

Water Quality Goal Implementation Team *Governance Protocols*

The charge of the Chesapeake Bay Program (CBP) partnership's Water Quality Goal Implementation Team (WQGIT) is to “evaluate, focus, and accelerate the implementation of practices, policies, and programs that will restore water quality in the Chesapeake Bay to conditions that support living resources and protect human health.”¹ To meet this charge, it is essential to have specific governance protocols in place to help guide our decision-making process; address those issues that have cross-sector implications; and provide a clear path for key informational and decisional check points on priorities and actions that can impact the achievement of our shared water quality goals and commitments.

The approach and definitions described below are in line with the CBP partnership's governance procedures [http://www.chesapeakebay.net/channel_files/22179/cbp_governance_document_7-14-15.pdf]. Modification to these protocols may be necessary in the future to align with any proposed revisions to the CBP partnership's governance procedures. Furthermore, the WQGIT can revisit these governance protocols at any time to ensure they reflect the most current adaptive management and governance procedures in place by the CBP partnership.

The purpose of this governance document is three-fold: (1) to clearly articulate a consistent and transparent decision-making process, with a particular emphasis on the consensus building approach; (2) to establish a definition for membership at the WQGIT level; and (3) describe a communication process for identifying cross-sector issues that require a decision by the WQGIT.

The following governance protocols apply to the WQGIT and the WQGIT Workgroups²:

Governance Approach: Consensus Decision-Making

Decision-making for the WQGIT and the WQGIT Workgroups will be done by members through a unanimous or consensus-based process that ultimately concludes in the polling of members to determine the will of the group. A consensus decision-making process is a group decision-making process (e.g. all parties can live with the decision) 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 meeting participants;
- 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.

If after substantial negotiations consensus cannot be reached, and only as a last resort, WQGIT or WQGIT Workgroup members will be polled, and the decision will be elevated to the next decision-making body along with a description of the positions of the polled members.

¹ http://www.chesapeakebay.net/groups/group/water_quality_goal_implementation_team

² http://www.chesapeakebay.net/groups/group/water_quality_goal_implementation_team#relgroups

Once an agenda for discussion has been set, each item of the agenda is addressed in turn. Every effort will be made to distribute supporting materials at least 10 business days prior to a meeting where an action item for consensus is planned. For those agenda topics that are time-sensitive in nature, the WQGIT membership should recognize and consider these timeline concerns and actively participate in consensus building with these timelines in mind. The agenda will clearly indicate those time-sensitive items that require a decision to be made during a particular meeting or call.

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 WQGIT/Workgroup 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 usually must actively state their level of agreement with the proposal. If a member is unable to attend the meeting, they can either send a proxy or submit their position in writing to the WQGIT/Workgroup Chair in advance of the meeting.
- **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 the agreement can be addressed. To allow time for resolution of the concern, a consensus decision will be sought at the next meeting of the WQGIT or WQGIT 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 and time does not allow for reconsidering and revising the proposal, the decision will be elevated to the next level in the hierarchy with a description of the position of the members, in particular those of dissenting members.

Membership Definition

The WQGIT and WQGIT Workgroups strive to maintain a membership that is representative of the signatories to the 2014 Chesapeake Bay Watershed Agreement and those that take leadership roles in the Chesapeake Bay Program structure, while empowering Advisory Committees and non-signatories. The WQGIT membership will be based on the following construct to the maximum extent possible:

Member Consensus with advisors (up to 15 members and 15 advisors possible)

- Members from each signatory (one each with an alternate identified) (9)
- At-large Members (up to 6 with option to identify an alternate)
- One advisor from each WQGIT Workgroup (invited)
- One advisor from each CBP Advisory Committee (invited)

In an effort to empower non-signatory partners in the decision-making process, priority for at-large membership will be reserved for nongovernmental organizations, quasi-governmental organizations, Federal Agencies, academic institutions, and other local practitioners that have a role in water quality improvements. Nominations will be accepted from all WQGIT members, advisors, and interested

parties. The WQGIT signatory members will approve and prioritize the nominations, with consideration to their level of commitment, skills and perspectives (e.g., geographic diversity and expertise). For the initial nomination and selection process, the top three at-large members will serve two year terms and the remaining three at-large members will serve one year terms. After that initial process, and on an annual basis, three members will come up for re-election on a two-year cycle. This structure allows for new at-large members to participate in the WQGIT decision-making process on an annual basis. At large members do have the opportunity to serve for additional years if nominated again.

In the event that a signatory or at-large member position becomes vacant, the alternate will automatically become the primary member until a replacement is identified or the alternate is confirmed as the primary member. If an alternate has not been identified, the position will remain vacant until the next nomination cycle.

Advisors actively participate in the conference calls and meetings and provide their review and comment on the issues under discussion, including those for decision. Advisors do not serve as official members of the WQGIT. Although consensus will not be sought from advisors, their input will be solicited throughout the decision making process. All others are welcome to participate on the WQGIT and WQGIT Workgroups as interested parties and are encouraged to actively participate in the discussions.

The WQGIT Workgroups will define their own memberships given the unique structure of each, in accordance with the consensus decision-making approach and Chair and Vice-chair nomination procedures reflected in this document. All proposed membership definitions will be submitted to the WQGIT for approval.

Appointment of WQGIT Chair and Vice-Chair

The WQGIT collectively discusses the renewal or change of their Chairmanship and Vice-Chairmanship every two years. The renewal of a Chair will have concurrence from both the WQGIT and the Management Board. Otherwise, the Vice-Chair assumes the role of Chair with concurrence from the WQGIT and the Management Board, and the new Vice-Chair will be selected by WQGIT members. In the event that the Vice-Chair is not interested in assuming the role of Chair, the WQGIT will nominate a new Chair and gain concurrence from the Management Board.

Appointment of WQGIT Workgroup Chair and Co-Chair

The WQGIT Workgroups collectively discuss the renewal or change of their Chairmanship or Co-Chairmanship every two years. The renewal of a Chair or Co-Chair will have concurrence from both the Workgroup and the WQGIT. In the event that the Chair or Co-Chair is not interested in continuing that role after two years, the Workgroup will nominate a new Chair or Co-Chair and gain concurrence from the Workgroup and WQGIT.

Communication of Cross-Sector Issues

- Following every WQGIT call, an email will be distributed that details not only the action items and decisions from that call, but also recent sector-specific Workgroup-level decisions. The intent is to

keep the WQGIT membership apprised of sector-specific technical issues that are being discussed at the Workgroup level.

- WQGIT members are encouraged to have their own coordination process with their Workgroup representatives within their respective jurisdiction/agency/organization in place to stay informed of sector-specific issues.
- Any WQGIT Workgroup decision that has cross-sector implications will come before the WQGIT membership for final approval of that decision rather than as informational briefings. This will help ensure that all partners are aware of the issue at hand and potential impacts to every sector are considered before approval.