Governance Approach:
The Recommendation Approval Process

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Goal of this Discussion

- For the group to develop an understanding of:

    1) **How recommendations will be approved within the group**

    Overview of: The Consensus Based Governance Approach

    2) **Which groups the recommendations will travel to following the approval from the BMP Ad-Hoc Action Team.**

    Seeking: Approval of the Chain of Approval outlined in the CBP BMP Review Protocol and the 2013 BMP Verification Review Panel Guidance.

The WQGIT Governance Protocols: The Governance Approach

- The WQGIT Governance Protocols apply to the WQGIT and the WQGIT Workgroup.
  - The BMP Ad-Hoc Action Team is an action team formed by the WQGIT.

- The WQGIT Governance Protocols [1] are in line with the CBP's governance procedures [2].

- **The Governance Approach**
  - Decision-making is done by members through <u>consensus</u> (defined as all parties present having either agreed on a course of action and/or no party objected to it).
  - If after substantial negotiations a consensus cannot be reached, a <u>members will be polled</u> as a last resort, and the decision will be elevated to the next decision-making body.

[1] https://www.chesapeakebay.net/channel_files/22735/water_quality_git_governance_protocols_v8.24.15_revised_1.12.16_clean.pdf
[2] http://www.chesapeakebay.net/channel_files/22179/cbp_governance_document_7-14-15.pdf

The WQGIT Governance Protocols: The Voting Members

- **Definition of a member consensus according to the WQGIT governance** (up to 15 members and 15 advisors possible)**:**
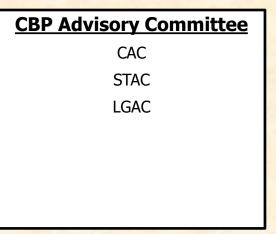 - Members from each signatory (9 members)
  - At-large Members (Up to 6 members)
  - One advisor from each WQGIT Workgroup
  - One advisor from each CBP Advisory Committee

> **"Inclusive of as many members as possible."**

- **Which members will be polled for consensus?**

Signatory	At-Large	Workgroups	CBP Advisory Committee
PA	CBF	AGWG	CAC
VA	GEC	USWG	STAC
DC	USDA	FWG	LGAC
DE	DoD	WTWG	
WV	USFS	LUWG	
NY		Wetlands	
MD			
CBC			
EPA			

Are there any concerns with the "voting" member list?

- Note: The Ad-Hoc Team Coordinator will identify one member representative and one alternate from each member organization to ensure each member is represented appropriately.

4

The WQGIT Governance Protocols: Consensus Decision-Making Approach

- Decision-making within the Ad-Hoc Action Team on finalized recommendations made by the Ad-Hoc Action Team can follow the framework outlined by the WQGIT governance:

  1) **Discussion of the item:** Goal of the discussion is to identify opinions and information on the topic at hand. Identify the general direction of the group and potential proposals for action.

  2) **Formation of a proposal:** Based on discussion, a formal recommendation on the issue will be presented to the group by the presenter and the WQGIT Chair (or Vice Chair).

  3) **Call for Consensus:** The Chair (or Vice Chair) will call for a consensus on the recommendation.

  4) **Identification and addressing of concerns:** If consensus is not achieved, each dissenter will present their concerns regarding the recommendation. Alternatives may be proposed. This may start another round of discussion. If this is the case, a decision may be sought at the next meeting of the group.

  5) **Modification of the Proposal:** The recommendation will be amended to address concerns of the decision makers. If consensus cannot be reached and time does not allow for revising the proposal, the Chair may pass the decision to a supermajority vote.

The WQGIT Governance Protocols: Consensus Decision-Making Approach

Example of how this would play out for the BMP Action Team:

- The recommendation will be discussed at one meeting (Ex. The March Meeting).

- A comment period of one week will be allowed following the meeting.

- The Coordinator and Chair will finalize the documentation for the recommendation.

- The recommendation will be provided for the group to review 10 days prior to the requested decision.

- At the next meeting (Ex. The April Meeting), the finalized recommendation will be presented for approval.

- The Chair will call for consensus.

Confirmation of Understanding: Governance Approach

Are there any members with concerns regarding the material that was presented?

WHERE SHOULD RECOMMENDATIONS PROGRESS TO FOLLOWING THE APPROVAL FROM THE BMP AD-HOC ACTION TEAM?

➢ Per the BMP Expert Panel's BMP Review Protocol [1] approved by the WQGIT in 2015, credit durations were recommended through collaboration with <mark>source sector workgroups, the WTWG, and the CBP modeling team representatives.</mark>
   ➢ "Any changes to the technical appendix should be approved by the source sector workgroup, the WTWG, and the WQGIT."

• Per the 2013 BMP Verification Review Panel's Guidance:
   • "For the existing Chesapeake Bay Program Partnership approved BMPs, the <mark>respective source sector workgroup needs to assign a life span/expiration date</mark> for each approved BMP."
   • "For all future BMP expert panels convened by the Chesapeake Bay Program Partnership, <mark>the workgroups need to ensure each panel is charged with establishing a recommended life span/expiration date for each of the practices</mark> at which time they must be re-verified or be removed from the data submitted for crediting."

[1] https://www.chesapeakebay.net/channel_files/22798/cbp_bmp_expert_panel_protocol_wqgit_approved_7.13.15.pdf
[2] https://www.chesapeakebay.net/channel_files/21753/appendix_d--cbp_bmp_verif_review_panel_recommendations_11_19_2013_2.pdf

THE PROPOSED CHAIN OF APPROVAL

The chain of approval should follow the three-stage formal review process which is outlined in the Framework document under the BMP Review Protocol and includes:

- ✓ **Relevant Source Sector Workgroups** will review the scientific basis of the recommendation, ensuring that all pollutant source loading or BMP pollution reduction mechanisms have been included.
- ✓ **Watershed Technical Workgroup** analyzes the technical components of the recommendation.
- ✓ **WQGIT** will review the process used and the recommendation's consistency.

❑ There is a possibility that the MB could be involved in the approval process.

*Each group may be given a 10-business day review period per the CBP Partnership Review Process.

DECISION ITEM: CHAIN OF APPROVAL

Are there any objections to following the Chesapeake Bay Program's BMP Review Protocol in conjunction with the original process put into place by the BMP Steering Committee to Review and Approve Recommendations made by the BMP Ad-Hoc Action Team?