Principals' Staff Committee
Actions and Decisions on IRC and GIT Recommendations
April 13 & 14, 2014 Retreat

Color Key:
Green – PSC approved; no need to revisit
Blue - general PSC approval, but need one or two signatories sign off
Yellow – additional work needed; bring back to PSC for further consideration
Suggested language edits/additions
Suggested deletions: ~~strikethrough~~

Issue and IRC Leads	Recommended or Resolved Language	PSC Decision	
BIN #1 Issues			
1. Participatory Language Lead: WV, NY, MD, EPA	**MD Participatory Language Option with suggested edits from AM PSC Discussion 4-14-14** Add to Preamble: "The signatories to this voluntary Agreement commit to achieving the goal of restoring and protecting the Chesapeake Bay ecosystem and its living resources. Add to the end of the first paragraph in the Goals and Outcomes section: Signatories will participate in achieving the outcomes of this Agreement in the manner described in the "management strategies development and implementation" section below. Add the following as a new second paragraph in the Management Strategies Development and Implementation section: Participation in management strategies or participating in the achievement of outcomes is expected to ~~will~~ vary by signatory, based on differing priorities	The PSC agreed to remove "Within 90 days…" from the recommended language changes based on the discussion on 4/14/14 Also agreed as separate addendum on participation would not be included in final agreement. NY and WV need additional time to	

	across the watershed. This participation ~~and~~ may include sharing knowledge, data or information; educating citizens or members; working on future legislation; and developing or implementing programs or practices. Management strategies, which are aimed at implementing outcomes, will identify participating jurisdictions and other stakeholders, including local governments and nonprofit organizations, ~~and~~ will be implemented in ~~encompass~~ two-year periods. ~~Within ninety (90) days of the execution of this Agreement, signatories and other partners shall identify have identified the management strategies and outcome implementation efforts they will participate in for the first two years of this Agreement. In Addendum A, which shall be~~ The signatories and other partners shall thereafter update and/or modify such commitments every two years. Specific management strategies will be developed in consultation with stakeholders, organizations and other agencies, and will include a period for public comment and review prior to final adoption. The Principal Staff Committee will report on adoption of management strategies at the next Executive Council meeting and report on implementation of management strategies every two years. Add to Affirmation and Signatures section: "As Chesapeake Bay Program partners, we acknowledge that this agreement is voluntary and subject to the availability of appropriated funds. This agreement is not a contract or an assistance agreement. We also understand that this agreement does not pre-empt, supersede or override any other law or regulation applicable to each signatory."	review the new language.	
2. Toxic Contaminants Lead: Adhoc Toxics Team: Greg Allen, EPA; Scott Phillips, USGS; & Russ Baxter, VA & others	**Introductory Language**: Toxic contaminants harm fish and wildlife in the Bay and its watershed, and create risks to human health that limit the amount of fish that people can eat. Reducing the impacts of toxic contaminants is critical to improve the health of fish and wildlife, thereby improving their recreational value for citizens. *New* **Toxic Contaminants Goal:** Ensure that the Bay and its rivers are free of effects of toxic contaminants on living resources and human health.	The PSC agreed to a separate toxics goal with two outcomes (research and reduction) based on CBC suggested language. Also agreed to:	

	Toxic Contaminants Research Outcome: ~~By 2015,~~ Develop a research agenda and further characterize the occurrence, concentrations, sources and effects of mercury, PCBs and other contaminants of emerging and widespread concern. In addition, identify which BMPs might provide a dual benefit of reducing nutrient and sediment pollution as well as toxic contaminants in waterways. **Toxic Contaminants Policy and Prevention Outcome:** By _____ evaluate the implementation of existing programs, policies, and practices, and additional policies, programs, and practices informed by the Toxics Contaminants Research Outcome as needed, to further reduce or eliminate loadings of persistent bioaccumulative and toxic contaminants (PBT) and non-PBT contaminants to prevent harm to fish, wildlife, and citizens of the region.	- Remove the date in the research outcome. - Revise the second outcome to add a sentence focusing on PCBs. A second sentence will be added about using the research to develop management strategies for other contaminants in future years.	
3. Climate Change Lead: MD	**Introductory Language**: Changing environmental and climate conditions will have multiple and complex effects on the Chesapeake Bay. Rising sea levels and changes in precipitation patterns may make restoration more difficult to achieve, and increasing air and water temperatures may affect the integrity of healthy waters and watersheds. Building resiliency to these impacts now will ensure healthy and resilient Bay ecosystems and communities in the future. **Climate Resiliency Goal**: Increase the resiliency of the Chesapeake Bay watershed, including its habitats, public infrastructure and human communities to withstand adverse impacts from climate change. **Resilient Restoration Outcome**: Implement effective Bay restoration in the face of sea level rise and changing environmental and climate conditions. **Monitoring and Assessment Outcome**: Support monitoring activities to deliver routine and sustained climate science, information products and services. Preamble: Much progress has been made, but there is more to do especially in the face of continued challenges such as changes in population, loss of farm and forest lands and *changing environmental conditions*.	The PSC agreed to include the Resiliency and Restoration Goal with 2 outcomes. (Option 1) PSC will consider the language of the Resilient Restoration Outcome, and the Monitoring and Assessment outcome. "Changing environmental conditions" will remain in the Preamble, Principles, and Management Strategies sections.	

	Principles: The Partners will: *anticipate changing conditions, including long-term trends in sea level, temperature, precipitation, land use and other variables*. Management Strategy Development and Implementation: Management strategies may address multiple outcomes if deemed appropriate. Goal Implementation Teams will re-evaluate biennially and update them as necessary, with attention to changing *environmental and economic conditions*. Policy changes to address these conditions and minimize obstacles to achieve the outcome may be identified.		
4. Conowingo Dam Lead: MD	Maintain status quo; do not include in final Agreement.	The PSC agreed to the status quo option to not include in the agreement. The PSC agreed that the CBP partnership should better communicate what is already being done about this issue.	
5. Stewardship Lead: D.C., GIT 5	**Stewardship Goal:** Increase the number and diversity of local citizen stewards and local governments that actively support and carry out the conservation and restoration activities that achieve healthy local streams and a vibrant Chesapeake Bay. ***Citizen Stewardship Outcome*:** Increase the number [and diversity] of trained and mobilized citizen volunteers with the knowledge and skills needed to enhance the health of their local watersheds. ***Stewardship Metrics Outcome***: By 2015, work with Chesapeake Bay Program partners and other wide ranging academic, local government and citizen organizations to develop a metric for evaluating progress in citizen stewardship. **Revisiting:** ***Local Leadership Outcome*:** Engage, empower, and facilitate leadership by local governments and increase the number of local governments that have implemented innovative financing strategies to meet agreement goals. (2010 Baseline year)	The PSC decided to include a Stewardship Goal in the agreement. The PSC needs to further consider whether it will be included as a stand-alone goal with 2 outcomes (Option 1), or a joint stewardship/ literacy goal (Option 2). The PSC will also revisit adding local leadership and diversity outcomes	

	Diversity Outcome: Identify minority stakeholder groups who are not currently represented in the leadership, decision making and implementation of the current conservation and restoration activities and create meaningful opportunities and programs to recruit and engage them in the partnership.	under a Stewardship Goal.	
6. Impervious Surfaces Lead: CBC & GIT 3	**Land Use Methods and Metrics Development Outcome**: By 2016, develop a Chesapeake Bay watershed-wide methodology and local-level metrics for characterizing the rate of farmland, forest, and wetland conversion, measuring the extent and rate of change in impervious surface coverage and quantifying the potential impacts of land conversion to water quality, healthy watersheds, and communities ~~of agricultural and forest lands, and for measuring the extent and rate of change in impervious surface coverage~~. Launch a public awareness campaign to share this information with local governments, elected officials, and stakeholders. **Land Use Options Evaluation Outcome*:*** By 2017, with the direct involvement of local governments or their representatives, evaluate policy options, incentives, and planning ~~other~~ tools that could assist local governments in their efforts to strategically track, ~~better~~ manage, ~~and when possible,~~ reduce the rate of consumption of ~~agricultural and forest lands~~ agricultural lands, forests and wetlands, and the *rate of conversion of porous landscapes to impervious surfaces*, and develop an outcome for achieving those reductions by 2025.	The PSC agreed to both outcomes with modifications: Methods and Metrics Outcome: Change the date to 2016. Options Evaluation Outcome: The Editorial Board will revise the language to be more public-friendly.	
7.a. TMDL/WIPs – Regulations within Voluntary Agreement Lead: IRC	**2017 Watershed Implementation Plans (WIP) Outcome**: By 2017, have practices and controls in place that are expected to achieve 60% of the nutrient and sediment pollution load reductions necessary to achieve applicable water quality standards compared to 2009 levels. **2025 WIP Outcome**: By 2025, have all practices and controls installed to achieve the Bay's dissolved oxygen, water clarity/submerged aquatic vegetation and chlorophyll a standards as articulated in the Chesapeake Bay TMDL document.	The PSC agreed to include the 2017 & 2025 WIP outcomes.	

7.b. TMDL/WIP - Source Sector Acknowledgement Lead: EPA & GIT 3	**Add a new sentence to the existing Introductory Language for the Water Quality Goal:** Excess amounts of nitrogen, phosphorus and sediment in the Bay and its tributaries have resulted in many portions of the Bay being listed as "impaired" under the Clean Water Act. The Chesapeake Bay Total Maximum Daily Load (TMDL) is driving nutrient and sediment reductions as described in the Watershed Implementation Plans (WIPs) adopted by the states and the District of Columbia and establishes the foundation for water quality improvements embodied in this Agreement. These plans set nutrient and sediment reduction targets for various source sectors -- stormwater, agriculture, air deposition, waste water, septics and other onsite wastewater treatment systems. Restoring these waters is critical to overall Bay watershed restoration because clean water is the foundation for healthy fisheries, habitats and communities across the region."	The PSC agreed to include Option 3, and to remove Option 4. The PSC will consider more public-friendly language the ERB develops for the source sector list.	
7.c. TMDL/WIPS – Water Quality Attainment Outcome Lead: EPA	TBD	The PSC agreed to consider clarifying language about reporting annual progress rather than projecting progress. EPA will develop this language as a Water Quality Outcome, or for the Water Quality Introduction section.	
8.a. Environmental Diversity Lead: MD	Add an Environmental Diversity outcome to a Stewardship Goal [pending approval]. See 5. Stewardship	The PSC agreed to further consider a Diversity Outcome under the Stewardship Goal section. (See 5. Stewardship)	
8.b. Environmental Justice Lead: MD	TBD	MD will develop language to include Environmental Justice in the Principles and	

		Management Strategies sections.	
9.a. Governance – Goal and Outcome Authority Lead: CBC	Add language to the Agreement stating any changes or additions to goals are finalized by the EC. Changes or additions to outcomes are finalized by the PSC, although significant changes or additions may be raised to the EC for approval.	The PSC will revisit Decision #1, Option B with the language compromise recommended by MD and EPA.	
9.b. Governance - Transparency	Add language stating that proposed changes to goals and outcomes or the addition of new goals or outcomes are open for public input before being finalized. Final changes or additions are publicly posted to the Bay Program website.	The PSC agreed to Decision 2 Option A with one change: "Public comment" is revised to be "public input"	
BIN #2 Issues			
Fisheries Goal Team			
Introduction	*Revised:* "Habitat loss, poor water quality, non-native and invasive species, toxics and fishing pressure continue to threaten the sustainability of the Chesapeake Bay's fisheries. Sustaining fish and shellfish populations contributes to a strong economy and maritime culture and supports a healthy ecosystem for all Bay watershed residents."	Agreed	
Blue Crab Abundance Outcome	GIT 1 is considering adding a statement to the end of the existing outcome to explain how the abundance target is refined. "**Evaluation and refinement of the population target will align with Bay-wide stock assessments conducted approximately every five years subject to available resources**." *(draft)*	Sending back to GIT to consider adding language to management strategies rather than the outcome.	
Blue Crab Management Outcome	*Revised:* **"Blue Crab Management Outcome:** Improve the ability to manage for a stable and productive crab ~~population~~ ~~and~~ fishery by working with the industry, recreational crabbers, and other stakeholders to improve	Agreed	

	commercial and recreational harvest accountability. **By 2018**, **e**valuate the establishment of a Bay-wide, allocation-based management framework with annual levels set by the jurisdictions that will provide stability for crabbing businesses and accountability of the harvest for each jurisdiction."		
Oyster Outcome	*Revised:* **"Oyster Outcome**: Restore native oyster habitat and populations in 10 tributaries by 2025 **and ensure their protection** to recover the benefits of fish habitat and water quality improvements that healthy oyster reefs provide." --- GIT 1 is considering adding a statement to the end of the existing outcome to explain how restoration is measured. **"Restoration efforts are currently guided by the Oyster Metrics that define success and by a tributary-based restoration strategy originally adopted in the Chesapeake Bay Executive Order."** *(draft)*	Agreed to first part --- Agreed in concept, but consider adding language to management strategies rather than the outcome.	
Fish Habitat Outcome	~~GIT 1 recommends including language that would be inclusive of freshwater fisheries and adding a deadline of 2018.~~ ~~**"By 2018,** identify and characterize critical spawning, nursery and forage areas within the Bay **watershed** important for fish and shellfish **so that management strategies can be enhanced to improve fish health and recreational opportunities."**~~ *Original*: **Fish Habitat Outcome**: Continue to identify and characterize critical spawning, nursery and forage areas within the Bay and tributaries for important fish and shellfish and use existing and new tools to integrate information and conduct assessments to inform restoration and conservation efforts.	Do not include. Use existing language which already includes bay and tributaries, which is broad enough to encompass freshwater streams and rivers.	
Habitat Goal Team			
Introduction	after "conserving healthy habitats and restoring the" insert: "**connectivity and**" "Pressures from increasing needs for land and resources have resulted in fragmentation and degradation of many habitats across the watershed while also challenging the health of many Bay watershed species. Conserving healthy habitats and restoring the **connectivity and** function of degraded	Not discussed	

	habitats is essential to the long-term resilience and sustainability of the ecosystem and the region's quality of life."		
Goal	*Revised:* **Goal**: Restore, enhance, and protect a network of land and water habitats to support **fish and wildlife** ~~high-priority species~~ and to afford other public benefits, including water quality, recreational uses and scenic value across the watershed.	Agreed	
Black Duck	*Revised:* **Black Duck**: By 2025, restore, **enhance and preserve** wetland habitats **that** ~~to~~ support a wintering population of 100,000 black ducks, a species representative of the health of tidal marshes across the watershed.	Enhance and preserve, change preposition to "that"	
Brook Trout	*Revised:* **"Brook Trout:** Restore **and sustain** naturally reproducing brook trout populations in Chesapeake headwater streams with an 8 percent increase in occupied habitat by 2025."	Agreed	
Tree Canopy Outcome	~~GIT 2 is considering increases to the outcome based on additional discussion & negotiation with the IRC and Forestry Workgroup input.~~ *Original:* **Tree Canopy Outcome**: Expand urban tree canopy by 2,400 acres by 2025.	Agreed: Keep original language	
Stream Health Outcome – Note	GIT 2 recommends the following change to the baseline note: "Note: a 2008 baseline will be **established** by 2015" *Revised*: *Note: **a 2008** baseline will be ~~re-assessed~~ **established by 2015**.	Agreed	
Water Quality Goal Team			
Introduction	GIT 3 recommends inserting a brief description of the TMDL and WIPs.	Agreed See bin 1 above	
Healthy Watersheds Goal Team			
Healthy Watersheds Goal	*Revised*: **Goal**: Sustain state-identified healthy waters and watersheds, recognized for their ~~exceptional~~ **high** quality and/or high ecological value.	Approved	
Healthy Watersheds Outcome	*Revised*: **Healthy Waters Outcome**: ~~By 2025,~~ 100% of state-identified currently healthy water**s** and watersheds remain healthy.	Approved	
Stewardship Goal Team			

Protected Lands Outcome	The Stewardship Goal Team put forward the two-million acre protected land outcome in the draft agreement. The GIT believes this is an achievable goal. Public comments were submitted recommending this outcome be increased to 2.5 million acres. *Original:* **Protected Lands Outcome**: By 2025, protect an additional two million acres of lands throughout the watershed currently identified as high-conservation priorities at the federal, state or local level, including 225,000 acres of wetlands and 695,000 acres of forest land of highest value for maintaining water quality. (2010 baseline year)	Keep language as is	
Environmental Literacy Goal (modified)	GIT 5 recommends the modification: **Enable** **every** student in the region **to** graduate with the knowledge and skills to act responsibly to protect and restore their local watershed.	Revisit goal and outcomes together - Hold on goal until hearing from all signatories and their education depts. Consider "Enable"	
Student Outcome (a modified MWEE)	Every student participates in at least one teacher-supported meaningful watershed educational experience in elementary, middle, and high school.	Revisit	
Sustainable Schools Outcome (new)	All schools in the region work towards maintaining their buildings, grounds, and operations using best practices to support environmental and human health.	Revisit	
Environmental Literacy Plan Outcome (new)	By 2016, all states complete an environmental literacy plan that details system wide approaches for environmental education to meet the provisions of this agreement.	Revisit	
Metrics Outcome	By 2014, develop baseline metrics to establish and measure outcomes related to student participation in teacher supported meaningful watershed educational experiences and related activities.	Revisit: 2014 may be too soon given that the Management Strategies are due 1 year after signing	

Bin 2 Issues Not Yet Addressed			
Public Access Goal & Outcome	a. Increase the number of sites b. Recognize private partners Assignment: GIT 5 ---------- **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. **Public Access Site Development Outcome**: By 2025, add 300 new public-access sites, with a strong emphasis on providing opportunities for boating, swimming and fishing, where feasible. (2010 baseline year)	Not yet considered	
Fish Passage Outcome	Highlight dam removals and focus on hydro-electric dams Assignment: GIT 2	Not yet considered	
Forage Fish Outcome	Management should follow study results Assignment: GIT 1	Not yet considered	
Trash	Champion: D.C. & Md. Refer to citizen stewardship group & water quality sections	Not yet considered	
Funding/Financing	a. Emphasize technical/funding assistance to local governments b. Integrated affordability concepts into management strategies c. Create a Financial Advisory Committee d. Comments on entrepreneurship and ecosystem markets	Not yet considered	

Accountability/Verification/Independent Evaluation	Assignment: GIT 6, IRC	Not yet considered	
Explanation of numeric goals, outcomes and baselines	Explanation needed for how numeric goals, outcomes and baselines were developed (including net increase issue). Assignment: Editorial Board/GITs	Not yet considered	
STAC comments	Note: GITs should consider potential revisions to their outcomes based on STAC recommendations if possible at this stage, and consider STAC's recommendations in developing the Management Strategies. Assignment: Goal Implementation Teams	STAC will provide proposed language to the GITs	
Numerous comments on Principles	Numerous comments on Principles to be considered by IRC and Editorial Board Assignment (text): Editorial Board Assignment (policy): IRC	Not yet considered	
BIN #3 Management Strategy Issues, Unnecessary in Agreement			
Fracking	Fracking should not be included in the final Agreement because each affected state is already addressing it. The Land Use Workgroup is also exploring the issue for possible consideration as part of the Midpoint Assessment.	Agreed	