdictions to pursue goals related to stewardship</p>	<p>Chesapeake Bay Trust, 7-11-13</p>	<p>GIT 5</p>	<p>RESOLVED - see above.</p>
<p>Stewardship Goal This goal was opposed by one or more members of the PSC at its last meeting. We believe engaging communities is a key component of the Alliance's mission and many watershed organizations in our region are empowering citizens to restore and protect their local streams and rivers. This proposed goal recognizes the important role non-profits and businesses play in supporting and coordinating community engagement and action aimed at water quality and habitat improvement. These accomplishments in support of Bay goals are often not accounted for in tracking Bay Program accomplishments. The Alliance supports the inclusion of a citizen stewardship goal that recognizes the need to broaden the base of knowledge and support for the goals and outcomes and for the individual actions that will be needed to accomplish them. Raising this concept to the status of a full goal recognizes a key challenge for the future. It speaks to the need to engage a new generation of leaders. We suggest consideration of the following language: <i>Promote and support initiatives that increase the number and diversity of local stewards, including local governments, who support and carry out the conservation and restoration</i></p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>GIT 5</p>	<p>RESOLVED - see above.</p>

<p><i>activities necessary to achieve our shared vision of a healthy local streams and a vibrant Chesapeake Bay.</i></p> <p>Measurable outcomes for this goal will need to be developed. However, it is also our belief that citizen and local stewardship comes from building local capacity, advancing education, communicating clearly, and creating connections to nature. Therefore, we believe that (although currently proposed as separate goals) one option could be to consider local government leadership, environmental literacy and public access as outcomes (with minor modifications) for the goal of greater citizen stewardship. For example,</p> <p>Local Leadership Outcome: Engage, empower, and facilitate leadership by local governments through leadership training, improving communications with states, removing barriers to implementation, and developing new financing strategies.</p> <p>Public Access Outcome: Expand public access to the Bay and its tributaries through existing and new local, state and federal parks, refuges, reserves, trails and partner sites adding 300 new public access sites by 2025.</p> <p>Environmental Literacy Outcome: Ensure that every student in the region graduates environmentally literate having participated in teacher supported meaningful watershed educational experiences and increase the number of students participating and the number of teachers receiving professional development, and/or the number of green schools by XX% above 2013 baselines.</p>			
<p>Stewardship Goal - Public Engagement</p> <p>The Bay Program has supported community engagement and public outreach initiatives since its inception, which demonstrates the importance of such initiatives in the overall effort to advance stewardship regionally. Groups like the Chesapeake Bay Trust are making significant strides in the</p>	<p>Chesapeake Bay Trust, 8-13-13</p>	<p>GIT 5</p>	<p>RESOLVED - see above.</p>

<p>effective implementation of outreach programs designed to change behaviors that will positively impact local water quality. Some local governments are currently funding versions of these programs as part of their MS4/TMDL compliance activities. Behavior change programs have the opportunity to reduce impact of negative behaviors and increase impact of positive behaviors, and a blossoming field of social science is attacking these problems quantitatively. While many of our common day-to-day behaviors and practices might seem benign on their own, when multiplied by 17 million residents, their cumulative effects can harm local water quality, and identifying methods to reduce impacts can prevent water quality degradation. Alternatively, encouraging adoption of water-quality projects by citizens on public and private lands can lead to water quality benefits. The Bay Program can and should increase its role in providing technical assistance to local governments and NGO's that can significantly improve the effectiveness of public outreach programs focused on changing behavior.</p> <p>We recommend the Bay Program adopt the following <i>goal</i>: Promote and support initiatives that increase the number and diversity of local stewards who support and carry out the conservation and restoration activities necessary to achieve the goals and commitments of the agreement.</p> <p>The <i>outcome</i> for this goal would be the following: Within the first year, develop a behavior change index to be used to measure changes in the number of individuals engaged in stewardship behaviors at a regional scale. The index would allow for comparison among counties or regions and provide public research data to policy makers to set priorities and inform the design of regional and local programs.</p>			
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Stewardship A growing number of individuals in the watershed are aware of how their daily choices impact the environment and take measures to voluntarily reduce their environmental footprint.	Susquehanna Greenway Partnership, 8-15-13	GIT 5	RESOLVED - see above.
Sound Land Use			
Sound Land Use Goal MD suggested a new goal for sound land use. No specific language provided at this point. Concerned that a lack of such a goal would be perceived backing away from a significant commitment in Chesapeake 2000 and that without sound land use practices we can not meet our other goals LGAC does not support it as a goal but agrees that it should be addressed in the Agreement. If addressed, it should reflect that land use planning is a local responsibility VA, PA, WV, NY do not support this <u>goal</u> CBC suggests that if it can't go forward as a goal, it should be included as a separate outcome under goals that are impacted by land use decisions (habitat, water quality, healthy watersheds) MD would like there to be outcomes under various goals related to land use planning. Should be considered for other areas of the agreement as well.	MB 7-12-13 review of PSC 6-27-13	Issues Resolution Committee in consultation with GIT Chairs and Advisory Committees	MB determined land use should not be included in the agreement as a goal, but should be considered for other parts of the agreement. UNRESOLVED The IRC is considering land use outcomes developed by MDE, MDP, with metrics developed based on CBPO modeling contributions, along with projected cost information up to and after 2015. The IRC is preparing to continue the discussion on 8-21-13 with confirmation of signatories' positions and a consensus decision.
Sound Land Use Outcome We support the inclusion of a land use outcome that could be placed under the Vital Habitats Goal or a goal unto itself. For example, the outcome could be: "Reduce the average annual forest to urban land conversion rate of XX acres to YY acres by 2025 through state and local policies, incentives and	CBF June 26	Issues Resolution Committee	UNRESOLVED The IRC is considering land use outcomes developed by MDE, MDP, with metrics developed based on CBPO modeling contributions, along with

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disincentives.” We do not have specific rates to recommend, but would be willing to work with the CBP on developing them.			projected cost information up to and after 2015. The IRC is preparing to continue the discussion on 8-21-13 with confirmation of signatories’ positions and a consensus decision.
Sound Land Use Planning and Local Government Sound land Use Planning is the purview of local government. I recognize that goal implementation teams don’t have any direct influence in that race, but I appreciate that the GIT1 Chair sent a letter to Charles County about the issue. We need to establish metrics for success; we know what we can do and we understand the penalties for inaction. The people in this room might not have influence over local governments, but the signatories of the new agreement do	Mason Springs Conservancy, 7-11-13	Issues Resolution Committee	UNRESOLVED – see above.
Sound Land Use As LGAC has suggested, if Land Use cannot be its own goal with outcomes, include specific outcomes under Habitat, Water Quality and Watersheds that address some of the problems caused by improper growth – impervious surface, stormwater financing, etc.	CBC June 28	Issues Resolution Committee	UNRESOLVED – see above.
Sound Land Use It is imperative that farmland in the watershed be protected from development. The Chesapeake watershed’s surrounding lands are crucial and need to be included in any agreements.	Doris Adebajo, 7-21-13	Issues Resolution Committee	UNRESOLVED – see above.
Support for Sound Land Use inclusion in agreement Given the outstanding nature of Mattawoman Creek, and the sharply defined threat to it by watershed urbanization - the	Mattawoman Watershed Society, 8-15-13	Issues Resolution Committee	UNRESOLVED – see above.

<p>only pollution sector in the Bay still increasing - we believe it serves as an apt sounds board for important aspects of the Chesapeake Bay Agreement.</p> <p>While we are pleased that “sound land-use planning” is listed for further consideration, we are also disappointed that at present it has not figured more specifically in any proposed goal/outcome.</p> <p>Long standing warnings of the threat of development to outstanding watersheds, including Mattawoman in particular, appear to be coming true: a recently detected change in Mattawoman’s estuarine fish community has been linked to land-use conversion from open-space to urbanization.</p> <p>Tidal freshwater is a globally rare commodity, yet it serves the Bay as a spawning and nursery ground for any number of important game and forage fish including federally endangered sturgeon, striped bass, and alosine species that are in such decline. Because of historical development along the fall line, tidal freshwater in the Bay has experienced degradation over time, with few examples remainin “ideal conditions,” as Mattawoman has also been termed based on comparative scientific surveys.</p> <p>Research by the Bay Program finds that among the primary pollution sectors (air deposition, agriculture, wastewater, and urbanization) only the pollution from urbanization is increasing.</p> <p>Impervious surface in the Bay watershed is creasing five times faster than population. A worthy outcome of the Agreement would be to reduce this ratio.</p> <p>Resilience of the Bay to climate change, restoration goals for stream health and function, and sustainability of fish species are all impacted by land-use, and all favor forest over impervious surface.</p> <p>The current absence of specific land-use goals may reflect the</p>			
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difficulties traditionally encountered when an overarching and inter-jurisdictional program must necessarily interface with local governments, which control land-use decisions. Yet land-use profoundly affects the concerns of many, if not most, of the Goal Implementation Teams, and is similarly a challenge that must be met in the Watershed Implementation Plans of interest to all participating jurisdictions. Hence we urge that that this critical issue be revisited.			
Sound Land Use The draft agreement needs to put more emphasis on conservation and preservation rather than restoration. Through my participation in the public input process for the Charles County Comprehensive Plan I have gotten an education on how land use decisions affect water quality. I now know some of the factors that imperil my Mattawoman Creek and I also realize that, politically, watershed protection does not rank high in priority when making land use planning decisions. The agreement needs to address land use stress and forest conservation. The loss of the tidal freshwater nursery that the Mattawoman provides will definitely impact the Bay	Tara Carlson, 8-15-13	Issues Resolution Committee	UNRESOLVED – see above.
Sound Land Use We need an agreement to address the land use. Our watershed boundaries should not be used as political boundaries and there has to be an identification of priority watersheds that need to be protected because of high quality living resources such as fish spawning habitat. I enjoy paddling, walking, seeing various wildlife on the Mattawoman creek and it needs our protection like all our waterways.	Yvonne Irvin, 8-15-13	Issues Resolution Committee	UNRESOLVED – see above.
Sound Land Use: While I applaud your continuing efforts to restore our Bay	George Talcott, 8-15-13	Issues Resolution	UNRESOLVED – see above.

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watershed, I feel your plan needs to be more proactive in addressing land use issues. Local planning must shoulder the responsibility of limiting new damage. Curtailing current and future environmental degradation is our only hope for ever really catching up and restoring our Bay.		Committee	
Sound Land Use The CB watershed agreement needs to address land use policies within the watershed. In Charles County, local developers are planning a new building project within a few hundred yards of the Mattawoman Creek, which is already in poor shape from ever increasing development. This Creek is a valuable asset of the county, beloved by fishermen and women far and wide, it would be a disaster if it lost its allure due to unchecked development.	Dennis Murphy, 8-15-13	Issues Resolution Committee	UNRESOLVED – see above.
Sound Land Use - impervious surface The agreement should go beyond an outcome to merely conserve land, and should include an outcome to minimize impervious surface. Growth is inevitable, and it must be done in a way the minimizes impacts to our land and water resources if we are to have any hope of a healthy Bay watershed.	Susquehanna Greenway Partnership, 8-15-13	Issues Resolution Committee	
Local Leadership Goal and Outcomes			
Local Leadership Goal The agreement refers to the importance of supporting local implementation efforts, yet no outcomes explicitly address this issue. One major concern expressed by local governments is how to pay for the pollution reduction activities, e.g., stormwater practices, needed to achieve clean water. To address this concern, the CBP has discussed forming a Finance	CBF June 26	LGAC / MB	Goal and outcomes have been completed and will be considered for approval by the Management Board. Local Government Leadership Goal (8-15-13): Engage, empower and facilitate

<p>Advisory Committee that could serve as an expert resource for local governments as well as assist in developing financing strategies to achieve broader conservation goals, magnifying the expertise that the region already has in the Environmental Finance Center; it might be modeled on the Program's Scientific and Technical Advisory Committee. An outcome focused on creating a Finance Advisory Committee would be a tangible outcome with multiple benefits to Bay restoration efforts.</p>			<p>local governments as partners in the protection and restoration of the Chesapeake Bay watershed.</p> <p>Local Government Leadership Outcomes:</p> <ol style="list-style-type: none"> 1. Build leadership capacity of local governments to implement local actions by increasing local government officials' knowledge of local water resources issues and the economic, cultural and policy incentives available to support implementation of actions that help achieve the goals of the Bay Agreement. 2. Increase delivery of tools and resources, such as GIS based analytical tools, water quality monitoring data, an environmental finance clearing house, technical assistance, and funding to empower local governments to develop and implement locally based approaches to water resource protection and restoration. 3. Provide economic incentives to local governments who participate in the implementation of actions that help achieve the Goals outlined in the Bay Agreement. 4. Increase the number of
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			communities utilizing creative financing strategies to implement local actions that help achieve the goals of the Bay Agreement.
Local Leadership Goal <u>Goal:</u> Engage, empower, and facilitate leadership by local governments and other stakeholders. <u>Outcomes:</u> Build capacity of local governments by supporting annual leadership training for local elected officials and senior staff. Increase communication between state and local governments understand the role they can play in achieving the goals outlined in the Agreement Refine the goal and outcome language.	MB 7-12-13 review of PSC 6-27-13	LGAC / MB	RESOLVED - see above.
Local Government Leadership In reviewing the post-abridged draft, the vital role of local government in accomplishing those goals or outcomes is not addressed. If local governments are not intimately involved in determining how to solve these problems, the probability of success is diminished. As the Mayor of Lancaster, I suggest that the inclusion of the "Local Leadership Goal" proposed by LGAC at the June 27, 2013 Principals' Staff Committee meeting would engage, empower and facilitate leadership at the local level. In doing so, it would enhance the achievement of those goals to which we all aspire.	Gray July 10	LGAC / MB	RESOLVED - see above.
Local Leadership Goal: The Alliance strongly endorses the importance of highlighting local government engagement as a critical element of a next generation Bay Agreement. There is no question that	Alliance for the Chesapeake Bay, 7-10-13	LGAC / MB	RESOLVED - see above.

<p>increasing the capacity of local governments to take action and local elected officials to support initiatives that are vital to the Bay restoration effort will be critical to success. Yet this is not clearly reflected in the new agreement. We support the recommendation made by the Local Government Advisory Committee (LGAC) to include a specific goal related to the role of local government, such as:</p> <p><i>Engage, empower and facilitate leadership by local governments for implementation of actions that restore and protect the Chesapeake Bay watershed.</i></p> <p>Measurable outcomes for this goal still require development by the LGAC but could include building the capacity of local governments through leadership and other training, increasing communications between states and local governments, removing barriers to implementation, increasing the number of local governments that have developed new financing strategies (such as stormwater utilities) or those who actively participate in management strategies.</p>			
<p>Local Leadership Goal</p> <p>In reviewing the abridged draft we do not see any reference to the vital role of local government in any goals or outcomes. Because of the many functions local governments are required to perform to achieve the Chesapeake Bay Program's water quality goals, it is imperative that the fiscal, administrative and other impacts of the new Agreement upon local governments be given the utmost consideration.</p> <p>Therefore, VACo calls on the jurisdictions to include the Local Leadership Goal proposed by LGAC at the June 27, 2013 Principals' Staff Committee meeting. As proposed by the Committee, this goal is to "promote and support initiatives that increase the number and diversity of local stewards, including local governments, who carry out conservation and restoration</p>	<p>VACo July 8</p>	<p>LGAC / MB</p>	<p>RESOLVED - see above.</p>

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activities necessary to achieve our shared vision of healthy local streams and a vibrant Chesapeake Bay.” By engaging, empowering and facilitating leadership at the local lever, the Partners to this Agreement will help ensure their success!			
Local Leadership Goal Local governments are critical to this effort, as the primary implementers of a number of strategies. The relationship of the Bay Program to local governments is essential. Role of Local Governments In The Program – COG believes that the agreement must do more to recognize local governments’ integral role as an implementer of restoration measures, and to address our concerns about shared responsibility and the equitable allocation of costs among different levels of government.	Wash COG, 7-11-13	LGAC / MB	RESOLVED - see above.
Local Leadership Goal I think that small municipalities should be mentioned. My town (Marydel) has non-tidal wetlands within its municipal boundaries as well as other issues that farmers have. We strive to help with cleaning up the bay, but don’t fall in the category of agricultural or urban (due to our size) population of less than 500. We want to help clean up the bay, but seem to fall between the cracks as to how we fit in the pie chart. Thanks for allowing me to comment.	Mayor Debbie Rowe, Marydel, MD 8-2-13	LGAC / MB	RESOLVED - see above.
Local Leadership: For Albemarle County, 100 west of 95, the best outcome we can achieve locally is to focus on our own impaired streams, increasing best achieving forest buffers, reducing e-coli pollution from septic as well as farms, and protecting the headwaters above all else. If we do a good job cleaning water to benefit our own residents, for benthics and for recreation,	Ann Mallek, Private Citizen 8-2-13	LGAC / MB	RESOLVED - see above.

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we will at the same time be achieving value for the Bay as well as our watershed neighbors downstream.			
Local Leadership: Support locally led conservation efforts (i.e., ag, stormwater and stream restoration BMPs) directly, through county Conservation Districts, by providing adequate BMP cost share dollars and technical assistance.	Gary R Peacock, 8-6-13	LGAC / MB	RESOLVED - see above.
Local Leadership The implementation of water quality best management practices on the ground and across the landscape in New York is critical to reducing nutrient and sediment loads. The implementation of water quality best management practices is most effectively and efficiently done when led by local natural resource professionals that have knowledge of and can respond to local concerns at specific sites. While regulatory enforcement is a tool to be used when appropriate, we advocate for a strong, voluntary, incentive based approach to solving local water quality issues, which are by extension, the water quality issues of the Bay. In order to facilitate and strengthen direct funding of local soil and water conservation districts for best management implementation we recommend that language from the operation commitments section regarding a 'Strengthen ongoing relationships with local governments, and other local stakeholders including: businesses, schools and universities, watershed organizations, neighborhoods, and individuals.' be amended to specifically include soil and water conservation districts and be adopted as a formal Goal with management strategies describing the method of support from the Environmental Protection Agency and the Chesapeake Bay Commission as the anticipated Outcome.	J Bohm, Otsego County SWCD, 8-12-13	LGAC / MB	RESOLVED - see above.

<p>Alternatively, in order to achieve the same end, we endorse the language proposed by Alliance for the Chesapeake Bay in its July 101 comment regarding a Local Leadership Goal such as "Engage, empower and facilitate leadership by local governments for implementation of actions that restore and protect the Chesapeake Bay watershed" with management strategies describing the method of support from the Environmental Protection Agency and the Chesapeake Bay Commission as the anticipated Outcome.</p>			
<p>Local Leadership Goal Consistent with the comments above about progress made by our local government Members but also the important need to consider costs and affordability for citizens, the new Bay Agreement must more accurately reflect the role of local government in the watershed. As a voluntary partnership, this begins with recognizing that each state should retain the discretion to set its implementation priorities and preferences. Because localities are political subdivisions of the states, their roles and priorities will then be determined at the state or local level, as appropriate. In this regard, the draft statement that the voluntary partnership will "seek out feasible and appropriate actions to reduce vulnerability to changes at the local level" leads to concern. On its face, this provision could be read to imply that a multi-state voluntary partnership has the goal of limiting the legislative discretion of local leaders elected by citizens. While we support the overarching goal of a restored Chesapeake Bay watershed, we believe it would be counter-productive for EPA as a federal administrative agency to seek new measures or authority over elected officials through this type of voluntary</p>	<p>VAMWA, VAMSA, MAMWA, SWAM 8-13-13</p>	<p>LGAC / MB</p>	<p>RESOLVED - see above.</p>

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agreement. We assume that is not the intent and recommend that the agreement be revised to eliminate the issue.			
Local Leadership Local governments throughout the watershed are aware of their role in and the value of environmental protection both locally and downstream. Their leaders have appropriate tools and are empowered to take action.	Susquehanna Greenway Partnership, 8-15-13	LGAC, MB	RESOLVED - see above.
Local Leadership Must involve local governments in the development of the new Bay Agreement to the maximum extent possible, and include thoughtful and explicit commitments from the signatories to support and engage these critical stakeholders in strategy development and implementation.	The Nature Conservancy, 8-15-13	LGAC, MB	RESOLVED - see above.
Climate Change			
Climate Change Goal Goals that relate to climate change should be included in the agreement. The language that I've seen so far seemed weak to me, and we feel that increasing the Bay's resilience in the face of climate change should not be marginally mentioned but prominently featured with explicit and concrete goals and outcomes attached	MD Sierra Club, 7-11-13	Issues Resolution Committee	RESOLVED The IRC reaffirmed that climate change should not be included as a goal, but it should be included as a cross-cutting issue to be addressed in management strategies for outcomes because it is a factor influencing the Partnership's ability to meet goals and outcomes.
Climate Change Goal Any new agreement MUST include climate change. The Chesapeake Bay 2000 Agreement had a climate change goal that was never addressed: "Evaluate the potential impact of	William Stiles, 7-11-13	Issues Resolution Committee	RESOLVED - see above.

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<p>climate change on the Chesapeake Bay watershed, particularly with respect to its wetlands, and consider potential management options.” We need to include this goal again and actually do something about it this time. Over the timeline of this agreement (2025), sea level will have risen over a foot since the original formal agreement in 1983, yet we have never addressed the impacts on tidal wetlands. Increasing storm intensity has stormwater runoff and best management practices ramifications, yet is not addressed. The Chesapeake Bay is warming and spring spawn has shifted forward three weeks over the last 30 years. We will see more warming and probably more spawning date shifts by 2025. A warmer Chesapeake Bay is compromising SAV growth in the lower Bay. These and other impacts are well described in the literature and need to be integrated into the Bay’s plan. Restoring the Bay to the halcyon days of the 1960’s is not possible, since those conditions no longer apply due to climate change. To implement this agreement without a climate change component is unrealistic and will not result in a sustainable solution.</p>			
<p>Climate Change Goal I was somewhat surprised to see that the impacts of climate change are on the list of topics to be discussed, but not yet worth of specific goals. with subsidence of watershed lands, plus the accelerating rate of sea level rise, it would seem that the impacts of climate change could undermine the progress in other goal areas. Shouldn’t the impact of climate change be a top tier item?</p>	<p>Brian Wessner, 8-5-13</p>	<p>IRC</p>	<p>RESOLVED - see above.</p>
<p>Climate Change Goal or Outcomes Over the last seven years the Chesapeake Bay watershed has experienced multiple severe flooding events. What is easily</p>	<p>J Bohm Otsego County SWCD,</p>	<p>IRC</p>	<p>RESOLVED - see above.</p>

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<p>observable during these remarkable events is the large amount of sediment (and presumably nutrients) that is lost and gets transported in a very short period of time. Unfortunately, events of this intensity, whether on a large or small scale, seem to be occurring much more often; resulting in huge pulses of sediment and associated nutrients from all sources that offset past gains and put in question future reductions.</p> <p>given the absence of small, micro burst storm events captured by the Model and it's 'averaging out' of large regional floods, it is our concern that the negative impact of these events, now and in the future, on reaching the actual water quality goals in the Bay are not sufficiently recognized within the Water Quality Goals and Outcomes portion of the current agreement language.</p> <p>We recommend that language from the draft preamble regarding a 'forward-looking approach that anticipates changing conditions, including long-term trends in sea level, temperature, precipitation, and other aspects of environmental variability' be adopted as a formal Goal with management strategies describing approaches to adaptation from the jurisdictions as the anticipated Outcome.</p> <p>Further, and to avoid the gridlock of ideological or irreconcilable arguments regarding causality or programmatic challenges, we recommend that the Goal and Outcome suggested above be described within the text of the Agreement as 'Climate Adaptation Strategies' and that it be kept separate from the Water Quality Goal.</p>	8-12-13		
<p>Climate Change Goal</p> <p>As in the rest of the country, scientists are witnessing the impact of climate change on the Chesapeake Bay. Since the 1960, water temperatures have increased by 2 degrees F. In the</p>	MD Sierra Club, 8-15-13	Issues Resolutions Committee	RESOLVED - see above.

<p>last century, Bay water levels have risen by more than a foot. About a dozen islands have vanished; others have been evacuated. Thousands of acres of shoreline marshes have eroded away. (Boesch and others, 2008, The Bay Journal)</p> <p>While we lack the ability to predict the exact nature and magnitude of climate effects on the Bay, we do know that the impacts will be severe. Already highly stressed from pollution, the Chesapeake Bay is particularly sensitive to rising temperatures and increasing or decreasing levels of precipitation.</p> <p>For many reasons, it is essential that climate change be emphasized in the Chesapeake Bay agreement. Highlighting climate change translates into policy leadership on an issue that scientists have achieved consensus on 30 years ago. It sends a strong signal to the public that state leaders are taking action in confronting an environmental threat of possibly catastrophic proportions, and it begins to prepare the public for the fact that restoration needs to take climate impacts into consideration to succeed.</p> <p>It is critical that the Bay program follows the recommendations of its own research arm, the Scientific and Technical Advisory Committee (STAC).</p> <p>In the Preamble of the agreement, fourth paragraph, instead of “anticipates changing conditions, including long-term trends in</p>			
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<p>sea level rise (...)” it should say “both addresses current climate impacts and anticipates changing conditions, including long-term trends in sea level, temperature, precipitation, and other aspects of environmental variability.”</p> <p>The current draft language might be understood as suggesting that we expect climate impacts in the future, and will address them as they arise. Instead, the Bay and the watershed are experiencing the impacts of changing conditions already. We need to begin to do both, address current climate impacts and anticipate and pro-actively respond to changing conditions.</p> <p>Most importantly, the Maryland Sierra Club urges strongly the inclusion in the new Chesapeake Bay agreement of one explicit and concrete goal relating to protecting the physical and biological integrity of our water bodies in the watershed from on-going and projected changes in environmental conditions. A climate goal might read as follows:</p> <p><i>Climate Adaptation Goal</i></p> <p><i>Expand the implementation of climate adaptation practices that center on ecological transitions to ensure that rivers and stream and the Chesapeake Bay continue to maintain biological integrity as environmental conditions change.</i></p> <p><i>Corridor/Connectivity Outcome</i></p>			
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<p><i>1. The creation of species corridors, including in particular restoring and maintaining river connectivity on x number of stream miles, to support the northward migration of species as temperatures increase and seasonal changes occur;</i></p> <p><i>2. River Protection Outcome</i></p> <p><i>Implementation of practices and land use approaches necessary to pro-actively protect stream miles from the effects of increased precipitation and severe storms;</i></p> <p><i>3. Shoreline Habitats Outcome</i></p> <p><i>Implementation of practices and land use approaches necessary to maintain shoreline habitats on x number of shorelines as they move inland.</i></p>			
<p>Climate Change Climate change should be acknowledged as a challenge to the vision of a healthy and sustainable Chesapeake Bay, and the Agreement should encourage incorporating adaptation strategies into the planning and implementation of restoration and conservation work.</p>	The Nature Conservancy, 8-15-13	Issues Resolution Committee	RESOLVED - see above.
<u>Elements of Management Strategies</u>			
<p>Key Elements of Chesapeake Bay Watershed Agreement Management Strategies 1. Management Strategies will be developed by Goal</p>	Virginia, 6-11-13	Editorial Board	UNRESOLVED

<p>Implementation Teams for each outcome in the Agreement within 6 months no later than one year after the signing of the Agreement.</p> <p>2. Approved by Management Board PSC and evaluated on a biennial basis to assess progress and make recommendations for any adjustments or updates to the PSC for approval;</p> <p>3. Implement an adaptive management process through the CBP Decision Framework to transparently assess progress and redirect efforts where necessary and clearly communicate any changes within the Program and to the public. Climate change adaptation shall be considered as a complement of each management strategy, as appropriate.</p> <p>5. Work collaboratively to develop and implement the strategies for solving mutual obstacles to restoration implementation including: solving permitting problems, building local government capacity, expediting approval of new and innovative best management practices, and identifying and developing innovative financing solutions</p> <p>Content of Biennial Workplan:</p> <p>1. Contain commitments, actions and resources that each of the jurisdictions, federal agencies and partners is providing to help achieve each of the outcomes they are supporting</p> <p>2. Contain biennial targets and outputs that are related to meeting the outcomes. The second biennial workplan should have an assessment of the first biennium as part of this section</p> <p>3. Discussion of any changes needed to keep on track (for the second biennial workplan and beyond)</p>			
<p>Accountability</p> <p>The Coalition is very concerned that there will be a lot of fanfare over the “signing” of a new Bay Agreement and the lofty goals that it contains, but then a lack of implementation and follow through by some jurisdictions. There appears to be</p>	<p>Choose Clean Water Coalition 7-10-13</p>	<p>Issues Resolution Committee</p>	<p>UNRESOLVED</p>

<p>no mechanism to require jurisdictions to develop or participate in a meaningful way in the “<u>management strategies</u>” that are to be the primary implementation tool meant to meet the overarching goals. There needs to be accountability and assurance that all signatories to any new Bay greement follow through on commitments. We have questions about how the public will be informed of the jurisdictions’ progress in meeting their commitments in a way that ensures transparency and promotes public confidence. We do not expect NY, PA, and WV to develop management strategies for an oyster restoration goal, however we would expect MD, NY, PA, VA, and WV to all develop management strategies for a brook trout restoration goal. What happens if one of them does not develop and implement such a management strategy? Right now, it appears that the answer is “nothing”.</p>			
<p>Ensuring Partner Participation Of greater concern is the process outlined for Partner Participation as follows: "After the Agreement is signed, each jurisdiction, agency and partner will indicate its level of commitment to each of the outcomes by working with the partnership to each of the outcomes as the management strategies are developed." This makes it very unclear as to the expectations for signing on to the Agreement and presents an unsatisfactory means for ensuring commitment of the partners to the collective goals and outcomes they have agreed on - that is, it currently presents as "we all agree on what we need to do but we're not willing to commit to specific outcomes until we fully understand what's entailed." This lack of clarity about expectations seems to be creating much of the tension and conflict in the current process of negotiating the new agreement. We propose a simple "scorecard" or other polling mechanism to simply ascertain (from the signatories) who's in,</p>	<p>NOAA July 8</p>	<p>Issues Resolution Committee</p>	<p>UNRESOLVED</p>

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who's out and who is still thinking about it.			
Ensuring Partner Participation Needs robust implementation strategy in particular we're concerned there is no mechanism to require jurisdictions to development management strategies	Choose Clean Water Coalition, 7-11-13	Issues Resolution Committee	UNRESOLVED
Ensuring Partner Participation There appears to be no mechanism to require jurisdictions to participate in a meaningful way in the management strategies that will move us forward. There needs to be accountability and assurance that all signatories will follow through on their commitments	Virginia Conservation Network, 7-11-13	Issues Resolution Committee	UNRESOLVED
Ensuring Partner Participation Current discussions at the Management Board meetings about jurisdictions "opting in or out" of particular management strategies do not give us confidence that the outcomes will be achieved. By signing the agreement, each jurisdiction should commit to achieving all the goals and outcomes that are applicable, as well as to the management strategies that will be developed. The agreement needs to clearly state that the management strategies will be developed within six months of the signing of the new agreement and will thereupon become a part of the agreement itself.	CBF June 26	Issues Resolution Committee	UNRESOLVED
Ensuring Partner Participation The current draft agreement is structured in such a way that partners may choose to engage in only those activities of special interest to them. This appears counter to the documented experience of environmental management programs across the country and worldwide that indicate success is frequently dependent on full engagement of	VIMS, 8-15-13	Issues Resolution Committee	UNRESOLVED

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stakeholders in all of a program's activities.			
Ensuring Partner Participation I live at Venice Beach, Maryland, and two issues of growing importance (and impact) are shoreline erosion and days when the Bay is too polluted for swimming. I would like to see at least a mention of these issues, if not concrete actions to address them. Also, it looks like this is the wishey-washest plan ever in terms of commitment of the parties to put their shoulder to the wheel, so to speak. Is this the best we can do to get all of the parties to sign? There is a lot of room for strengthening the commitments on the part of the parties.	Jack E. Nelson 7-10-13	Issues Resolution Committee	UNRESOLVED
Role Description / Stakeholder Review MD recommends adding to the agreement language that each jurisdiction/agency will describe roles, and that there is a commitment to stakeholder review.	MB 7-12-13 review of PSC 6-27-13	Editorial Board	UNRESOLVED
Revised language for Section 5: <i>Section 5 outlines key elements of strategies to be developed for each of the outcomes in the Agreement.</i> <i>Management Strategies' development will be led by Goal Implementation Teams with input and involvement of partners and local stakeholders. Strategies will identify those signatories, federal agencies and stakeholders committed to achievement of each Outcome and outline related actions and resources for doing so. They will identify factors influencing accomplishment of the Outcomes including climate change adaptation and regulatory or land use barriers. Strategies will be updated every 2 years or on an interval specified in the original Strategy.</i>	Alliance for the Chesapeake Bay, 7-10-13	Issues Resolution Committee	UNRESOLVED

<p>Ensuring Partner Participation To encourage greater participation by local groups and to expand partnerships, existing state, federal, or foundation funding criteria or priorities or other incentives could be offered for partner participation in implementing management strategies prepared as part of this agreement.</p> <p>Management Strategy Development Process We further understand that management strategies for each outcome will be developed in the 6-12 months following the signing of the agreement and will identify roles and responsibilities as well as supportive actions that will be taken by the partners to accomplish them. We support this process, as long as it is clearly defined and transparent, and not overly burdensome. The strategy development process should be flexible enough to capture new ideas as they emerge and accessible enough to build public support, engagement, and momentum. We understand that strategies may change over time, but they still must be clear and accountable. We encourage the partners to design and use the strategy development process not just to finalize internal plans already in the works, but as a vehicle for expanding partnership support and informing and involving the public.</p> <p>Signatories should have the ability to set priorities in their commitments to and investments in each management strategy as part of the process but not to “opt in or out” of support for the core goals and outcomes that are identified in the agreement. We further expect that this agreement will reinforce the requirements of the Total Maximum Daily Load (TMDL) or Clean Water Blueprint as well as incorporate the Watershed Implementation Plans as strategies for their achievement.</p>			
<p>Management Strategies should be presented to the PSC when</p>	<p>CBC</p>	<p>MB to decide</p>	

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they are developed	and others		
Section 5 suggested edits: Identifies jurisdictions, federal agencies and partners committed to providing leadership toward the achievement of each outcome as well as related actions and resources Addresses factors influencing outcomes. including climate change adaptaion, land use change, and reguklatoy barriers	VA June 25	Editorial Board	UNRESOLVED
Sentence modified to read: <i>Addresses factors influencing outcomes including adaptation to changing environmental conditions, land use change and regulatory barriers, as appropriate.</i>	PA July 9	Editorial Board	UNRESOLVED
Revise Section 5 Management Strategies to read as follows: <i>Section 5 outlines the minimum key elements of management strategies to be developed for each of the Outcomes in the Agreement. Management Strategies will be developed by Goal Implementation Teams with input from local stakeholders. They will identify those signatories, federal agencies and local stakeholders committed to providing leadership toward the achievement of each Outcome as well as outline related actions and resources being committed to achieving the Outcome. They will identify factors influencing Outcomes such as climate change, land use change and regulatory barriers. Management Strategies will be updated every two years unless otherwise specified in the original Management Strategy.</i>	Gattis July 8	Editorial Board	UNRESOLVED
Factors Influencing The draft Agreement notes that management strategies will be developed to, “address factors influencing outcomes including adaptation to changing environmental conditions, land use changes, and regulatory barriers where appropriate.” We	Trout Unlimited, 8-2-13	Issues Resolution Committee	RESOLVED Natural Gas/ Fracking: The IRC determined that specifics on fracking are not appropriate in this agreement.

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<p>support this approach and expect natural gas development and climate change to be among the changes addressed. We suggest that natural gas development be included among the issues listed in the section titled, "Additional Issues for Consideration."</p>			<p>The issue of fracking is being addressed by the Phase II WIP. Fracking is not at the scale or level of detail appropriate for the Agreement.</p> <p>Climate change: The IRC reaffirmed that climate change should not be included as a goal, but it should be included as a cross-cutting issue to be addressed in management strategies for outcomes because it is a factor influencing the Partnership's ability to meet goals and outcomes.</p>
<p>Recognition of overlap between many of the goals and outcomes</p> <p>Sustainable Fisheries, Vital Habitats, Water Quality, Healthy Watersheds, and Land Conservation issues are very closely interrelated and need to be considered together. Because of this, the Agreement should at least make it clear that the goals and outcomes related to these aspects of watershed health need to be linked and coordinated with each other for maximum cost-benefits and sustainability. These issues may be better dealt with as part of the management strategies to be develop by the Goal Management Teams. If so, it should still be mentioned in the Agreement as an important issue to be addressed in the Management Strategy Elements and Operational Commitments.</p> <p>Recognition of overlap between many of the goals and outcomes, and formulating management strategies to optimize outcomes at the tributary watershed and Bay</p>	<p>State Water Quality Advisory Committee, 8-7-13</p>	<p>GIT 6</p>	<p>UNRESOLVED</p>

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watershed scales.			
<u>Principles</u>			
Suggested Principles section be merged with Operational Commitments	NPS- USGS -FWS Comments July 1	Editorial Board	
Cost & timeliness CBC suggested language: Strive to ensure that these goals and outcomes are achieved in a timely way at the least possible cost to our citizens.	MB 7-12-13 review of PSC 6- 27-13	Editorial Board	
Independent Evaluation CAC requested consideration of: Striving for increased public confidence by undergoing independent evaluation	MB 7-12-13 review of PSC 6- 27-13	Editorial Board	
Principle #1 Comment Replace #1 to read “Work together in an environment of mutual respect and trust and collaboration , while respecting the sovereign authority of each partner.	NPS-USGS-FWS Comments July 1	Editorial Board	
Principle #2 Comment This seems to be a restatement of the mission, which is not really necessary in principles. If partners feel it must be restated here than it should be written in a way that is entirely consistent with the mission wording, which this is not. It also needs to avoid the issues noted with the mission in comments above.	GIT Chairs	Editorial Board	
Principle #2 Comment This seems to be a restatement of the mission, which is not really necessary ion principles. if partners feel it must be	NPS-USGS-FWS Comments July 1	Editorial Board	

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restate her than it should be written in a way that is entirely consistent with the mission wording, which this is not. is also needs to avoid the issues noted with the mission in comments above.			
Principle #5 Comment Simply note the distinction between the principle which focuses on “residents” and the goal which focuses on “students”. Not sure what is intended here. Is this going beyond the goal? If not, delete it. If so, how will this be accomplished?	NPS-USGS-FWS Comments July 1	Editorial Board	
Suggested edits in the following areas: The Partners agree to the following principles: 7. Recognize that our long-term success will require a forward-looking approach that anticipates changing conditions. including long term trends in sea level, temperature, precipitation, land use and other aspects of environmental variability. 9. Implement collaborative, consensus-based decision making approaches to that provides for allow each signatory equal representation on Management Board and PSC and Executive Council for signatories.	VA June 25	Editorial Board	
Strike bullet “Advance environmental literacy ...” Comment: Should an Env. Literacy goal be established, this language is unnecessary here. If an Env. Literacy goal is not established, then it is also unnecessary.	PA July 9	Editorial Board	
Principle #6 Edit Utilize science-based decision-making and seek out new innovative technologies in advancing our management actions and strategies of management based upon a changing system.	GIT Chairs	Editorial Board	

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Principle #7 Edit Recognize that our long-term success will require a forward-looking approach that anticipates changing conditions, including long-term trends in sea level, temperature, precipitation, and other aspects of environmental variability <u>land use</u> .	GIT Chairs	Editorial Board	
Strike bullet “Recognize that our long term success ...” Comment: This language is also included in the Preamble’s 3 rd paragraph. It should not be necessary to repeat it. Decide where you want it.	PA July 9	Editorial Board	
New Principles <u>Ensure that the program effectively represents the interests of people throughout the watershed, including a broad diversity of cultures, demographics, and ages.</u> <u>Using place-based approaches that produce recognizable benefits to local citizens while contributing to larger ecosystem goals.</u>	GIT Chairs	Editorial Board	
Incorporating cost-minimization/effectiveness into the Bay agreement via Preamble, Principles and Operational Commitment language Principles: <i>Strive to ensure that these goals and outcomes are achieved in a timely way at the least possible cost to our citizens.</i>	CBC June 28	Editorial Board	
Principles Principles and values should be developed with stakeholder input and before strategy elements (Section 5) are developed	VAMWA, VAMSA, MAMWA, SWAM 8-13-13	Editorial Board	

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<p>Principles and Operational Commitments</p> <p>We recommend the agreement explain the purpose of the principles and operational commitments and how they will be use in the Bay Program to meet or reinforce the goals and outcomes of the agreement. Currently, they are both expansive (we will work together on water quality) and incomplete (no mention verification of BMPs). It is difficult to respond to the current language with any detailed comments without a clear idea of the intended use of these sections.</p> <p>Additionally, we recommend that if these sections are meant to guide the structure of the agreement and resolve conflicts among competing views that they should be used as a guideline by the Issue Resolutions Committee when discussing the proposed goals and outcomes in the first signed agreement and future changes.</p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>Editorial Board</p>	
<p><u>Operational Commitments</u></p>			
<p>#14 should read: “barriers to implementation,” rather than “accelerating implementation.” ensure change incorporated</p>	<p>MB 7-12-13 review of PSC 6-27-13</p>	<p>Editorial Board</p>	<p>PSC approved, MB confirmed</p>
<p>Accelerating Restoration</p> <p>The process to date has focused far too much on internal alignment issues and redefinition of existing federal, state, and Bay Program goals and outcomes and far too little on building the consensus among the partners and stakeholders needed to accelerate the restoration effort and build a strong foundation on which the partnership must depend in the future and to 2025.</p> <p>This new <u>voluntary</u> agreement has the potential to continue to stimulate innovative programs and ideas and motivate local</p>	<p>Alliance for the Chesapeake Bay, 7-10-13</p>	<p>Issues Resolution Committee</p>	

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groups to act. For the agreement and its goals and outcomes to be successful in this endeavor, a broader base of support by those who <u>are not</u> signatories is essential.			
Accountability How can we guarantee that this will be implemented by the signatories? That this will go forward?	MD League of Conservation Voters, 7-11-13	Issues Resolution Committee	
Accountability I would like to suggest we emphasize, perhaps even in writing in the draft document, a chain of accountability that carries through the various bay program structures and layers. Currently, the signatories assign key leadership staff to the PSC, and PSC to MB, but the chain stops there. The GITS are comprised mostly of individuals who participate voluntarily, not because they are assigned by their bosses, members of the PSC or MB. I'd suggest instead a system in which the PSC/MB (whichever is most appropriate) assigns through its members' home institutions staff to each GIT whose job it is to carry out the goals/outcomes agreed to as part of the new bay agreement. GITS could also have members who are "volunteers," like me and other members of non-profit organizations or federal agencies, but if they are not predominantly occupied by people whose job it is to make sure the goals are accomplished, because they report to a PSC member either directly or indirectly, the GITs cannot be guaranteed to serve the role they are intended to serve – accomplishing the bay program goals. Instead, it's simply a hope that they do, and their members work on these topics voluntarily; i.e., they aren't accountable to anyone to do so. So to sum up: a quick fix: In the governance doc, require every PSC or MB member to assign at least one staff person, maybe even two, to each GIT.	Jana Davis, 7-2-13	Issues Resolution Committee	

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<p>Accountability Our first priority for a new Bay Agreement is ensuring accountability and transparency. Past Chesapeake Bay agreements have had limited success because they were not always clear who had the responsibility for implementing particular commitments. As we understand it, the new agreement will contain a series of goals and outcomes. Subsequent to the signing of the agreement, management strategies will be developed that outline the specific roles and responsibilities of federal, state and other partners, as well as timeframes and deadlines, for achieving the outcomes. We support this approach as long as it is clear that signatories to the agreement are committing to all of the goals and the outcomes, and will participate in the development and implementation of the management strategies.</p>	<p>CBF June 26 restated orally 7-11-13</p>	<p>Issues Resolution Committee</p>	
<p>#1 Comment: [“Accountability framework”], it is not conducive to building partnerships. Further, it is impractical given the sovereign missions of the vast array of organizations and agencies who we need to accomplish the goals set out. It is off-putting to potential partners. It is also not necessary – tracking and progress reporting gets at the issue.</p>	<p>GIT Chairs</p>	<p>Issues Resolution Committee</p>	
<p>New: <u>Conduct systematic independent as well as internal evaluations on an as needed basis to assess the integrity of strategy implementation, the root causes concerning any incomplete progress in achieving key goals and outcomes, and to improve program effectiveness and efficiency.</u></p>	<p>GIT Chairs</p>	<p>Issues Resolution Committee</p>	
<p>EC approval of outcomes We support the concept of “adaptive management” as a component of these strategies, but note that along with the flexibility to change course, comes the responsibility to specify</p>	<p>CBF June 26</p>	<p>Issues Resolution Committee</p>	

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and document the reasons for the change, so that the decision-making process is transparent. Lastly, any changes to the agreement goals or outcomes should be decided by the Executive Council, the signatories to the agreement.			
EC approval of Outcomes Although we support the use of adaptive management and recognize this flexibility could change management strategies or even goals and outcomes, we believe that because the goals are a part of the overall Bay agreement, any changes to Goals and Outcomes proposed by the PSC in the future must be endorsed by the EC at their annual meeting.	Alliance for the Chesapeake Bay, 7-10-13	Issues Resolution Committee	
Adaptive Management COG believes that the agreement should recognize adaptive management as a key principle, as well as an operational commitment. (include it in 2 places)	WASHCOG, August 7th	Editorial Board	
Adaptive Management It is essential that everyone “work smarter, not harder,” and adaptive management is the essence of working smarter. The new Agreement should respond to lessons learned and make a strong call for adaptive watershed management, specifically the use of science-based targeting tools and monitoring programs designed to evaluate outcomes, as a basis for planning, prioritizing, funding, and implementing on-the-ground projects	The Nature Conservancy, 8-15-13	Editorial Board	
Suggested edits in the following areas: The Partners agree to the following Operational Commitments: 2. Develop management strategies for each outcome, approved by the Management Board that identifies jurisdictions, federal agencies and other partners committed to	VA June 25	Editorial Board	

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<p>providing leadership toward the achievement of that outcome.</p> <p>10. Commit to an environmentally literate public leading to increased individual stewardship by engaging more fully in place based community restoration actions, improving partner and stakeholder outreach and messaging, formal (K-12) and non formal education opportunities and enhanced teacher professional development.</p> <p>12. Develop “governance guidelines” to identify the roles, responsibilities, and working relationships of and between all partners based on equal representation of each signatory.</p> <p>13. Develop governance procedures for the Chesapeake Bay TMDL that recognize its basis in the Clean Water Act and clarify the relationship between EPA and the jurisdictions that are fundamentally different from the voluntary obligations of the Chesapeake Bay Watershed Agreement. (Question for MB - keep as separate commitment or as part of governance guidelines?)</p> <p>14. Work collaboratively to develop and execute management strategies for solving mutual obstacles to restoration implementation including: solving permitting problems, building local government capacity, expediting approval of new and innovative best management practices, and identifying and developing innovating financing solutions.</p>			
<p>Incorporating cost-minimization/effectiveness into the Bay agreement via Preamble, Principles and Operational Commitment language</p> <p>Operational Commitment: <i>Develop and adapt innovative financing tools to assist citizens and units of government to meet these goals and objectives in a timely way at the lowest possible cost.</i></p>	CBC June 28	Editorial Board	
#2 “Develop management strategies for each outcome,	USDA July 8	Issues	

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approved by the Management Board that identifies jurisdictions, federal agencies and other partners committed to providing leadership toward the achievement of that outcome.” Comment: Not all outcomes are applicable to every state.	(Morgart) USDA email July 8	Resolution Committee	
Strike commitment “Commit to an environmentally literate public ...” Comment: Should an Env. Literacy goal be established, this language is unnecessary here. If an Env. Literacy goal is not established, then it is also unnecessary.	PA July 9	Editorial Board	
On commitment “Develop governance procedures for the Chesapeake Bay TMDL ..” Comment: Less is More, but I defer to VA on this one.	PA July 9	Editorial Board	
Last listed commitment modified to read “ <i>Work collaboratively to solve mutual obstacles to ...</i> ” Comment: Individual management strategies are not necessarily the best approach to addressing these issues.	PA July 9	Editorial Board	
Bullet #12: Since monitoring and research is critical to adaptive management bullet #7 it should be moved to follow bullet #12 Bullet #21: Comment: focused on environmental literacy has the same problem as the environmental literacy statement under the principles section. Refer to that comment. Additional Issues For Consideration: The items that are still being considered should be put directly into the draft agreement so people can understand what has been discussed. I would NOT have abridged version since it does not provide context for the goals and outcomes.	NPS- USGS -FWS Comments July 1	Editorial Board	
<u>Affirmation and Signatures</u>			

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“By this Agreement, we the undersigned members of the Chesapeake Executive Council, reaffirm our commitment to work together as described herein to protect and restore the Chesapeake Bay <u>watershed</u> ecosystem.”	GIT Chairs	Editorial Board	
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Other comments not directly associated with agreement content

Objecting to New Agreement

RESOLVED: The Chesapeake Bay Program is legally required to develop and sign a new Agreement. The Principals’ Staff Committee, consisting of representatives from all Bay jurisdictions and including representatives from departments of agriculture, agreed that a new Chesapeake Bay Watershed Agreement is necessary.

PA Farm Bureau, 8-15-13: There is no clear need to revise the objectives of the 2000 Bay Agreement before they are achieved. Demand among Chesapeake Bay states for change in the current Bay Agreement appears to be seriously lacking.

Va Farm Bureau, 8-14-13: The Chesapeake Bay states are still working on achieving the goals of the 2000 agreement which are included in Chesapeake Bay Watershed Implementation plans in each state as they consider appropriate. The Clean Water Act section 117 does not require the Chesapeake Bay states to adopt a new agreement or update the existing agreement to remain eligible for funding under that section. Given the fact that Chesapeake Bay states may not have the resources to meet the goals of the existing agreement there is no need for a new agreement.

Stakeholder Review - Post-signing of the Agreement / long-term

Editorial Board

UNRESOLVED

State Water Quality Advisory Committee – August 7, 2013: The important role of long-term public and other stakeholder communication, involvement, and input should be recognized and addressed in the Agreement.

Stakeholder Review - Pre-Signing of the Agreement

Management Board

RESOLVED: Management Board developed a revised timeline, including a 30 day stakeholder comment period for the full agreement. The new timeline will be shared with stakeholders upon approval by the PSC.

LGAC/CAC MB 7-12-13 review of PSC 6-27-13: The stakeholder review is too short.

Choose Clean Water Coalition, 7-11-13: Concerned about the ability and limited time available to comment on a new agreement. Please make sure public and stakeholder participation is a part of the agreement’s development, and please offer us more information about how this input

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will be considered by the Management Board and Principals' Staff Committee and please explain how these comments will be included in the final agreement. Concerned that the public only has an abridged version of the agreement available to comment on. Any comments received may be too broad or general and the public may not be able to speak on any items included in the full agreement that are not included in the abridged version. The Coalition is very concerned that the opportunity for public participation or comment in this process appears to be an afterthought and its very limited. So far, a two-hour period has been allotted to a July 11 meeting of the Chesapeake Bay Program Management Board for the public to be able to present oral comments. Only by attending the June 27 Principals' Staff Committee meeting were we notified of an online opportunity to submit written comments. The abridged version will be available in early July, with a full draft available later in July - only after a portion of the comment period has expired. We are concerned that the public has not been given an opportunity to express concerns and give comments to the Principals' Staff Committee, which consists of higher level policy and political representatives who will be actual decision-makers as to what any new agreement will look like, and are more directly accountable to constituents in their jurisdictions.

Virginia Conservation Network, 7-11-13: Reach out to the public to better involve them

Wash COG, 7-11-13: Urge you to consider expanding the public comment period. It has improved, but it is going to be a challenge for local governments to assemble and provide their comments at this time of year.

Alliance for the Chesapeake Bay, 7-11-13: "Public support of acts affecting public rights is absolutely required. It is more trouble to consult stakeholders and involve the public than it is to ignore them. But if public support for what's right is missing, you must take the time to get it." Consider that if we are not at a point of feeling consensus, the MB consider putting forward an agreement that includes an aggressive plan to better involve the public. We are concerned that the current timeframe may not get us to the point of a consensus, to the point of a meaningful agreement. That the open but short dialogue that we are operating now might not be enough to build stakeholder and public support. Previous Bay Agreements have all been prepared within a process involving substantial outreach to stakeholders and earnest efforts to communicate their goals to the public. We acknowledge the change in schedule proposed since the June 19th PSC Meeting providing 30 days for comment on a draft agreement but are not aware of a plan or process for conducting outreach during this time or a clear plan for incorporation of comment. This must be deliberate and clearly identified. The process for solicitation of comment and the reception and discussion of new ideas or information at Management Board (MB) and Principals' Staff Committee (PSC) meetings to date does not give us confidence that public input will be seriously considered and integrated in the process under current timelines without a change of course. We strongly suggest that the partnership consider a more significant effort to inform the public and seek input and dialogue with stakeholders to ensure that the agreement drafting process is more transparent. We believe that the limited plans for public outreach and the timing of the agreement process may not provide adequate opportunity for debate and discussion among stakeholders or the time necessary to gain consensus on meaningful commitments.

We also respectfully recommend that the Partnership consider and discuss the option of having the Executive Council sign a draft or framework agreement (sans final goals and outcomes) in 2013 and adopt and put in place a public process to finalize goals, outcomes and strategies and build the momentum and partnerships needed to implement them. Without the energy and support of the partners and local stakeholders, the agreement will have little meaning.

Chesapeake Bay Foundation, June 26: The new Bay Agreement should provide structure, vision and accountability for actions that will improve the health of the Bay and its rivers and streams. The impact to the jurisdictions and the citizens could be significant. For this reason we strongly

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encourage a more robust effort to solicit and obtain input from stakeholders, including more opportunities for dialogue about, and comment on, draft language.

NOAA July 8: In general, the timeline for developing a new Bay Watershed Agreement continues to be a concern for NOAA - there simply is not sufficient time for developing proposed language, vetting language with constituents and stakeholders, and gaining consensus. There is also insufficient engagement of local governments and citizens in the current design.

WASHCOG, July 30th: Adequate Time for Comment – COG supports a schedule for finalizing the new agreement that provides adequate time for local governments and other stakeholders to review, consider, and provide input on the proposed language of the new Chesapeake Bay Agreement.

State Water Quality Advisory Committee – August 7, 2013: The Bay Agreement revision process appears to be on a fast track, and there is concern that the current schedule may not afford enough time and opportunity for adequate stakeholder input from the public and state and local governments. Such input will be vital for stakeholder buy-in and commitments, and in turn critical for the ultimate success of the Bay Program's efforts. This is all the more important in view of staff and funding cuts to state and local governments, and the resulting ongoing belt-tightening and increased competition for scarce resources. Modifications and/or additions to the goals, desired outcomes, and measurements of success may be needed based on stakeholder input. *If the planned schedule for finalizing the Agreement does not allow enough time for adequate stakeholder review and input, perhaps the details of the goals, desired outcomes, and measures of success could be left out of the Agreement and finalized during a subsequent phase.*

Va Farm Bureau, 8-14-13: We are concerned that the language of the draft agreement and the timetable for development continues to change during the comment period. Making it difficult to determine what we are commenting on and the overall effect of our comments. In the current draft, language is simply not available for comment (i.e. "Additional Issues for Consideration"). We strongly urge you to provide the opportunity for meaningful public comment when final draft language is available.

Lack of Substance in Abridged Agreement for Comment

RESOLVED: The full version of the agreement in full detail will be made available for comment for a 30 day period.

PA Farm Bureau, 8-15-13: Initially, we are very concerned with glaring lack of specificity or description of intended application of the goals and outcomes proposed for inclusion in the Abridged Agreement. Essentially, the Abridged Agreement merely reflects a generic listing of "goals," without providing any meaningful insight on priorities to be given among the goals listed or direction of how conflicts to arise from pursuit of goals are to be resolved. In absence of more enlightened insight by the drafters, it is impractical for stakeholders such as PFB to offer worthwhile comment on the amendments proposed, especially in their abridged state. Any effort by us or other stakeholders to offer comment would be based on raw speculation of what the generic statements contained in the Abridged Agreement are intended to mean in their practical application.

Because of the absence of any insight into what states and stakeholders will be authorized to do or prohibited from doing under the Abridged Agreement, many stakeholders will likely be frustrated with attempting to offer any comment at this stage, and may completely forego offering any comment until more detail and insight is provided. The absence of comment at this stage by any organization or group should not be

perceived by anyone to be acceptance of the Abridged Agreement or any portion of it. There is simply not enough substance or specificity in the July 9 draft of the Abridged Agreement for those potentially affected to offer any worthwhile comment. Because of this, no reasonable inference should be drawn from the presence of expressed support for or absence of opposition to any of the abstract goals contained in the July 9 draft.

Communications / Outreach

Issues Resolution Committee

UNRESOLVED

Alliance for the Chesapeake Bay, 7-10-13: We believe the purpose of the new Agreement is not clear to stakeholders and the public. In order for the Agreement to be successful in guiding the Bay restoration efforts for the next decade or more, jurisdictions, stakeholders and the public must share similar expectations related to its goals and outcomes. Everyone must clearly understand the purpose of this plan and what it means for them. It is our understanding that the new Bay Agreement will describe a set of goals and outcomes that collectively represent the achievements necessary to restore and sustain the Bay and that all signatories to the agreement will endorse and support the accomplishment of this set of goals. We are not sure that everyone shares in that interpretation.

Although it may seem intuitive, we also note that no sections of the Agreement establish or outline any expectation for the Program to share its work with the public. As mentioned earlier, in order to engage citizens in the watershed in our watershed restoration efforts, ongoing and consistent outreach and communications will be required. We suggest the participatory language include recognition of the importance of continually improving channels for public dissemination of the Program's wealth of information, results, and findings and maintaining a process for sharing progress. Language related to CBP's responsibility to communicate with the public should also be included in the operational commitments when those are established.

Simplifying Language

Editorial Board

UNRESOLVED

Alliance for the Chesapeake Bay, 7-10-13: Much of the document language could be simplified and would benefit from the talents of writers with an eye toward communications. In general most of these sections are far too lengthy and overly bureaucratic and should be reduced in length and simplified. The agreement should be an inspirational statement of purpose and future vision and be able to be read and fully understood by stakeholders and an informed public.

Fracking

Issue Resolution Committee

RESOLVED: The IRC determined that specifics on fracking are not appropriate in this agreement. The issue of fracking is being addressed by the Phase II WIP. Fracking is not at the scale or level of detail appropriate for the Agreement.

West Virginia Rivers Coalition, 7-11-13: We are concerned there is currently no acknowledgement in the abridged draft of the Agreement of the impact of natural gas development on water quality in the Bay watershed. This new generation of gas development employs a water

intensive, land intensive hydraulic fracturing process which tends to involve much more land clearing, grading, and site development than previous gas well development projects. The implications for downstream aquatic resources are profound and we hold serious concerns about increased erosion and stormwater runoff of nutrients and sediment from drilling operations, including the construction of pipelines, roads, and drill pads; as well as increased water withdrawals from local streams and high volumes of wastewater to be managed. The issue will be exacerbated as gas exploration and development continues across the Marcellus region within the Chesapeake Bay Watershed. A 2012 Chesapeake Bay Program Workshop estimated that the total number of potential well sites located within the Chesapeake Bay Watershed is 50,000. Each site has an estimated total disturbance area of 6.5 acres, including the pad site and road development. This equates to a total disturbance of 325,000 acres in the Bay Watershed, not to mention disturbances from pipeline construction - gathering lines and interstate transmission lines. Not addressing this growing source of nutrient and sediment pollution in the watershed seems to be a glaring omission from the draft Agreement, and we recommend consideration of its inclusion as a forward looking opportunity to minimize the risk of increased pollution within the Bay Watershed.

Choose Clean Water Coalition, 7-10-13: The Chesapeake Bay watershed is already home to rapid natural gas development through the use of hydraulic fracturing, and that only includes Pennsylvania and West Virginia at this time. The Coalition has a policy priority that expresses our concern about “increased erosion and stormwater runoff of nutrients and sediment from drilling operations, including pipelines, roads, and drill pads; and increased water withdrawals from local streams. The Coalition supports adoption of plans and implementation of effective protections governing deep natural gas drilling to avoid water quality and quantity impacts as well as impacts to our public lands.” Not addressing this growing source of nutrient and sediment pollution in the watershed seems to be a glaring omission.

Ann Mallek, 8-2-13: Upstream headwaters protection includes standing strong against fracking in the George Washington National Forest, the location of our headwater aquifers.

Monitoring / Modeling
Committee

Editorial Board / Issues Resolution

UNRESOLVED

(NOTE: EB to determine if there is any appropriate place to mention monitoring/research/scale of funding for these as a principle, operational commitment, or preamble piece in the sense of supporting science for achieving goals/outcomes.)

****See “Data Management” section in chart, assigned to Issues Resolution Committee****

Monitoring-related comments get considered with inclusion of data management language in agreement?

Steve Gibb 7-9-13: I want to encourage Bay environmental managers to consider ways, during tough budget times, of empowering Riverkeepers and other water quality volunteers to expand the quantity and quality of data they collect to support EPA WA determinations. Diana Muller of the South River Federation has established 22 monitoring stations in the tidal areas and MD DNR is now accepting her Q/A Q/C'd data. This rich information base comes at low cost, is empirically (not model) driven, and could provide critical backing to supporters of stringent TMDLs like myself.

Gary R Peacock 8-6-13: Engage and fund academic research through regionally representative watersheds providing before and after water quality and habitat improvement in support of locally led conservation efforts. Expand USGS's water quality monitoring of more streams and watersheds providing much needed baseline and water quality improvement data in support of locally led conservation efforts.

VIMS, 8-15-13: Effective management in the face of these factors requires ongoing monitoring and modeling of in-the-water and on-the-ground effects, and a willingness to anticipate and respond to emerging issues. We believe these efforts are indispensable to a science-based management effort and should be cornerstone commitments of the partnership. The Preamble to the Draft Agreement explicitly recognizes the need to include long-term trends in sea level, temperature, precipitation and other aspects of environmental variability in guiding management decisions. Yet, the specific outcomes and commitments stop short of clearly incorporating this variability. The decision may be made not to use the term climate change in the Agreement, but if it does not incorporate the clear trends in changing climatic conditions within the region in setting its target outcomes and employ targeted monitoring, modeling and adaptive management in response to this change, we believe that the chances of meeting its goals are greatly reduced. We recognize that the Management Strategy Elements are still underdevelopment and simply note at this time the importance of developing management strategies that can be evaluated for their performance via monitoring, modeling and rigorous scientific investigation, and the need to employ adaptive management to maximize effectiveness.

Pat Wharry, 7-18-13: Originally crafted 30 yrs ago! Shame on us for inept monitoring! Can we finally get it right by having clear, achievable guidelines, diligent monitoring of adherence to pollution control, warnings if not on track, then fines without exception. Too much is at stake to be lenient any longer. Climate change will not affect pollution! Don't waste too much time and money on what can't be controlled.

American Rivers 8-15-13: Finally **each goal's measurable outcome should drive a standard of performance to ensure that each partner can monitor the success of its commitment**, and stakeholders, all those touched by the watershed, will be able to applaud a healthy Chesapeake Bay resource.

Social / Economic Indicators

Issues Resolution Committee

RESOLVED: The IRC consulted the Social Science Action Team, which determined no indicators could be devised and approved in time for the signing of the Agreement though this will likely be a more long term project to incorporate into Management Strategies in the future.

Document Authors: Issues listed under "additional issues for consideration" have been assigned to organizational units for resolution except Socio/Economic indicators which is assigned to the Issues Resolution Committee for response.

VIMS, 8-15-13: The Vision statement foresees environmentally literate citizens, local governments, businesses, schools and other organizations committed to meeting the goals of the Program. The implementation strategy for this will require a committed effort to better understand the motivations and decision-making processes of private and corporate citizens in the watershed, and a willingness to implement programs that can change behaviors.

Infrastructure Maintenance Within the Watershed

GIT 3

FINAL 8-16-13

American Rivers, 8-15-13: Notably absent from the outcomes is a goal to improve the watershed's failing infrastructure and address the substantial unmet and future need for water infrastructure that ensures clean water in our waterways and available to our communities. In addition to the Agreement addressing infrastructure that is a barrier to healthy migratory fisheries and affects riparian habitat and stream flow, the Agreement should have a specific goal to help communities address operation and maintenance of existing storm water management, wastewater and drinking infrastructure and develop programmatic approaches toward implementing green infrastructure and water efficiency. **RESOLVED:** The Chesapeake Bay Program partnership recognizes that stormwater and wastewater are significant contributors to nutrients and sediments entering the Bay and its tributaries. As such, addressing stormwater and wastewater are integral parts of the 2010 Chesapeake Bay Total Maximum Daily Load (Bay TMDL). The Bay jurisdictions have developed Watershed Implementation Plans (WIPs) to meet the target allocations in the Bay TMDL and within these plans, stormwater and wastewater reductions play a major focus of their water quality improvement projects and programs. The Bay TMDL and WIPs are directly tied to the water quality goals and outcomes found in the draft Bay Agreement.

Concerns of Disrupting Ongoing Activities

RESOLVED: The new agreement is largely a refreshing of the 2000 agreement, with new target dates, built in adaptive management capabilities, and refined goals and outcomes based on what the Chesapeake Bay Partnership has learned. States will be able to state their resource commitments in the Management Strategies of the Outcomes

Va Farm Bureau, 8-14-13: We believe the revision to the Chesapeake Bay Agreement is likely to disrupt ongoing activities. Chesapeake Bay states are continuing to work on existing goals. Piling on additional goals could redirect scarce resources away from current efforts. The basis of the lawsuit filed against EPA by the Chesapeake Bay Foundation was to claim that Clean Water Act section 117(g) created a nondiscretionary duty on EPA to ensure that states implement the goals of any Chesapeake Bay Agreement. EPA settled that lawsuit by agreeing to issue the Chesapeake Bay TMDL and by agreeing to take significant regulatory actions. EPA claimed that section 117(g) gave it authority over TMDL implementation, even though that section required EPA to ensure that states began implementation of the Chesapeake Bay Agreement by providing federal grant funding and did not grant EPA any TMDL authority. By establishing a new agreement, states could be inadvertently laying the groundwork for a new lawsuit that EPA can settle by agreeing to new commitments of state resources. By establishing a new agreement, the Chesapeake Bay states may be reducing their discretion to address and prioritize actions to help restore the Chesapeake Bay and may be delegating their power to EPA and third party litigants

Pa Farm Bureau, 8-15-13: Changes to current focuses of pollution reduction affecting farms. We also note that the Abridged Agreement seriously fails to address or provide specific insight on the intended effects of the Agreement's proposed changes upon future farming operations and farming practices. The Abridged Agreement only mentions "working farms" in the context of "land conservation" (which we would interpret to mean land and open space preservation). The Abridged Agreement also mentions "toxic contaminants" without any context or premise of its application to farming or to other land use activities. **Application of the current Bay Agreement has prompted states to focus**

particularly on control and reduction of nitrogen, phosphorus and sediment pollution to improve water quality in the Chesapeake Bay. States and stakeholders in the Chesapeake Bay watershed have committed serious financial and technical resources to implement and finance those programs and activities that effectively respond to the areas of focus for pollution reduction identified in the current Bay Agreement. Any further revision in the Agreement to abruptly change the areas of environmental focus will likely have devastating effects upon the efforts of states to feasibly achieve existing reduction goals. Farmers in Pennsylvania and the other Bay states have already made significant investments in pollution control practices, many of which have resulted in marked nutrient and sediment pollution reductions in the Bay and its tributaries. As mentioned in Pennsylvania's Phase 1 Watershed Implementation Plan, in years prior to 2009, Pennsylvania agriculture played a major role in reducing nutrient levels in the Chesapeake Bay watershed. During that time, implementation of conservation practices on Pennsylvania farms accounted for 41 percent of the total reduction in nitrogen attained by agriculture in the Chesapeake Bay watershed

Resolving Issues Among All Partners

NOAA July 8: NOAA has concerns with the means for resolving issues associated with all of the goals and outcomes, namely that EPA is the sole federal representative on the "Issues Resolution Committee." This Committee was created without consultation of other federal agencies - given that the new agreement represents, in effect, a "merger" of the EO Strategy with the construct of a new Bay Watershed Agreement, there needs to be substantive means for identification of federal interests and advocacy/representation of those interests. If EPA is to serve all federal agencies in that capacity, then a means for interviewing federal representatives and documenting those interests needs to be developed (NOTE: the proposal to have the FOD serve this function has not been discussed or described). Alternatively, additional federal representation could be added to the IRC or a different process for resolving issues could be developed.

RESOLVED: No further action. Issues Resolution Committee has been formed and is operating, there is another federal agency representative as EPA alternate, and the Federal Office Directors have agreed to a process for ensuring that the federal representative on the IRC can represent all federal interests, not just EPA's.

NOAA July 8: Goals and outcomes on the list of "Additional Issues for Consideration" (abridged version) included with the abridged agreement - some of these seem very close to being resolved and could be part of the stakeholder review. As currently framed, the list is quite long and includes issues that stakeholders could potentially misinterpret (e.g., Why is "Stewardship" on this list? - seems like that would be no-brainer...). With no context in advance of this list, it could potentially confuse our stakeholders as the basis for what's on the list and what's not.

RESOLVED: All Additional Issues for Consideration have been assigned to a group working on the agreement, and their resolutions will be reflected in the full draft of the agreement for stakeholders.

State Water Quality Advisory Committee – August 7, 2013: Further consideration by the Bay Partnership of the listed Additional issues for Consideration and inclusion in the final Agreement is strongly recommended.

RESOLVED: All Additional Issues for Consideration have been assigned to groups working on the agreement for consideration.

Relationship to CWA Regulatory Programs

Editorial Board, GIT 2, GIT 3

VAMWA, VAMSA, MAMWA, SWAM - 8-13-13

In short, care must be exercised to avoid blurring the line between laws, regulations and associated administrative procedures, on the one hand, and the Partnership's mutual desires, on the other hand. The greatest risk of this occurring appears to be in the following sections:

Vital Habitats/Stream Health Outcome – The 10% improvement goal is essentially a CWA TMDL implementation requirement that extends the TMDL approach from tidal waters to non-tidal waters further upstream.

Water Quality Goal/WIP Outcomes (2017 and 2025) – See discussion in Section III above regarding timing targets.

Toxics Goals (if included) – Pollutants contained in point source discharges are already limited and controlled by CWA NPDES permit requirements.

To avoid CWA overlap, the above items should be deleted from the agreement or, alternatively, the item could be mentioned by name but the goal must be “to address them in accordance with the substantive and procedural requirements of federal and state water quality laws and regulations.”

In addition, due to the increasing role of CWA water quality regulation in the Bay restoration process, it would be appropriate to “back up” the clearer drafting (“no CWA overlap” approach) recommended above by adding a simple savings clause directly speaking to the potential problem area of interpretation.

The savings clause would confirm:

(1) that the agreement is *neutral* in terms of its regulatory effect (no increase or decrease in legal authority and *discretion* in exercising that authority) and

(2) that this neutrality is assured for signatories and *non-signatories* such as local governments and others.

The following is a brief, policy-neutral clause that meets these goals and is recommended:

This agreement in no manner alters or amends the Clean Water Act or implementing regulations thereunder. This agreement does not (1) relieve any signatory or third party from the requirements of the Act, (2) establish any additional authority of or requirements upon any signatory or non-signatory, or (3) divest any signatory of its authority and discretion under the Act.

Expressing Support / Commitment to Participate

NO RESOLUTION NEEDED

Planning Department, Maryland Port Association: On U.S. Army Corps of Engineers dredging program: I cannot over-emphasize what a challenge it is to have adequate capacity for this dredge material. It has to be acceptable to local communities and elected officials, it has to be economically feasible and it has to meet environmental regulations. But we are committed to being a partner in this process, and some of our sites—such as Poplar Island—are in alignment with many Chesapeake Bay Program goals.

Terry R. Matthews, 7-10-13: The Maryland State Water Quality Advisory Committee (SWQAC) welcomes the opportunity to be a part of this process. However, it would be helpful to know where we are with the current goals to be able to best assess those that are being proposed in this document.

FINAL 8-16-13

Susquehanna Greenway Partnership, 8-15-13: SGP supports a comprehensive agreement that includes goals to achieve a healthy ecosystem, recognizing an ecosystem's essential role in delivering clean water and, in turn, its dependence upon good water quality. SGP welcomes the opportunity to join with the Bay Program to help achieve goals and outcomes through participation in management strategies, as appropriate, and supports the use of management strategies to focus resources, enhance transparency and bring new partners to the table. SGP is especially supportive of outcomes related to brook trout and fish passage, and goals for healthy watersheds, land conservation, and public access. These all acknowledge important concerns for residents of headwater areas and help to foster connections between them and downstream resources.

Additional Guidance to Editorial Board:

- Maintain a broad provocative vision, which does not only focus on living resources and water quality
- Refresh what is constituted as a principle or as an Operational Commitment when considering where to place non-goal/non-outcome piece of the agreement. Sub-headings under operation commitments would be useful
- Reference the Partnership's coordination with the FLC – the parallel federal work
- Keep the agreement consistent with statutory language
- Reduce the use of the word "Bay" to respect inclusion of headwater states and their local waters as part of the Bay watershed
- Review the Puget Sound's Action Agenda for examples of plain language, integrating the human element, and overarching strategy titles that pull goals and outcomes together (terrestrial, near shore, coastal/marine)

***Editorial Board need to cross check the complete draft document to ensure consistency throughout**

PA, others, MB 7-12-13 review of PSC 6-27-13: Cross check all outcomes to ensure consistency with each other and with WIPS/TMDL. Need to harmonize all agreements, including TMDL/WIPs, EO, and CBP Agreements.

USACE July 10: Should there be some mention of the synergy between this Agreement and the E.O.?