

Governance and Management Framework for the Chesapeake Bay Program Partnership



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Introduction:

This document describes the organizational function and governance for the Chesapeake Bay Program partnership in advancing Bay protection and restoration through the Chesapeake Bay Watershed Agreement (Watershed 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 Watershed 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 the 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 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 Bay Program website at <http://www.chesapeakebay.net/about/how/history>.

Section 117 of the Clean Water Act 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 as the signatories to the Chesapeake Bay Agreement, calls for 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.

As the 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 Bay Program goals. This adaptive approach will be reflected in this document, and revisions to this document will be made periodically, or on an as needed basis.

Chesapeake Bay Program Vision and Principles:

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 citizens and stakeholders. The following principles are an overarching framework by which the Bay Program commits to operate. They encompass the partners’ collective, core values and are intended to help guide us in our work as the partnership develops policy and takes actions to achieve the Watershed Agreement’s Goals and Outcomes.

The partnership will:

- Collaborate to achieve the Goals and Outcomes of the Watershed Agreement.
- Achieve Goals and Outcomes in a timely way at the least possible cost to our citizens.
- 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 a coordinated watershed-wide monitoring and research program to support decision-making and track progress and the effectiveness of management actions.

- Acknowledge, support and embrace local governments and other local entities in watershed restoration and protection activities.
- Anticipate changing conditions, including long-term trends in sea level, temperature, precipitation, land use and other variables.
- 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 citizens to increase the number and diversity of people who support and carry out the conservation and restoration activities necessary to achieve the Goals and Outcomes of the Watershed Agreement.
- Explore using social science to better understand and measure how human behavior can drive natural resource use, management and decision-making.
- Promote environmental justice through the meaningful involvement and fair treatment of all people, regardless of race, color, national origin or income, in the implementation of the Watershed Agreement.

Ethical Behavior Guidelines:

All participants in the Chesapeake Bay Program Partnership are expected to be familiar with this policy, and to conduct themselves in a manner that places the highest priority on allowing consensus to occur, is respectful of all opinions, and includes balancing the priorities of the members' respective organization/jurisdiction with the priorities of the Partnership.

No participant in a 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. This shall also include 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-Chair of meetings shall remind all participants of this policy before decisional discussions begin.

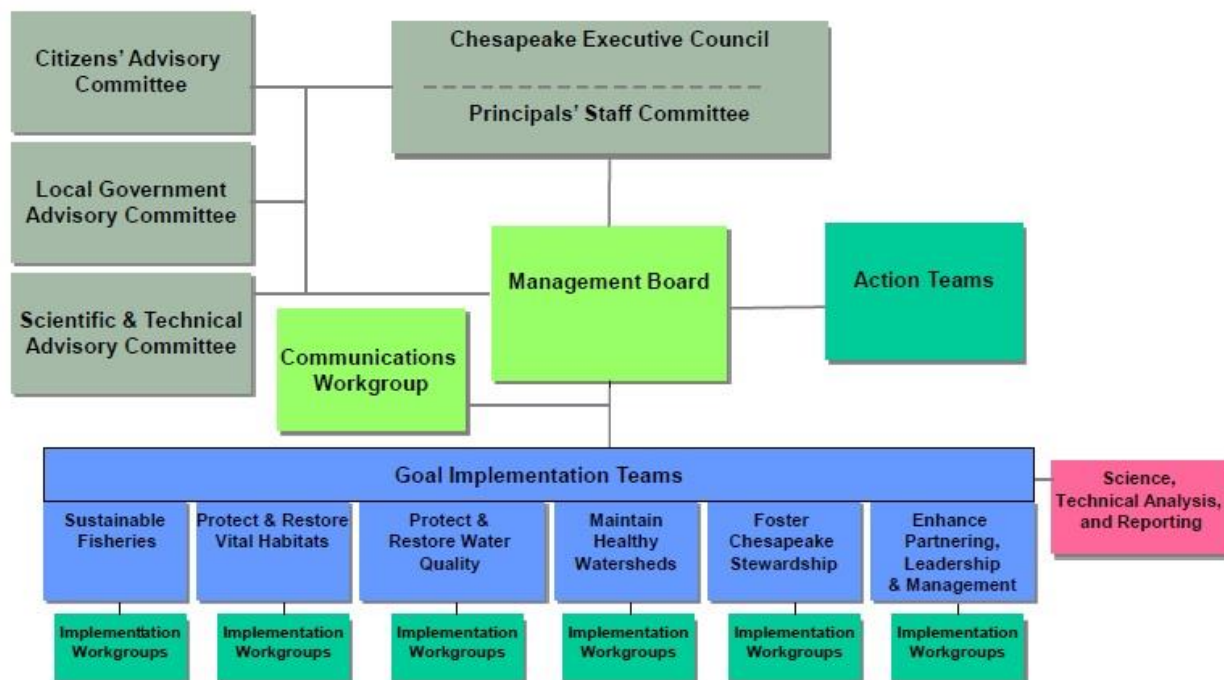
Chairs and Co-Chairs of meetings are expected to be particularly sensitive to potential conflicts of interest by themselves resulting from decisions of the group and conduct the meeting and their input accordingly.

Suspected violations of this policy can be reported to the Chair of the Management Board for further review, or elevated to the Chair of the Principals' Staff Committee where appropriate.

Organizational Structure:

The Chesapeake 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 and citizen and university representatives who participate on the different levels of the organization and in the development and implementation of the Management Strategies. For the past 30 years, the 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 Bay Program.

Figure 1. Organizational Structure of the Bay Program.



The structure and governance of the program will change and evolve over time as a result of the Bay Program’s application of adaptive management. The adaptive management system will foster both (1) continual improvement of the 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 Bay Program. Following the adaptive management approach, the partnership will likely learn that there are features of the organizational structure and governance that require modification following the transition described in this document. This will require some further changes to structure and governance in the future, which will be coordinated by the Management Board. This section below provides a description of the governance (mission, functions and responsibilities, leadership, membership, and operations) of the various organizational entities (e.g. Executive Council, Management Board, Goal Implementation Teams) that comprise the Bay Program.

All meetings are open to the public,¹ with notification at a minimum through the Chesapeake Bay Program website (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 Bay Program website shortly following the meeting.

Chesapeake Executive Council (EC): The EC establishes the policy direction for the restoration and protection of the Chesapeake Bay ecosystem and its living resources. It provides leadership to promote public support for the Bay effort and is accountable to the public for progress made under the Bay agreements.

(a) Key Functions and Responsibilities:

¹ 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](#).

- Provide the vision and strategic direction for the restoration and protection of the Chesapeake Bay ecosystem and its living resources through the adoption of agreements, directives or resolutions, or the issuance of letters or other policies.
 - As described in the sections on how Goals and Outcomes can be changed, approve revised or added Goals of the Watershed Agreement and significant changes to Outcomes.
 - Provide leadership to promote public support for the Bay effort.
 - Provide public accountability on progress toward Goal achievement under the new Watershed Agreement.
 - Report on progress to the public annually using clear measurable objectives.
 - Direct changes as needed in the adaptive management system to improve program performance and resource alignment.
 - Pursue strategic opportunities to align resources and secure new resource opportunities to achieve identified annual priorities.
 - 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.
- (b) Leadership and Membership:** Establishment of the Chesapeake EC is authorized by Section 117 of the Clean Water Act. The Chesapeake EC consists of “full members,” corresponding to the signatories of the Watershed Agreement and other participating members, as shown below. Leadership of the EC is rotated among the 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 by soliciting their input. A decision will be made at the next PSC meeting on behalf of the EC. The decision will be memorialized in writing and signed by signatory representatives on the PSC on behalf of the EC members. The 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:
- The Governors of Maryland, Virginia, Pennsylvania, Delaware, New York and West Virginia
 - The Mayor of the District of Columbia
 - The Chairman of the Chesapeake Bay Commission (CBC)
 - The Administrator of the U.S. Environmental Protection Agency
- (c) Federal Agencies:** While the Federal Agencies and the Federal Leadership Committee for the Chesapeake Bay are formally represented by the Environmental Protection Agency on the EC, representatives are invited to attend EC meetings based on issues being addressed at a 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).
- (d) 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 CBC Chair serves for the duration of his/her chairmanship.
- (e) EC Operations:**
- *Ground Rules:* The structure of the EC meeting is coordinated by the Chair with assistance from the Chesapeake Bay Program Office under guidance of the full Principals’ Staff Committee (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 an efficient and effective meeting.

- *Decision-Making:* Decision-making at the EC will be done by members or their representatives through a unanimous or [consensus](#) based approach. If after substantial discussions consensus cannot be reached, a supermajority vote by full members or their designees will be utilized, requiring at least seven out of nine yeas.
- *Attendance at Annual Meetings:* EC members should be expected to attend the annual public meeting. In the event of an unforeseen conflict, the highest possible appointee should attend in his/her place. If an individual attends with the purpose of representing his/her signatory organization, he/she is invited to speak at the press conference following the EC meeting. However, all signatories should try to send their highest ranking person possible.
- *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 organization.
- *Budgeted Resources:* Financial support for the EC annual meeting is provided by EPA CBPO and the lead EC organization.
- *Staffing and Support:* A senior CBPO employee is assigned to help coordinate activities and the annual EC meeting. Additional support is provided by CBPO staff.
- *Business between Annual Meetings:* In the event that business must be conducted between annual EC meetings, each members' principals' staff will act on their behalf at the 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 as soon as possible after logistics are confirmed.

Principals' Staff Committee (PSC): In parallel with the mission of the EC, 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 to their principals, the Watershed Agreement signatories. The PSC also provides policy and program direction to the MB.

(a) Roles and Responsibilities:

- Set agendas for EC meetings.
- Approve revised or additional Outcomes of the Watershed Agreement unless they are significant as determined by the PSC, whereupon they are sent to the EC for final approval.
- Review and recommend actions to the EC related to changes in Goals of the Watershed Agreement.
- Report to the EC annually on implementation of Management Strategies.
- Provide policy and program direction to the MB.
- Solicit and receive counsel and advice from the Advisory Committees.
- Resolve issues 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.
- Identify strategic opportunities to align resources or seek new resource opportunities to achieve identified annual priorities and present to EC for action.

(b) 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, he/she will designate another member of his/her delegation to take his/her place. The PSC is comprised of high-level State and Federal leaders. State membership to the PSC consists of a delegation that includes members at the cabinet office, Secretary, Director, or Commissioner level of environmental, natural resource, agriculture and other relevant agencies. States have the latitude to decide upon the size of that

delegation and may add to or subtract from their delegation at any time. Federal membership to the PSC consists of a Federal delegation at a level commensurate with 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 position for decision-making purposes. Each delegate will designate to CBPO staff a standing alternate to represent their agency in cases where the member cannot attend. Advisory Committee Chairs serve in an advisory capacity to the PSC and are therefore non-voting members of the PSC.

- (c) **Duration of Membership:** Members are appointed by their respective EC principals and remain on the PSC until either their EC principal changes or their EC principal identifies a new representative.

(d) **PSC Operations:**

- *Ground Rules:*
 - The PSC meetings are coordinated by the lead member with assistance from CBPO. 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 well in advance of the meeting to avoid unexpected outcomes and provide an effective planning process.
 - An agenda will be circulated at least three weeks in advance of the meeting date.
 - Decision documents will be circulated at least two weeks prior to the meeting date. Members may not be expected to make decisions on topics for which materials were not provided within the two week timeframe.
 -
 - Meetings allow for issues to be discussed and for decisions to be made that further clarify policies related to restoration goals and metrics.
 - Issues identified by the MB and progress reports related to EC interests are a major focus of PSC meetings.
- *Decision-Making:* Decision-making at the PSC will be done by signatory delegations through a unanimous or [consensus](#) based approach. If after substantial discussions consensus cannot be reached, a supermajority vote by delegation will be utilized, requiring seven out of nine yeas. Such votes may be tabled at the meeting and taken up at a further time to allow for further discussion in order to reach consensus.
- *Attendance at Meetings:* Meeting attendance may be in-person or by conference call. A quorum of 50% of those on the PSC, regardless of Federal and State proportions, must be present for decisions to be made.
- *Planning PSC meetings:* PSC meetings will occur three times per year with an option to schedule additional meetings, if needed. In addition to PSC members, Advisory Committee Chairs and key staff will also be included in the poll. Based on the results of the poll, the PSC chair will establish the meeting or conference call dates and locations. All meeting information is posted on the partnership's web calendar.
- *Setting Priorities:* Priority setting for the PSC is at the discretion of the chair with input from members. Priorities are identified as related to EC vision and implementation issues identified by the MB, Advisory Committees or individual PSC members.
- *Budgeted Resources:* Financial support for the PSC meeting is provided by EPA CBPO and the lead EC organization.
- *Staffing and Support:* The PSC is co-coordinated by executive-level CBPO staff and a representative of the signatory that is chairing the EC. In addition, the CBPO provides staff support to the PSC.

Management Board (MB): Manages the implementation of strategies to achieve the vision of the 2014 Watershed Agreement.

(a) Roles and Responsibilities:

- Creates, commissions, and dissolves Goal Implementation Teams (GITs) and Action Teams as needed and designates GIT Chairs and Action Team leaders.
- Formally accepts the Management Strategies as complete.
- Frames the issues and ensures that the critical data, information, options and analyses are performed to support effective decisions by the PSC/EC
- Assures that resources of the partnership and the EPA CBPO are aligned with the strategies, goals, and outcomes of the Watershed Agreement.
- Responds to Advisory Committee (STAC, CAC, LGAC) recommendations, in writing, within 90 days of receiving the report which may be extended an additional 30 days at the specific request of the MB Chair.
- Implements the Biennial Strategy Review System (add link to SRS section once created)

(b) Leadership and Membership: The MB is chaired by the Director of the CBPO. With the exception of the Federal government representatives, each signatory has a single representative on the MB, who is generally an individual of the rank below the signatory's representation on the PSC. Typically this indicates Assistant Secretary, Office Director, Executive Director, Chief, or equivalents. Each delegate will designate to CBPO staff a standing alternate to represent their agency in cases where the member cannot attend. Advisory Committee Chairs serve in an advisory capacity to the MB and are therefore non-voting members of the MB. GIT Chairs are also non-voting members of the MB. The MB also includes the following Core Federal Agency partners listed below. Current MB membership can be found at:

https://www.chesapeakebay.net/who/group/management_board.

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

(c) Duration of Membership: The Chair and members serve for indefinite terms.

(d) MB Operations:

- *Ground Rules:*
 - The meeting time of the MB is for decision-making, time-critical discussions, and hearing summary results of the GITs or Action Teams.
 - An agenda and decision documents are circulated at the latest two weeks prior to the meeting date. Members may not be expected to make decisions on topics for which materials were not provided within the two week timeframe.
 - Each State and Federal partner has one voice in decision-making.

- *Decision-Making:* Decision-making at the MB will be done by members through a unanimous or consensus based approach. All members have a voice in discussions 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 yeas. 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.
- *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 Federal and State proportions, must be present for decisions to be made. When the MB Chair is not able to lead the meetings, he/she will designate an executive-level person within his/her organization to take his/her place.
- *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.
- *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.
- *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.
- *Staffing and Support:* The EPA CBPO provides significant staffing and logistic support to the MB. A senior member of the CBPO is assigned as MB Coordinator. One or more of the staff members of a non-government organization 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 Enhancing Partnering, Leadership, and Management GIT. This GIT provides significant coordination of the adaptive management system cycle and facilitates the MB's responsibility in overseeing the system. The Enhancing Partnering, Leadership, and Management GIT keeps the cycle of the system 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.

Action Teams: Action Teams will be established by the Principals' Staff Committee, Management Board or Goal Implementation Teams 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 appropriately reside within the context of a particular GIT.

(a) Roles and Responsibilities:

- An Action Team is created by the PSC, MB or GIT to address a problem that requires special expertise and/or is subject to special time pressure such that existing GITs are not the best mechanism for addressing it.
- Assemble a team of individuals with expertise relevant to the problem the Action Team is to address
- Adopt/adapt operating procedures (i.e., meetings, subgroups) to meet the objectives (deliverables and timetable) for action on the problem.
- Conduct analysis of the problem.

- Report to the PSC, MB and/or GIT with recommendations or options for resolving problems.
- Disband after reporting **results**.

(b) Leadership and Membership:

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.

(c) Action Team Operations:

Operating procedures for the Action Team are those found under the GIT section of this document. Special considerations for Action Team operating procedures include:

- They are charged with a specific mission and strategic priorities .
- Staffing will be dependent on the mission.
- Action Teams dissolve when mission is accomplished.

Action Teams present their work products and findings to the group that created the Action Team.

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 area scopes are consistent with the broad Goals of the Watershed 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 [here](#). 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](#)

(a) Roles and Responsibilities: Certain functions and responsibilities will be common to all of the GITs.

- Develop Management Strategies and 2-Year Work Plans to realize the Watershed Agreement Outcomes assigned to that GIT by the MB, and submit to the MB to accept as complete.
- Create and commission workgroups for specific actions under the purview of their GIT as needed. Appoints leaders of workgroups.
- Through the development of Management Strategies and 2-Year Work Plans, identify existing resources, gaps in those resources, and opportunities to align resources for that particular Outcome.
- Collaborate with other GITs to identify opportunities to strategically align resources across Outcomes.
- Identify needs for monitoring, modeling, indicator/metric development, and information management for STAR development.
- Seek opportunities to engage Advisory Committees and the Communications Workgroup as needed.
- Recommend GIT Chair and Vice Chair (or Co-Chairs) for designation by MB.

- GITs will annually review their membership to ensure diverse and adequate representation.
- (b) **Leadership and Membership:** Each GIT has either one Chair and one Vice Chair, or Co-Chairs. While the Chair, Vice Chair, or Co-Chairs can be Federal, State, or from other organizations such as non-government organizations (NGOs), at all times either the Chair, Vice Chair or one Co-Chair must be Federal or State. GIT Chairs are non-voting members of the MB. GIT Chairs, Vice Chairs or Co-Chairs serve two-year renewable terms, with concurrence of the MB. New GIT Chairs, Vice Chairs, or Co-Chairs will be designated by the MB with recommendations from GIT members. At the end of a two-year term, the GIT collectively discusses the renewal or change of their Chairmanship, Vice-Chairmanship, or Co-Chairmanship. The renewal of a Chair or Co-Chairs will have concurrence from both the GIT and the MB. Otherwise, the Vice-Chair assumes the role of Chair with concurrence from the GIT and 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 remains in place and a new 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 GIT Chair is responsible for coordinating with the MB on strategic plans for achieving high-priority restoration outcomes as well as periodically providing updates to the MB on progress and roadblocks encountered. The MB works closely with 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 areas and those individuals should be at a management level within their organization. The membership of each GIT is determined by the criteria developed by each GIT and endorsed by the MB. During the process of adding new members, each GIT is advised to consider the following principles:
- Broad and inclusive representation (e.g., signatories, advisory committees, key organizations);
 - Level of commitment (e.g., attendance, willingness to participate in activities related to implementation of Management Strategies); and
 - Skills and perspectives (e.g., geographic diversity, expertise).
- (c) **Duration of Membership:** GIT members serve indefinite terms.
- (d) **GITs Operations:**
- *Ground Rules:* Meetings are held at the discretion of the Chair/Co-Chairs with input from GIT members, but should generally be held only when there is a task that requires a group effort. An agenda and decision documents are circulated at the latest two weeks before the meeting. Members may not be expected to make decisions on topics where materials were not provided within the two week timeframe. The agenda should spell out specific goals for meeting with time limits for each item. All meetings are open to the 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.

² 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](#).

- *Decision-Making:* The GITs and WGs will use a unanimous or [consensus](#) based process that ultimately concludes in a polling of the members, to get a sense of the will of the group. If the poll is unanimous or if consensus reached, the decision is approved. If consensus cannot be reached, the decision will be elevated to the next level in the hierarchy with a description of the positions of the members, in particular those of dissenting members.
- *Reporting, Accountability and Performance Metrics:* The Chair/Co-Chairs is/are responsible for maintaining a clear sense of purpose, specific performance goals, and reporting on Management Strategies and biennial workplans.
- *Staffing and Support:* Pending a decision to be made by the Chair and EPA CBPO Director, a Coordinator will be available to the EC, PSC, MB, and each of the GITs. CBPO staff will also provide administrative support in the areas of budget, facilities, administrative office tasks and meeting planning.

GIT Workgroups: Workgroups will follow the same governance structure as their respective GIT, with the following exceptions:

- Workgroup Chairs do not need to be federal or state employees
- Non-management level candidates are eligible for Chair
- Nominees for Chair shall be approved by the GIT
- [Decisions such as changes in programmatic policy, work plans, or management strategies; proposals for allocation of resources; membership criteria; and leadership nominations should be elevated to the appropriate GIT.](#)
- 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

Science, Technical Analysis and Reporting (STAR): STAR's purpose is to coordinate monitoring, modeling, and analysis needed to update, explain, and communicate ecosystem condition and change to support decision-making to achieve Bay Program Goals and Outcomes. The STAR closely works with the CBP GITs to help address their technical needs through coordination with multiple science partners.

(a) Roles and Responsibilities: -

- Support other units of the Bay Program organization (principally the Goal Teams) by providing assessment, data management, modeling, monitoring, and technical analysis
- Manage Bay Program-funded monitoring networks and coordinate with additional science providers to utilize additional networks to address the Watershed Agreement.
- Ensure information quality, management, and access.
- Update, and deliver the status and trends (indicators) of ecosystem conditions.
- Explain ecosystem condition and change.
- Expand modeling to better understand and predict ecosystem response.
- Coordinate and engage in climate change activities, including the provision of staff support to the Climate Resiliency Workgroup, to achieve the Climate Resiliency Goal and Outcomes included in the Bay Agreement.
- Synthesize and communicate results (working with the Communications workgroup and Website Team) to inform decision-making.
- Interacting with STAC to consider recommendations from their workshops for enhancing science in the CBP.

(b) Leadership and Membership:

Leadership for the STAR is to be determined following a similar process used for GITs. However, given the wide range of STAR responsibilities, **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 STAR is drawn from the Bay Program office in Annapolis and other core Federal agencies, states, NGOs, universities, representatives from each GIT and the STAR workgroup chairs. Each signatory jurisdiction has been invited to belong to STAR but most have chosen to be members of a STAR workgroup (such as Integrated Monitoring Networks) where they have the most interest. Each State and Federal agency, or academic partner, brings its own resources to varying degrees to support science activities of STAR and Goal Teams. While STAR provides science support, coordination, leadership, infrastructure and governance for the Bay Program restoration will be managed by the MB with support from the Enhancing Partnering, Leadership and Management GIT. STAR is a non-voting member of the Management Board.

(c) STAR Operations:

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

Communications Workgroup: The Communications Workgroup fosters cross-jurisdictional communication among Chesapeake Bay Program partners by providing a collaborative forum to discuss communications issues, needs and strategies. The Communications Workgroup also provides expert advice and recommendations to Chesapeake Bay Program staff and partners when needed. Lastly, the Communications Workgroup provides professional guidance to the Chesapeake Bay Program's 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 health and restoration to the region.

(a) Roles and Responsibilities:

- Help set annual priorities for the Chesapeake Bay Program's Communications Office.
- Receive and review (via email) and Chesapeake Bay Program media materials in advance of release for comment and consideration.
- Provide expert advice and recommendations when asked to address the communications needs of Chesapeake Bay Program groups (e.g. the Management Board, Advisory Committees or Goal Implementation Teams).
- Foster cross-jurisdictional communication among Chesapeake Bay Program partners by providing a collaborative forum to discuss communications issues, share ideas and resources, and meet communications needs.
- 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.

(b) Leadership and Membership:

The CBPO provides significant staffing and logistic support to the Communications Workgroup. A senior member of the CBPO is assigned as Coordinator. One or more of the staff members of a non-government organization supported by a grant from EPA, currently the Chesapeake Research Consortium (CRC), will be assigned to provide administrative and research support. Members of this group will include the staff of the Bay Program Communications Office, the CRC Communications staffer, and professional communications and public relations appointed representatives from Maryland, Virginia, Pennsylvania, the District of Columbia, New York, West Virginia, Delaware, CBC, Advisory Committee coordinators and EPA. It may also include similar professionals from other relevant federal/state agencies (e.g., National Oceanic and Atmospheric Administration (NOAA) and U.S. Department of Agriculture). 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.

(c) Communications Workgroup Operations:

- *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 foster improved communications between the Bay Program Goal Implementation Teams and the Communications Office, specific members of the Communications Workgroup act as liaisons between individual GITs and the Workgroup. Each liaison is responsible for: understanding the current and ongoing work of his/her assigned GIT, seeking out opportunities and offering ideas for promoting the GITs work to Bay Program partners and the public via Communications Office channels and for bringing same to the attention of the Workgroup.
- *Decision-Making:* The Communications Workgroup will operate under a [consensus](#) decision-making process.
- *Frequency and Duration:* Meetings are held monthly to provide updates on relevant work, news, issues and information from each member/state, agency or region.
- *Setting Priorities:* The Communications Workgroup will meet each year, once or twice, to set communications priorities for the coming year, ensuring that these are aligned with those established by the MB.

Chesapeake Bay Program Advisory Committees: The three Advisory Committees are appointed and/or elected volunteers who provide independent perspectives from critical stakeholder groups and strengthen the natural and social science basis for Bay restoration activities. The Advisory Committees are the independent thinkers and advisors to the EC, PSC and MB.

- The Local Government Advisory Committee (LGAC) was created by the Chesapeake Bay Executive Council through the 1987 Chesapeake Bay Agreement. The purpose of the LGAC is to advise the Executive Council on how to effectively implement projects and engage the support of local governments to achieve the Goals of the Watershed Agreement. 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 health and restoration of the Chesapeake Bay watershed. Current membership and operational details for the LGAC is outlined in the by-laws available at: http://www.chesapeakebay.net/groups/group/local_government_advisory_committee
- The Citizens Advisory Committee (CAC) is charged with advising the leadership of the Chesapeake Bay Program by representing a sample of residents and stakeholders in the Chesapeake Bay watershed. In this role, CAC have been strong advocates for increased transparency and accountability, citizen engagement and education, and independent evaluation of the restoration work of the partnership. When appropriate and applicable, CAC will share 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. Since 1984, this group has provided a non-governmental perspective on the Bay cleanup effort and on how Bay Program policies and programs affect citizens who live and work in the Chesapeake Bay watershed. Current membership and operational details for the CAC is outlined in the by-laws available at:

http://www.chesapeakebay.net/groups/group/citizens_advisory_committee

- The Scientific and Technical Advisory Committee (STAC) provides scientific and technical guidance to the Bay Program on measures to restore and protect the Chesapeake Bay. Since its creation in December 1984, STAC has worked to enhance scientific communication and outreach throughout the Chesapeake Bay watershed and beyond. 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 Bay Program programs and projects, (4) technical workshops, and (5) interaction between STAC members and the Bay Program. STAC serves as a liaison between the region's scientific community and the Bay Program. Through professional and academic contacts and organizational networks of its members, STAC ensures close cooperation among and between the various research institutions and management agencies represented in the Bay watershed. Current membership and operational details for the STAC is outlined in the by-laws available at: <http://www.chesapeake.org/stac/>
- (a) **Key Functions and Responsibilities:** Certain functions and responsibilities will be common to all three of the Bay Program Advisory Committees.
 - Actively make independent recommendations to the EC, PSC and MB.
 - As advisors, participate in EC, PSC and MB meetings.
 - Participate in the development and implementation of the Management Strategies developed as part of the Watershed Agreement as appropriate.
 - In collaboration with the MB, establish annual priorities that support the Bay Program strategic priorities and the progress of the Watershed Agreement Goals and Outcomes.
 - Share progress on priorities and Advisory Committee activities with the PSC and MB.
 - Advise GITs and Action Teams as time allows.
 - Support and advise the Communications Workgroup.

Process for Decision-Making:

Over the 30-year history of the Bay Program, the partners have signed four agreements, and numerous directives, resolutions, adoption statements and other documents that create cooperative action to restore and protect various aspects of the watershed and Bay. This complex and challenging endeavor has routinely relied upon collaborative decision-making. Consensus building among the 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. It will aim to be: Inclusive of as many members as possible; Participatory, actively soliciting the input and participation of all; Cooperative, striving to reach the best decision for the group, rather than the majority; Egalitarian with all afforded, as much as possible, equal input into the process; and, Solution-oriented, emphasizing common agreement over differences and reaching effective decisions using compromise to resolve mutually-exclusive positions.

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 decision.

- Decision-making at the EC, PSC, and MB will be done by signatory representatives through consensus. Only as a last resort if consensus cannot be reached a supermajority vote will be utilized.
- Decision-making for GITs will be done by members participating in Management Strategies through consensus.

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 through a simple structure:

- Discussion of the item: The item is discussed with the goal of identifying opinions and information on the topic at hand. The general direction of the group and potential proposals for action are often identified during the discussion.
- 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 Chair or Vice-Chair.
- Call for consensus: The facilitator of the decision-making body calls for consensus on the proposal. Each member of the group is asked to clearly state their intention to agree, disagree or modify the proposal.
- Identification and addressing of concerns: If consensus is not achieved, each dissenter presents his or her 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 will be sought at the next meeting of the PSC, MB, GIT or Workgroup.
- 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 consensus. If consensus again cannot be reached, the decision is sent to the next level in the organization.

For visual representation of various positions at the time of a decision during the consensus-building process, see the below “Consensus Continuum:”

Consensus Continuum



University of Maryland, Center for Leadership & Organizational Change

Process for Changes to Goals, Outcomes and Management Strategies:

- Goals:** The Goals articulate the desired high-level aspects of the Bay Program partners' Vision in the Watershed Agreement. The EC makes the decision to approve revised or added Goals to the 2014 Watershed Agreement. As new opportunities are identified, 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:** The Outcomes related to each Goal are the specific, time-bound, measurable targets that directly contribute to achievement of the Goals. Changes or additions to Outcomes are approved by the PSC, although significant changes or additions will be raised to the EC for approval. Proposed changes to Outcomes or the addition of new Outcomes are open for public input before being finalized. Final changes or additions are publicly posted to the Bay Program website.
- 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 as necessary. 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.

Participation in Management Strategies or participating in the achievement of Outcomes is expected to vary by signatory based on differing priorities across the watershed. This participation 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 signatories and other stakeholders, including local governments and nonprofit organizations, 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 comment. This notification will be mainly through the Chesapeake Bay websites and social media, but will include outreach to non-traditional partners. 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 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 MB. The GITs will submit Management Strategies to the MB for review. The Management Board will approve these strategies.

If the MB determines that any strategy or plan developed prior to the signing of the Watershed 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).

Biennial Strategy Review System:

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 *Chesapeake Bay Watershed Agreement* commitment:

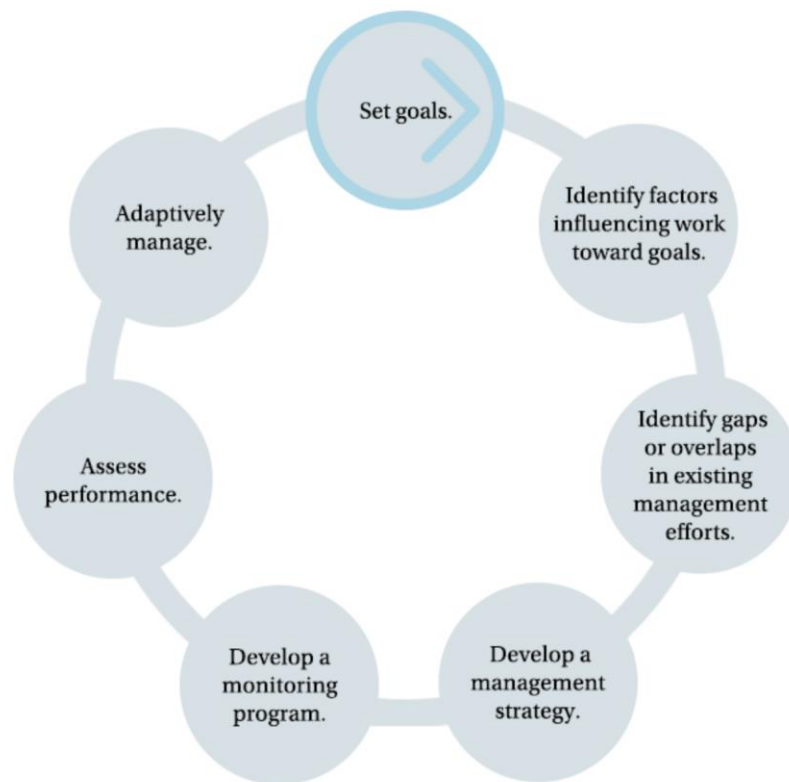
“Goal Implementation Teams will re-evaluate biennially and update strategies as necessary, with attention to changing environmental and economic conditions. Partners may identify policy changes to address these conditions and minimize obstacles to achieve the Outcomes.”

The SRS is a process intended to use lessons learned over the previous 2 years of implementation; 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 Work Plans.

This is an adaptive management process, as described by the Decision Framework (see below graphic) and approved by the Principals' Staff Committee. During this process, the Partnership will review its progress toward the *Chesapeake Bay Watershed Agreement*; identify the management approaches and actions that are or are not working; adjust our Management Strategies and Two-Year Work Plans as appropriate; and develop the next set of Two-Year Work Plans

The Management Board 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 Enhance Partnering, Leadership and Management GIT is responsible for facilitating the SRS process. The lead Goal Implementation Team for each outcome is responsible for completing necessary analyses; presenting results and recommendations to the Management Board; and incorporating resulting decisions in revised Management Strategies and 2-year Work Plans.

For more information on the SRS, please visit the “Biennial Strategy Review System” section of the Enhance Partnering, Leadership and Management Goal Implementation Team page.



BMP Expert Panel Process:

There is a Management Board-approved process for evaluating new Best Management Practices (BMPs) for calculating the reductions of nutrients and sediment. The lead for implementing this process is the Water Quality Goal Implementation Team, except in cases where there are **policy implications** where issues are elevated to the Management Board for final resolution.