

Response and Recommendations on Strawman Structure Proposal

The proposed structure removes or obscures several foundational components of the Bay Program—the **source sector workgroups, the Modeling Workgroup, and At-large member participation**. Each of these elements is central to transparency, technical rigor, and trust within the partnership. Without them, the Program risks:

- Losing technical credibility, as critical expertise in stormwater, agriculture, and wastewater is sidelined.
- Eroding confidence in modeling results, if stakeholders are no longer engaged in model review and interpretation.
- Weakening implementation, by disconnecting state-level policy from the realities faced by local governments and local practitioners.

1) Source Sector Workgroups

The source sector workgroups serve an essential role in advancing the goals and priorities of the Chesapeake Bay Program Partnership. These workgroups interface directly with local partners implementing practices and programs and represent the expertise and experience that enhance Program decision-making. The **Urban, Agriculture, and Wastewater Workgroups** are the technical and practical bridge between policy and implementation. They ensure that nutrient and sediment reductions are grounded in feasible, sector-specific strategies. Without them:

- The Program loses the primary venue for BMP development, verification, and innovation.
- Data and model inputs risk becoming inconsistent or unvetted.
- Local expertise and real-world perspectives will be absent from decision-making.

To highlight some specifics, below are Urban Stormwater Workgroup (USWG) examples.

USWG Empowers Local Governments

- The USWG Governance establishes up to two voting members per state for local government representatives. This depth of engagement with local implementers strengthens programs and ensures policies and programs address local needs and respect local constraints
- Establishes cross-outcome connections within the Partnership by directly addressing implementation support needs associated with local priorities including toxic contaminants, flood resilience, and tree canopy expansion. Provides a venue

to discuss these local priorities that ultimately benefit multiple outcomes by connecting investments in these efforts to water quality goals.

- Shares case-studies and best practices for more effective programs and implementation. Recent examples include new BMP design approaches, effective asset management database systems, successful updates to stormwater manuals, and award-winning education and outreach programs.

Stormwater Innovation

- Since 2017, the USWG has opened the door to new technologies including Continuous Monitoring and Adaptive Control (Smart BMPs), Coagulant-Enhanced Stormwater Treatment Ponds, Biochar Amendments, and more. They have also evaluated new approaches to older practices including infiltration media amendments, impervious cover removal, and conservation landscaping.
- Ensure existing BMPs are updated to reflect the latest science and policy. As Expert Panel Reports age, state laws and programs change, and the Modeling tools are updated, there is a need to ensure older BMPs are still reasonable and reflect the best available science and on-the-ground conditions. Urban Nutrient Management, Street Sweeping, and Stream Restoration have all required substantial updates led by the source-sector workgroups.
- Leads innovative initiatives like the development of the Bay-Wide Projected IDF curves, Vulnerability Assessment Framework, and BMP Adaptation Design Guidelines.
- Evaluates approaches to streamline tracking and reporting of BMPs to improve program efficiency and reduce administrative burdens through projects like the “Beyond Bean Counting” Project.

USWG Model Development Support

- Development and review of critical data inputs including land use classifications, land use loading rates, MS4 layers, non-farm fertilizer application methodology, E3 scenarios, sediment delivery assumptions, and nutrient dynamics in urban pervious lands
- Development of technical appendices for all new stormwater Expert Panels and responding to any technical requests from the CAST team to update tools and resources.
- Facilitating state and local partner review of Model updates and assisting understanding of the implications of any changes at the local level.

2) Modeling Workgroup

The Modeling Subcommittee provides transparency and accountability for the Bay's suite of models. It ensures the partnership understands how targets are derived and what assumptions underpin progress reporting. Without this group:

- Model development becomes opaque, leading to less clarity on model inputs, assumptions, and an increased reliance on documented changes.
- The adaptive management cycle weakens because partners can't effectively evaluate or question modeled results.

3) At-Large Membership

At-Large Members are independent, non-jurisdictional members who ensure a diversity of perspectives across Goal Implementation Teams and Workgroups. Their participation grounds decisions in the real-world challenges of implementation and builds trust. Without them:

- Decision-making becomes dominated by state or federal interests.
- Local government experience, innovation, and cross-sector coordination are lost.
- Trusted sources that translate science and policy into implementable local actions will be lost.

Moving Forward

We recommend that any future Bay Program structure:

1. Retains source sector workgroups as standing entities under the Clean Water track.
2. Maintains the Modeling Subcommittee as an independent, transparent technical body.
3. Guarantees at least three at-large members per GIT and Workgroup, with designated local government representation.
4. Aligns governance under two coordinated but distinct tracks to ensure both compliance and restoration objectives are met effectively. Consider the following:
 - *Track A (Regulatory)* – driven by EPA and Clean Water Act requirements.
 - *Track B (Voluntary)* – driven by partnerships, communities, and restoration goals.
 - *Shared Engine* – PSC, STAR, Advisory Committees, and cross-cutting workgroups.