

Governance and Management Framework for the Chesapeake Bay Program



March 10, 2026



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I. INTRODUCTION

This document describes the organizational function and governance for the Chesapeake Bay Program in advancing Bay ~~restoration, conservation and protection and restoration~~ through the Chesapeake Bay Watershed Agreement (the Agreement) signed in 2014. ~~For the purposes of this document, the term "Chesapeake Bay Program" refers to the collective partnership, representing the signatories of the Agreement (the State of Maryland, the Commonwealth of Virginia, the District of Columbia, the State of Delaware, the Commonwealth of Pennsylvania, the State of West Virginia, the State of New York, the Chesapeake Bay Commission and revised the U.S. Environmental Protection Agency for the federal government) as well as the broad range of stakeholders (including local governments, businesses, watershed organizations and other non-governmental organizations) who participate in 2025, the different levels of the organization and in the development and implementation of Management Strategies. For information on the 30-year history of the partnership and its efforts in Bay protection and restoration, see the Chesapeake Bay Program website at: <http://www.chesapeakebay.net/about/how/history>.~~

Section 117 of the Clean Water Act (33 U.S. Code § 1267 – Chesapeake Bay), as amended in 2000 defines the Chesapeake Bay Program as “the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.” It further defines the Chesapeake Executive Council (EC) as the signatories to *the Agreement*, calls for the U.S. Environmental Protection Agency (EPA) to maintain a Chesapeake Bay Program Office (EPA CBPO), and authorizes funding to be used for protecting and restoring the Chesapeake Bay. This Governance Document is and must remain consistent with all that is described and defined under Section 117 of the Clean Water Act as amended.

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

~~As the CBP~~As the Chesapeake Bay Program has embraced an “adaptive management” approach to respond to changing conditions and better information, the structure and governance of the program will change and evolve over time to better plan, align and assess partner activities and resources to meet ~~CBP~~Chesapeake Bay Program goals. ~~Likewise, This adaptive approach will be reflected in this document, and~~ revisions to this document will be made periodically, or as needed.

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II. CHESAPEAKE BAY PROGRAM VISION AND PRINCIPLES

The ~~CBP's Chesapeake Bay Program's~~ Vision and Principles are established in the ~~2014 Chesapeake Bay Watershed Agreement~~.

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

Vision: "The Chesapeake Bay Program partners envision an environmentally and economically sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and access to the water, a vibrant cultural heritage and a diversity of engaged stakeholders."

Principles: "The following principles are an overarching framework by which the Chesapeake Bay Program commits to operate under the following. These principles, which reflect encompass the partners' collective, core values. The principles and are intended to help guide them in our work of as the partnership in our governance and as we develop develops policy and take action takes actions to achieve the Chesapeake Bay Watershed Agreement's Goals and Outcomes."

Science

- Use place-based approaches, where appropriate, to target specific geographic areas and produce recognizable benefits to local communities while contributing to larger ecosystem goals.
- The partnership will:
- Collaborate to achieve the Goals and Outcomes of the Agreement.
 - Achieve Goals and Outcomes in a timely way at the least possible cost to the public.

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- ~~Represent the interests of people throughout the watershed fairly and effectively, including a broad diversity of cultures, demographics and ages.~~
- ~~Operate with transparency in program decisions, policies, actions and reporting on progress to strengthen public confidence in our efforts.~~
- ~~Use science-based decision-making and seek out innovative technologies and approaches to support sound management decisions in a changing system.~~
- Maintain and enhance a coordinated watershed-wide monitoring, modeling, and research program to support decision-making and track progress and the effectiveness of management actions.
- Integrate social science holistically throughout the partnership to support adaptive management, more effectively engage with communities, and incentivize individual and collective behaviors that support partnership goals.
- Adaptively manage at all levels of the partnership to foster continuous improvement informed by the best available science and strong working relationships.
- Use science-based decision-making, consider Indigenous and local knowledge, and seek out innovative technologies and approaches to support sound management decisions in a changing system.

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Restoration and Conservation

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

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Partnership

- Represent the interests of people throughout the watershed fairly and effectively.
- ~~Meaningfully engage the public to foster collaboration and grow~~ Adaptively manage at all levels of the partnership to foster continuous improvement.
- ~~Seek consensus when making decisions.~~
- ~~Use place-based approaches, where appropriate, that produce recognizable benefits to local communities while contributing to larger ecosystem goals.~~
- Engage the public to increase the number and diversity of people who support and carry out the restoration, conservation and protection restoration activities necessary to achieve the Goals and Outcomes of this Chesapeake Bay Watershed Agreement.
- ~~Facilitate outreach to~~ Explore using social science to better understand and measure how human behavior can drive natural resource use, management and welcome participation by all communities regarding decision-making.
- ~~Promote environmental justice through the partnership's activities, decisions~~ meaningful involvement and fair treatment of all people, regardless of race, color, national origin or income, in the implementation of the Agreement.
- Collaborate to achieve the Goals and Outcomes of this Chesapeake Bay Watershed Agreement.
- Operate with transparency in program decisions, policies, actions and reporting on progress to strengthen public trust and confidence in our efforts.

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- Strive for consensus across the partnership when making decisions.
- Include tribal nations in the partnership in a manner that appropriately considers their unique status as independent sovereign nations and as original stewards of the land.

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

The EC's "Statement in support of diversity, equity, inclusion, and justice" signed in August 2020, stated, "As a partnership¹, we commit to:

- Strengthen and improve diversity, equity, inclusion and justice in our organizational structure, leadership, policies, strategic goals, restoration and conservation activities, workplans and program delivery, including guidance on including DEIJ and environmental justice criteria in grant targeting and evaluations.
- Engage, recruit and retain leadership, staff, appointees, interns and volunteers that reflect the diversity of people living within the Chesapeake Bay Watershed region.
- Foster a culture of inclusion, respect and mutual learning within the Chesapeake Bay Program by leading organizational change and empowering new voices and perspectives in our outreach, engagement and internal decision-making.
- Following consultation and coordination, determine how to best include federally recognized tribes in the Bay watershed in partnership activities.
- Develop long-term relationships, partnerships and increased collaborative planning with organizations led by and primarily serving communities of color and other underrepresented populations that result in informed and mutually beneficial decisions and outcomes.
- Ensure the benefits of our science, restoration and partnership programs are distributed in a fair and equitable manner without adverse, disproportionate impacts on vulnerable populations, especially those of lower economic status, indigenous, historically underrepresented communities and people of color.
- Continue to learn and share best practices as an organization in our evolving understanding of how best to promote diversity, equity, inclusion and justice."

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

IV. ETHICAL BEHAVIOUR GUIDELINES

No participant in a CBP Chesapeake Bay Program discussion shall seek to influence consensus or action by the group in such a way as to derive any direct or indirect personal profit or gain^{2,3}. These guidelines shall also apply to the member's business or other nonprofit affiliations, family and/or significant other, employer, or close associates who may stand to receive a benefit or gain. Any participant in a discussion which may fall under the descriptions above is expected to announce that they may have a potential conflict of interest and shall refrain from further participation in any discussion or decision on such matter. Chairs and Co-Chairs of meetings shall remind all ~~members~~participants of this policy ~~annually~~before decisional discussions begin.

Chairs and Co-Chairs of meetings are expected to be particularly sensitive to the actual or appearance/perception of potential conflicts. ~~Chairs of interest by themselves resulting from decisions of the group and Co-Chairs are responsible for implementing recusals and insuring documentation (in conduct the meeting minutes or notes) and their input accordingly.~~

Questions regarding ethical guidelines or suspected ~~Suspected~~ violations of this policy should be reported to the Director~~Chair~~ of the CBP Management Board (MB) for further review, or elevated to the Chair of the Principals' Staff Committee (PSC) where appropriate.

All participants in the CBP Chesapeake Bay Program partnership should be familiar with these ethical behavior guidelines, conduct themselves in a manner that places the highest priority on allowing consensus to occur and be respectful of all opinions, including balancing the priorities of the members' respective organization/jurisdiction with the priorities of the partnership. _____

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

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

V. ORGANIZATIONAL STRUCTURE

The CBPChesapeake Bay Program is a partnership that includes not only the signatory representatives, but the broad array of local governments, businesses, watershed organizations and other non- governmental organizations (NGOs) and community and university representatives who participate in the different levels of the organization and in the development and implementation of the Management Strategies. For more than 40the past 30 years, the CBPChesapeake Bay Program has been well served by a robust organizational structure that has guided the important work of the program. Figure 1 shows the current organization of the CBPChesapeake Bay Program.

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Figure 1. Organizational Structure of the [CBP Chesapeake Bay Program](#)



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

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The structure and governance of the [CBP Chesapeake Bay Program](#) will change and evolve over time as a result of the application of adaptive management. The adaptive management process will foster both (1) continual improvement of the [CBP's Chesapeake Bay Program's](#) organizational performance and (2) improved ecosystem management by allowing adjustments to the organizational structure based on the relations between improving scientific knowledge, management actions and progress toward the goals of the [CBP Chesapeake Bay Program](#). Following the adaptive management process, the partnership will likely learn that there are features of the organizational structure and governance that require modification. Changes to structure and governance in the future will be coordinated by the [PSCMB](#). The following section provides a description of the governance (mission, functions and responsibilities, leadership, membership and operations) of the various organizational entities that comprise the [CBP Chesapeake Bay Program](#).

A. CHESAPEAKE EXECUTIVE COUNCIL (EC)

The EC establishes the policy direction for the restoration, conservation and protection of the ~~All meetings are open to the public,⁴ with notification, at a minimum, through the Chesapeake Bay watershedProgram website (www.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 Program website following the meeting.~~

⁴BMP Panels, because negotiations can be highly deliberative or sensitive, will follow protocols adapted from the National Academy of Sciences procedures. The “Protocol for the Development, Review, and Approval of Loading and Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Watershed Model” can be found [here](#).

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A. CHESAPEAKE EXECUTIVE COUNCIL (EC)

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

1. Roles, Key Functions and Responsibilities:

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

2. Leadership and Membership: Establishment of the EC is authorized by Section 117 of the Clean Water Act. The EC consists of signatory "full members," corresponding to the signatories of the Agreement and other participating members, as shown below. Leadership of the EC is rotated among the signatory full members on a mutually-agreed basis determined at each annual meeting. In the event that a new EC Chair must be selected at a time outside of the annual meeting, PSC members will act as a proxy for their EC member. The by soliciting their input. In such circumstances, a decision will be made at the next PSC meeting on behalf of the EC and the decision will be memorialized in writing and signed by signatory representatives on the PSC on behalf of the EC members. The EC Chair/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, and includes:

- a. The Governors of Delaware, Maryland, New York, Pennsylvania, Virginia and West Virginia
- b. The Mayor of the District of Columbia
- c. The Chair of the Chesapeake Bay Commission

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d. The Administrator of the U.S. Environmental Protection Agency.

3. **Federal Agencies:** ~~While the federal agencies and the Federal agencies Leadership Committee for the Chesapeake Bay Program are formally represented by the Environmental Protection Agency (EPA) on the EC. The EPA Administrator may invite representatives from federal agencies are invited to attend private EC meetings based on issues being addressed at the meeting. (i.e., U.S. Department of Agriculture, U.S. Department of Interior, U.S. Department of Commerce, Department of Army/Corps of Engineers, Department of Defense, Department of Transportation and Department of Homeland Security).~~

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4. **Duration of Membership:**— State Governors and the Mayor serve for the duration of their elected terms. Federal members serve for the duration of their appointment to their agency. The Chesapeake Bay Commission (CBC) Chair serves for the duration of their term.

5. **EC Operations:**

a. *Ground Rules:* The structure of the EC meeting is coordinated by representation of the Chair with assistance from the EPA CBPO under guidance of the full PSC. The format, location, and content (e.g., presentations, breakout sessions, participants, speaking roles, and other participation details) of the EC meetings are to be determined well in advance of the meeting to ensure it is efficient and effective. At one meeting per year, the EC will:

- 1) elect or re-elect a Chair, and
- 2) receive the annual recommendations of the Advisory Committees and direct the partnership to respond to the Advisory Committee recommendations within 90 days.

b. *Decision-Making:* Decision-making at the EC will be done by signatory members or their representatives. Decisions brought to the EC must be unanimously approved at the PSC prior to being submitted to the EC. If a decision cannot be achieved through a unanimous or consensus at the PSC level, then it does not proceed for enactment at the EC. The PSC signatory based approach. If after substantial discussions consensus cannot be reached, a supermajority vote by full members ultimately represent their EC signatory members designees will be utilized, requiring at least seven out of nine “yea” votes.

c. *Attendance at Annual Meetings:* EC signatory members are expected to attend the annual public meeting. In the event of an unforeseen conflict, the highest possible appointee should attend in their place. If an individual attends with the purpose of representing their signatory organization, that individual is invited to speak at the press conference following the meeting.

d. *Frequency and Duration of Annual Meetings:* The EC meets at least annually. The meetings are typically half-day meetings held at highly visible venues as chosen by the lead-EC Chair organization.

e. *Budgeted Resources:* Financial support for the EC annual EC meeting is provided by EPA CBPO and the lead-EC Chair organization.

f. *Staffing and Support:* An A senior EPA CBPO employee is assigned to help coordinate activities of the annual EC meeting. Signatory representatives from all signatories are also to provide staffing support. Additional support is provided by EPA CBPO staff and/or contracted support.

g. *Business between Annual Meetings* The EC Chair and/or a majority of EC signatory members may schedule event that business must be conducted between annual EC meetings in addition to, each principal’s staff will act on their behalf at the annual PSC level. If a meeting, of the EC is required, a special meeting or conference call may be called by the Chair or by a majority of the members of the EC. The purpose of the meeting will be stated in the call for the meeting and will be scheduled in consultation with all EC members. Public notice of all meetings will be made, at a minimum, through the CBP Chesapeake Bay Program website as soon as possible after logistics are confirmed.

6. **Process for Issuance of Executive Council Directives:** EC directives specify the will of the EC on future actions that the CBP partnership should undertake. EC directives do not necessarily represent a commitment of resources by any individual EC member, but

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rather define the collective desire of the EC for work by the partnership.

Proposed EC directives are first approved by PSC. If approved, the directive is then forwarded to the EC for approval. The proposed directive must be received by the PSC members at least 2 weeks in advance of the PSC meeting at which it will be discussed. After discussion, all PSC members will be polled for the record on: a) their EC member’s position on issuance of the directive as per the Bay Program’s Decision-Making Continuum and, b) their EC member’s commitment to sign the directive no less than one month in advance of the EC meeting.

In all cases, EC member signatures only are permitted on EC directives. Designee signatures are not allowed.

If the PSC approves the directive *via consensus*:

- If at least a supermajority (e.g., seven of the nine) EC member signatures have been obtained one month in advance of the EC meeting, the directive may still be issued at the EC meeting without all signatures. The missing signature(s) may be obtained either at the EC meeting or up to two months after the meeting. If the missing signature(s) are still not obtained two months after the EC meeting, the directive will be considered final and the unsigned signature lines will be struck from the document.
- If less than a supermajority (e.g., seven of the nine) EC member signatures are obtained one month in advance of the EC meeting, the directive will *not* be issued.

If the PSC approves the directive *via consent* as per the Decision-Making Continuum (i.e., not all members support the directive, but no member “Holds” or “Stops” the directive) with at least a supermajority EC members willing to sign the directive, the directive may still move forward for signature by those members who support its issuance at the EC meeting. Signatures of all EC members who agreed to sign it must be obtained one month in advance of the EC meeting or the directive is not issued.

B. POLICY STEERING PRINCIPALS’ STAFF COMMITTEE (PSC)

The PSC acts as the policy advisors to the EC, accepting items for EC consideration and approval and setting agendas for EC meetings. The PSC translates the restoration vision by setting policy and implementing actions on behalf of the EC. The individual members of the PSC arrange and provide briefings for their EC signatory members, principals, the Agreement signatories. The PSC signatory members (primary and secondary) that report to the EC Chair will serve as program direction to the PSC Chair. MB.

1. Roles and Responsibilities:

- a. Translate the EC direction and provide strategic, actionable and time-bound priorities, tasks, assignments, and deliverables for the Goal Teams (GTs) to achieve. Priorities will be determined based on available and committed resources, identification of where and how the CBP can add value to existing jurisdictional and federal programs, and the direct connection to the achievement of the Chesapeake Bay Watershed Agreement Goals and Outcomes.
- b. Serve in the capacity as a primary or secondary signatory member. Primary and secondary signatory members generally will be high ranking officials. Secondary

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members will have the same role and responsibility as the primary members and may attend and participate in PSC meetings on behalf of the primary members. Up to two secondary PSC signatory members may serve at the discretion of the primary PSC signatory member and / or EC signatory member. Secondary signatory members should have a reporting chain to the primary signatory member in order to ultimately ensure alignment of strategic policy-driven prioritization and decision-making.

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

Roles and Responsibilities

- ◆ Set agendas for EC meetings.

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- l. Review and recommend actions to the EC related to changes to Goals and Outcomes in the Agreement. Approve revised or additional Outcomes of the Agreement, unless they are significant as determined by the PSC, whereupon they are sent to the EC for final approval.
- Set agendas for the EC meetings and report ~~Report~~ to the EC at least once annually on implementation of Management Strategies pursuant to.
- Provide policy and program direction to the MB.
- Solicit and receive counsel and advice from the Goals and Outcomes Advisory Committees.
- Resolve issues, in particular, those issues identified through the Strategy Review System (SRS) process necessary for timely achievement of the Agreement- Outcomes, 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.
- m. Identify strategic opportunities to align resources or seek new resource opportunities to achieve identified annual priorities and present to the EC for action.

2. **Leadership and Membership:** The PSC Chair is a representative of the signatory that is chairing the EC. When the PSC Chair is not able to lead the meetings, ~~they~~ the Chair will designate ~~another member of the PSC to take their alternate to serve in their role.~~ place. The PSC is comprised of high ranking officials. Jurisdictional signatory-level state and federal leaders. State membership to the PSC consists of primary and alternate members- delegation that may include ~~includes~~ members at the cabinet office, Secretary, Deputy, Director, or Commissioner level of environmental, natural resource, agriculture and other relevant agencies. Signatory jurisdictions ~~States~~ have the latitude to decide upon the size of ~~the~~ that ~~delegation as well as if they would want and may add to enlist one or two alternates~~ subtract from their delegation at any time. Federal membership to serve the PSC consists of a federal delegation at a level commensurate with the primary PSC signatory member ~~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, each delegation is expected to provide one primary and up to two alternate signatory members ~~position~~ for decision-making purposes. The alternate signatory members should report up through ~~Each delegate will designate to EPA CBPO staff a standing alternate to represent their chain to agency in cases where the primary member. Each signatory member of the PSC has an equal vote. meaning there will be one vote per signatory member only. cannot attend.~~ Advisory Committee Chairs serve in an advisory capacity to the PSC and may attend and participate in meetings as ~~are therefore~~ non-voting members ~~of the PSC.~~

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

Federal Policy Council⁴

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

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To ensure robust federal coordination at the PSC level, federal agencies will coordinate through the Federal Policy Council (FPC) and the Federal Managers Council (FMC) with a designee from each of the following agencies⁵:

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

FPC will serve as a senior and policy-advising body with members that consist of career members from that agency's Senior Executive Service. Through the Federal Policy Council (FPC), federal agencies jointly identify cross-cutting priorities aligned with Watershed Agreement outcomes. These priorities provide clear direction for federal engagement in the Partnership and guide agency planning and coordination. Each agency identifies how its programs, authorities, and investments contribute to the agreed-upon federal priorities. The FPC will provide federal leadership on emerging agency priorities within the CBP to ensure alignment with Administration priorities and to identify opportunities to collaborate and strategically leverage resources to achieve shared objectives. FPC members are designated by the appropriate⁶ leadership from their agency, and FPC nominations are re-certified digitally every two years. Agencies should submit their FPC nominations to EPA's CBPO, which is responsible for maintaining the active member list.

FPC meetings will be held quarterly with the goal of occurring approximately two weeks before each PSC meeting. EPA's CBPO Director will serve as a non-voting co-chair⁷ for the meeting along with a co-chair FPC member that rotates annually among non-EPA agencies. EPA CBPO will solicit agenda items prior to each meeting. Presenters at FPC meetings should aim to share their materials with the FPC 72 hours ahead of each meeting. The FPC should aim for consensus on decisional issues, however voting and rules of order will mirror those listed in this document for the broader Partnership. The FPC will not vote / act on any measure that prescribes or restricts how another agency uses their appropriated funding.

3.4. **Duration of Membership:** PSC primary signatory members are appointed by their respective EC member. PSC primary signatory members may appoint their secondary member(s) and will ~~and~~ remain on the PSC until either their EC member changes or identifies a new representative.

4.5. **PSC Operations:**

a. *Ground Rules:*

- The PSC meetings are coordinated by the PSC Chair or PSC Chair

Department of Commerce, Department of War, Department of Homeland Security, the Department of Interior, and the Department of Transportation.

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

⁶ Agencies have discretion to determine the leader that designates their FPC.

⁷ Unless designated by the EPA Regional Administrator.

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- alternate(s) lead member with assistance from the EPA CBPO.
- PSC meetings for the entire year will be scheduled within one month following the EC annual meeting or by January 1 of the following calendar year, whichever is later, to ensure availability of PSC signatory members throughout the year.
 - No more than one PSC meeting per quarter will be scheduled unless the PSC Chair or the majority of PSC signatory members decides more frequent meetings are necessary.
 - The format, location, and content (e.g., presentations, breakout sessions, participants, speaking roles, and other participation details) of the PSC meetings are to be determined at least six weeks well in advance of the meeting to avoid unexpected outcomes and provide an effective planning process.
 - An agenda with topics identified, descriptions of those topics, and if the topics are informational / pre-decisional (No Action) or decisional (Action) will be circulated at least three weeks in advance of the meeting date.
 - Decisional/Decision documents will be circulated at least two weeks prior to the meeting date. If decisional documents are Members may not ready at least be expected to make decisions on topics for which materials were not provided within the two weeks in advance of the meeting, the decisional item will be tabled until the following quarterly meeting-week timeframe.
 - Meetings allow for issues to be presented to the PSC discussed and for decisions to be made that further clarify policies, strategy, and priorities related to Chesapeake Bay Watershed Agreement Goals and Outcomes restoration goals and metrics.

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The following section describes the processes that the partnership will go through to implement such changes. However, any adoption or modification of the original Goals or Outcomes should only be made with the utmost respect for maintaining the integrity of the Agreement.

MANAGEMENT BOARD (MB)

6. The MB provides strategic planning, priority setting, and should never be made lightly.

- Goals: The Goals articulate the desired high-level aspects of the Bay Program partners' Vision in the Agreement. The EC makes the decision to approve revised or added Goals to the Agreement. Changes or additions to the Goals will be approved by the EC. Proposed changes to Goals or the addition of new Goals are open for public input before being finalized. Final changes or additions are publicly posted to the Bay Program website.
- Outcomes, operational guidance, and Targets: The Outcomes and Targets related to each Goal are the specific, time-bound, measurable targets that directly contribute to achievement of the Goals. The lead Goal Team or may propose "retirement" (for existing Outcomes that have passed their due date without completion but for which no further effort is recommended), "completion" (for existing Outcomes that have been met), "modification" of existing Outcomes, or creation of "new" Outcomes to the PSC. Accompanying the recommendation should be a brief, written description providing justification and background, data to support the recommendation, proposed wording, partner and resource implications and (in the case of "modified" or "new" Outcomes) proposed baseline measures and lead Workgroup.
 - The PSC may choose to:
 - Reject the recommendation
 - Refer the recommendation back to the Goal Team for further revision, or accept the recommendation. Prior to making a final decision on whether to accept the recommendation, the PSC must receive public input.
 - The PSC must then decide if the revised/new Outcome is a change significant enough to warrant forwarding to the EC for final approval or if the PSC is comfortable approving the revised/new Outcome as final and informing the EC of their decision.

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C. GOAL TEAMS (GTs)

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

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

The four GTs endeavor to support:

- Clean Water

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

1. **Roles and Responsibilities:**

- a. Coordination and the development of Management Strategies and Workplans that support attainment Goals and Outcomes of *the Agreement*.
- b. Through the Management Strategies and the adaptive management process, identify and, where possible, assign resources to support implementation, document gaps in resources, and pursue opportunities to align resources for Outcomes and Targets.
 - Communicate with the PSC on Individual MB members:
 - Represent and speak for the Agreement signatory or federal agency that they represent. As such, MB members are expected to coordinate action on behalf of their entire signatory or federal agency and raise issues with their signatory or federal agency and the MB that affect implementation of the Agreement, particularly those issues identified through the SRS process.
 - Make decisions at MB meetings on behalf of their signatory or federal agency on all issues for which appropriate decision documents have been posted on the Chesapeake Bay Program website at least two weeks prior to the MB meeting.
 - When short notice is required, work with the MB members to devise an acceptable and respectable path forward.
 - The MB as a whole will:
 - Address implementation of all Agreement Outcomes.
 - Review Management Strategies and Logic and Action Plans to ensure that actions are implemented and remain on track via SRS and regular progress reports to the PSC. In this role, the MB is accountable for:
 - Ensuring that partnership efforts and resources are aligned effectively to ensure achievement of the Agreement Outcome as identified through the SRS process, OR

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contributing to the development of consensus, a seat at the table and the right to receive

all communication and materials. If after substantial discussions consensus cannot be reached, the issue will be decided by supermajority vote of signatory members, requiring seven out of nine "yea" votes. As non-voting members, Advisory Committee Chairs and GIT Chairs may participate as advisors. The federal members will act as one delegation (with one vote) if a vote is required.

- e. ~~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 agency representation proportions, must be present for decisions to be made. When the MB Chair is not able to lead the meetings, the Chair will designate an alternate MB member or comparable leader to chair the MB.
- d. ~~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.
- e. ~~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.
- f. ~~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.
- g. ~~Staffing and Support:~~ The EPA-CBPO provides significant staffing and logistic support to the MB. A senior member of the EPA-CBPO is assigned as MB Coordinator. One or more of the staff members of an NGO supported by a grant from EPA, currently the Chesapeake Research Consortium (CRC), will be assigned to provide administrative and research support. In addition, there is a close and supportive relationship between the MB and the Enhance Partnering, Leadership, and Management GIT (GIT 6). This GIT provides significant coordination of the adaptive management system cycle, facilitates the MB's responsibility in overseeing the system, keeps the cycle 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.

D. GOAL IMPLEMENTATION TEAMS (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 areas are consistent with the broad Goals of the Agreement, except that a sixth goal area has been added to support the MB with coordination and management of the overall Bay Program. The mission, membership and activities of the individual GITs can be found at <http://www.chesapeakebay.net/about/organized>. The following are general governance rules and procedures that remain consistent across all GITs. Where more specific rules are needed, each GIT has the discretion to develop their own charters, as long as they are consistent with this section.

The six GITs serve to:

- ~~Protect & Restore Fisheries;~~
- ~~Protect & Restore Vital Habitats;~~
- ~~Protect & Restore Water Quality;~~
- ~~Maintain Healthy Watersheds;~~
- ~~Foster Chesapeake Stewardship, and~~
- ~~Enhance Partnering, Leadership, & Management~~

1. Roles and Responsibilities

- f. Approve workgroup leadership nominees (chairs, co-chairs, and / or vice-chairs)
 - Develop Management Strategies and Logic and Action Plans to realize the Agreement Outcomes assigned to that GIT by the MB, and submit to the MB to accept as complete. Through the SRS process, identify existing resources, gaps in those resources and opportunities to align resources for that particular Outcome.
 - Actively and fully participate in the SRS process by providing analysis and strategic direction to coordinators and staffers in the preparation of materials, assisting in the presentation and discussion with the MB and identifying appropriate responses for incorporation into the revised Management Strategies and Logic and Action Plans.
- g. Create and commission new workgroups or action teams for specific actions under the purview of their GTs as needed and in consultation with EPA CBPO leadership to provide staffing and coordination. GIT as needed. Appoint leaders of workgroups.
- h. Collaborate with other GTs/GITs to identify opportunities to strategically align resources and implementation efforts across Outcomes.
- i. Engage with workgroups to understand resource needs and priorities. Ensure workgroup activities align with the strategic direction from the PSC.
- j. Identify needs for monitoring, modeling, indicator/metric development and information management for development by the Science, Technical Analysis and Reporting (STAR) team and other communications or operations and management support from other Program Support Teams, as necessary.
- k. Seek opportunities to engage Advisory Committees, and the Communications Workgroup as needed.
- l. Nominate GT co-chairs. Recommend GIT Chair and Vice Chair (or Co-Chairs) for designation by the PSC/MB.
- m. Review membership biennially/annually to ensure active engagement, diverse and adequate representation.

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2. Leadership: Goal Teams are led by two co-chairs nominated by GT members and are approved by the PSC. Co-chairs should have subject matter expertise and authority within their respective agencies to direct policy, budgetary, and resource decision-making to support implementation of the Goals. **Membership:** Each GIT has either one Chair and Outcomes under the Agreement. Co-chairs, one Vice Chair, or Co-Chairs. While the Chair, Vice Chair or Co-Chairs can be state or from federal employees, and may or state agencies or from organizations such as NGOs, at all times either the Chair, Vice Chair or

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2. one Co-Chair must be from other entities when there is appropriate justification. Co-chairs serve as intermediaries between the organizational components of Program Implementation and Program Leadership. They facilitate the GT decision-making process while fostering cross-Outcome communication. The co-chairs are responsible for maintaining a clear sense of purpose across GTs' workgroups, and reporting on implementation progress to the PSC. Co-chairs, federal or state agencies. GIT Chairs are non-voting members of the MB. GIT Chairs, Vice Chairs or Co-Chairs serve two-year renewable terms which can be renewed at the recommendation of the GT or Federal Managers Council (FMC); with concurrence from the PSC of the MB. New GIT Chairs, Vice Chairs or Co-Chairs will be designated by the MB with recommendations from GIT members taking into consideration the partnership's DEIJ goals and commitments to increase diversity of its leadership. At the end of the two-year term, the GTs/GIT

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collectively discusses the renewal or change of the ~~co-chairs~~Chair's, Vice Chair's, or Co-Chair's leadership terms. ~~It~~Both the GIT and MB must concur with the renewal of the Chair, Vice Chair, or Co-Chairs. Otherwise, the Vice Chair assumes the role of Chair with concurrence from the GIT and the MB, and the new Vice Chair will be selected by GIT members. In the event that the Vice Chair declines the nomination, the GIT will nominate a new Chair and gain concurrence from the MB. In the case of a Co-Chair arrangement, it is preferable that one of the ~~co-chairs remain~~Co-Chairs remains in place and a new ~~co-chair~~Co-Chair is brought in at either the one-year or three-year point in time in order to stagger leadership transition and offer consistency for the team. The ~~co-chairs are~~GIT Chair is responsible for ~~coordinating with the MB on strategic plans for achieving high-priority restoration outcomes as well as periodically~~ providing regular updates to the ~~PSCMB~~ on progress and roadblocks encountered through the ~~adaptive management~~SRS process. The ~~PSCMB~~ works closely with the ~~GTs' co-chairs~~ 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, or Co-Chairs, shall be individuals representing agencies with significant authority in that GIT's topic area and those individuals should be at a management level or leaders within their organization.~~

Membership: GTs

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- ~~A diversity of ethnicities and cultures, including people of color and other underrepresented groups;~~

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

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

Individual members:

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

Federal Managers Council:

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

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

~~GITs may submit a request to the MB for modifications to these membership criteria if a different membership structure is deemed more appropriate.~~

~~3-4. **Duration of Membership:** Goal Team GIT members from signatories serve indefinite terms. Other members (workgroup chairs, at-large, etc), should serve 2-year terms renewable at the discretion of the Goal Team.~~

4.5. GITs Operations:

- Ground Rules: Meetings are generally held on a quarterly basis to match the cycle of PSC, with GT meetings being held the month prior to the PSC meeting. held at the

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~~discretion of the Chair/Co-chairs, Chairs with input from the GTs, reserve the right to hold meetings more or less frequently. GIT members, but should generally be held only when there is a task that requires a group effort. An agenda and any decisional/decision documents are circulated at least 72 hours/two weeks before the meeting. Members may not be expected to make decisions on topics where materials were not provided within the 72-hour/two-week timeframe. The agenda should spell out specific goals for meeting with time limits for each item. All GT meetings are open to the public⁸/public² and meeting materials, actions and decisions are posted on www.chesapeakebay.net. Workgroups are convened and Chairs are appointed as needed and at the GIT Chair's discretion in consultation with GIT members.~~

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

D. Workgroups:

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

1. Roles and Responsibilities:

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

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⁸ BMP Panels, because negotiations can be highly deliberative or sensitive, will follow protocols adapted from the National Academy of Sciences procedures. The "Protocol for the Development, Review, and Approval of Loading and Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Watershed Model" can be found here.

|
| [found here.](#)

- In cases where a pre-existing external group serves a dual role as a CBP workgroup, these CBP workgroup governance guidelines may be modified, and should be determined through collaboration between the Workgroup, lead GIT(s), and MB, as appropriate.

E.A. ACTION TEAMS

E. ACTION TEAMS

Action Teams may be established by the PSC, MB or Goal Teams/GITs as needed to meet very explicit and short-term needs or products. Generally, an Action Team is also appropriate for an issue that does not reside within the context of a particular GTs/GIT, or that requires special expertise and/or is subject to special time pressure such that existing GTs/GITs are not the best mechanism for addressing it.

1. Roles and Responsibilities:

- a. Assemble a team of individuals with expertise relevant to the issue the Action Team is to address.
- b. Adopt/adapt operating procedures (i.e., meetings, subgroups) to meet the objectives (deliverables and timetable) for action on the problem.
- c. Conduct analysis of the problem.
- d. Report to the PSC, MB and/or GIT with recommendations or options for resolving issues.
- e. Disband after reporting results.

2. Leadership and Membership:

2. Leadership of the Action Team will be determined by the group that created the Action Team. The leadership of the Action Team will determine the membership in consultation with the group that created the Action Team and will be guided by the skill sets required to address the issue the Action Team is to address. Members will be drawn from volunteers as well as from targeted invitations at the discretion of the leader.

3. Action Team Operations:

- 3. Operating procedures for the Action Team are those found under the GTs/GIT section of this document. Special considerations for Action Team operating procedures include:
 - a. They are charged with a specific mission and strategic priorities.
 - b. Staffing will be dependent on the mission.
 - c. Action Teams dissolve when the mission is accomplished.
 - d. Action Teams present their work products and findings to the group that created the Action Team.

F. CHESAPEAKE BAY PROGRAM SUPPORT

General support towards the implementation of the Agreement is provided in several manners, including, but not limited to, staff contributions from federal, state, and local governmental entities, and numerous collaborators involved with the CBP's Goal and

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Workgroup entities. Coordinated support towards the general operations and coordination of the CBP, and technical support towards the implementation of the Agreement, is primarily maintained by the EPA CBPO (33 U.S. Code § 1267(b)(2)(A)). The EPA CBPO is responsible for coordinating with appropriate Federal, State, and local authorities, and assisting the signatories in developing and implementing specific action plans to carry out the responsibilities to the Agreement. Functions of the EPA CBPO are specified in 33 U.S. Code § 1267(b)(2)(B). Broadly, the EPA CBPO provides coordination support for all elements of the CBP, including, but notwithstanding, the EC, PSC, GTs, Workgroups, and Advisory Committees. Coordination support may be provided for a specific element and / or between CBP elements, as needed. The EPA CBPO aims to provide holistic support while aligning decision-making with the appropriate entity.

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

1. **Leadership Support (EC and PSC):** An “Operations and Management” (O&M) Workgroup will be maintained to support the long-term planning and operational effectiveness of the CBP.

F. SCIENCE, TECHNICAL ANALYSIS AND REPORTING (STAR)

The STAR’s purpose is to coordinate monitoring, modeling and analysis needed to update, explain, and communicate ecosystem conditions and changes to support decision making to achieve the Agreement Goals and Outcomes. The STAR works closely with the GITs to help address their technical needs through coordination with multiple science partners.

1. **Roles and Responsibilities:**

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

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the scheduling and needs of the PSC.

- 2) The O&M Workgroup, and GT co-chairs and coordinators will convene annually to address any standing issues related to governance and accountability, and/or to advance new considerations related to policies or guidance to the PSC.
- 3) A coordinator and staffer will be provided by the EPA CBPO.
- 4) As a support function, the O&M's scope of decision-making entails the formulation of proposed revisions (and any alternatives) to policies, guidance, and best practices considered foundational to the operations and management of the CBP. Thus, as needed, the O&M Workgroup will follow Workgroup decision-making rules identified in Section VI, with all decisions subject to PSC affirmation.

2. **Implementation Support (GTs and Workgroups):** In support of GTs, Workgroups, and/or Action Teams, two technical support teams will be maintained.

a. **Roles and Responsibilities:**

A science and analytical support team will:

- Provide data management, modeling, monitoring and technical analysis, and facilitate collaboration amongst CBP

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- 1) Manage Bay Program funded monitoring networks and coordinate with additional science providers to utilize additional networks to address the Agreement.
- 2) Provide synthesis products and reports to better communicate scientific results, ecosystem condition and change, and aid in science informed management decisions.
- Provide computing and maintain authoritative scientific data and applications for reporting, data. Ensure information quality, management and access, and information sharing needs.
- 3) Update and deliver the status and trends (indicators) of the CBP ecosystem conditions.

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An outreach and engagement support team will:

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

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

- Implementation Support Explain ecosystem conditions and changes.
- Expand modeling to better understand and predict ecosystem response.
- Coordinate and engage in climate change activities, including providing staff support to the Climate Resiliency Workgroup.
- Synthesize and communicate results (working with the Communications Workgroup and Creative Team) to inform decision making.
- Interact with the Scientific and Technical Advisory Committee to consider recommendations from their workshops for enhancing science in the Chesapeake Bay Program.

2. Leadership and Membership:

Leadership for the STAR follows a similar process used for GITs. STAR operates with Co-Chairs and rotates these positions every 2-4 years. The MB approves new Co-Chairs that are nominated from STAR. Membership in the STAR draws from the EPA, CBPO, and other core federal agencies, states, NGOs, universities, representatives from each GIT and the STAR workgroup Chairs. Each signatory jurisdiction is invited to belong to the STAR but most choose to be members of a STAR workgroup (such as Integrated Monitoring Networks) where they have the most interest. Each federal and state agency, or academic partner, brings its own resources to varying degrees to support science

activities of the STAR. While the STAR provides science support, coordination, leadership and infrastructure for the Bay Program, restoration is managed by the MB with support from GIT 6. The STAR is a non-voting member of the MB.

When selecting STAR Co-Chairs, the MB should consider the following guidelines:

- Broad and inclusive representation (e.g., signatories, advisory committees, key organizations);
- A diversity of ethnicities and cultures, including people of color and other underrepresented groups; and
- Skills and perspectives (e.g., geographic diversity, diverse professional expertise, including both the science and social science fields).

3.c. STAR Operations:

The STAR Co-Chairs work closely with the STAR coordinator and staff to develop monthly agendas. The STAR has workgroups to address the above responsibilities. The workgroups operate under a degree of autonomy and interact directly with the GITs and associated workgroups to support their science needs. The Climate Resiliency Workgroup is the largest workgroup, given it is responsible for implementation of specific actions to achieve the Climate Resiliency Goal of the Agreement. In doing so, the Climate Resiliency Workgroup interacts with all other GITs and workgroups.

G. COMMUNICATIONS WORKGROUP

The Communications Workgroup facilitates cross-jurisdictional communication among Bay Program partners by providing a collaborative forum to discuss communications issues, needs, strategies and shared messages. The Communications Workgroup also provides communications

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advice and recommendations to Chesapeake Bay Program staff and partners where needed, which can include support toward communications related management actions. The Communications Workgroup provides professional guidance to the Chesapeake Bay Program partnership Communications Office in support of its mission to use consistent messaging, expanded media coverage and effective stakeholder outreach to provide accurate and timely reporting of watershed protection and restoration.

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

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- Set annual priorities for the Chesapeake Bay Program partnership Communications Office.
- Amplify Chesapeake Bay Program media materials where appropriate.
- Provide expert advice and recommendations when asked to address the communications needs of Bay Program groups (e.g. MB, GITs, or Advisory Committees).
- Facilitate cross-jurisdictional communication among Bay Program partners by providing a collaborative forum to discuss communications issues; share ideas, resources and skills; and engage in professional development.
- Establish a two-way street between individual partners (i.e., organizations, agencies and jurisdictions) and the Chesapeake Bay Program partnership to publicize and promote each other's work to protect and restore the watershed.
- Invite presentations or request further information from science or other experts on issues when appropriate.

2. Leadership and Membership:

The Workgroup is led by a Chair and a Vice Chair. Terms for each are two years, with the expectation that the Vice Chair will advance to the Chair position. A senior member of the Chesapeake Bay Program partnership Communications Office is assigned as Coordinator. Members of this group will include the staff of the Chesapeake Bay Program partnership Communications Office, the CRC Communications staffer and professional communications and public relations representatives from the EPA, Delaware, Maryland, Pennsylvania, New York, Virginia, West Virginia and the District of Columbia. The workgroup may also include similar professionals from other relevant federal/state agencies (e.g., National Oceanic and Atmospheric Administration (NOAA) and the National Park Service).

When selecting Workgroup Chairs, Vice Chairs and Members, the MB should consider the following guidelines:

- Broad and inclusive representation (e.g., signatories, advisory committees, key organizations);
- A diversity of ethnicities and cultures, including people of color and other underrepresented groups; and
- Skills and perspectives (e.g., geographic diversity, diverse professional expertise, including both the science and social science fields).

3. Communications Workgroup Operations:

a. ~~Ground Rules: The Communications Workgroup may establish ad hoc or standing committees or teams to address specific topics. Such teams report directly to the group. In order to facilitate improved communications between the GITs, workgroups, advisory committees and the Communications Workgroup, specific members of the~~

~~Communications Workgroup act as liaisons between these entities and the Workgroup. Each liaison should: understand the current and ongoing work of their assigned GIT, workgroup or advisory committee; seek out opportunities and offer ideas to promote their work to Chesapeake Bay Program partners and the public via Communications Office channels; and bring information on the above-mentioned work to the attention of the Workgroup.~~

- ~~b. *Decision Making:* The Communications Workgroup will operate under a consensus decision-making process.~~
- ~~c. *Frequency and Duration:* Meetings are held monthly to provide updates on relevant work, news, issues and information from each member/state, agency or region.~~
- ~~d. *Setting Priorities:* The Communications Workgroup will meet once a year to set communications priorities for the coming year, ensuring that the priorities are aligned with those established by the MB.~~
- ~~e. *Professional Development:* The Communications Workgroup meets in person twice a year to provide professional development opportunities to its members.~~

H.G. CHESAPEAKE BAY PROGRAM ADVISORY COMMITTEES

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

- **The Agricultural Advisory Committee (AAC):** was created by the EC through a directive (no. 24-1) signed on December 10, 2024. The committee advises the EC and PSC on strategies and opportunities for agricultural operations to more effectively meet the Chesapeake Bay watershed's restoration and conservation goals. Consisting of farmers, urban farmers, agribusiness representatives and technical professionals who help farmers fund and implement conservation practices, the AAC is a voice for producers and industry. The AAC focuses on high-level policy issues, ensuring its scope complements, but does not overlap, the technical work conducted by other groups within the CBP partnership. Current membership and operational details for the AAC can be found at: <https://www.chesapeakebay.net/who/group/agricultural-advisory-committee#about>
- **The Local Government Advisory Committee (LGAC)** was created by the EC through the 1987 Chesapeake Bay Agreement. The purpose of the LGAC is to advise the EC on how to effectively implement projects and engage the support of local governments to achieve the Goals of *the Agreement*. The LGAC's mission is to share the views and insights of local elected officials with state and federal decision-makers and to enhance the flow of information among local governments about the protection and restoration of

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the Chesapeake Bay watershed. Current membership and operational details for the LGAC can be found at: <https://www.chesapeakebay.net/who/group/lgac>.

- The **Stakeholders' Citizens Advisory Committee (Stakeholders' Committee CAC)** is charged with advising the leadership of the [CBP Chesapeake Bay Program](#) by representing a sample of residents and stakeholders in the Chesapeake Bay watershed. Since 1984, this group has provided a non-governmental perspective on the Bay effort and on how [CBP Chesapeake Bay Program](#) policies and programs affect watershed residents. In this role, the [Stakeholders' Committee CAC](#) has been a strong advocate for increased transparency and accountability, community engagement and education and independent evaluation of the restoration work of the partnership. When appropriate and applicable, the [Stakeholders' Committee CAC](#) shares information about the watershed restoration efforts with those groups whom individual members may be affiliated. The membership is broad-based with representatives from agricultural and homebuilding industries, business, conservation, environmental foundations, law and civic groups. Current membership and operational details for the [Stakeholders' Committee CAC](#) can be found at: https://www.chesapeakebay.net/who/group/citizens_advisory_committee.

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- **The Scientific and Technical Advisory Committee (STAC)** provides scientific and technical guidance to the [CBP Chesapeake Bay Program](#) on measures to protect and restore the Chesapeake Bay. Since its creation in December 1984, the STAC has worked to enhance scientific communication and outreach throughout the Chesapeake Bay watershed and beyond. The STAC provides independent scientific and technical advice in various ways, including (1) technical reports and position papers, (2) discussion groups, (3) assistance in organizing merit reviews of [CBP Chesapeake Bay Program](#) programs and projects, (4) technical workshops and (5) interaction between STAC members and the [CBP Chesapeake Bay Program](#). The STAC serves as a liaison between the region's scientific community and the [CBP Chesapeake Bay Program](#). Through professional and academic contacts and organizational networks of its members, the STAC ensures close cooperation between the various research institutions and management agencies represented in the Bay watershed. Current membership and operational details for the STAC can be found at: <http://www.chesapeake.org/stac/>.

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1. **Roles, Key Functions and Responsibilities:** Certain functions and responsibilities are common to all [four](#) of the [CBP Chesapeake Bay Program](#) Advisory Committees:
 - **a.** Make independent recommendations to the EC, PSC and [engage with GTs in moving forward strategic priority actions identified by the EC and PSC](#). Advisory Committees will use established CBP distribution lists to disseminate annual recommendations, letters, and reports. [ACs may serve in a communication function to share feedback on the activities and achievements of the GTs, based on their independent stakeholder role.](#)
 - **b.** Utilize their networks to share information with GTs and the PSC, and vice-versa.
 - **c.** Participate in EC, PSC, and [GTs/MB meetings](#) as advisors.
 - **d.** Participate in the development and implementation of the Management Strategies developed as part of the [Chesapeake Bay Watershed Agreement](#), as appropriate.
 - **e.** Engage with local constituents, where appropriate, to assist in understanding of [CBP work products, priorities, and deliverables associated with the Chesapeake Bay Watershed Agreement Goals and Outcomes.](#)
 - Establish annual priorities that support the [CBP Chesapeake Bay Program](#) strategic priorities [and the progress of the Agreement Goals and Outcomes.](#)
 - **f.** Share progress on priorities and Advisory Committee activities with the PSC and the [GTs/MB](#).
 - **g.** Advise the [GTs/GITs and the Action Teams](#) as needed [and as selected through the Advisory Committee Annual Conference.](#)
 - **h.** Support and advise the [Strategic Engagement Team Communications Workgroup](#) as needed.

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VI. PUBLIC MEETING PROCEDURES

A. GENERAL GUIDANCE FOR MEETING PARTICIPATION

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

- The annual EC meeting: which has two components: a private meeting of the Members which is closed to the public, and a public press conference during which EC members will relate actions and decisions from the closed meeting to the public and answer questions from the press.
- BMP Expert Panels: because negotiations can be highly deliberative or sensitive, will follow protocols adapted from the National Academy of Sciences procedures. The "Protocol for the Development, Review, and Approval of Loading and Effectiveness Estimates for Nutrient and Sediment Controls in the Chesapeake Bay Watershed Model".
- Signatory meetings: these meetings may be held between the signatories to allow for candid conversations. Decisions will not be made during signatory meetings.
- Similarly, certain groups may need to discuss data, studies, or surveys that are not yet available to the public.
- Finally, group chairs and supporting staff may meet privately with group members (or their supporting staff) to set agendas and coordinate future meetings. While discussion of relevant topics may take place in these meetings for the purpose of coordination, no Program actions or decisions will be finalized until discussed and decided upon, officially, at a public meeting.

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

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

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

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

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

VI. PROCESS FOR DECISION MAKING:

A.B. GENERAL GUIDANCE FOR DECISION-MAKING

Over the 40-plus30-year history of the CBPChesapeake Bay Program, the partners have approved five~~signed four~~ agreements and numerous directives, resolutions, adoption statements and other documents that create cooperative action to protect and restore the Bay watershed. These collective decisions commit the partnership, and / or a partner, to a course of action, allocates authority, resources or responsibility, or establishes direction, policy, priorities or expectations to advance the implementation of the Agreement. These commitments rely on collaborative decision-making, that isThis complex and challenging endeavor has relied upon collaborative decision-making. Consensus building among the Bay-Program partners (all parties can live with the decision) remains the preferred decision-making approach. A consensus decision-making process is a group decision making process that not only seeks the agreement of most participants, but also the resolution or mitigation of minority objections. The goals of consensus decision-making are to be:

- a. Inclusive, of as many members and communities as possible, ~~including new and/or historically underrepresented voices and perspectives~~ by fostering a culture of respect and mutual learning;
- b. Participatory, actively soliciting the input and participation of all, ~~including deliberate discussions between members informed by feedback from the public as appropriate;~~
- c. Cooperative, striving to reach the best decision for the group, rather than the majority,
- d. Recognizing that time and resources are limited so ~~identifying and advocating in a manner that is efficient and meaningfully advances efforts to successfully meet the Goals and Outcomes of the Agreement;~~
- e. Respectful of the corporate nature of the Partnership and our shared responsibilities under the Agreement;
- Egalitarian and equitable, with all afforded equal opportunities for input into the process, solution~~and~~

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- f. Solution-oriented, emphasizing common agreement over differences and reaching effective decisions using compromise to resolve mutually-exclusive positions.

C. DECISION RULES

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

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Table 2. Chesapeake Bay Program Decision-Making Rule Matrix

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

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

D. DECISION-MAKING PROCESS

1. Pre-Decision:

- a. The group leadership (co-)chair(s) and coordinator team, with input from the group members, determines that a decision should be made.
- b. The decision topic proposal is formally identified in the meeting agenda and posted on the meeting page at least 2 weeks in advance of the meeting.

~~Decision Making in Meeting:~~ 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 the decision.~~

- Decision making at the EC, PSC and MB is achieved through consensus or, as a last resort if consensus cannot be achieved, a supermajority vote as described in the respective "Operations" sections of the EC, PSC and MB portions of this document.
- Decision making for GITs is done through consensus by members participating in Management Strategies.

B.A. UNAVOIDABLE ABSENCE FROM MEETINGS

In a situation such as a government shutdown, state of emergency, or other extraordinary circumstances beyond a member organization's control that prohibits a representative of the member organization from participating in a previously scheduled meeting, the meeting may still occur for the purposes of updating attending members; however, any decisional items must be deferred.

C. RESULTS OF DECISIONS

- If an issue before a group was tasked to that group for discussion and subsequent recommendation by a higher organizational group, then the results of that discussion (i.e., consensus decision and recommendation, lack of consensus or results of vote if appropriate) need to be reported back to the higher organizational group for action as the higher group deems appropriate.
- If the issue before the group originated within that group:
 - and a decision was reached, then the results of that decision are forwarded to the appropriate groups / staff to implement the resulting actions;
 - and a decision is not reached, then the group next needs to either:
 - table the issue indefinitely until and if new information comes to light that the group feels warrants further reconsideration and discussion or
 - elevate the issue to a higher organizational group for consideration at the higher group's discretion.

D. CONSENSUS BUILDING PROCESS

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 a simple process:

2.

- a. Discussion of the item: The item is discussed with the goal of identifying opinions

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and information on the topic at hand. The general direction of the group and potential proposals for action are often identified during the discussion.

- b. Formation of a proposal: Based on the discussion a formal decision proposal on the issue is presented to the group by the presenter and the ~~(co-)chair(s)Chair/Co-Chairs~~ or ~~vice-chairVice Chair~~.

- c. Call for decision position~~consensus~~: The facilitator of the decision-making body calls for decision position~~consensus~~ on the proposal under the specified decision rule (primary or secondary). Each member of the group is asked to clearly state their position on~~intention to agree, disagree or modify~~ the proposal. For visual representation of various positions at the time of a decision during the decision-making~~consensus building~~ process, see Figure 12.
- d. Identification and addressing of concerns: If the decision rule~~consensus~~ is not achieved, each dissenter presents their concerns on the proposal, potentially starting another round of discussion to address or clarify the concern. The dissenting party/parties will supply an alternative proposal or a process for generating one, so any unique or shared concerns with proceeding with consensus can be addressed. To allow time for resolution of the concern, a consensus decision may~~will~~ be sought at the next meeting of the PSC, Goal Team~~MB, GTF~~ or Workgroup.
- e. Modification of the proposal: The proposal is amended in an attempt to address the concerns of the decision makers. The process then returns to the call for decision~~consensus~~. If the primary decision rule~~consensus~~ again cannot be reached, the secondary decision rule is used, such as a supermajority or simple majority vote sent to the next level in the organization.
- f. Call for vote position: The facilitator of the decision-making body calls for vote position on the proposal. Each member of the group is asked to clearly state their position on the proposal.

3. Decision Making via Email: If after the discussion and modification of a proposal, members need additional time to obtain their entity position, decision positions can be acquired via email to finalize a decision that will be publicly documented in the Actions and Decisions document available on the CBP Website and in the repository of decisions made by the partnership.

4. Documenting Decisions:

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

Figure 12. University of Maryland ~~Consensus~~-Decision-Making Continuum

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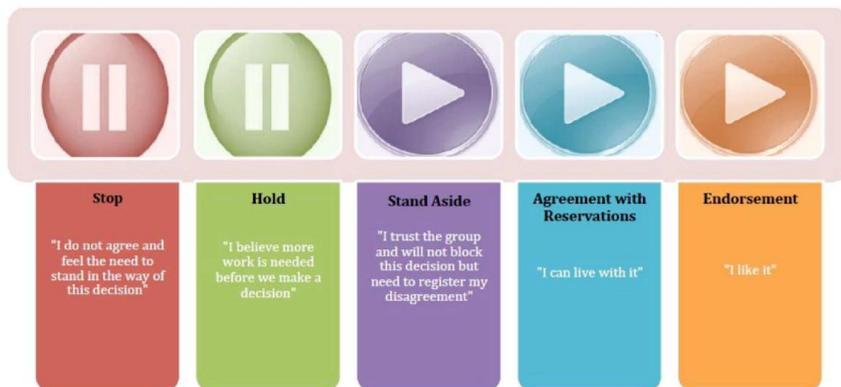
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Consensus Continuum



University of Maryland, Center for Leadership & Organizational Change

Consensus Continuum



University of Maryland, Center for Leadership & Organizational Change

E. ~~PROCESS FOR~~ MODIFICATION OR REVERSAL OF PREVIOUS CONSENSUS DECISIONS

In the spirit of adaptive management, the partnership should always be open to modifying or

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reversing previous decisions and resulting policies as new information comes to light or operational landscapes change. ~~At the same time, however, is it also important to recognize that making decisions by consensus intentionally requires meeting a very high bar that logically requires meeting an equally high bar to subsequently modify or reverse the decision and any resulting policy. Therefore, a~~ standing consensus decision and resulting policy can only be modified or reversed by a subsequent consensus decision by the organizational group (or a subsequent replacement of that group) that made the original decision or a higher organizational group. As a result:

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

VII. PROCESS FOR ISSUANCE OF EXECUTIVE COUNCIL DIRECTIVES:

~~EC directives specify the will of the EC on future actions that the Chesapeake Bay Program partnership should undertake. EC directives do not necessarily represent a commitment of resources by any individual EC member, but rather define the collective desire of the EC for work by the partnership.~~

~~Proposed EC directives are first submitted to MB for approval. If approved by the MB, the directive is then forwarded to the PSC for approval. The proposed directive must be received by the PSC at least 2 weeks in advance of the PSC meeting at which it will be discussed. After discussion, all PSC members will be polled for the record on a) their EC member’s position on issuance of the directive as per the Bay Program’s Consensus Continuum and, b) their EC member’s commitment to sign the directive no less than one month in advance of the EC meeting.~~

~~In all cases, EC member signatures only are permitted on EC directives. Designee signatures are not allowed.~~

~~If the PSC approves the directive *unanimously*:~~

- ~~If at least seven of the nine EC member signatures have been obtained one month in advance of the EC meeting, the directive may still be issued at the EC meeting without all nine signatures. The missing signature(s) may be obtained either at the EC meeting or up to two months after the meeting. If the missing signature(s) are still not obtained two months after the EC meeting, the directive will be considered final and the unsigned signature lines will be struck from the document.~~

- ~~If less than seven of the nine EC member signatures are obtained one month in advance of the EC meeting, the directive will *not* be issued.~~

~~If the PSC approves the directive *without unanimity* as per the Consensus Continuum (i.e., not all members support the directive, but no member “Holds” or “Stops” the directive) with a minimum of seven EC members willing to sign the directive, the directive may still move forward for signature by those members who support its issuance at the EC meeting. Signatures of all seven or eight EC members who agreed to sign it must be obtained one month in advance of the EC meeting or the directive is not issued.~~

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VIII. PROCESS FOR CHANGES TO THE 2014 CHESAPEAKE BAY WATERSHED AGREEMENT GOALS, OUTCOMES AND MANAGEMENT STRATEGIES:

~~The signatories to *the Agreement* recognize that the scientific, technical, economic and policy arenas within which we are collectively operating to realize the Goals and Outcomes identified in *the Agreement* are constantly changing, that *the Agreement* should be flexible enough to adapt to these changes and, therefore, included language in *the Agreement* allowing for the adoption or modification of Goals and Outcomes if warranted. The following section describes the processes that the partnership will go through to implement such changes. However, any adoption or modification of~~

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the original Goals or Outcomes should only be made with the utmost respect for maintaining the integrity of the original Agreement and should never be made lightly.

~~● **Goals:** The Goals articulate the desired high level aspects of the Day Program partners' Vision in *the Agreement*. The EC makes the decision to approve revised or added Goals to *the Agreement*. Changes or additions to the Goals will be approved by the EC. Proposed changes to Goals or the addition of new Goals are open for public input before being finalized. Final changes or additions are publicly posted to the Day Program website.~~

~~● **Outcomes:** The Outcomes related to each Goal are the specific, time bound, measurable targets that directly contribute to achievement of the Goals. The lead GIT or MB (with lead GIT input) may propose "retirement" (for existing Outcomes that have passed their due date without completion but for which no further effort is recommended), "completion" (for existing Outcomes that have been met), "modification" of existing Outcomes, or creation of "new" Outcomes to the MB. ~~Accompanying the recommendation should be a brief, written description providing justification and background, data to support the recommendation, proposed wording, partner and resource implications and (in the case of "modified" or "new" Outcomes) proposed baseline measures and lead Workgroup.~~~~

- Upon consideration and discussion of the recommendation, the MB may choose to:
 - reject the recommendation;
 - refer the recommendation back to the lead GIT for further revision and possible resubmission or
 - accept the recommendation and forward the recommended action and accompanying written description (with or without MB modifications) to the PSC for consideration.
- The PSC may choose to:
 - reject;
 - refer back to the MB for further revision, or
 - accept the recommendation. Prior to making a final decision on whether to accept the recommendation, the PSC must receive public input.

E. UNAVOIDABLE ABSENCE FROM MEETINGS

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

VII. ACCOUNTABILITY AND ADAPTIVE MANAGEMENT:

A. ACCOUNTABILITY:

Programmatic and public accountability towards implementing *the Agreement* is accomplished through the following framework (Figure 2) using specific mechanisms

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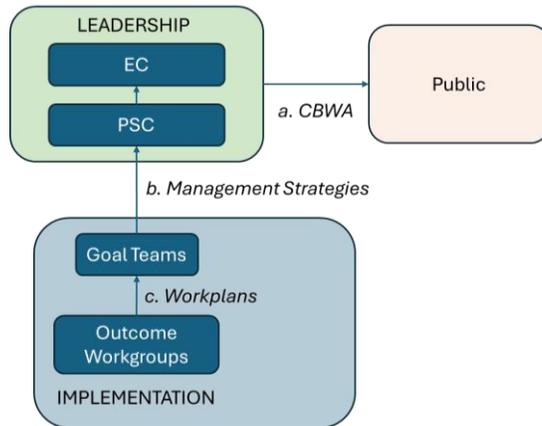
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described in Section VII(A)(1-3).

Figure 2. Chesapeake Bay Program Accountability Model



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

Team. Specific details of workplan development and content can be found in [TBD - Supporting Material / Appendix].

B. ADAPTIVE MANAGEMENT:

For the purposes of the CBP, “adaptive management” means a framework for strategic planning, action, and evaluation leading to knowledge acquisition and continuous improvement in the management of the CBP and collaborative efforts towards the achievement of Goals and Outcomes of *the Agreement*. Components of the adaptive management framework are aligned with accountability mechanisms as depicted in Figure 3. The CBP’s adaptive management framework is acknowledged to be different from more rigorous adaptive management models, thus individual GTs and Workgroups are encouraged to consider if adaptive management, as detailed by the U.S. Department of the Interior⁹, can be applied to specific natural resources management questions.

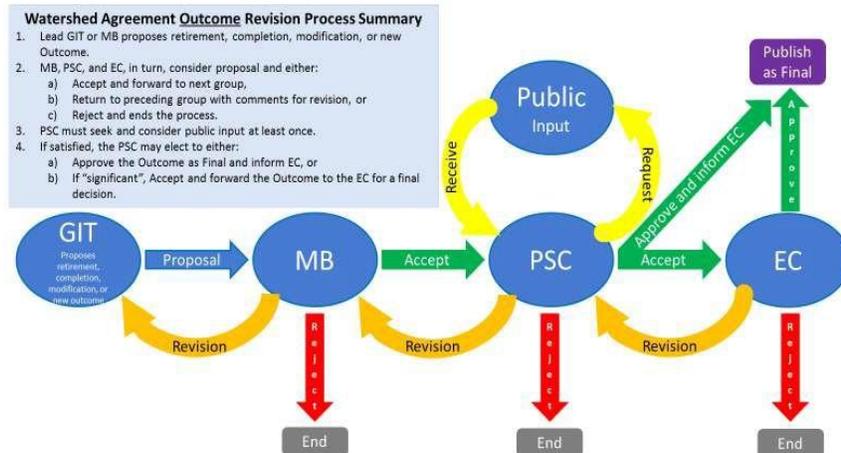
As described in VII(A), Management Strategies and Workplans serve as strategic planning documents on six and three-year time frames, respectively, for action by GTs and Workgroups. To support the effectiveness of these plans, three types of evaluation reviews will be conducted.

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

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

- The PSC must then decide if the revised/new Outcome is significant enough to warrant forwarding to the EC for final approval or if the PSC is comfortable approving the revised/new Outcome as final and informing the EC of their decision. See Figure 3.

Figure 3. Process for proposing changes to the Agreement Outcomes



IX. MANAGEMENT STRATEGIES:

The Management Strategies outline the means for accomplishing the Outcome as well as monitoring, assessing and reporting progress and coordinating actions among partners and stakeholders. 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. The Management Strategies provide broad, overarching direction and are further supported by three key documents that are updated biennially through the SRS process; 1) the Logic and Action Plans, 2) the Narrative Analysis and 3) the Presentation, all of which are available on the ChesapeakeDecisions website. These documents summarize lessons learned through the adaptive management process, resulting specific commitments and short term actions, and resources required for success. Finally, Management Strategies are kept up to date as appropriate based on lessons learned through the SRS process.

Participation in Management Strategies or in the achievement of Outcomes is expected to vary by signatory based on differing priorities across the watershed. This participation may include actions such as sharing knowledge, data or information, educating members of the community, working on future legislation and developing or implementing programs or practices. Management Strategies, which are aimed at implementing Outcomes, will identify participating signatories and other stakeholders, including local governments and NGOs, 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 availability of the draft Management Strategy for public input. This notification will be mainly through the Chesapeake Bay Program website and social media, but will include outreach to non traditional partners, especially potentially impacted communities. The signatories and other partners will 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 input and review prior to final acceptance as final. The PSC will report on implementation of Management Strategies every two years.

Management Strategies may address multiple Outcomes if deemed appropriate. GITs 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 GITs and the MB. The GITs will submit Management Strategies to the MB for review. The MB will accept these strategies as complete.

If the MB determines that any strategy or plan developed prior to the signing of the 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 Total Maximum Daily Load (TMDL).

X. STRATEGY REVIEW SYSTEM (SRS) PROCESS:

The Chesapeake Bay Program's Biennial Strategy Review System (SRS) is the adaptive management-based review process by which the partnership seeks to meet the following Agreement commitment:

"Goal Implementation Teams will re-evaluate 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."

The SRS is intended to use lessons learned over the previous two years of implementation, including new understanding and developments in the science, fiscal, and policy arenas, and apply them to improve the certainty of the effectiveness of our Strategies and Logic and Action Plans.

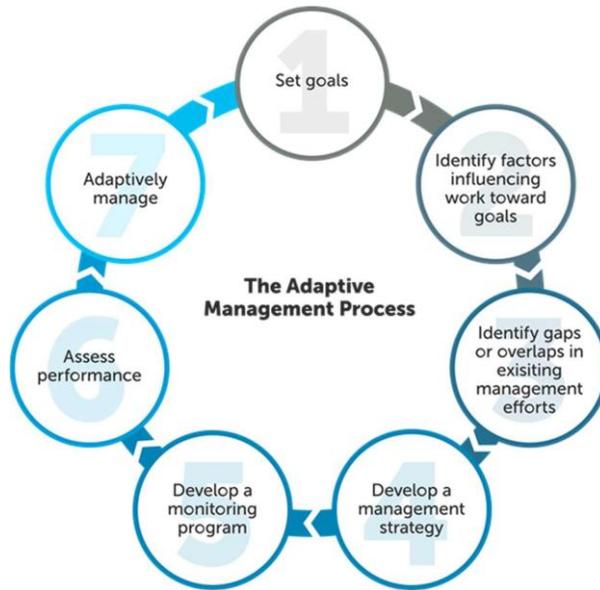
The SRS is an adaptive management process, as described by the Decision Framework (Figure 4) and approved by the PSC. During this process, the partnership will review its progress toward each Outcome in the Agreement; identify the management approaches and actions that are or are not working; adjust our Management Strategies and Logic and Action Plans as appropriate; and develop the next set of Logic and Action Plans.

The MB is the lead for implementing this process, and each Outcome will receive individual attention from them during this review process, which will be repeated every two years. The lead GIT for each Outcome is responsible for completing necessary analyses; presenting results and recommendations to the MB; and incorporating resulting decisions in revised Management Strategies and Logic and Action Plans. GIT 6 is responsible for facilitating the SRS process.

For more information on the SRS, please visit the [ChesapeakeDecisions](#) website.

Figure 34. Chesapeake Bay Program Adaptive Management Decision Framework.

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Plan

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

Act

Coordinate & implement workplans
Monitor progress

Evaluate & Adjust

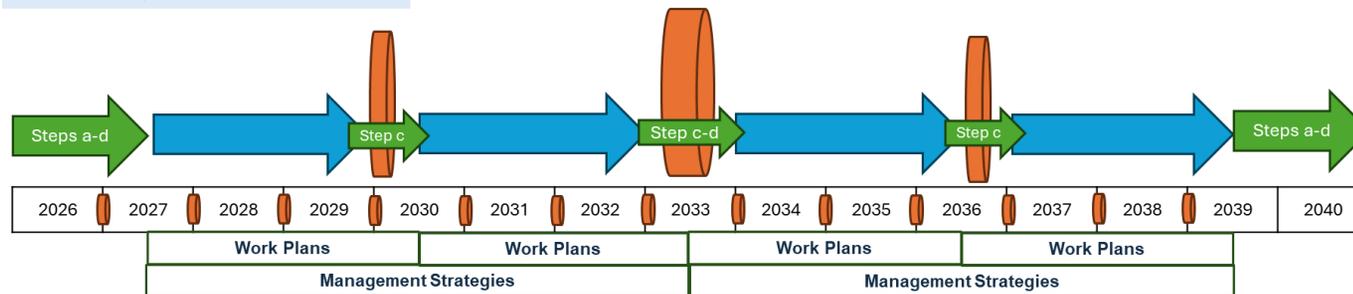
Assess performance
Communicate findings

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

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

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

*CBP Symposium every 3 years



XI. BMP EXPERT PANEL PROCESS:

There is a MB approved expert panel process to evaluate new Best Management Practices (BMPs) for calculating the reductions of nutrients and sediment. The lead for implementing this process is the Water Quality GIT. Issues identified as those having policy implications are elevated by the expert panel to the MB for final resolution.

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