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.

~~At their February 28, 2014 meeting, the Partnership's Principals' Staff Committee (PSC) discussed specific decision-making procedures[2] and directed the Chesapeake Bay Program to adhere to these procedures until a final, PSC-approved governance document is in place.~~ The approach and definitions described below are in line with the CBP partnership's governance procedures ~~Principals' Staff Committee ()~~[link will be provided once document is finalized and posted]. ~~those governance decisions made by the PSC.~~ Modification to these protocols may be necessary in the future to align with any proposed revisions to the ~~final PSC and Management Board~~CBP partnership's governance procedures. Furthermore, the WQGIT will review these protocols on a two-year basis to ensure they reflect the most current adaptive management and governance procedures in place by the CBP ~~P~~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 ensure that voting procedures are firmly in place if a consensus cannot be reached on any issue requiring a WQGIT and WQGIT Workgroup decision~~to establish a definition for membership at the WQGIT and WQGIT Workgroup levels; 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 Workgroups[3]:

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~~participating in the Management Strategies through consensus. Consensus is defined as all parties present having either agreed on a course of action and/or that no party objected to it. If after substantial negotiations consensus cannot be reached, and only as a last resort, WQGIT or WQGIT Workgroup members will be polled, and a supermajority vote, as defined under "Utilization of a Supermajority Vote", will be implemented by the WQGIT and the WQGIT Workgroups~~ along with a description of the positions of the polled members.

~~*Consensus Decision-Making*~~

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;
- 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.

Once an agenda for discussion has been set, each item of the agenda is addressed in turn. Every effort will be made to distribute Ssupporting materialss will be made available at least 10 business days prior to a meeting where an action item for consensus is planned. 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.
- **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 passes to a supermajority will be voteelevated to the next level in the hierarchy with a description of the position of the members, in particular those of dissenting members.

*Membership Definition**Utilization of a Supermajority Vote***
If consensus cannot be reached, the WQGIT or WQGIT Workgroup Chair will move the decision to a vote, and will ensure that specific voting procedures are followed:
A supermajority is defined as a 7-2 vote, or more than a two-thirds majority with at least 6 total votes. Abstaining votes or neutral votes are not considered. Votes of members/alternates not present are not considered unless provided in advance to the WQGIT or WQGIT Workgroup Chair in writing.

Each jurisdiction, federal agency, and other organization recognized as official voting members are allowed only one vote.

Signatories not participating in a Management Strategy will abstain from votes directly related to that Management Strategy.

Definition of a Voting Member

Voting members are the signatory representatives of the Chesapeake Bay Watershed Agreement. For the Bay jurisdictions, a specific voting member is defined by the lead agency responsible for developing and implementing the WIPs and is a current, standing member of the WQGIT or a WQGIT Workgroup. Each lead agency/organization listed below will identify one representative and one alternate to serve as voting members on the WQGIT. Those identified as the WQGIT voting representatives will in turn identify the appropriate voting representatives and their alternates at the WQGIT Workgroup level.

Chesapeake Bay Commission

Commonwealth of Pennsylvania: *Pennsylvania Department of Environmental Protection*

Commonwealth of Virginia: *Virginia Department of Environmental Quality*

District of Columbia: *District of Columbia Department of the Environment*

State of Delaware: *Delaware Department of Natural Resources and Environmental Control*

State of Maryland: *Maryland Department of the Environment*

State of New York: *New York State Department of Environmental Conservation*

State of West Virginia: *West Virginia Department of Environmental Protection*

For the United States of America: *U.S. Environmental Protection Agency*

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. WQGIT and WQGIT Workgroup memberships will be based on the following construct to the maximum extent possible:

- Members from each signatory of the 2014 Chesapeake Bay Watershed Agreement (WQGIT-two each, WQGIT wWorkgroups – one each)
    - o Delaware
    - o District of Columbia
    - o Maryland
    - o New York
    - o Pennsylvania
    - o Virginia
    - o West Virginia
    - o U.S. Environmental Protection Agency
    - o Chesapeake Bay Commission
- One member – either the Chair or a Co-Chair – from each subordinate or related CBP group. ; fFor the WQGIT, this would be:
    - o Agriculture Workgroup
    - o Urban Stormwater Workgroup
    - o Wastewater Treatment Workgroup
    - o Watershed Technical Workgroup
    - o Land Use Workgroup
    - o Forestry Workgroup

- o Toxic Contaminants Workgroup
- o Trading and Offsets Workgroup
- o Milestones Workgroup
- o Modeling Workgroup
- o Science, Technical Assessment and Reporting Team
- o Federal Facilities Team
- One member from each CBP Advisory Committee
  - o Science and Technical Advisory Committee
  - o Local Government Advisory Committee
  - o Citizens Advisory Committee
- Ten At-large Members
  - o At-large membership provides a mechanism for welcoming new participants into the formal WQGIT and WQGIT Workgroup structure. At-large members will be (self) nominated by any member or interested party, with five members being selected on an annual basis. Each at-large member will serve a two-year term. Approval of at-large members will be made by the WQGIT or WQGIT Workgroup membership.

All others are welcome to participate on the WQGIT and WQGIT Workgroups as interested parties and are encouraged to actively participate in the discussions and decision-making processes.

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.

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.
  - o 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.

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