Drafting the New Chesapeake Bay Agreement, Goals and Outcomes

June 13, 2013

Chesapeake Bay Agreement

Overview

- Schedule and Process
- Communications Plan and Messaging
- Stakeholder Input
- Goals
- Outcomes
- Agreement /Participatory Sections
  - Preamble, Mission, Vision, Principles and Operational Commitments
- Management Strategies
- Governance Document

How did we get here?

- 2009 – Federal Executive Order was issued

- 2010 – CBP Agreement - *Chesapeake 2000* (C2K) – Commitments largely met, expired or outdated

- June 2010 – FLC and EC call for coordination/integration of goals, outcomes, actions of the CBP with those of EO; EC requests new Alignment Action Team

- **July 2011 – CBP EC and FLC-D agreed to 3-year, 4 stage discussion and process**

Stage 1: Use Goal Teams to Set Direction (2011)

Stage 2: Develop Negotiation Protocols (2012)

Stage 3: Negotiate New Agreement (by 2013 EC mtg.)

Stage 4: Implement New Agreement (2013-2025)

How did we get here?

- July 2011 – EC extends time for developing negotiation protocols until after completion of Phase II WIPs.
  - Clarifies that Stages 3 & 4 would only be completed if determined necessary through the analysis completed in Stage 2.
  - Extends date of Stage 3 to time of the 2013 EC meeting.
- *February 2012* –PSC asks GIT6 to work with GITs to carry out Adaptive Management recommendations (review/develop new goals and outcomes).
- December 2012 – PSC agreed to development of alignment options and timeline proposed by GIT
- March 2013 – PSC agreed that **"no new agreement" is not an option** and directed GIT 6 to further develop two options for consideration: a comprehensive agreement and a bifurcated agreement) .
- April 2013 – PSC agreed to pursue comprehensive agreement with goals, outcomes, principles and org. commitments .
  - Directs GIT6 to develop draft participatory language
  - Directs GITs to finalize goals and outcomes

Where are we going?

December - January

GIT6

- Establish GIT6 sub-group fully representative of all partners
- GITS work to finalize **goals**
-Look at issues and early decisions needed for agreement

January 10th MB Meeting

MB

- Receive MB Input

January

GIT6

- Coordinate effort with GITs to develop proposed new goals
- Build out potential governance options
- Build out options for potential new agreement

You Are Here

March /April PSC Meetings

PSC

- Agreed to comprehensive agreement with overarching goals and specific outcomes
-Provide input and guidance on key governance issues

MB

- Adopt or recommend changes to goals & outcomes

April - **June**

GIT6

- Develop draft agreement
- GITs Coordinate to finalize goals and outcomes

MB

- MB recommends to PSC (accept, modify, defer goals & outcomes to PSC)
- MB considers creation of Issue Resolution Committee

June PSC Meeting

PSC

- Adopt or recommend changes to **goals & outcomes**

- Review, negotiate draft Agreement language,

Communications Strategy

Messaging

Top 4 points:

1. **Renewed commitment to success in ecosystem restoration**
   - Refining goals, setting timelines
2. **Need agreement based on up-to-date science, politics and circumstances**
3. **Improved coordination, integration & collaboration**
   - Engaging all jurisdictions ; bringing EO and CPB together
4. **What new agreement will do (& how it's different)**
   - Simplify goals & outcomes
   - Use adaptive mgt to be more flexible
   - Improve transparency, tracking & accountability

Communications Strategy

Roll out/outreach

3 Phases – graduated approach:

1. **Now-July 1 – Focus: Why's**
   - Audience: Partners and related groups; lg stakeholders
   - Channels: presentations, conversations across CBP

2. **July 1-Sept 1 – Focus: Why's & What's**
   - Audience: All Ph. 1 audiences AND medium/sm. stakeholder groups, scientific groups, local govt's, interested public
   - Channels: CBP Director op ed in Bay Journal, cont'd conversations, stakeholder input period

3. **Sept 1 – Oct signing – Focus: Why's, What's & Future**
   - Audience: All Ph. 1 & 2 audiences AND media, general public
   - Channels: Ches. Currents article, Mtgs w/ select news sources, media outreach, social media

The New Chesapeake Bay Watershed Agreement:

Affirming Our Commitment & Charting the Next Course

Nick DiPasquale, Director
Chesapeake Bay Program (EPA)

June 5, 2013

Chesapeake Bay Program
Science. Restoration. Partnership.

How did we get here?

Letting ppl know our process

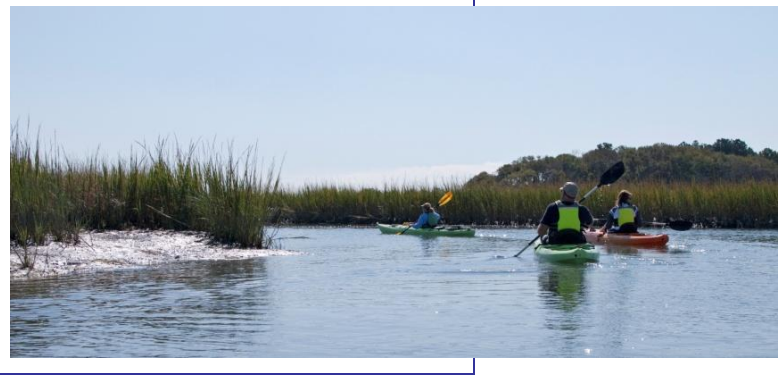
- 2009 – Federal Executive Order was issued
- 2010 – CBP Agreement - *Chesapeake 2000* (C2K) – goals either expired or unfulfilled – whether or not they were met
- 2010 - CBP's top leadership and the federal leadership committee called for coordinating/integrating goals, outcomes, actions of the CBP with those of the EO
- **2011 - CBP EC agreed to a 3-year, 4 stage discussion and process**

Stage 1: Use Goal Implementation Teams to Set Direction (2011)

Stage 2: Develop Negotiation Protocols (2012)

Stage 3: Negotiate New Agreement (2013)

Stage 4: Implement New Agreement (2013-2025)

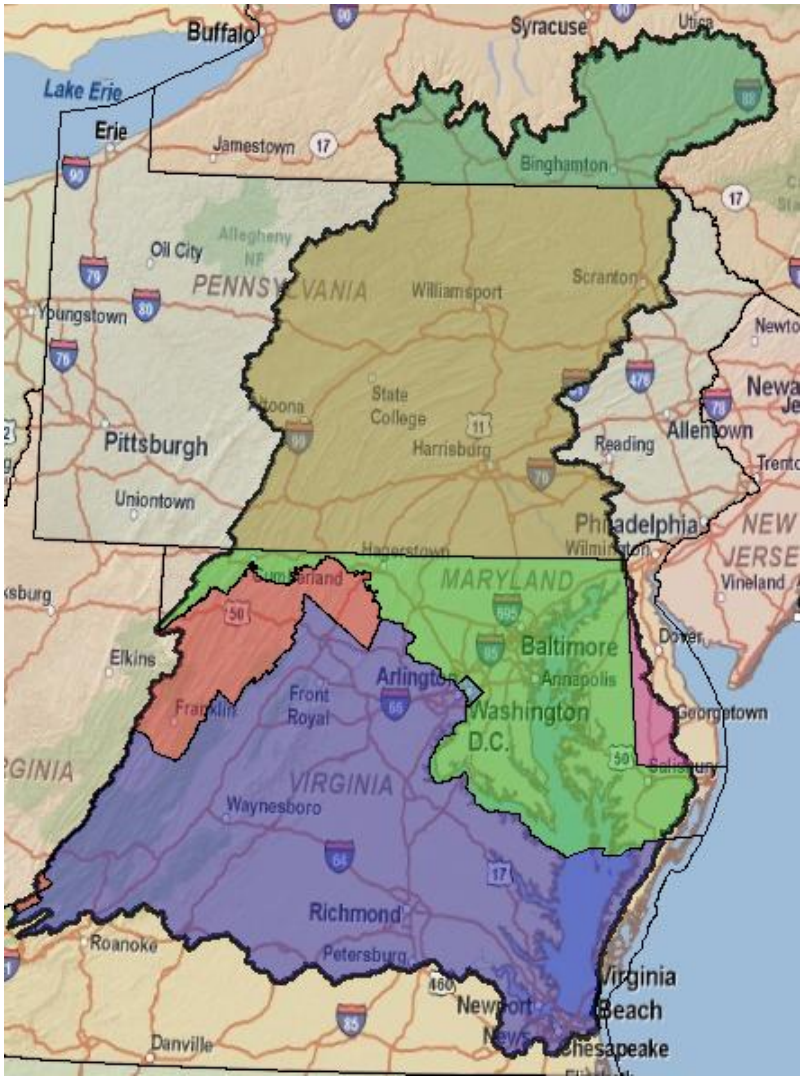


Why

Why A New Partnership Agreement ?

The Next Generation Agreement meets CBP's need to:

- Refine goals & set timelines
- Provide opportunity for full participation by the headwater states
- Update science, governance and management techniques – i.e., climate change, adaptive management
- Improve coordination, integration & collaboration among the partners
- Harmonize the EO and TMDL with the Partnership agreement and governance structures



What are we creating

Framework being considered

ALL goals, outcomes and strategies derived from the CBP Goal Teams –
issue experts & stakeholders from across the jurisdictions / watershed.

*CBP's Executive Council (EC) to "agree" on overarching **GOALS** & initial **OUTCOMES** for the partnership*
(This is the content of the new Watershed agreement)

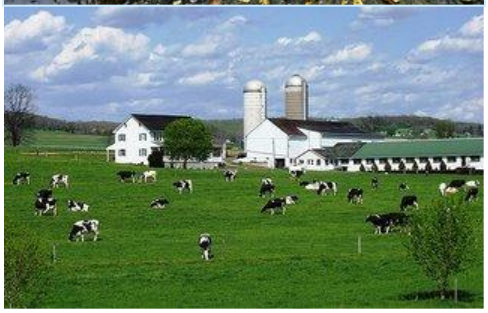
*CBP's Principals' Staff Committee (PSC) to track **OUTCOMES** , ensuring they are measureable & achievable; adapting as needed*

*CBP's Management Board (MB) to manage and track the **STRATEGIES,** adapting them as necessary over time for success*

Resource managers and decision makers will be guided by the strategies while retaining some flexibility to implement the practices that make the most sense for their region.

What will it do?

Differences



- **Simplify**
  - ✓ Clear goals and well defined outcomes
- **Be flexible**
  - ✓ Use of adaptive management to adjust to changing conditions and circumstances
- **Improve transparency, tracking & accountability**
  - ✓ Partners set priorities & commit resources through management strategies

I care, want to know more & be involved

Info & Input

- CBP partner meetings are *always OPEN*
  - Management Board – June 13, 10am-3pm
  - Principals' Staff Com – June 27, 10am-3pm
  - **Management Board – July 11, 10am-3pm****
  - Management Board – Aug 8, 10am-noon
  - Management Board – Sept 12, 10am-3pm

** July 11 MB Mtg
Two hours set aside for stakeholder input

Meeting schedules and materials are at:

Stakeholder input accepted online
June 27 - August 15
Visit:
chesapeakebay.net/watershedagreement

New Watershed Agreement in summary

Tell me again?

- Greater flexibility to adapt to changing conditions and circumstances
- Update-to-date science and management
- A strategic plan for the partnership's future
- Simpler goals and outcomes structure
- Better integration between CBP and EO goals for the Watershed
- Improved transparency, tracking, priority setting and accountability

For more, visit chesapeakebay.net/watershedagreement

Image courtesy Choose Clean Water Coalition

Stakeholder Outreach

Info & Input

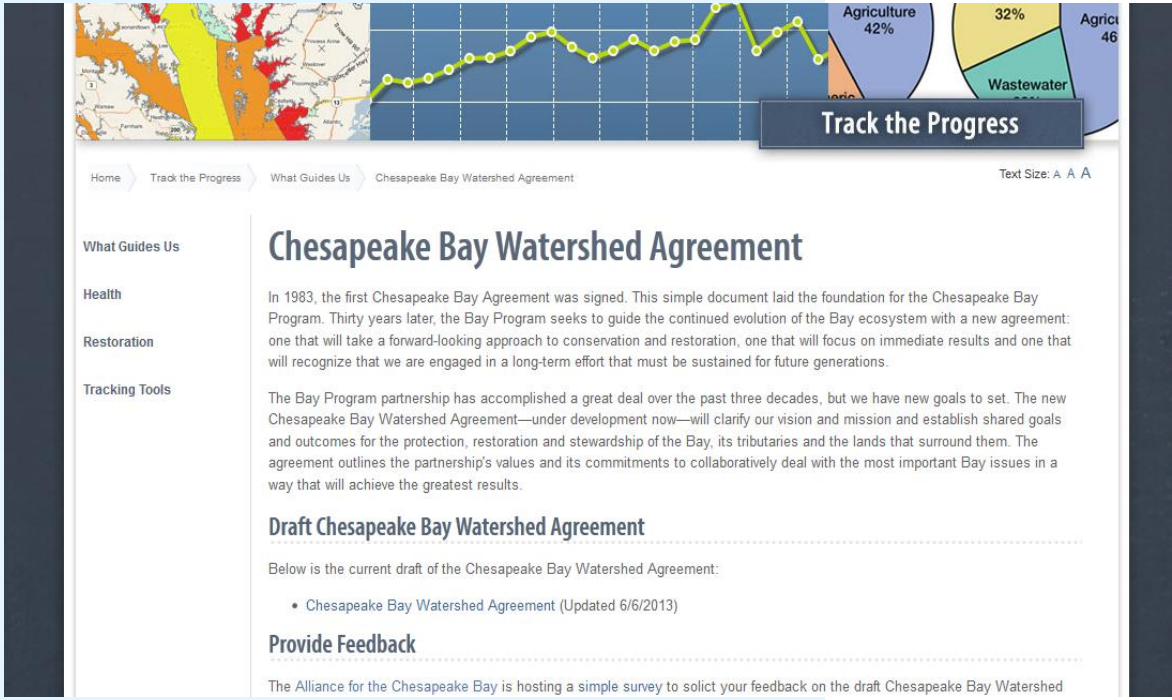
- New: chesapeakebay.net/watershedagreement

- **Stakeholder Input opportunities:**

  - July 11 MB – 2 hours

  - Online:

    - **Comment page hosted by Alliance**
    - **Date range proposed for input: July 27-Aug 15**



Goals

Goals

- **Sustainable Fisheries** (ready for PSC)
- **Vital Habitats** (ready for PSC)
- **Water Quality** (ready for PSC)
- **Healthy Watersheds**
- **Land Conservation** (ready for PSC)
- **Public Access** (ready for PSC)
- **Environmental Literacy**

Goals

Recommended by MB for PSC Consideration

Sustainable Fisheries Goal

- Restore, enhance, and protect the finfish, shellfish and other living resources, their habitats and ecological relationships to sustain all fisheries and provide for a balanced ecosystem in the watershed and bay.

Vital Habitats Goal

- Restore, enhance, and protect a network of land and water habitats to support priority species and to afford other public benefits, including water quality, recreational uses and scenic value across the watershed

Water Quality Goal

- Restore water quality to achieve standards for the Chesapeake Bay watershed.

Land Conservation Goal

- Conserve landscapes treasured by citizens to maintain water quality and habitat; sustain working forests, farms and maritime communities; and conserve lands of cultural, indigenous and community value.

Public Access Goal

- Expand public access to the Bay and its tributaries through existing and new local, state and federal parks, refuges, reserves, trails and partner sites.

Goals

Healthy Watersheds Goal

- Maintain local watersheds at optimal health across a range of landscape contexts.

- **Alternative option**: Maintain local waters and watersheds that are identified by states as currently healthy at optimal health across a range of landscape contexts.

Goals

Environmental Literacy Goal

- Every student in the region graduates environmentally literate having participated in meaningful watershed educational experiences in elementary, middle, and high school that were supported by teachers who have received professional development in environmental education and schools that are models of environmental sustainability.

** Possible revision due to newly added outcomes.

Outcomes

Outcomes

Sustainable Fisheries Goal

- **Blue Crab Outcome**: Maintain sustainable blue crab population based on the current 2012 target of 215 million adult females (1+ years old) and continue to refine population targets between 2013 through 2025 based on best available science.

- **Oyster Outcome**: Restore native oyster habitat and populations in ~~20~~ _?_ tributaries by 2025.

  ** (Note: This outcome relates to oysters for habitat as well as populations. GIT1 is considering modifying this outcome to reflect ecological restoration outcome [in accordance with oyster metrics] and consider a separate goal in support of oyster aquaculture [oysters as seafood].

Not Ready for Consideration

Outcomes

Sustainable Fisheries Goal

- **Fisheries Outcome:** Not yet vetted with Fisheries GIT (GIT1 meets June 17-18):

  1) Finfish Outcome (resident and transient species) – recover finfish populations to xxxx levels

  2) Develop bay outcomes for each of striped bass, shad and herring and menhaden similar to how C2K was handled.

Not Ready for Consideration

Outcomes

Sustainable Fisheries Goal

- **Fisheries Outcome**: Not yet vetted with Fisheries GIT

3) Forage Fish Outcome: Maintain a population level of forage fish that supports other commercial finfish species.

4) Ecosystem Outcome: Two possible options:

i) establish habitat objectives (identify and establish measurable thresholds below which we cannot go and support fisheries) also links to land use.

ii) establish bay wide mulit-species plans or targets. Based on the findings that MSY for a complex of species tends to be lower than the sum of MSY for single species.

Not Ready for Consideration

Outcomes

Sustainable Fisheries Goal

- **Fisheries Outcome**: Not yet vetted with Fisheries GIT

  5) invasive catfish - reduce populations of invasive catfish in xxxx key tribs/watersheds to levels that mitigate impacts and reduce spread
  - Pro - high visibility outcome to drive action in jurisdictions
  - con-?

Not Ready for Consideration

Outcomes

Vital Habitats Goal

- **Wetlands Outcome:** Restore a total of 100,000 acres of tidal and non-tidal wetlands, primarily on resource and agricultural lands and enhance function of an additional 150,000 acres of degraded wetlands.

  - ***Black Duck***: Restore wetland habitats to support a wintering black duck population in the watershed of 100,000 birds by 2025.

Not Ready for Consideration

Outcomes

Vital Habitats Goal

- **Stream Health Outcome**: Restore stream health and function by 10% above the 2008 level of sampled stream sites* throughout the watershed rating far, good, or excellent as measured by the Index of Biotic Integrity, by 2025"

  **Note: STAR's NTWG will re-assess baseline. Monitoring and assessment of IBI should be compiled by states between 2008-2016 and between 2017 and 2025.

  - ***Brook Trout***: Restore naturally reproducing brook trout populations with an 8% increase in total cumulative brook trout patch area by 2025 in Chesapeake headwater streams.

Outcomes

Vital Habitats Goal

- **Fish Passage Outcome**: During the period 2011-2025, restore historical fish migratory routes by opening 1,000 additional stream miles, with restoration success indicated by the presence of river herring, American shad, Hickory shad, Brook Trout and/or American eel.

  **(Note from GIT1: The Brook Trout and Fish Passage outcomes both relate to fish. Should consider whether to consolidate under the Sustainable Fisheries Goal).

- **Submerged Aquatic Vegetation Outcome**: Achieve and maintain 185,000 acres of SAV or sufficient water clarity to support 185,000 acres of SAV in the Chesapeake Bay by 2025.

Not Ready for Consideration

Outcomes

Vital Habitats Goal

- **Forestry Outcome:** 1) Restore 900 miles per year of riparian forest buffer and conserve buffers until at least 70% of riparian areas are forested, and 2) Expand tree canopy 1,000 acres per year by 2025.

Outcomes

Water Quality Goal

- **2025 Watershed Implementation Plans (WIP) Outcome**: Have all controls installed by 2025 to achieve the Bay's DO, water clarity/SAV, and chlorophyll a criteria.

- **2017 WIP Outcome:** Have practices in place by 2017 that are expected to achieve 60 percent of the load reductions necessary to achieve applicable water quality standards compared to 2009 levels.

Outcomes

Water Quality Goal

Toxic Contaminants Outcome:

- (a) Implement practices to reduce loadings of persistent, bio-accumulative and toxic (PBT) contaminants and non-PBT contaminants that have likely effect on the ecosystem resources.

- (b) Improve knowledge of the effects of contaminants of emerging concern on the health of fish and wildlife so future strategies can be considered.

* Proposed by Toxics Contaminants ad hoc workgroup.

Outcomes

Healthy Watersheds Goal

- **Healthy Waters Outcome:** Current state-identified healthy waters remain healthy.

  - **Alternative option**: 100% of state-identified currently healthy waters and watersheds remain healthy (baseline year: _____).

Outcomes

Land Conservation Goal

- **Protected Lands Outcome:** Protect an additional two million acres of lands throughout the watershed currently identified as high conservation priorities at the federal, state or local level by 2025, including 695,000 acres of forest land of highest value for maintaining water quality and an additional 225,000 acres of wetlands by 2025.

Outcomes

Public Access Goal

- **Public Access Site Development Outcome:** Increase public access by adding 300 new public access sites by 2025.

Outcomes

Environmental Literacy Goal

- **Student Outcome:** Increase the number of students participating in meaningful watershed educational experiences in elementary, middle, and high school.

- **Educator Outcome:** ~~Improve~~ Increase the number of teachers receiving ~~access to~~ sustained professional development ~~opportunities, tools, and resources that support teacher efforts~~ to provide and support student~~s~~ meaningful watershed ~~with high-quality environmental~~ educational experiences.

- **School Outcome:** Increase the number of schools in the region ~~that~~ maintaining their buildings, grounds, and operations using best practices to support ~~positive~~ environmental and human health ~~outcomes~~.

- **Local Education Agency Outcome:** Increase the number of local education agencies implementing ~~that establish and support a~~ system wide approaches for ~~to~~ environmental education that includes meaningful watershed educational experiences.

**redline edits received from Education Workgroup on 6/12/113.

Outcomes

Identified Gaps

- Toxic Contaminants
- Social/Environmental Indicators
- Sound Land Use Planning
- Accelerating Implementation

Participatory Language

Participatory Language

Preamble

The Chesapeake Bay is the nation's largest and most productive estuary , a powerful economic engine and is recognized as a national treasure.

The Chesapeake Bay Program partnership was formed 30 years ago with a simple document that recognized the "historical decline of living resources" in the Chesapeake Bay and committed the signatories to a cooperative approach to "fully address the extent, complexity, and sources of pollutants entering the Bay."

The first Chesapeake Bay agreement was signed in 1983. It laid the foundation for a cooperative program that now includes all the Chesapeake Bay watershed jurisdictions, EPA and the Chesapeake Bay Commission….(More…)

Participatory Language

Vision

The Chesapeake Bay Program partners envision a healthy, balanced and sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands, and engaged stakeholders.

- We envision a healthy, balanced and sustainable Chesapeake watershed with:
- Water that achieves water quality standards, that supports ecological resources, and is swimmable and fishable in streams, rivers and the Bay;
- Abundant and healthy populations of living resources including blue crabs, oysters and fish;
- Fish and shellfish that are safe to eat;
- Abundant forests, thriving farms and maritime communities that benefit both the economy and the environment;
- A broad network of land and water habitats that are resilient to the impacts of climate and weather and the impacts of human activities;
- Extensive areas of conserved lands that reflect the region's heritage while providing scenic vistas;
- Ample access to the Bay and its tributaries in every watershed jurisdiction to provide opportunities for recreating on or near the water;
- Environmentally literate students and citizens who are stewards of nature and understand their personal impacts on the environment; and
- Local governments, businesses, schools and universities, watershed organizations, neighborhoods, and individuals committed to implementing actions that will achieve the goals and outcomes of this agreement and vibrant sustainable communities.

Participatory Language

Mission

- Working through a deliberate, coordinated and cooperative approach, we strive to accelerate efforts to protect and restore the Chesapeake Bay ecosystem and its abundant living resources. We work both independently and collaboratively—with our partners and stakeholders—to implement targeted management strategies that will achieve our shared goals and outcomes and inspire others to take action.

Participatory Language

Principles

1. Work together in an environment of mutual respect and trust while respecting the sovereign authority of each partner.
2. Work to improve local water quality, the natural environment and quality of life across the watershed and its tributaries leading to the restoration of the Chesapeake Bay.
3. Strive for improvement in both the environment and the economy through the program's management actions.
4. Acknowledge, support and embrace local governments and other local entities in Bay restoration actions.
5. Advance the environmental literacy of Bay watershed residents.

Participatory Language

Principles (cont'd.)

6. Utilize science-based decision-making and seek out new technologies in advancing our management actions and strategies of management based upon a changing system.
7. Recognize that our long-term success will require a forward-looking approach that anticipates changing conditions, including long-term trends in sea level, temperature, precipitation, land use and other aspects of environmental variability.
8. Institute and adhere to adaptive management principles throughout all levels of the partnership to foster continuous improvement.
9. Implement collaborative, consensus-based decision-making approaches.
10. Continue to operate with transparency in program decisions, policies and science.

Participatory Language

Operational Commitments

1. Implement an adaptive management system that ensures continual improvement of our ability to achieve goals, outcomes, and strategies including development and implementation of a tracking and accountability framework.
2. Develop management strategies for each outcome, approved by the Management Board that identifies jurisdictions, federal agencies and other partners committed to providing leadership toward the achievement of that outcome.
3. Management strategies, outcomes and goals will be evaluated on a biennial basis by the Management Board with recommendations going to the Principals' Staff Committee (PSC) for approval.
4. Engage the Advisory Committees (CAC, LGAC and STAC) as non-voting members of the PSC.
5. Demonstrate strong, regional leadership by convening an annual public meeting of the Chesapeake Bay Executive Council.
6. Strengthen ongoing relationships with local governments, and other local stakeholders including: businesses, schools and universities, watershed organizations, neighborhoods, and individuals.

Participatory Language

Operational Commitments (cont'd.)

7. Maintain a coordinated Bay-wide monitoring and research program as necessary to support decision-making and track progress and the effectiveness of management actions.
8. Recognizing changing environmental conditions, explicitly identify opportunities to pursue management strategies that will be robust and resilient across a range of future conditions.
9. Effectively coordinate management actions with monitoring systems to understand patterns of change and ensure performance over time.
10. Commit to an environmentally literate public leading to increased individual stewardship by engaging more fully in place-based community restoration actions, improving partner and stakeholder outreach and messaging, formal (K-12) and non-formal educational opportunities and enhanced teacher professional development.
11. Work to advance the Chesapeake Bay Programs' technological capability and use it to evaluate the effectiveness of management strategies.

Participatory Language

Operational Commitments (cont'd.)

12. Develop "governance guidelines" to identify the roles, responsibilities and working relationships of and between all partners
13. Develop governance procedures for the Chesapeake Bay TMDL.

    (*Question for MB; keep as separate commitment or as part of governance guidelines?*)
14. (Placeholder language, Md.) *Work collaboratively to develop and execute management strategies for solving mutual obstacles to restoration implementation including: solving permitting problems, building local government capacity, expediting approval of new and innovative best management practices, and identifying and developing innovative financing solutions*.

Participatory Language

Affirmation and Signatures

Whereas, the Chesapeake Bay Program Partners recognize the need to accelerate implementation of actions necessary to achieve the Goals outlined herein and realize our shared vision of a healthy and vibrant Chesapeake Bay Watershed;

By this Agreement, we the undersigned members of the Chesapeake Executive Council, reaffirm our commitment to work together as described herein to protect and restore the Chesapeake Bay ecosystem. We agree to work collectively toward the goals and outcomes of this agreement and to work both independently and collaboratively to implement specific management strategies to achieve these shared goals and outcomes.

Management Strategies

Participatory Language

Governance Document

Goals

Water Quality Literacy Goal

Restore water quality to achieve standards for the Chesapeake Bay watershed. (Recommend by MB at 5/16/13 meeting)

Previous language: Restore water quality to achieve standards for DO, clarity/SAV, and chlorophyll-a in the Bay and its tidal waters as articulated in the Chesapeake Bay Total Maximum Daily Load (TMDL).