

# Governance and Management Framework for the Chesapeake Bay Program Partnership



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This document describes the organizational function and governance for the Chesapeake Bay Program (CBP) in advancing Bay protection and restoration through the *New Chesapeake Bay Agreement*. For the purposes of this document, the term “CBP” remains the collective partnership. As the CBP has embraced an “adaptive management” approach to respond better to changing conditions and better information, the structure and governance of the program will change and evolve over time to better plan, align and assess partner activities and resources to meet CBP goals.

### **Chesapeake Bay Program History:**

The Chesapeake Bay was the first estuary in the nation targeted by Congress for restoration and protection. Since the Chesapeake Bay Program’s formation in 1983, several written agreements have guided the partnership’s pollution reduction and ecosystem restoration efforts.

**Early history and formation of the Bay Program:** In the late 1970s, U.S. Senator Charles “Mac” Mathias (R-Md.) sponsored a Congressionally funded \$27 million, five-year study to analyze the Bay’s rapid loss of wildlife and aquatic life. The study, which was published in the early 1980s, identified excess nutrient pollution as the main source of the Bay’s degradation. These initial research findings led to the formation of the Chesapeake Bay Program as the means to restore the Bay.

**Clean Water Act Section 117:** Section 117 created the Chesapeake Bay Program office within EPA. The office helps to coordinate State and Federal efforts to restore and protect the Bay, makes information available to the public and conducts scientific research on the Bay. Section 117 authorized funding to support the activities of the Chesapeake Bay Program office and for matching interstate development grants.

**The Chesapeake Bay Agreement of 1983:** The original Chesapeake Bay Agreement was a simple, one-page pledge signed in 1983. The agreement recognized that a cooperative approach was necessary to address the Bay’s pollution problems. It also established a Chesapeake Bay liaison office in Annapolis, Maryland.

*The signatories of the Chesapeake Bay Agreement of 1983 became the Chesapeake Executive Council:*

- The Governors of Maryland, Pennsylvania and Virginia
- The Mayor of the District of Columbia
- The Administrator of the U.S. Environmental Protection Agency (EPA)
- The Chair of the Chesapeake Bay Commission

**The 1987 Chesapeake Bay Agreement:** The 1987 Chesapeake Bay Agreement set the first numeric goals to reduce pollution and restore the Bay ecosystem. Among other goals, the agreement aimed to reduce nitrogen and phosphorus entering the Bay by 40 percent by 2000. Agreeing to numeric goals with specific deadlines was unprecedented in 1987, but the practice has become a hallmark of the Bay Program. In amendments added in 1992, Bay Program partners agreed to attack nutrients at the source: upstream in the Bay’s rivers. The Bay Program also began reevaluating its Basinwide Toxics Reduction Strategy to better understand the effects of chemical contaminants on the Bay’s aquatic life.

**Chesapeake 2000:** In 2000, Bay Program partners signed Chesapeake 2000, a comprehensive agreement that set a clear vision and strategy to guide restoration efforts through 2010. Chesapeake 2000 established 102 goals to reduce pollution, restore habitats, protect living resources, promote sound land use practices and engage the public in Bay

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restoration. It was also the first Bay agreement to emphasize ecosystem-based fisheries management. *Chesapeake 2000* marked the first time that the Bay’s “headwater states” – Delaware, New York and West Virginia – officially joined the Bay Program’s restoration efforts. The Governors of New York and Delaware committed to Chesapeake 2000’s water quality goals through a memorandum of understanding signed in 2000. The Governor of West Virginia added his signature in 2002. *Chesapeake 2000*’s success was mixed. The agreement laid the groundwork for restoration efforts in the 2000s and beyond. Bay Program partners achieved significant restoration gains in certain areas, such as land conservation, forest buffer restoration and reopening fish passage. However, not enough progress was made toward many other health and restoration measures, including oyster abundance and reducing nutrient pollution from agriculture and urban areas.

**Two-year Milestones for Water Quality:** By 2009, it was clear that Bay Program partners needed to dramatically accelerate the pace of Bay restoration. That year, the Executive Council decided to focus on short-term restoration goals called milestones. In addition to pursuing long-term deadlines as they did in past agreements, the seven Bay jurisdictions agreed to set and meet goals every two years for restoring water quality. By achieving their two-year milestones, the jurisdictions will put in place all restoration measures by 2025 that are necessary to meet water quality standards for dissolved oxygen, water clarity, and chlorophyll a in the tidal waters of the Bay.

**Executive Order 13508:** May 12, 2009, President Obama issued Executive Order 13508 on Chesapeake Bay Protection and Restoration. In the Executive Order, President Obama declared the Chesapeake Bay a “National treasure” and ushered in a new era of federal leadership, action and accountability. The purpose of the Executive Order is “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.” To bring the full weight of the federal government to address the Chesapeake’s challenges, the Executive Order established the Federal Leadership Committee (FLC) for the Chesapeake Bay, which is chaired by the Administrator of the U.S. Environmental Protection Agency and includes senior representatives from the departments of Agriculture, Commerce, Defense, Homeland Security, Interior and Transportation. The Executive Order charged the FLC with developing and implementing a new strategy for protection and restoration of the Chesapeake region.

The EO required development of a strategy with goals and measurable outcomes, an annual action plan to set forward key actions to be taken over the next year and expected funding. The EO also requires an annual progress report. The EO strategy recognized the need to align and coordinate these goals, outcomes, and products with those of the Chesapeake Bay Program partnership.

**Chesapeake Bay TMDL and Watershed Implementation Plans:** In 2010, the EPA established the landmark Chesapeake Bay Total Maximum Daily Load (TMDL). The Chesapeake Bay TMDL is a federal “pollution diet” that sets limits on the amount of nutrients and sediment that can enter the Bay and its tidal rivers to meet water quality goals. Each of the seven Bay jurisdictions created Watershed Implementation Plan (WIP) that spells out detailed, specific steps the jurisdiction will take to meet these pollution reductions by 2025. Federal, state and local governments are coordinating through the Bay Program partnership to implement the WIPs. The WIPs are guiding local and state Bay restoration efforts through the next decade and beyond. The Bay jurisdictions will use their two-year milestones to track and assess progress toward completing the restoration actions in their WIPs.

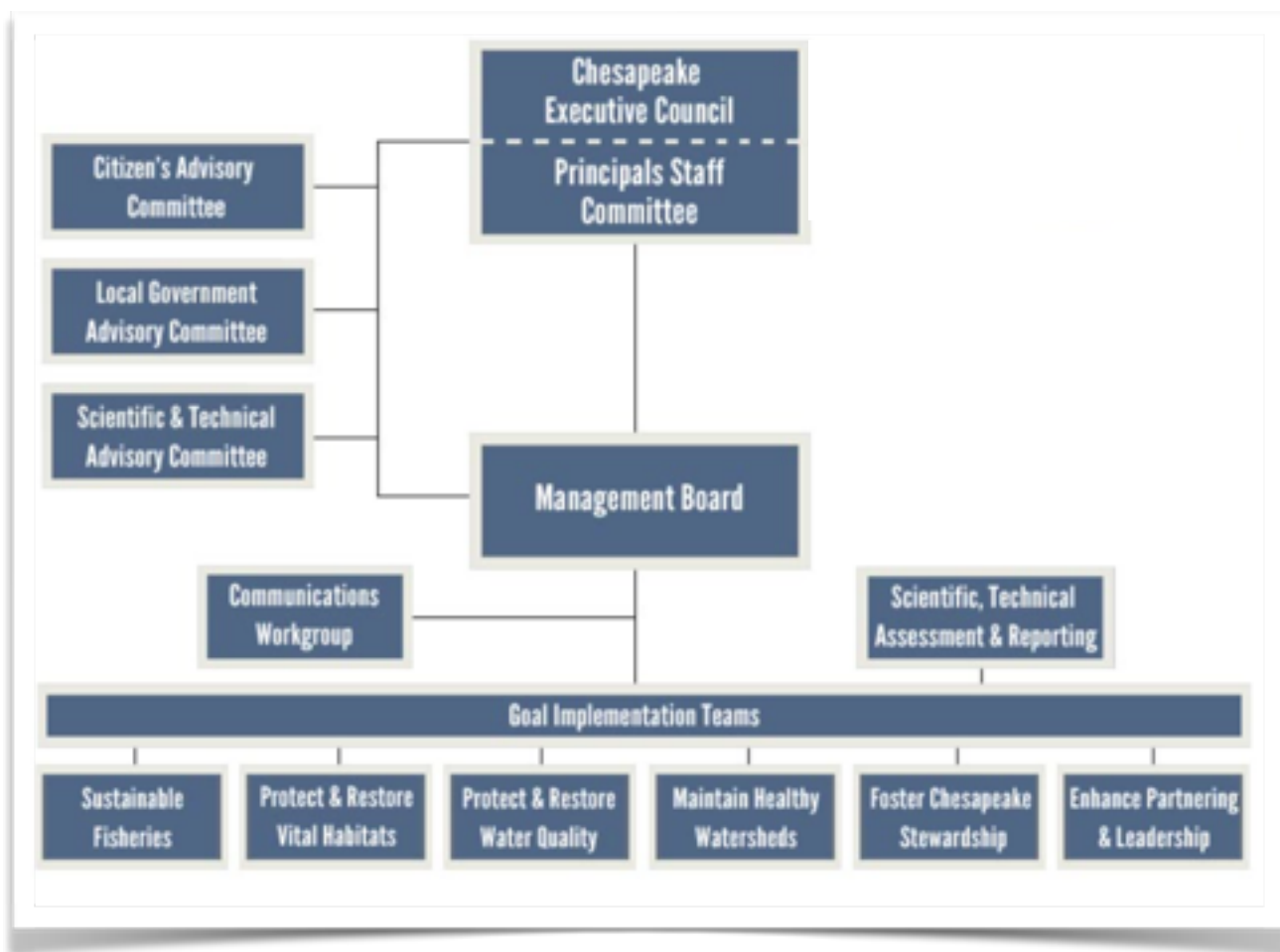
**2014 Watershed Agreement:** Today, the federal and state governments in concert with local governments, NGOs and academic institutions are forging the foundation for a new *Chesapeake Bay Watershed Agreement*. It will provide increased transparency and accountability. It will be flexible, incorporating adaptive management decision making to address changing conditions and circumstances. The Agreement will embrace new challenges such as Climate Resiliency, Environmental Literacy, Citizen Stewardship and Environmental Justice. Finally, it will provide the headwater states – Delaware, New York and West Virginia – the opportunity to join the partnership as full members. This new agreement will strengthen existing strategies that have proven effective and adopt new

strategies that reflect emerging challenges. It will improve governance of Bay restoration efforts by better aligning the work of federal agencies to support the priorities of the jurisdictions. Most importantly, it will reemphasize the collective commitment to the more than 17 million citizens who call this watershed home.

### **Organizational Structure**

The CBP marked its 30th Anniversary in December 2013. The CBP is a partnership of federal, state, and non-government organizations that come together to apply their collective resources and authorities to restore and protect the Chesapeake Bay. For purposes of this document, the term “CBP” means the collective partnership. For the past 30 years, the CBP has been well served by a robust organizational structure that has guided the important work of the Program. Figure 1 shows the organization of the CBP that had evolved over the years.

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



The structure and governance of the program will change and evolve over time as a result of CBP's application of adaptive management. The adaptive management system will foster both (1) continual improvement of CBP's organizational performance and (2) improved ecosystem management by allowing adjustments based on the relations between improving scientific knowledge, management actions and progress toward CBP goals. Following the adaptive approach, the partnership will likely learn that there are features of the organizational structure and governance that require modification following the transition described in this document. This will require some further changes to structure and governance in the future, which will be coordinated by the Management Board (MB). The functional assignments provided in this document for the Goal Implementation Teams (GITs) are a starting point and it is expected that the GITs will make recommendations to the MB for changes to functional assignments that will improve the effectiveness and efficiency of strategy implementation. This section below provides a description of the governance (mission, functions and responsibilities, leadership, membership, and operations) of the various organizational entities (e.g. EC, MB, GITs) that comprise the CBP.

All meetings are open to the public, with notification at a minimum through the Chesapeake Bay Program website ([chesapeakebay.net](http://chesapeakebay.net)) including date, time, location, agenda, and materials. While all meetings are open to the public, there may be space or phone-line limitations. Therefore, a summary of actions and decisions will also be available on the Chesapeake Bay website shortly following the meeting.

**Chesapeake Executive Council (EC):** The EC establishes the policy direction for the restoration and protection of the Chesapeake Bay and its living resources. It exerts leadership to marshal public support for the Bay effort and is accountable to the public for progress made under the Bay Agreements.

**(a) Key Functions and Responsibilities**

- Provide the vision and strategic direction for the restoration and protection of the Chesapeake Bay and its living resources.
  - Approve revised or added goals of the New Chesapeake Bay Watershed Agreement and significant changes to outcomes.
  - Exert leadership to marshal public support for the Bay effort.
  - Provide public accountability on progress toward goal achievement under the new Agreement.
  - Report on progress to the public annually using clear measurable objectives.
  - Direct changes as needed in the adaptive management system to improve program performance and resource alignment.
  - Provide direction to the Management Board and members of home agencies to promote the alignment of resources.
- Solicit and receive counsel and advice from the Advisory Committees.

- (b) Leadership and Membership:** Establishment of the Chesapeake EC is authorized by Section 117 of the Clean Water Act. The Chesapeake EC consists of "full members," corresponding to the signatories of the 2014 Chesapeake Bay Watershed Agreement and other participating members, as shown below. Leadership of the EC is rotated among the full members on a mutually agreed basis determined at each annual meeting. The lead member is responsible for planning EC activities and drafting the agenda for the

annual meeting. Current EC membership can be found at: [http://www.chesapeakebay.net/groups/group/chesapeake\\_executive\\_council](http://www.chesapeakebay.net/groups/group/chesapeake_executive_council)

- The Governors of Maryland, Virginia, Pennsylvania, Delaware, New York and West Virginia
- The Mayor of the District of Columbia
- The Chairman of the Chesapeake Bay Commission, a tri-state legislative body
- The Administrator of the U.S. Environmental Protection Agency

(c) **Federal Agencies:** While the Federal Agencies are formally represented by the Environmental Protection Agency on the EC, representatives would be invited to attend based on issues being addressed at a particular EC meeting (e.g. U.S. Department of Agriculture, U.S. Department of Interior, US Department of Commerce, Department of Army/ Corps of Engineers, and Department of Defense).

(d) **Duration of Membership:** State Governors, and the Mayor serve for the duration of their elected terms. Federal members serve for the duration of their appointment to their agency. The CBC Chair serves for the duration of his or her chairmanship.

(e) **EC Operations:**

- *Ground Rules:* The structure of the EC meeting is coordinated by the lead member with assistance from the Chesapeake Bay Program Office under guidance of the full Principals' Staff Committee (PSC). The format, location, and content (presentations, breakout sessions, participants, speaking roles, and other participation details) of the EC meetings are to be determined well in advance of the meeting to avoid unexpected outcomes and provide an effective planning process.
- *Decision Making:* Decision-making at the Executive Council will be done by signatory representatives through consensus, . If consensus cannot be reached a supermajority vote will be utilized (7-2).
- *Attendance at Annual Meetings:* Attendance is mandatory at the annual meeting for signatory principals and headwater states or, in the event of an unforeseen conflict, then the highest possible appointee should attend in his or her place. If an individual attends with the purpose of representing his or her jurisdiction, he or she is expected to speak at the press conference following the EC meeting. However, all signatories should try to send their highest ranking person possible.
- *Frequency and Duration of Annual Meetings:* The EC meets at least annually. The meetings are typically all-day meetings held at highly visible venues as chosen by the lead EC organization.
- *Budgeted Resources:* Financial support for the EC annual meeting is provided by EPA Chesapeake Bay Program Office (CBPO) and the lead EC organization.
- *Staffing and Support:* A senior CBPO employee is assigned to help coordinate activities and the annual EC meeting. Additional support is provided by a CBPO staff.

**Principals' Staff Committee (PSC):** In parallel with the mission of the EC, the PSC acts as the policy advisors to the EC, accepting items for EC consideration and approval, and setting agendas for EC meetings. The PSC translates the restoration vision by setting policy and implementing actions on behalf of the EC. The individual members of the PSC arrange and provide briefings to their principals, the Agreement signatories. The PSC also provides policy and program direction to the MB.

(a) **Roles and Responsibilities:**

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- Set agendas for EC meetings.
  - Approve revised or additional Outcomes of the New Chesapeake Bay Watershed Agreement unless they are significant as determined by the PSC, where upon they are sent to the EC for final approval.
  - Ratifies Management Strategies for the MB to oversee their implementation.
  - Report to the EC on implementation of Management Strategies every year..
  - Provide policy and program direction to the MB.
  - Solicit and receive counsel and advice from the advisory committees.
  - Resolve issues presented by the MB that require executive-level resolution.
  - Prepare the EC principals for discussions on key issues with other members of the EC, the public, and the media.
  - Contribute to alignment of partner resources relative to established priorities.
- (b) **Leadership and Membership:** Each signatory to the Agreement has the option of chairing the PSC.. The PSC is comprised of high-level state and federal leaders. State membership to the PSC consists of a delegation that includes members at the Secretary level of major state departments. States have the latitude to decide upon the size of that delegation and may add to or subtract from their delegation at any time. Federal membership to the PSC consists of a federal delegation at a level commensurate with state secretary level. **CBC membership consists of the Commission’s Executive Director.** At the PSC, all members of the delegations are invited to participate in the discussion, however for decision making, each delegation is expected to provide one position for decision making purpose.
- (c) **Duration of Membership:** Members are appointed by EC principal. The Chair rotates at the same frequency as the rotation for the EC Chair, and representing the same signatory as the EC chair.
- (d) **PSC Operations:**
- *Ground Rules:* The structure of the PSC meetings are coordinated by the lead member with assistance from CBPO. The format, location, and content (presentations, breakout sessions, participants, speaking roles, and other participation details) of the PSC meetings are to be determined well in advance of the meeting to avoid unexpected outcomes and provide an effective planning process. Meetings are to allow active translation of the restoration vision set by the EC and to allow PSC members to represent the EC in providing direction to the MB. Meetings allow for issues to be discussed and for decisions to be made that further clarify policies related to restoration goals and metrics. Issues identified by the MB and progress reports related to EC interests are a major focus of PSC meetings.
  - *Decision Making:* Decision-making at the Principals’ Staff Committee will be done by signatory representatives through consensus. If after substantial discussions consensus cannot be reached a supermajority vote by delegation will be utilized.

- *Attendance at Meetings:* Meeting attendance may be in-person or by conference call. Members who are not able to attend are expected to designate an alternate. When the PSC Chair is not able to lead the meetings, he/she will designate an executive-level person within his/her delegation to take his/her place.
- *Frequency and Duration:* Meetings are conducted quarterly with conference calls as needed between quarterly meetings. Locations of quarterly meetings are at the discretion of the chair.
- *Setting Priorities:* Priority setting for the PSC is at the discretion of the chair with input from members. Priorities are identified as related to EC vision and implementation issues identified by the MB, advisory committees or individual PSC members.
- *Budgeted Resources:* Financial support for the PSC quarterly meeting is provided by EPA Chesapeake Bay Program Office (CBPO) and the lead EC organization.
- *Staffing and Support:* The PSC is co-coordinated by executive-level CBP Office Staff and a representative of the state that is chairing the EC. In addition, the CBP Office provides staff support to the PSC.

**Management Board (MB):** Provides strategic planning, priority setting, and operational guidance through implementation of a comprehensive, coordinated, accountable implementation strategy for the CBP.

(a) **Roles and Responsibilities:**

- Creates, commissions and sunsets GITs and Action Teams as needed and designates GIT Chairs.
- Formally accepts the Management Strategies as complete, subject to Principals' Staff Committee approval.
- Responsible for overseeing the implementation of the Management Strategies through the GITs and Action Teams. Approves revised or additional Management Strategies.
- Annually reviews Management Strategies to ensure that actions are being implemented and are staying on track.
- Frames the issues and ensures that the critical data, information, options and analyses are performed to support effective decisions by the PSC/EC
- Assures that resources of the partnership are aligned with strategic priorities to the greatest extent possible.
- Creates and commissions Action Teams as needed. Appoints leaders of Action Team.
- Provides input and guidance on the EPA CBPO budget and identifies key gaps in resource needs to achieve priority actions.

- (b) **Leadership and Membership:** The MB is chaired by the Director of the EPA CBP Office. With the exception of the Federal government representatives, each signatory has a single representative at, in general, the highest level below that represented on the PSC is required. Typically this indicates Assistant

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Secretary, Office Director, Executive Director, Chief, or equivalents. The CAC, LGAC, and STAC participate in advisory role only. GIT chairs also participate as non-voting members. In addition, the MB includes the following Core Federal Agency Partners listed below. Current MB Membership can be found at: [http://www.chesapeakebay.net/groups/group/management\\_board](http://www.chesapeakebay.net/groups/group/management_board)

- National Resource Conservation Service
- U.S. Forest Service
- National Oceanic and Atmospheric Administration
- U.S. Geological Survey
- National Park Service
- U.S. Fish and Wildlife Service
- U.S. Army Corp of Engineers
- Department of Defense
- U.S. Environmental Protection Agency

(c) **Duration of Membership:** The Chair and members are appointed for indefinite terms.

(d) **MB Operations:**

- *Ground Rules:* The meeting time of the MB is for decision-making, time-critical discussions, and hearing summary results of the GITs or Action Teams. On a regular basis, the MB conducts strategy and operations reviews. The purpose of these reviews is to evaluate the performance of the groups and address problems and short-term barriers to progress, to identify areas of coordination with other GITs, and to allow for strategy adjustments based on learning or changes in the external environment. Each State and Federal partner has one voice in decision-making. When the MB Chair is not able to lead the meetings, he/she will designate an executive-level person within his/her organization to take his/her place.
- *Decision Making:* Decision-making at the Management Board will be done by signatory representatives through consensus. If after substantial discussions consensus cannot be reached a supermajority vote will be utilized. The federal members will act as a delegation if a vote is required. Advisory committees and Goal Implementation Team chairs will have no vote.
- *Attendance at Meetings:* Meeting attendance may be in-person or by conference call. Members who are not able to attend are expected to designate an alternate. A quorum of 50% of those on the MB, regardless of Federal and State proportions, must be present for decisions to be made.
- *Frequency and Duration:* Meetings are held monthly and may alternate between in-person meetings and teleconferences. A schedule for meetings will be determined at the beginning of the year and the scheduled format (i.e., in-person or teleconference) will be maintained to the greatest extent possible.

- *Setting Priorities:* For general operation of the MB, it is the responsibility of the Chair and the Coordinator to track and facilitate discussion on the highest MB priorities following input from the entire group.
- *Budgeted Resources:* The EPA CBPO provides funding for priority activities identified by the MB in collaboration with the GITs on an annual and as-available basis. Requests for EPA funds will be processed by the MB Chair.
- *Staffing and Support:* The EPA CBPO provides significant staffing and logistic support to the MB. A senior member of the CBPO is assigned as MB Coordinator. One or more of the staff members of a non-government organization supported by a grant from EPA (currently the Chesapeake Research Consortium) will be assigned to provide administrative and research support. In addition, there is a close and supportive relationship between the MB and the Enhancing Partnering, Leadership, and Management GIT. This GIT provides significant coordination of the adaptive management system cycle and facilitates the MB's responsibility in overseeing the system. The Enhancing Partnering, Leadership, and Management GIT keeps the cycle of the system on schedule and provides the MB the information it needs to use the system as a management framework and a method for continually improving program performance.

**Goal Implementation Teams (GITs) (for the purposes of this section, STAR and the Communications**

**Workgroup are considered the same as GITs):** The GITs are intended to focus and drive implementation to achieve very explicit progress and results within the scope of their goal area. The GIT goal area scopes are consistent with the broad goals of the new Chesapeake Bay Watershed Agreement, except that a sixth goal has been added to support the MB with coordination and management of the overall CBP. The six GITs are: Protect & Restore Fisheries; Protect & Restore Vital Aquatic Habitats; Protect & Restore Water Quality; Maintain Healthy Watersheds; Foster Chesapeake Stewardship, and; Enhance Partnering, Leadership, & Management. The mission, membership and activities of the individual GITs can be found at: <http://www.chesapeakebay.net/about/organized>.

(a) **Roles and Responsibilities:** Certain functions and responsibilities will be common to all of the GITs.

- Responsible for the development and implementation of the Management Strategies. Final Management Strategies are submitted to the MB for approval.
  - Responsible for overseeing the implementation of the Management Strategies through the GITs and Action Teams, subject to Principals' Staff Committee ratification. Approves revised or additional Management Strategies.
  - Annually reviews Management Strategies to ensure that actions are being implemented and are staying on track.
  - Frames the issues and ensures that the critical data, information, options and analyses are performed to support effective decisions by the PSC/EC
  - Assures that resources of the partnership are aligned with strategic priorities to the greatest extent possible.

- Creates and commissions Action Teams for specific short term actions under the purview of their GIT as needed. Appoints leaders of Action Team.
  - Provides input and guidance on the EPA CBPO budget and identifies key gaps in resource needs to achieve priority actions.
  - Identifies needs for monitoring, modeling, indicator/metric development, and information management for STAR development.
- (b) **Leadership and Membership:** Each GIT has one chair and one vice chair. While the chair or vice chair can be federal, state, or other organization (e.g., NGO), at all times either the chair or vice-chair is federal or state. The chair will not be a voting member of the MB but will serve in an advisory capacity to the MB on a regular basis. The term limit for GIT leaders is two years, unless circumstances require that the term be extended. The GIT chair is responsible for coordinating with the MB on strategic plans for achieving high-priority restoration outcomes as well as periodically providing updates to the MB on progress and roadblocks encountered. The MB works closely with GIT leaders while also empowering them to have the greatest discretion possible over short-term adjustments to execution of strategic plans to allow quick adaptations to changing internal and external circumstances. The chairs and vice-chairs shall be individuals representing agencies with significant authority in that GIT's topic areas and those individuals should be at a leadership level within their agency.
- (c) **Duration of Membership:** GIT members serve indefinite terms.
- (d) **GITs Operations:**
- *Ground Rules:* Meetings are held at the discretion of the chair with input from GIT members, but should generally be held only when there is a task that requires a group effort. An agenda and decision documents are circulated before the meeting. Agenda should spell out specific goals for meeting with time limits for each item. Chair runs the meeting, is responsible for maintaining the schedule and tables discussions that are not on the agenda. The chair must make a commitment to set ground rules and take an active role in guiding the discussions. Chair persons should conduct evaluations periodically to make sure meetings are productive and make a good use of peoples' times.
  - *Decision Making:* Decision-making for Goal Implementation Teams on Management Strategies will be done by members participating in Management Strategies through consensus. If after substantial negotiations consensus cannot be reached a super majority vote will be utilized.
  - *Reporting, Accountability and Performance Metrics:* The Chair is responsible for maintaining a clear sense of purpose, specific performance goals, and reporting on Management Strategies.
  - *Budgeted Resources:* It is the responsibility of the MB and the GITs to plan operations so that there are sufficient dollars and/or other resources to complete the activities that are designated in management strategies to the greatest extent possible. Activities and related resource budgets are to be reflective of the priorities established by the EC and the MB.

- *Staffing and Support:* Pending a decision to be made by the chair and EPA CBPO Director, a Coordinator will be available to the EC, PSC, MB, and each of the GITs. CBPO staff will also provide administrative support in the areas of budget, facilities, administrative office tasks and meeting planning.

**CBP Advisory Committees:** The three Advisory Committees provide independent perspectives from critical stakeholder groups and strengthen the natural and social science basis for Bay restoration activities. The Advisory Committees are the independent thinkers and advisors to the EC, PSC and MB.

- The LGAC was created by the Chesapeake Bay Executive Council through the 1987 Chesapeake Bay Agreement. The purpose of the LGAC is to advise the Executive Council on how to effectively implement projects and engage the support of local governments to achieve the goals of the Bay Agreement. LGAC's mission is to share the views and insights of local elected officials with state and federal decision-makers and to enhance the flow of information among local governments about the health and restoration of the Chesapeake Bay Watershed. Current membership and operational details for the LGAC is outlined in the by-laws available at: [http://www.chesapeakebay.net/groups/group/local\\_government\\_advisory\\_committee](http://www.chesapeakebay.net/groups/group/local_government_advisory_committee)
  - The CAC is charged with responsibility for representing residents and stakeholders of the Chesapeake Bay watershed in the restoration effort and advising the Chesapeake Bay Program Partnership on all aspects of Chesapeake Bay restoration. In this role, they have been strong, vocal advocates for increased transparency and accountability, citizens engagement and education, and independent evaluation of the restoration work of the Partnership. Members communicate with their constituencies to increase understanding of the Agreement and programs to restore and protect the Bay. The membership is broad-based with representatives from agricultural and homebuilding industries, business, conservation, environmental foundations, law, and civic groups. Since 1984, this group has provided a non-governmental perspective on the Bay cleanup effort and on how Bay Program policies and programs affect citizens who live and work in the Chesapeake Bay watershed. Current membership and operational details for the CAC is outlined in the by-laws available at: [http://www.chesapeakebay.net/groups/group/citizens\\_advisory\\_committee](http://www.chesapeakebay.net/groups/group/citizens_advisory_committee)
  - The STAC provides scientific and technical guidance to the Chesapeake Bay Program on measures to restore and protect the Chesapeake Bay. Since its creation in December 1984, STAC has worked to enhance scientific communication and outreach throughout the Chesapeake Bay watershed and beyond. Current membership and operational details for the CAC is outlined in the by-laws available at: <http://www.chesapeake.org/stac/>
- (a) *Key Functions and Responsibilities:* Certain functions and responsibilities will be common to all three of the CBP Advisory Committees.
- Actively make independent recommendations to the EC, PSC and MB
  - As advisors, participate in EC, PSC and MB meetings

- Participate in the development and implementation of the Management Strategies as appropriate.
- Establish annual goals and deliverables that support the strategic priorities of the CBP
- Actively collaborate with the MB and share progress on annual goals and deliverables
- Report directly to the EC and PSC but collaborates with the MB to establish strategic priorities
- Provide support to GITs and Action Teams requests for policy, scientific and technical input as allowed by the limited time that members are able to apply
- Strategic priorities and focus areas for the Advisory Committees should be developed in concert with the MB while considering the full range of possible specific roles listed in the committee-specific sections below.

### **Decision-Making for the 2014 Chesapeake Bay Watershed Agreement**

Over the 25-year history of the CBP, the partners have signed nearly 100 agreements, directives, resolutions, adoption statements and other documents that create cooperative action to restore and protect various aspects of the watershed and Bay. This complex and challenging endeavor has routinely relied upon collaborative decision-making and “consensus” (all parties can live with the decision) among the partners has been, and remains, a goal. There are, however, situations in which consensus is inappropriate or in which consensus is not necessary for progress to be made. Whatever approach is used to make decisions, it is important that members of the organizational group understand exactly what the process is and that they feel included in the process. Finally, when decisions are made, the approach used must be recorded in meeting minutes along with the outcome of decision.

- Decision-making at the Executive Council, Principals’ Staff Committee, and Management Board will be done by signatory representatives through consensus. Only as a last resort if consensus cannot be reached a supermajority vote will be utilized.
- Decision-making for Goal Implementation Teams on Management Strategies will be done by members participating in Management Strategies through consensus. Only as a last resort if consensus cannot be reached a supermajority vote will be utilized.

### ***Consensus Decision-Making***

Once an agenda for discussion has been set, each item of the agenda is addressed in turn. Typically, each decision arising from an agenda item follows through a simple structure:

- **Discussion of the item:** The item is discussed with the goal of identifying opinions and information on the topic at hand. The general direction of the group and potential proposals for action are often identified during the discussion.
- **Formation of a proposal:** Based on the discussion a formal decision proposal on the issue is presented to the group by the presenter and the Chair or Vice-Chair.

- **Call for consensus:** The facilitator of the decision-making body calls for consensus on the proposal. Each member of the group usually must actively state their agreement with the proposal.
- **Identification and addressing of concerns:** If consensus is not achieved, each dissenter presents his or her concerns on the proposal, potentially starting another round of discussion to address or clarify the concern. The dissenting party/parties will supply an alternative proposal or a process for generating one, so any unique or shared concerns with proceeding with the agreement can be addressed. To allow time for resolution of the concern, a consensus decision will be sought at the next meeting of the GIT or Workgroup.
- **Modification of the proposal:** The proposal is amended in an attempt to address the concerns of the decision makers. The process then returns to the call for consensus. If consensus again cannot be reached, the decision passes to a supermajority vote.

**(a) Goals, Outcomes and Management Strategies:**

- *Goals:* The goals articulate the desired high-level aspects of the new Agreement. The Executive Council makes the decision to approve revised or added goals to the 2014 agreement. Any changes or additions to goals are approved by the Executive Council. Proposed changes to goals or the addition of new goals are open for public input before being finalized. Final changes or additions are publicly posted to the Bay Program website.”
- *Outcomes:* The outcomes related to each goal are the specific, time-bound, measurable targets that directly contribute to achievement of the goals. Changes or additions to outcomes are approved by the Principals’ Staff Committee, although significant changes or additions will be raised to the Executive Council for approval. Proposed changes to outcomes or the addition of new outcomes are open for public input before being finalized. Final changes or additions are publicly posted to the Bay Program website.”
- *Management Strategies:* The Management Strategies outline the means for accomplishing the outcome, monitoring, assessing and reporting progress and coordinating actions among partners and stakeholders, as necessary. Where appropriate, management strategies should describe how local governments, nonprofit and private partners will be engaged; where actions, tools or technical support are needed to empower local governments and others to do their part; and, what steps will be taken to facilitate greater local participation in achieving the outcomes.

Participation in management strategies or participating in the achievement of outcomes is expected to vary by signatory, based on differing priorities across the watershed. This participation may include sharing knowledge, data or information; educating citizens or members; working on future legislation; and developing or implementing programs or practices. Management strategies, which are aimed at implementing outcomes, will identify participating jurisdictions and other stakeholders, including local governments and nonprofit organizations, and will be implemented in two-year periods. Stakeholders and other interested parties will be notified of the development of the management strategy, the GIT meeting dates, times, and locations, and when the draft

management strategy is available for public comment. This notification will be mainly through the Chesapeake Bay websites and social media, but will include outreach to non-traditional partners. The signatories and other partners shall thereafter update and/or modify such commitments every two years. Specific management strategies will be developed in consultation with Advisory Committees, stakeholders, organizations and other agencies, and will include a period for public comment and review prior to final acceptance as final. The Principals' Staff Committee will report on implementation of management strategies every two years.

Management strategies may address multiple outcomes if deemed appropriate. Goal Implementation Teams will reevaluate biennially and update strategies as necessary, with attention to changing environmental and economic conditions. Partners may identify policy changes to address these conditions and minimize obstacles to achieve the outcomes. Stakeholder input will be incorporated into the development and reevaluation of each of the strategies. The Chesapeake Bay Program will make these strategies and reports on progress available to the public in a transparent manner on its websites and through public meetings of the appropriate Goal Implementation Teams and Management Board. The Management Board will approve these strategies.

If the Management Board determines that any strategy or plan developed prior to the signing of this Agreement meets the requirements of a management strategy as defined above, no new strategy needs to be developed. This includes, but is not limited to, the strategies and plans for implementing the Chesapeake Bay TMDL.