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December 19, 2024

The Honorable Joshua Kurtz
Maryland Secretary of Natural Resources
Chair, Chesapeake Bay Program's Principals' Staff Committee
sent via email: Josh.Kurtz@maryland.gov

Dear Secretary Kurtz,

On behalf of the Stakeholders' Advisory Committee, we respectfully offer our perspectives on the draft Modified Strategy Review System (4th Cycle – Year 2, Phase 2 Outcome Review) document, including Appendix A. We perceive a notable disconnect between the public messages from the Executive Council on December 10, 2024 on people-centered and inclusive approaches for the future of the Chesapeake Bay Program and the current guidance for the outcome assessment process. We are concerned that section 2(a) II, entitled “Signatories” adopts a constraining and overly narrow focus on the “administrative goals and legislative mandates of Signatory jurisdictions.” Specific concerns include the following:

- Informed by the *Beyond 2025 Recommendations* report, the Executive Council (EC) Charge to the Principals' Staff Committee: *Charting a Course Beyond 2025* includes topics and focus areas that may or may not be addressed in existing jurisdictional administrative and/or legislative mandates, particularly new scientific understandings, and include climate change, enhanced engagement, inclusion of disadvantaged communities, consideration of living resources, conservation, and more. The role guidance to signatories must include explicit consideration of topics and activities outlined in the EC Charge and be responsive to a people-centered approach specifically announced during December 10th annual EC meeting, other key documentation as listed in Appendix A, Guideline #4. At a minimum we believe a people-centered approach includes a *Watershed Agreement* with broad outcomes like living resources, habitat, and stewardship goals as a way for residents across the watershed to see how the Chesapeake Bay Program relates to them while also achieving water quality co-benefits. As written, the focus on jurisdictional mandates weakens - rather than strengthens – the Chesapeake Bay Program's emphasis on partnership, by maintaining a siloed, jurisdiction-specific approach to the review exercise. As you are aware, the Phase 1 Beyond 2025 work and the ERG findings

highlighted the need to avoid siloes. Furthermore, members of the Stakeholders' Advisory Committee who formerly served in state government attest to how the *Watershed Agreement* outcomes have been drivers leading to legislative and funding mandates for their states.

- As of now, the inventory of administrative and legislative mandates that will be used by each signatory is not known. This introduces an inherent lack of transparency into the outcomes review process. We recommend the signatories share with the Management Board their inventory of state mandates in advance of the Outcome Assessment meetings to help explain how this inventory is informing decision-making.
- Lastly, a broad scope of outcomes provides avenues for leveraging funding and local efforts. Private funders often rely on the *Watershed Agreement* outcomes as a mechanism to target their grant resources that help to create jobs for communities working to meet their local environmental needs. Members of the Stakeholders' Advisory Committee who have collectively many decades of experience working with Congress strongly believe that the *Watershed Agreement* outcomes are additional drivers for federal appropriations and essential connections to watershed residents of the Congressional delegation's constituency.

We therefore recommend that sub-section 2(a)II of the outcome review guidance be modified to instruct signatories to include the following: (3) Beyond alignment with your jurisdiction's administrative goals and legislative mandates, consider the outcomes alignment with other aspects of the Partnership's mission, vision, themes and pillars. We believe this more holistic approach to revising the *Watershed Agreement* outcomes is a process that is more attuned with the Executive Council charge and better addresses the *Watershed Agreement's* vision of a healthy and resilient Bay and watershed for the collective benefit of all communities and people.

Sincerely,



Abel Olivo
Chair, Stakeholders' Advisory Committee