

Governance Structure and Management Framework for the Long Island Sound Study



A Partnership to Restore and Protect the Sound

Approved by the LISS Management Committee, Oct. 20, 2022

Adopted by the LISS Policy Committee (to be decided at next Policy Committee meeting)

I. BACKGROUND

Long Island Sound (LIS) is an estuary, a body of water where salt water from the ocean mixes with fresh water from rivers draining from the land. It abounds in fish, shellfish, and waterfowl, and provides feeding, breeding, nesting, and nursery areas for diverse animal and plant life. The Sound is not a typical estuary, having two openings to the sea, at both its western (Hell Gate to the East River) and eastern (the Race to Block Island Sound) boundaries, and being oriented parallel to the coast. LIS extends 110 miles along its length and 21 miles across at its widest point. Through the connection with the East River to the waters of New York-New Jersey Harbor, the Sound is affected by the New York City metropolis.

Through the series of south-flowing rivers, including the Housatonic, Connecticut, and Thames, large portions of New England affect the Sound. In total, the LIS watershed (or drainage basin) drains an area of more than 16,000 square miles, including virtually the entire state of Connecticut, portions of New York, Rhode Island, Massachusetts, Vermont, and New Hampshire, as well as a small area at the source of the Connecticut River in Quebec, Canada



Figure 1: Map of the Major Watersheds of Long Island Sound

In recognition of the need to improve management, Congress appropriated funds in 1985 for the U.S. Environmental Protection Agency (EPA) to research, monitor, and assess the health of LIS, which initiated the Long Island Sound Study (LISS) as a CT, NY, and EPA partnership. Congress formally strengthened the Clean Water Act (CWA) in 1987 to protect the nation's coastal waters by creating the National Estuary Program (Section 320). The Governors of Connecticut and New York nominated LIS as an Estuary of National Significance and requested a management conference be formed to develop a Comprehensive Conservation and Management Plan (CCMP) for the estuary.

EPA approved the nomination in 1988 and LISS became part of the new Program that ultimately included 28 U.S. estuaries¹

To support development of the CCMP, the Long Island Sound Study (LISS) Management Conference involves federal, state, interstate, and local agencies, universities, environmental groups, industry, and the public. The Management Conference is organized around several committees and work groups and is coordinated by a program office. In 1990, Congress amended the CWA, again, passing the Long Island Sound Improvement Act (Section 119), which established a LIS program office and further strengthened EPA's role in coordinating implementation strategies through cross-jurisdictional partnerships as well as dedicated funding authorizations for the LISS. LISS is the only National Estuary Program directed by EPA.

The main study area includes all portions of Connecticut and New York that drain to LIS. For purposes of prioritization, the LISS also established a LIS Coastal Boundary. This boundary is based on climatological and topographical features, and political jurisdictions. In Connecticut, the boundary is the coastal hardwoods zone ecoregion described in Dowhan and Craig (1976). The northern extent of this ecoregion represents the inland extent of coastally influenced vegetation. In New York it includes the portions of land draining to LIS from Bronx, Queens, Westchester, Nassau, and Suffolk Counties with the Bronx River watershed as the western boundary. All areas of the watershed, however, are considered for their impact of the health of LIS and are eligible for assessment and management.

II. INTRODUCTION

This document describes the governance of the organizational structure and functions the LISS in advancing actions for the protection and restoration of (LIS) under the Comprehensive Conservation and Management Plan (CCMP). For the purposes of this document, the term "LISS" refers to the collective partnership, or Management Conference, established under Section 320 of the Clean Water Act by the U.S. Environmental Protection Agency in response to the nomination package submitted by the states of Connecticut and New York. Clean Water Act Section 320 defines the purposes of the Management Conference as:

1. Assess trends in water quality, natural resources, and uses of the estuary;
2. Collect, characterize, and assess data on toxics, nutrients, and natural resources within the estuarine zone to identify the causes of environmental problems;
3. Develop the relationship between the in-place loads and point and nonpoint loadings of pollutants to the estuarine zone and the potential uses of the zone, water quality, and natural resources;
4. Develop a Comprehensive Conservation and Management Plan (CCMP) that recommends priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the estuary, including restoration and maintenance of water quality, a balanced indigenous population of shellfish, fish and wildlife, and recreational activities in the estuary, and assure that the designated uses of the estuary are protected;
5. Develop plans for the coordinated implementation of the CCMP by the States as well as Federal and local agencies participating in the conference;
6. Monitor the effectiveness of actions taken pursuant to the CCMP; and
7. Review all Federal financial assistance programs and Federal development projects in accordance with the requirements of Executive Order 12372² as in effect on September 17, 1983, to determine whether such assistance program or project would be consistent with and further the purposes and objectives of the CCMP prepared under this section.

The LISS Management Conference involves federal, state, interstate, and local agencies, universities, businesses, and watershed and other non-governmental organizations. This document is intended to provide a framework for the proper and effective leadership and management of the LISS by defining the study's organizational structure, functions, and governance procedures, while also identifying the roles and responsibilities of the various committees.

¹ <https://www.epa.gov/nep>

² <https://www.fws.gov/policy/library/rgeo12372.pdf>

Clean Water Act Section 119 required EPA to establish a program office to continue coordination and assist the Management Conference in carrying out its goals. The Act specifically state that the Office shall:

1. Assist and support the implementation of the CCMP for LIS, including efforts to establish, within the process for granting watershed general permits, a system for promoting innovative methodologies and technologies that are cost-effective and consistent with the goals of the CCMP
2. Conduct or commission studies deemed necessary for strengthened implementation of the CCMP including, but not limited to:
 - a. Population growth and the adequacy of wastewater treatment facilities;
 - b. The use of biological methods for nutrient removal in sewage treatment plants;
 - c. Contaminated sediments, and dredging activities;
 - d. Nonpoint source pollution abatement and land use activities in the LIS watershed;
 - e. Wetland and stream connectivity protection and restoration;
 - f. Atmospheric deposition of acidic and other pollutants into LIS;
 - g. Water quality requirements to sustain fish, shellfish, and wildlife populations, and the use of indicator species to assess environmental quality;
 - h. State water quality programs, for their adequacy pursuant to implementation of the Comprehensive Conservation and Management Plan;
 - i. Options for long-term financing of wastewater treatment projects and water pollution control programs; and
 - j. Environmental vulnerabilities of the LIS watershed, including—
 - i. The identification and assessment of such vulnerabilities in the watershed;
 - ii. The development and implementation of adaptation strategies to reduce such vulnerabilities; and
 - iii. The identification and assessment of the effects of sea level rise on water quality, habitat, and infrastructure;
3. Coordinate the grant, research and planning programs authorized under this section;
4. Develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of LIS;
5. Provide administrative and technical support to the conference study;
6. Collect and make available to the public, including on a publicly accessible website, publications, and other forms of information the conference study determines to be appropriate, relating to the environmental quality of LIS;
7. Monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring approach for the ecological health and water quality conditions of LIS; and
8. Convene conferences and meetings for legislators from State governments and political subdivisions thereof for the purpose of making recommendations for coordinating legislative efforts to facilitate the environmental restoration of LIS and the implementation of the Comprehensive Conservation and Management Plan.

This Governance Document is and must remain consistent with all that is described and defined under Clean Water Act Sections 320 and 119. This document shall be adopted by the Management Committee and can be revised and amended, as needed, in the future.

III. LONG ISLAND SOUND STUDY VISION, GOALS, AND PRINCIPLES

The LIS CCMP sub-title is “Returning the Urban Sea to Abundance.” This reflects the belief that active efforts to protect and restore the Sound have succeeded to the point of considering a return to abundance—not to a pristine past, but to an “Urban Sea” where humans enjoy both a healthy environment and a thriving economy. This concept is captured in the Study’s vision statement.

“The vision for the Sound is of waters that are clean, clear, safe to swim in, and charged with life. It is a vision of waters nourished and protected by extensive coastal wetlands, by publicly accessible, litter-free beaches and preserves, and of undeveloped islands. It is a vision of abundant and diverse wildlife, of flourishing commercial fisheries, of harbors accessible to the boating community, and of a regional

consciousness and a way of life that protects and sustains the ecosystem.”

The CCMP is organized around four themes, each with its own goal.

- Clean Waters and Healthy Watersheds: Improve water quality by reducing contaminant and nutrient loads from the land and the waters impacting LIS.
- Thriving Habitats and Abundant Wildlife: Restore and protect the Sound's ecological balance in a healthy, productive, and resilient state to benefit both people and the natural environment.
- Sustainable and Resilient Communities: Support vibrant, informed, and engaged communities that use, appreciate, and help protect LIS.
- Sound Science and Inclusive Management: Manage LIS using sound science and cross-jurisdictional governance that is inclusive, adaptive, innovative, and accountable.

The goal of the *Sound Science and Inclusive Management* theme in the CCMP is to manage LIS using sound science and cross-jurisdictional governance that is inclusive, adaptive, innovative, and accountable. The plan’s outcomes, objectives, strategies, and actions embrace an “adaptive management” approach to respond to changing conditions and better information. As a result, the structure and governance of the program will change and evolve over time to better plan, align and assess partner activities and resources to meet LISS goals. This adaptive approach will be reflected in this document, and revisions to this document will be made as needed.

Throughout the four themes, the CCMP incorporates integrative principles that have emerged as key challenges and environmental priorities. These include resiliency to climate change, long-term sustainability, and environmental justice.

The CCMP sets long-term targets for the ecosystem. These ecosystem targets are intended to drive progress toward attaining CCMP goals. Measuring, tracking, and reporting environmental indicators of each ecosystem target will provide information to assess progress and refine and adapt management as needed. The ecosystem targets are described in their relevant theme sections. To achieve each goal and associated ecosystem targets, the CCMP identifies specific outcomes, objectives, strategies, and implementation actions. Implementation Actions are specific, tactical actions to measurably carry out the strategies. Implementation actions may apply to one or more strategies but are organized around the main strategy addressed. Review and development of implementation actions every five years will allow for adaptive management and inclusion of emerging scientific and technological advances.

The Long Island Sound Study partnership will:

1. Collaborate to achieve the Goals and Outcomes of the CCMP.
2. Achieve Goals and Outcomes in a timely way at the least possible cost to our citizens.
3. Represent the interests of people throughout the watershed fairly and effectively, including a broad diversity of cultures, demographics, and ages.
4. Operate with transparency in program decisions, policies, actions and reporting on progress to strengthen public confidence in our efforts.
5. Use science-based decision-making and seek out innovative technologies and approaches to support sound management decisions in a changing system.
6. Maintain a coordinated monitoring and research program to support decision-making and track progress and the effectiveness of management actions.
7. Acknowledge, support, and embrace local governments and other local entities in watershed restoration and protection activities.
8. Anticipate changing conditions, including long-term trends in sea level, temperature, precipitation, emerging contaminants land use and other variables.
9. Adaptively manage at all levels of the partnership to foster continuous improvement.
10. Seek consensus when making decisions. A consensus-based decision-making process is a group decision-making process that not only seeks the agreement of most participants, but also the resolution or mitigation of minority objections (e.g., all parties can live with the decision). See Section VII for more information on the decision-making process.
11. Engage citizens to increase the number and diversity of people who support and carry out conservation and restoration activities.

12. Promote environmental justice through the meaningful involvement and fair treatment of all people, regardless of race, color, national origin or income, in the development and implementation of the CCMP.

IV. COMMITMENT TO ENVIRONMENTAL JUSTICE

Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. All groups must have access to healthy air and clean water. All communities must benefit from programs to protect and restore LIS and have equal access to the decision-making process. This requires that special efforts target traditionally underserved communities, and that outreach and involvement programs work with community organizations to address their needs through a culturally aware delivery method. An informed, involved community that reflects the full diversity of the region is needed to ensure the stewardship of the LIS. EJ must be a priority reflected in how partners implement the CCMP. Federal, state, local government, and NGO partners should incorporate EJ as an integral part of ongoing work using a variety of approaches.

As a partnership, our goals include:

- Improving diversity, equity, inclusion, and justice (DEIJ) literacy among existing partners to ensure an inclusive work environment and to effectively view projects through a DEIJ lens
- Meaningfully engage disadvantaged and underserved groups in LISS decision-making processes
- Ensuring EJ needs within the watershed are identified and addressed

As a partnership, our tasks should:

- Identify barriers to LISS representation and access to resources
- Examine implementation projects and develop a process to hold the program accountable to EJ priorities
- Set aside funds for EJ engagement and implementation
- Establish meaningful, strong working relationships with diverse and underrepresented groups
- Create mechanisms, resources, and programs, as necessary, to support the meaningful involvement of new partners in LISS work groups and committees

V. ETHICAL BEHAVIOUR GUIDELINES

No participant in a LISS discussion shall seek to influence consensus or action by the group in such a way as to derive any direct or indirect personal profit or gain. These guidelines shall also apply to the member's business or other nonprofit affiliations, family and/or significant other, employer, or close associates who may stand to receive a benefit or gain. Any participant in a discussion that may fall under the descriptions above is expected to announce that they may have a potential conflict of interest and shall refrain from further participation in any discussion or decision on such matter.

Chairs and Co-Chairs of meetings are expected to be particularly sensitive to potential conflicts of interest by themselves resulting from decisions of the group and conduct the meeting and their input accordingly. Suspected violations of this policy should be reported to the Chair of the Management Committee for further review or elevated to the Executive Steering Committee where appropriate.

All participants in the LISS should be familiar with these ethical behavior guidelines, conduct themselves in a manner that places the highest priority on allowing consensus to occur and be respectful of all opinions, including balancing the priorities of the members' respective organization/jurisdiction with the priorities of the Study.

VI. ORGANIZATIONAL STRUCTURE

LISS's committees and work groups help to implement the CCMP for LIS. Together they represent the LISS Management Conference, a partnership of federal, state, interstate, and local agencies, universities, environmental groups, industry, and the public, as defined by CWA Section 320. The Management Conference was convened in March 1988 following the Congressional designation of LIS as an Estuary of National Significance at the requests of Connecticut and New York.

The structure and governance of the LISS will change and evolve over time as a result of the application of adaptive management. The adaptive management process³ will foster both: (1) Continual improvement of the LISS's organizational performance and (2) Improved ecosystem management by allowing adjustments to the organizational structure based on the relations between improving scientific knowledge, management actions and progress toward the goals of the LISS.

Following the adaptive management process, the partnership will likely learn that there are features of the organizational structure and governance that require modification. Changes to structure and governance in the future will be coordinated by the Management Committee and approved by the Policy Committee. The following section provides a description of the governance (mission, functions and responsibilities, leadership, membership, and operations) of the various organizational entities that comprise the LISS.



Figure 2. Organizational Structure of the Long Island Sound Study

A. POLICY COMMITTEE

1. Roles and Responsibilities:

The Policy Committee (PC) approves major policy initiatives and plans such as the CCMP.

2. Membership and Leadership:

The PC is composed of the administrators of the EPA Region 1 and Region 2 offices and the commissioners of the Connecticut Department of Energy and Environmental Protection (CTDEEP) and the New York State Department of Environmental Conservation (NYSDEC). Leadership of the PC is rotated among the full members on a mutually agreed basis determined at each as-needed meeting.

3. Operations:

a. Ground Rules: The structure of PC meetings is coordinated by EPA, with assistance from Connecticut and New York, under guidance of an Executive Steering Committee (described below). The format, location, and content

³ McLeod et al. (2005)

(e.g., presentations, breakout sessions, participants, speaking roles, and other participation details) of the PC meetings are to be determined well in advance of the meeting to ensure it is an efficient and effective meeting.

b. Decision Making: Decision making by the PC will be done by members or their representatives through a unanimous or consensus-based approach.

c. Attendance at As-Needed Meetings: PC members are expected to attend the meetings. In the event of an unforeseen conflict, the highest possible appointee should attend in their place.

d. Frequency and Duration of Meetings: The PC meets on an as-needed basis.

e. Staffing and Support: EPA will lead coordination with state staff. The meeting discussions and actions, will be summarized and made available to the committee members and the general public.

B. EXECUTIVE STEERING COMMITTEE

1. Roles and Responsibilities:

The Executive Steering Committee (ESC) provides upper-level management direction to the Management Committee on programs and budgets and recommends items for PC consideration and approval. In the event that a new PC member must be selected, ESC members will act as a proxy for their PC member. The ESC also:

- Functions to increase communication, understanding, and cooperation among the PC agencies.
- Provides advice to the PC, recommending items for PC consideration and approval and developing the agenda for PC meetings.
- Considers priority topics such as the development of program priorities, budget allocations, leveraging resources, and building participation in the Management Conference.
- May invite speakers or hear presentations on topics of interest or include other members of the LISS Management Conference (e.g., CAC or STAC co-chairs) as needed to foster its work.

2. Membership and Leadership:

Membership is composed of PC agency representatives from the two EPA regions, NYSDEC, and CTDEEP at the assistant commissioner, bureau chief or division director level.

- ESC leadership is typically held by:
 - Director, Water Division, EPA Region 2
 - Director, Water Division, EPA Region 1
 - Deputy Commissioner, Natural Resources, and Deputy Commissioner, Water and Watersheds, NYSDEC
 - Chief, Bureau of Water Protection and Land Reuse, CTDEEP

3. Operations:

a. Ground Rules:

- The ESC meetings are coordinated by EPA with assistance from the states. The format, location, and content (e.g., presentations, breakout sessions, participants, speaking roles, and other participation details) of the ESC meetings are to be determined well in advance of the meeting to avoid unexpected outcomes and provide an effective planning process.
- An agenda and meeting materials will be circulated in advance of the meeting date.
- Meetings allow for issues to be discussed and for decisions to be made that further clarify policies related to restoration goals and metrics.
- The ESC will also discuss issues identified by the Management Committee and updates on progress reports related to eco-system targets of the CCMP
- PC interests are a major focus of ESC meetings.

b. Decision Making: Decision making at the ESC will be done by members or their representatives through a unanimous or consensus-based approach.

c. Attendance at Meetings: ESC members are expected to attend the meetings. In the event of an unforeseen conflict, the highest possible appointee should attend in their place.

d. Frequency of Meetings: The ESC meets on an as needed basis.

e. Staffing and Support: EPA will lead coordination with state LISS staff. The meeting discussions and actions, will be summarized and made available to the committee members and the general public.

C. MANAGEMENT COMMITTEE

1. Roles and Responsibilities:

The Management Committee (MC) meets quarterly to develop annual work plans and budgets, plan and oversee projects, and assess progress and challenges. The annual work plans that are approved by the MC provide an overview of the program, highlight specific CCMP goals, reflect implementation of current and past priorities, and highlight the federal, state, local, and regional partners' significant accomplishments to restore and protect the Sound. Staff level representatives of the MC participate on an Implementation Team (described below) that coordinates and carries out program activities, and develops annual work plans and budgets.

Individual MC members:

- Represent and speak for the federal, state, interstate, local agencies, universities, environmental groups, industries, and the public that they represent. As such, MC members are expected to coordinate action on behalf of their entire organization and raise issues with their organization and the MC.
- Make decisions at MC meetings on behalf of their organization on all issues for which appropriate. When short notice is required, work with the MC members to devise an acceptable path forward.

The MC, as a whole will:

- Address implementation of the LISS CCMP.
- Review management strategies and implementation actions.
- Assess progress in implementation and ecosystem response. In this role, the MC is accountable for:
 - Ensuring that partnership efforts and resources are aligned effectively to ensure achievement of the CCMP.
 - Notifying the ESC of policy/implementation issues that are beyond the MC's authority to address and require additional and coordinated leadership.
 - Creating, commissioning, and dissolving work groups as needed to ensure effective implementation and oversight of Management Strategies and designate workgroup co-chairs and leads.
 - Framing issues and ensuring that critical data, information, options, and analyses are performed to support effective decisions by the ESC/PC.

For more information on the authorizing legislation governing EPA's LIS Office, not the Management Committee Management Committee please see: <https://www.law.cornell.edu/uscode/text/33/1269> and <https://www.law.cornell.edu/uscode/text/33/1330>

2. Membership and Leadership:

The Management Committee is composed of representatives of the broader Management Conference organizations defined in CWA Section 320, which include federal, state, and interstate agencies, local governments with jurisdiction over or located in the estuary or estuarine zone. It also includes representatives of affected industries, public and private educational institutions, and the general public through the co-chairs of the Citizen Advisory Committee and Science and Technical Advisory Committee (described below). The MC is chaired by the director of the LIS Office, and the chair and members serve for indefinite terms. Requests for membership on the MC will be directed to EPA, which will present requests consistent with the authorizing legislation to the MC for approval with consideration given for balanced and fair representation of interests.

3. Operations:

a. Ground Rules:

- The meeting time of the MC is for decision-making, time-sensitive discussions, receiving input from advisory committees, technical presentations, and workgroup reports.
- An agenda and decision documents are circulated prior to the meeting date.
- Each entity represented on the committee has one vote in decision making.

b. Decision Making: All members have a voice in discussions contributing to the development of consensus, a seat at the table and the right to receive all communication and materials.

c. Attendance at Meetings: Meeting attendance may be in-person or online. A quorum of 50% of those on the MC,

regardless of agency representation proportions, must be present for decisions to be made. In the event of an unforeseen conflict, the highest possible appointee should attend in their place.

d. Frequency and Duration: Meetings are held quarterly and may be held in-person or remotely. A schedule for meetings will be determined at the beginning of the year and the scheduled format (i.e., in-person or remote) will be maintained to the greatest extent possible.

e. Setting Priorities: General operation and coordination of the MC, is conducted by EPA, informed by the Implementation Team and workgroups to track and facilitate discussion on the highest MC priorities following input from the entire group.

f. Staffing and Support: EPA will lead coordination with support by staff of represented organizations. The meeting discussions and actions will be summarized and made available to the committee members and the general public.

D. SCIENCE AND TECHNICAL ADVISORY COMMITTEE

1. Roles and Responsibilities:

The Science and Technical Advisory Committee (STAC) is a voluntary committee that provides objective scientific and technical guidance for the restoration and protection of LIS. The STAC provides the MC with overall direction and advice on science and technical issues. It shall support efforts to manage the Sound by providing the policy and management process with the best available scientific and technical information. The STAC is governed by its by-laws (most recently adopted June 3, 2005).

To fulfill this purpose, the STAC will:

- Develop recommendations for research, monitoring, and assessment priorities to address management needs;
- Provide input on topics eligible for requests for proposals;
- Provide advice regarding technical issues, programs and projects to the Management Conference, and ensure peer review of technical products;
- Make recommendations to assist in the development and review of annual work plans and program budgets;
- Provide guidance and support for subcommittees needed to address specific issues of importance to LIS;
- Identify emerging issues facing the Sound;
- Provide a forum for idea exchange concerning key issues affecting the Sound; and
- Assist in identifying funding opportunities for LIS research.

2. Membership and Leadership:

The STAC is composed of engineers, scientists, and representatives from government agencies, academia, industry, and private organizations, which represent a cross section of individuals with diverse backgrounds and areas of expertise that are important to the LISS. Officers of the STAC shall be elected by the members. The officers shall be two Co-chairs, one from New York and the other from Connecticut. The STAC adopts its own governance by-laws, which address membership and officers along with meetings.

3. Operations:

The STAC regularly meets three to four times a year, virtually and/or in-person, alternating in-person meetings between Connecticut and New York. The STAC may form subcommittees to focus on specific issues and to more broadly involve experts from the region. The STAC Co-Chairs work closely with staff designated by the Management Conference to support the STAC and develop meeting agendas. An agenda and supporting material will be provided to the STAC members in advance of meetings. Meeting minutes will also be prepared and provided to the membership prior following meeting.

E. CITIZENS ADVISORY COMMITTEE

1. Roles and Responsibilities:

The Citizens Advisory Committee (CAC) is a voluntary committee that provides ongoing advice and guidance to the Management Conference. The CAC is governed by its by-laws enacted in 1988 and last amended in 2019.

The CAC shall:

- provide guidance and advice to the LISS Management Committee on the conduct of the LISS,
- promote public awareness and understanding of LISS issues and goals,
- assist the Management Committee in the development and revision of the CCMP, and
- provide input to the Management Committee about and assist in the implementation of the CCMP and the development of implementation priorities and strategies.
- communicate with decision makers and implementers about implementation needs for the CCMP, and
- disseminate information about the LISS, and communicate the goals and strategies of CCMP to the public and to interest groups,
- act as advocates for adequate funding to implement the CCMP.

2. Membership and Leadership:

Membership on the CAC is open to individuals representing environmental organizations, businesses, industries, local governments, and other public and private organizations in Connecticut and New York with a demonstrable interest in the restoration and protection of the Sound and its ecosystems. The CAC shall be composed of individuals representing a diverse cross section of groups and organizations that use or have concerns about LIS. The terms of appointment of the members shall not be limited. The goal shall be to recruit a fair distribution of members from New York and Connecticut, and to achieve a distribution of representation from among the membership categories.

Officers of the CAC shall be elected by the members. The officers shall include two chairs, one from New York and the other from Connecticut and a recording secretary. The CAC adopts its own governance by-laws, which membership and officers along with meetings.

A standing CAC Policy Subcommittee composed of volunteers and co-chairs from among the CAC members meets as needed and reports to full committee. The CAC Policy Subcommittee addresses regular committee business including, but not limited to advocating for funding to implement the CCMP.

3. Operations:

The CAC co-chairs work closely with staff designated by the Management Conference to support the CAC to develop agendas. An agenda and supporting material will be provided to the CAC members in advance of meetings. Meeting minutes will also be prepared and provided to the membership prior following meeting.

The CAC shall meet at least four times a year. The meeting schedule for the year shall be established at the last meeting of each calendar year, for the next year. Meetings of the CAC shall alternate between New York and Connecticut and can be in person or remote. Meetings are open to the public. Members are committed to the restoration and protection of the Sound and must abide by the CAC Bylaws to remain in good standing. A member may be subject to removal for failure to comply with the Bylaws or Code of Conduct

CAC by-laws and operating guidelines can be found at: https://longislandsoundstudy.net/wp-content/uploads/2014/09/CAC_BylawsAmendments_OperGuidelines_2019_Final.pdf

F. IMPLEMENTATION TEAM (I-TEAM)

1. Roles and Responsibilities:

The Implementation Team (I-Team) provides additional support to aid the MC in overseeing the implementation of CCMP goals and objectives for LIS. The I-Team's main functions, through which it assists the MC, are to:

- Discuss and agree on the final agenda for the next Management Committee meeting.
- Follow up on any issues identified by the Management Committee at its last meeting.
- Identify and discuss new issues of concern and develop and assign actions to address the issues.

- Provide detailed analysis to the Management Committee in support of the annual budget process.
- Increase communication and coordination among Management Conference participants around LISS activities and products.

2. Membership and Leadership:

Staff level representatives of the Management Committee participate on the Implementation Team, which coordinates and carries out program activities, developing annual work plans and budgets. The members are usually staff representatives of the Management committee members (or MC members themselves) who wish to play an active role in planning, agenda development, tracking progress of projects, guiding work plan development and implementing MC decisions. The contributions of members range from active participants to more of a listening role.

3. Operations:

The I-team generally meets quarterly in advance of the MC meetings and, occasionally, will convene a special session during the spring budget period.

G. WORK GROUPS

1. Roles and Responsibilities:

The Management Conference includes technical work groups of experts to collaborate and coordinate on specific issues. The MC will convene technical workgroups, to address specific topics, requiring detailed evaluation and expertise. Workgroups are convened at the behest of the Management Committee. Workgroups can be disbanded once they have completed the charge for which they were assembled. The work groups are intended to focus and drive implementation to achieve very explicit progress and results within the scope of their goal area. Workgroups are responsible for coordinating with the MC on strategic plans for achieving high-priority outcomes as well as periodically providing updates to the MC on progress and roadblocks. The MC works closely with work group chairs and empower them to have the greatest discretion possible over short-term adjustments to execution of strategic plans. This allows the work groups to quickly adapt to changing internal and external circumstances. Each work group's' goal areas are consistent with the broad goals of the CCMP. The following are general governance rules and procedures that remain consistent across all work groups:

- Develop work plans to address the CCMP outcomes, implementation actions, and ecosystem targets assigned to that work group by the MC.
- Actively and fully participate in evaluations of the CCMP and its revision or update by providing analysis and strategic direction.
- Create and commission subgroups for specific actions under the purview of their work groups as needed. Appoint leaders of subgroups.
- Collaborate with other workgroups to identify opportunities to strategically align resources across Outcomes.
- Increase awareness and knowledge of current projects and research to LIS and its partners.
- Identify needs for monitoring, modeling, indicator/metric development and information management for development by the STAC.
- Incorporate the CCMP's integrative principles that have emerged as key challenges and environmental priorities. These include resiliency to climate change, long-term sustainability, and environmental justice.
- Review membership to ensure diverse and adequate representation.

2. Membership and Leadership:

Membership of work groups is generally open to individuals and organizations with an interest in the topic and ability to volunteer and contribute to discussions. Work group members select a chair or co-chairs, and members should encourage and welcome participation from diverse groups and perspectives in the watershed. Work group members serve indefinite terms. When accepting members, each work group should consider:

- skills and perspectives (e.g., technical and community expertise, geographic diversity, varying socioeconomic perspectives); and

- level of commitment (e.g., ability to attend meetings, contribute to work, review and comment on materials); and
- broad and inclusive representation (e.g., key populations being served).

Each work group has either one chair or multiple co-chairs. The chairs or co-chairs shall be individuals representing significant experience or agencies with significant authority in that work group's topic area. The selection of a chair or co-chairs will have concurrence from both the work group and the MC.

3. Operations:

a. Ground Rules: Meetings are held at the discretion of the chair/co-chairs with input from work groups members but should generally be held as needed. An agenda should be shared before the meeting. The agenda should spell out specific goals for meeting with time limits for each item. Workgroups are convened as needed, at the work group chair's discretion in consultation with work group members.

b. Decision Making: The workgroups will use a unanimous or consensus-based process. If consensus appears unattainable during the consensus-seeking phase of the deliberations either the "presenter" of a proposal or the "facilitator" of the deliberations is empowered to choose the closing option of a fallback vote. The fallback voting procedure requires a majority vote for the decision be accepted.

c. Reporting, Accountability and Performance Metrics: The chair/co-chairs is/are responsible for maintaining a clear sense of purpose, specific performance goals, and activities in support of their charge from the MC.

d Staffing and Support: The MC will provide staffing resources to support the work groups and meaningfully engage disadvantaged and underserved groups in LISS decision-making processes. All formal work group meetings must be summarized, distributed and made publicly available.

VII. PROCESS FOR DECISION MAKING:

A. GENERAL GUIDANCE FOR DECISION MAKING

Consensus building among the LISS partners remains the preferred decision-making approach. A consensus-based decision-making process is a group decision-making process that not only seeks the agreement of most participants, but also the resolution or mitigation of minority objections (e.g., all parties can live with the decision). The goals of consensus-based decision making are to be:

- Inclusive of as many members as possible, including new and/or historically underrepresented voices and perspectives by fostering a culture of respect and mutual learning,
- Participatory, actively soliciting the input and participation of all,
- Cooperative, striving to reach the best decision for the group, rather than the majority,
- Egalitarian and equitable, with all afforded, as much as possible, equal opportunities for input into the process, and
- Solution-oriented, emphasizing common agreement over differences and reaching effective decisions using compromise to resolve mutually exclusive positions. There are, however, situations in which consensus is inappropriate or in which consensus is not necessary for progress to be made. Whatever approach is used to make decisions, it is important that members of the organizational group understand exactly what the process is and that they feel included in the process. Finally, when decisions are made, the approach used must be recorded in meeting minutes along with the outcome of the decision.
- Decision making by the PC, and ESC is achieved through consensus by representatives.
- For the larger MC membership, all decisions should be by consensus. If, after extensive discussion, consensus cannot be reached on an issue, a vote may be taken. Motions require a two-thirds majority vote of those participating for passage. Decisions and votes may be taken if at least half of the members are present or otherwise able to participate in a timely manner.

B. RESULTS OF DECISIONS

If an issue before a group was tasked to that group for discussion and subsequent recommendation by a higher organizational group, then the results of that discussion (i.e., consensus decision and recommendation, lack of consensus or results of vote if appropriate) need to be reported back to the higher organizational group for action as the higher group deems appropriate.

- If the issue before the group originated within that group, and a decision was reached, then the results of that decision are forwarded to the appropriate/ staff to implement the resulting actions.
- If a decision is not reached, then the group next needs to either:
 - Table the issue indefinitely until and if new information comes to light that the group feels warrants further reconsideration and discussion or
 - Elevate the issue to a higher organizational group for consideration that the higher group's discretion.

C. CONSENSUS-BUILDING PROCESS:

Once an agenda for discussion has been set, each item of the agenda is addressed, in turn. Typically, each decision arising from an agenda item follows a simple process:

- *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 chair/co-chairs.
- *Call for consensus:* The facilitator of the decision-making body calls for consensus on the proposal. Members are given the opportunity to state their agreement or disagreement with the proposal along with offering modifications to the proposal.
- *Identification and addressing of concerns:* If consensus is not achieved, each dissenter presents their 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 consensus can be addressed. To allow time for resolution of the concern, a consensus decision will be sought at the next meeting.
- *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, the decision is sent to the next level in the organization.

D. PROCESS FOR MODIFICATION OR REVERSAL OF PREVIOUS CONSENSUS DECISIONS

In the spirit of adaptive management, the partnership should always be open to modifying or reversing previous decisions and resulting policies as new information comes to light or operational landscapes change. At the same time, however, it is also important to recognize that making decisions by consensus intentionally requires meeting a very high bar that logically requires meeting an equally high bar to subsequently modify or reverse the decision and any resulting policy. Therefore, a standing consensus decision and resulting policy can only be modified or reversed by a subsequent consensus decision by the organizational group that made the original decision or a higher organizational group. As a result:

- The burden of achieving consensus is on those proposing the modification of the previous decision, not on those seeking to maintain the previous decision.
- The question posed before the group should be worded as, "Should we change the previous consensus decision?", not "Should we keep the previous consensus decision?"

E. AMENDMENT TO THE GOVERNANCE DOCUMENT

The Management Conference's organizational structure and governance procedures may be amended at any regular meeting of Policy Committee by a majority vote of members in attendance, provided that the proposed amendments have been submitted in writing to members at least thirty (30) days prior to the meeting in which the vote is to be taken. Members who expect to be absent from the meeting at which amendments to the organizational structure and governance procedures will be acted upon may provide a written document registering their vote on the proposed amendment. Such vote must be received at least 48 hours before the meeting where the amendments are scheduled to be acted on. The organizational structure and governance procedures and amendments to the organizational structure, governance procedures shall be effective immediately upon adoption.

VIII. PROCESS FOR CHANGES TO THE CCMP

GOALS, OUTCOMES AND MANAGEMENT STRATEGIES:

Any revisions or updates to the CCMP will follow procedures in EPA National Estuary Program guidance. If major changes are needed, the CCMP should be revised. If minor changes are needed, the CCMP should be updated. To ensure that CCMPs continue to be relevant, EPA recommends that each NEP revise its CCMP at least once every ten years.

IX. TRACKING & REPORTING

The LISS will follow tracking and reporting requirements and NEP guidance, and biennially thereafter, the director of the LIS Office, in consultation with the governors of Connecticut and New York, shall submit to Congress a report that:

- Summarizes and assesses the progress made by the LIS Office and the LISS partners in implementing the LIS CCMP, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;
- Assesses the key ecological attributes that reflect the health of the ecosystem of the LIS watershed;
- Describes any substantive modifications to the CCMP made during the two-year period preceding the date of submission of the report;
- Provides specific recommendations to improve progress in restoring and protecting the LIS watershed, including, as appropriate, proposed modifications to the LIS CCMP;
- Identifies priority actions for implementation of the CCMP for the two-year period following the date of submission of the report; and
- Describes the means by which federal funding and actions will be coordinated with the actions of the LISS states and other entities.