

HOUSE BILL 1267

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By: **Delegate Henson**

Introduced and read first time: February 8, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Workgroup on Public Water Access**

3 FOR the purpose of establishing the Workgroup on Public Water Access; specifying the
4 purpose of the Workgroup; providing for the composition, chair, and staffing of the
5 Workgroup; prohibiting a member of the Workgroup from receiving certain
6 compensation, but authorizing the reimbursement of certain expenses; establishing
7 certain subcommittees of the Workgroup; requiring the Workgroup to meet at least
8 a certain number of times each year and on a regular basis; requiring the Workgroup
9 to study and make recommendations regarding certain matters; requiring the
10 Workgroup to submit an interim report and a final report to certain committees of
11 the General Assembly on or before certain dates; requiring the final report to include
12 certain information and recommendations; requiring the Governor to include in the
13 annual budget bill for a certain year an appropriation of the Chesapeake Bay Trust
14 to be used for a certain purpose; providing for the termination of this Act; and
15 generally relating to the Workgroup on Public Water Access.

16 **Preamble**

17 WHEREAS, The COVID-19 pandemic has demonstrated the importance of and need
18 for more and better access to public green spaces and public water to protect and support
19 the health of all Marylanders; and

20 WHEREAS, The Chesapeake Bay and its tributaries, the Atlantic Coastal Bays, and
21 the scenic western waterways remain some of our State's greatest assets and must continue
22 to be easily accessible for the enjoyment of all Marylanders; and

23 WHEREAS, Many Marylanders do not have equal access to our State's waterways,
24 and groups that have faced historical social and economic inequities deserve equitable
25 access; and

26 WHEREAS, Maryland is home to 7,719 miles of shoreline, but only 629 public water

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 access sites statewide; and

2 WHEREAS, Citizens have a greater sense of responsibility for preserving and
3 restoring our natural resources when those resources are prevalent and easily accessible to
4 everyone, thereby creating significantly more stakeholders; and

5 WHEREAS, The federal Great American Outdoors Act was signed into law in August
6 2020 and ensures a significant increase in funding to the federal Land and Water
7 Conservation Fund; and

8 WHEREAS, Increased demand, the benefits to public health, and the need for
9 environmental justice necessitate a workgroup of diverse stakeholders to recommend direct
10 actions that State and local governments can take to expand public water access
11 opportunities; now, therefore,

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That:

14 (a) There is a Workgroup on Public Water Access.

15 (b) The purpose of the Workgroup is to:

16 (1) convene a working group of diverse stakeholders;

17 (2) make recommendations to increase public water access; and

18 (3) consider the benefits of public water access on public health and
19 environmental justice.

20 (c) The Workgroup consists of the following members:

21 (1) the Secretary of Transportation, or the Secretary's designee;

22 (2) one representative of the Office of the Attorney General, designated by
23 the Attorney General;

24 (3) one representative of the National Association for the Advancement of
25 Colored People (NAACP), designated by the Maryland State Conference of NAACP;

26 (4) one representative of the Maryland Environmental Trust (MET),
27 designated by the Director of MET;

28 (5) one representative of the Chesapeake Conservancy, designated by the
29 President of the Chesapeake Conservancy;

30 (6) one representative of Blue Water Baltimore, designated by the
31 Executive Director of Blue Water Baltimore;

- 1 (7) one representative of the Maryland Recreation and Parks Association
2 (MRPA), designated by the Executive Director of MRPA;
- 3 (8) one representative of GreenLatinos, designated by the President of
4 GreenLatinos;
- 5 (9) one representative of the Arc of Central Chesapeake Region, designated
6 by the President of the Arc of Central Chesapeake Region;
- 7 (10) one representative of the Commission on Environmental Justice and
8 Sustainable Communities (CEJSC), designated by the Chair of CEJSC;
- 9 (11) one representative of the Maryland/DC chapter of the Nature
10 Conservancy, designated by the Executive Director of the Maryland/DC chapter of the
11 Nature Conservancy;
- 12 (12) one representative of The Trust for Public Land, designated by the
13 President of The Trust;
- 14 (13) one representative of ShoreRivers, designated by the President of
15 ShoreRivers;
- 16 (14) one representative of the League of Conservation Voters (LCV),
17 designated by the President of LCV;
- 18 (15) one representative of the Coastal Conservation Association Maryland,
19 designated by the Executive Director of the Association;
- 20 (16) one representative of the Chesapeake Bay Commission (CBC),
21 designated by the Executive Director of CBC;
- 22 (17) one representative of the National Park Service, designated by the
23 National Park Service's Regional Director for Region 1;
- 24 (18) one representative of the Marine Trades Association of Maryland
25 (MTAM), designated by the President of MTAM;
- 26 (19) one representative of the Maryland Park Service, designated by the
27 Superintendent of the Maryland Park Service;
- 28 (20) one representative of the Critical Area Commission for the Chesapeake
29 and Atlantic Coastal Bays, designated by the Chair of the Commission;
- 30 (21) one representative of the Gunpowder Valley Conservancy, designated
31 by the Executive Director of the Conservancy;

1 (22) one representative of the Maryland Municipal League (MML) who is a
2 mayor, designated by MML;

3 (23) one representative of the Maryland Association of Counties (MACO)
4 who is a council member, designated by MACO;

5 (24) one representative of the Maryland Public Access, Water Trails, and
6 Recreation Planning Program, designated by the Director of the Program; and

7 (25) the following members appointed by the Executive Director of the
8 Chesapeake Bay Trust:

9 (i) one representative from an outdoor recreation business;

10 (ii) one citizen;

11 (iii) two representatives from underrepresented groups who enjoy
12 passive outdoor activities, such as picnicking;

13 (iv) one representative from the kayak community;

14 (v) one representative from the paddle board community;

15 (vi) one representative from a county park department; and

16 (vii) one representative from a municipal park department.

17 (d) To the extent practicable, the membership of the Workgroup shall reflect the
18 racial, ethnic, and gender diversity of the State.

19 (e) The Workgroup shall elect by majority vote a chair from among its members.

20 (f) The Chesapeake Bay Trust shall provide staff for the Workgroup.

21 (g) A member of the Workgroup:

22 (1) may not receive compensation as a member of the Workgroup; but

23 (2) is entitled to reimbursement for expenses under the Standard State
24 Travel Regulations, as provided in the State budget.

25 (h) The Workgroup is composed of the following subcommittees:

26 (1) municipal and county opportunities subcommittee;

27 (2) activation subcommittee;

1 (3) financing subcommittee, which will focus on creative financing options,
2 such as land trusts and tax incentives; and

3 (4) connectivity subcommittee, which will focus on increasing opportunities
4 for connecting the public with public water access and examining any
5 transportation–related barriers to connecting the public with public water access.

6 (i) The Workgroup shall meet:

7 (1) at least two times each year; and

8 (2) on a regular basis as determined by the Workgroup.

9 (j) To accomplish its purpose, the Workgroup shall:

10 (1) examine current public water access opportunities, including:

11 (i) the quality of public water access;

12 (ii) the activities for which public water access is used;

13 (iii) the geographic diversity and affordability of public water access
14 locations throughout the State;

15 (iv) the activities available at and around public water access
16 locations; and

17 (v) the equity of the distribution of and access to public water access
18 locations throughout the State;

19 (2) study whether public water access opportunities can be increased
20 through:

21 (i) the conservation of land for public use;

22 (ii) coordination with federal agencies; and

23 (iii) opening more areas for public water access;

24 (3) study and recommend infrastructure upgrades that will increase the
25 availability of public water access;

26 (4) explore new water access opportunities, with a focus on accessibility
27 and transportation availability; and

28 (5) develop a list of policy tools that State and local governments may use
29 to expand public water access opportunities, including:

- 1 (i) land trusts;
- 2 (ii) tax incentives; and
- 3 (iii) options available through Program Open Space.

4 (k) On or before December 1, 2021, the Workgroup shall submit an interim report
5 of its findings and recommendations, in accordance with § 2–1257 of the State Government
6 Article, to the Senate Education, Health, and Environmental Affairs Committee, the
7 Senate Budget and Taxation Committee, the House Environment and Transportation
8 Committee, and the House Appropriations Committee.

9 (l) (1) On or before December 1, 2022, the Workgroup shall submit a final
10 report of its findings and recommendations, in accordance with § 2–1257 of the State
11 Government Article, to the Senate Education, Health, and Environmental Affairs
12 Committee, the Senate Budget and Taxation Committee, the House Environment and
13 Transportation Committee, and the House Appropriations Committee.

14 (2) The final report shall include:

- 15 (i) the number of public water access sites owned by the State;
- 16 (ii) model plans that State and local governments may use to
17 increase the availability of public water access;
- 18 (iii) a summary of actions taken by the General Assembly to expand
19 public water access, including actions taken by the State in response to the enactment of
20 Chapter 140 of the Acts of the General Assembly of 2013;
- 21 (iv) recommendations for improving the effectiveness of easement
22 incentives for waterfront properties; and
- 23 (v) a detailed summary of expenditures from the Waterway
24 Improvement Fund established under § 8–707 of the Natural Resources Article.

25 (m) For fiscal year 2023, the Governor shall include in the annual budget bill an
26 appropriation of \$60,000 to the Chesapeake Bay Trust to support the duties of the
27 Workgroup.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2021. It shall remain effective for a period of 2 years and, at the end of June 30, 2023,
30 this Act, with no further action required by the General Assembly, shall be abrogated and
31 of no further force and effect.