



Chesapeake Bay Stakeholder Assessment Sept. 25 2015 DRAFT

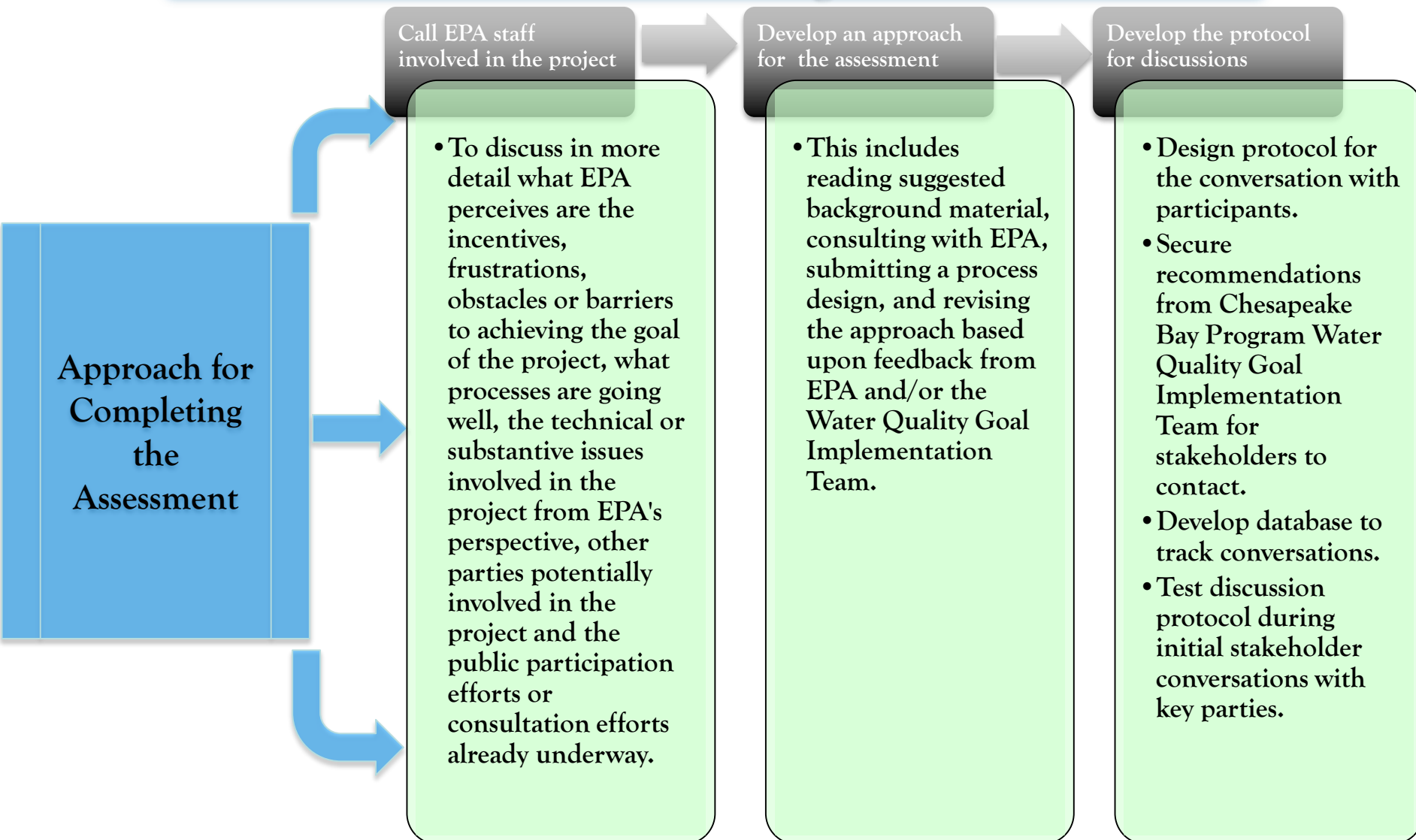
Presented to the Chesapeake Bay Program
Principals' Staff Committee

10/16/15

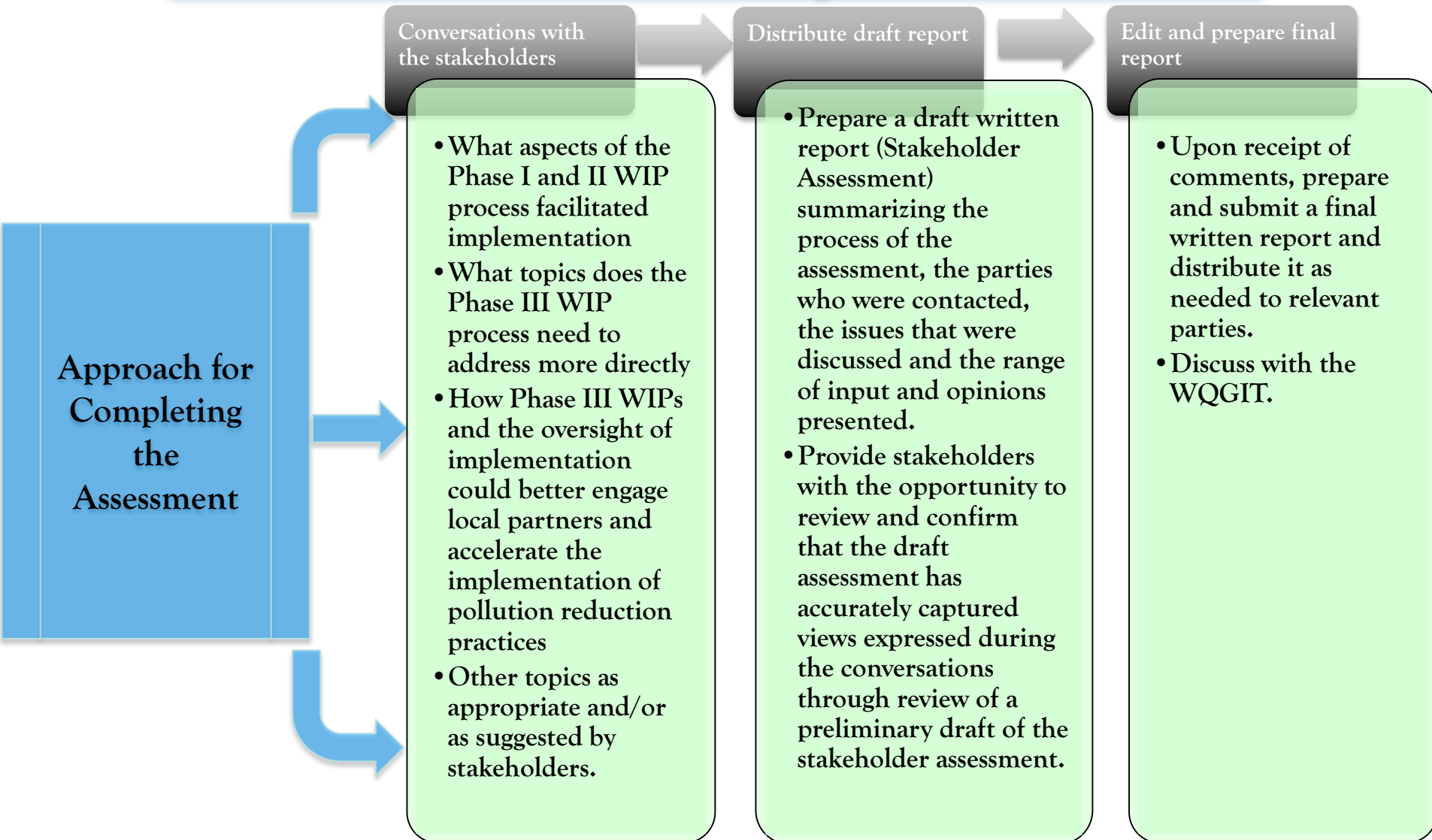
Prepared by Frank Dukes, Ph.D.
Institute for Environmental Negotiation
University of Virginia

Chesapeake Bay Stakeholder Assessment

Process Design



Chesapeake Bay Stakeholder Assessment Process Design





Three Stories

- Story One
 - *Implementing the Chesapeake Bay TMDL and meeting applicable water quality standards in the Bay and its tidal rivers is our highest priority*
- Story Two
 - *The Bay TMDL is one priority among many, largely because of regulatory or institutional mandates*
- Story Three
 - *The Bay TMDL is an unfair burden that impinges on other priorities*



Story One

Implementing the Chesapeake Bay TMDL and meeting applicable water quality standards in the Bay and its tidal rivers is our highest priority

- Complete the Chesapeake Bay TMDL on schedule
- There are substantial benefits to the Bay and local waters
- EPA needs to provide backstop measures to stay on schedule
- Advocates for the Bay have worked hard to secure funding
- Monitoring shows less improvement than modeling



Story Two

The Bay TMDL is one priority among many, largely because of regulatory or institutional mandates

- Recognize political and financial realities at state and local levels
- The Bay TMDL schedule can't be met
- Too much uncertainty and confusion about what is and what will be required
- Demands keep growing while support has not kept up



Story Three

The Bay TMDL is an unfair burden that impinges on other priorities

- The Bay is not important for my jurisdiction or sector
- We need more support and a realistic schedule
- Participation should be voluntary – no unfunded mandates
- No backstops and contingencies



Lots of Good Work to Date!

- Early outreach and continued communication
- Stakeholders can work out differences when involved early
- Money & technical support are vital
- Show local benefits
- Listen – adapting Model & mandates





Many Shared Concerns and Ideas

- 1) Equity
- 2) Communication
- 3) Collaborative Leadership
- 4) Accountability for Results
- 5) Funding and other resources
- 6) Cost-effectiveness
- 7) Adaptability
- 8) Schedule
- 9) Bay Model





Key Concerns and Ideas: Equity

- Treat sectors and jurisdictions fairly
- Target funding and support to where needed most, e.g., rural areas
- Be transparent and equitable in burdens and benefits



Key Concerns and Ideas: Communication

- Need more opportunities for shared learning
- States - communication strategy about what, why, resources, and the implications of success and failure
- EPA - clear communication strategy for each state and each sector
- Marketing plan Bay-wide to show the value to local waters and local economies



Key Concerns and Ideas: Collaborative Leadership

- Can the Bay Program be an authentic partnership?
- At the state level, engagement is limited to sharing information
- Bring localities and sectors within states to work with each other, to learn together, and to build consensus for actions that reflect experience





Key Concerns and Ideas: Accountability for results

- Need more testing and/or verification for BMPs, which will drive up costs
- Too little credit has been given for some jurisdictions or sectors
- More flexibility on the “how”



Key Concerns and Ideas: Funding and other resources

- Localities and sectors feeling the pain!
- Worry about changes in Phase III
- Funding and regulatory structures need to keep up with demands



Key Concerns and Ideas: Cost-effectiveness

- Need more consideration about the cost-effectiveness of practices
- Trading is problematic – inconsistent in watershed
- Most cost-effective practices generally involve agriculture



Key Concerns and Ideas: Adaptability

- Focus on results, not checking off boxes
- Create more innovative and cost-effective BMPs



Key Concerns and Ideas: Schedule

- States had too little time to learn from and gain support from localities & sectors
- Localities too - for elected officials and local stakeholders
- 2025 deadline is not practical – will harm planning and implementation
- But - concerns that easing schedule means abandoning TMDL and provoking lawsuits



Key Concerns and Ideas: The Bay Model

- Confusion over Model has been harmful
- Model is being asked to guide decisions at scales that are not suitable
- Too many assumptions don't match realities
- But - Model may be better than monitoring due to lag time



Participant Questions

- Will loads change? will the TMDL have to be reopened?
- How to make reductions real to the people who have to make them?
- Will there be a new model for funding for Phase III?
- What does the 60% by 2017 represent? Jurisdictions have different views of what this means ...



Completing the Assessment

- Draft Assessment is currently under partnership review for a 45- day period
- Management Board has endorsed the formation of a small team under the WQGIT to convert findings and observations into a follow through action plan
- Action plan will be brought to the Management Board and the Principals' Staff Committee at their January 2016 meetings for **decisions on how partnership will use the assessment findings in the overall development of the Phase III WIP expectations and in the local engagement development process**

Questions & Discussion

10/16/15

Prepared by Frank Dukes, Ph.D.
Institute for Environmental Negotiation
University of Virginia

21

