

Requested Action: Establishment of a Chesapeake Bay Watershed Agreement Action Team to Pursue the Formation of an Agricultural Advisory Committee to Chesapeake Executive Council

Background:

- On July 28, 2023, the State Agriculture Secretaries and Commissions for the states in the Chesapeake Bay watershed sent a letter to EPA Regional Administrator Adam Ortiz, the chair of the Principals' Staff Committee (PSC), recommending that an Advisory Committee be established to provide advice and counsel to the Executive Council for purposes of advancing the role and voice of agriculture in the Chesapeake Bay partnership. [Attached]
- On September 25, 2023, EPA Regional Administrator responded to the Secretaries' and Commissioners' July 28, 2023 letter, and committed, as the Chair of the PSC, to offer their recommendation to pursue the establishment of an Agricultural Advisory Committee for consideration at the September 26, 2023 PSC meeting. [Attached]
- On September 26, 2023, the PSC deliberated the recommendation to pursue the establishment of an Agricultural Advisory Committee. Most PSC representatives expressed support for the recommendation. A wide variety of opinions regarding the perceived value and charge of such a committee were shared. One PSC representative suggested that the matter may be more appropriately considered as part of the broader partnership-wide organizational assessment and deliberations underway by the Beyond 2025 Advisory Committee. Another participant representing one of the existing Executive Council Steering Committees indicated that the agricultural community is currently represented and expressed caution regarding the potential for duplication of effort and segmentation of constituencies.
- On October 19, 2023, the PSC Chair informed the Executive Council during its annual meeting that the PSC would pursue an Executive Council directive establishing an Agricultural Advisory Committee. The PSC Chair indicated to the Executive Council that the PSC would empower an Action Team to develop a proposed directive for future consideration by the Executive Council.
- During the October 19, 2023 Executive Council meeting, the Governor of Maryland was elected, effective immediately, the Chair of the Chesapeake Executive Council. As a result, Secretary Josh Kurtz (Maryland Department of Natural Resources) became the Chair of the PSC.

Considerations:

- Currently, three advisory committees exist to advise the Executive Council: the Stakeholders' Advisory Committee (SAC) (formerly the Citizens' Advisory Committee); the Local Government Advisory Committee (LGAC); and, the Scientific and Technical Advisory Committee.
- The EC established the SAC and STAC in 1984 and the LGAC in 1987.
- In the most recent year, it cost the Partnership approximately \$1.2M to staff and operate the three Advisory Committees. The grantees provided an additional \$139K in cost-share support. On average, the funding supports 3 staff positions per Advisory Committee.

- The EPA CPBO additionally provides approximately 1.5 FTE in staff support and management oversight.
- An Agricultural Advisory Committee would represent the first sector-based advisory committee to the Chesapeake Executive Council.
- *A Resolution To Enhance the Role and Voice of Agriculture in the Chesapeake Bay Partnership* was signed by the Executive Council on September 22, 2006, and stipulates in part, “the state Secretaries and Commissioners [of Agriculture in the Chesapeake Bay watershed] will report back to the Chesapeake Executive Council annually, or more frequently if necessary, on recommendations that will advance the role and voice of agriculture in the Chesapeake Bay partnership.”

Proposed Charge for Agricultural Advisory Committee Development Action Team

Action Team Purpose: Develop recommendations and a proposed Executive Council directive, as appropriate, regarding the establishment of an Agricultural Advisory Committee to the Executive Council. The work of the Action Team shall be informed by and aligned with the established by-laws and operational guidelines of the three existing advisory committees (SAC, LGAC, STAC) as well as the *Governance and Management Framework for the Chesapeake Bay Program*.

Timeline:

- The intent of the formation of the Action Team is to develop recommendations to, and a potential Directive to be issued by, the Executive Council at their Fall, 2024 meeting.
- In order to adhere to the “Process for Issuance of Executive Council Directives” in the *Governance and Management Framework for the Chesapeake Bay Program*, any potential Directive must be finalized and signed at least one month prior to the EC meeting.
- Because the 2024 EC meeting date has not yet been set, the target date for PSC approval of any EC Directive developed by this Action Team is August 15, 2024. The target date could potentially be pushed back if the finalized 2024 EC meeting date allows sufficient time.

Roles and Responsibilities:

- Assemble a team of individuals with relevant expertise and commitment to fulfill the Action Team’s purpose.
- Adopt/adapt operating procedures (i.e., meetings, subgroups) to meet the Action Team’s objectives (deliverables and timetable).
- Provide periodic status updates of the Action Team’s progress to the Management Board (MB) and Principals’ Staff Committee (PSC)
- The Action Team will be formed by the PSC. In order to facilitate progress in the relatively short time frame allowed, the Action Team will report to both the MB and PSC on a regular basis with preliminary and final recommendations.
- Provide ongoing support to PSC as it prepares for engagement with the Executive Council.
- Disband after completing its purpose and/or as directed by the PSC.

Leadership and Membership:

- As chair of the PSC, Maryland will serve as chair for the Action Team.
- A co-chair/vice chair will be elected by Action Team members following rules agreed upon by the Action Team.
- Each Chesapeake Bay Watershed Agreement signatory will identify no more than a single representative, should they choose to participate. Participation is optional.
- As such, the Action Team shall be comprised of no more than nine representatives.
- Procedures regarding the participation of alternate representatives will be determined by the Chair.
- The Action Team may seek advisory contributors outside of the membership as necessary. Any advisory contributors shall participate on an ad hoc basis and shall not be standing members.

Action Team Operations:

- Operating procedures for the Action Team will follow those established for Goal Action Teams within the *Governance and Management Framework for the Chesapeake Bay Program*.
- Special considerations for Action Team operating procedures include:
 - They are charged with a specific mission and strategic priorities.
 - Staffing and resources will be dependent on the mission.
 - The Action Teams dissolve when the mission is accomplished.
 - Action Teams present their work products and findings to the group that created the Action Team.

Action Team Scope: In developing its recommendations and any proposed Executive Council directive, the Action Team shall, at a minimum, consider the following with regard to a proposed Agricultural Advisory Committee (AAC)

- Purpose and Functions:
 - Well-defined and understood by all relevant parties.
 - Limited in scope and established in the context of the existing advisory committees.
 - Identified key outcomes, e.g., annual report of recommendations to Executive Council, participation in Management Board and PSC proceedings, etc.
- Membership:
 - Clear and concise criteria for membership and expectations of membership
 - Inclusive representation of the multiple constituencies with an interest in the many aspects of a broadly-defined agricultural sector.
 - Consist of a reasonable and manageable number of members
- Leadership
 - Chairperson and Vice Chairperson (at a minimum) with articulated election procedures, terms, and duties.
 - Executive Committee
- Operations and Parliamentary Procedures
 - Meetings including frequency, duration, location including virtual/hybrid/in-person platforms, and provision for special purpose meetings.
 - Agenda and meeting ground rules.

- Attendance, rules on quorum and voting.
- Robust Documentation and proceedings protocols and procedures
- Resources
 - Identified minimum requirements for Chesapeake Bay Program-provided resources including but not limited to, contract/grant-funded staffing support, logistical and operational support, and miscellaneous expenses.
 - Clear and definitive expectations and supporting procedures with regard to member-incurred expenses such as travel, per diem, miscellaneous.
 - Consensus-derived funding and budgeting strategy that includes identification of funding source(s), jurisdictional funding formulae as appropriate, contingency funding, and other relevant considerations.
 - As assessed and deemed appropriate, consideration for funding strategies that may include member and/or third-party contributions along with associated robust accountability, transparency, and ethics safeguards.