

SB0056 Written Testimony.pdf

Uploaded by: Alexander Villazon

Position: FAV

January 21, 2022

FAVORABLE WITH BILL – SB0056: Charles County - Program Open Space – General Assembly Approval

Mr. Chairman and Members of the Committee,

We are writing in strong support of Senate Bill 0056 on behalf of Waterkeepers Chesapeake, a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. As we here at Waterkeepers work to protect and maintain the ability of the public to safely enjoy the waters of our State, we are also in support of the equitable distribution and availability of parks, playgrounds, and other green spaces for all citizens in the state of Maryland. Although the goal of Program Open Space has been to provide localities with financial and technical assistance for the development of recreational and open space areas, much of the funding provided by the program has been inequitably distributed throughout Maryland. The inequitable distribution of funds to provide parks and other green spaces has created a burden on underserved communities, making it harder for them to experience the open spaces the program is meant to provide.

We here at Waterkeepers Chesapeake supports Senate Bill 0056 and its requirement of approval through legislation enacted by the General Assembly before any local annual or revised program under Program Open Space takes effect or before any grant agreement based on the program is executed. The National Recreation and Park Association has defined “park access” as “The just and fair quantity, proximity and connections to quality parks, green spaces and recreation facilities, as well as programming that are safe, inclusive, culturally relevant and welcoming to everyone.” We strongly believe that equitable access to parks and green spaces in underserved communities helps foster a healthier, stronger, and more cohesive community. **This legislation will ensure that all communities within the state of Maryland receive the same privileges and access to parks and recreational areas.**

For these reasons, we urge a favorable report on SB0056.

Alexander Villazon

Waterkeepers Chesapeake

KABOOM! Testimony 1.21.2022.pdf

Uploaded by: Sally Dorman

Position: FWA



Position: SB 56 Support with Amendments

January 21, 2022

Dear Chairman Pinsky and Members of the Senate Education, Health, and Environmental Affairs Committee:

On behalf of KaBoom, the national nonprofit dedicated to ending playspace inequity, I support SB 56 and Senator Ellis's goal to ensure equity in the distribution of Program Open Space funds in Maryland. As we see in our work everyday, local parks are critical opportunities to build quality playspaces where all children can thrive.

We define playspace inequity as the lack of access to quality playspaces as a result of systemic racism and historic disinvestment in communities of color. As you can see from the attached document, we have created a model for addressing playspace inequity that uses data and mapping to identify where playspace inequities exist. Then, we work in partnership with kids and communities to design and build playspaces that reflect their unique needs and priorities in order to ensure that every kid ultimately has access to a great place to play where they live and learn. We urge Senator Ellis and this Committee to consider further defining equity in this legislation and how the Maryland Legislature can ensure Program Open Spaces funds are equitably distributed.

We respectfully urge a favor report on SB 56 with amendments addressing our concerns and thank Senator Ellis for his leadership.

Thank you,

Sally Dorman
Director, Regional Programs and Partnerships
KABOOM!
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4 Steps to Mapping Playspace Inequity in Your Community

KABOOM! is the national nonprofit dedicated to ending playspace inequity. We do this by working with communities to create great places for every kid to **play where they live and learn**. Playspaces are an equity issue—playspace inequity is the lack of access to quality playspaces as a result of systemic racism and historic disinvestment in communities of color.

Our mapping work helps city leaders identify playspace inequities across their school, park, and housing systems, providing a data-informed starting point for determining where investment and resources are needed most. The analysis also supports community efforts to ensure their children have access to critical needs that are the foundation of a healthy childhood. Here is the way that KABOOM! maps and analyzes playspace inequity in a community or system.

STEP 1

Where are the playspaces?



We use existing data sources (e.g., Google maps, Google earth, existing municipal source data) to create a map locating all the playspaces in a community or system.

STEP 2

Who lives near those playspaces?



Then we layer in community demographic data including race, ethnicity, income, and child density.

STEP 3

What's the condition of those playspaces [if there are playspaces there already]?



Next, we send a team of playground equipment and structure experts to analyze the quality of the playspaces using industry standards for playground safety and quality.

STEP 4

Does the current playspace meet community needs?



Finally, we engage community members (kids and adults) to understand what a quality playspace that meets their needs could look like.

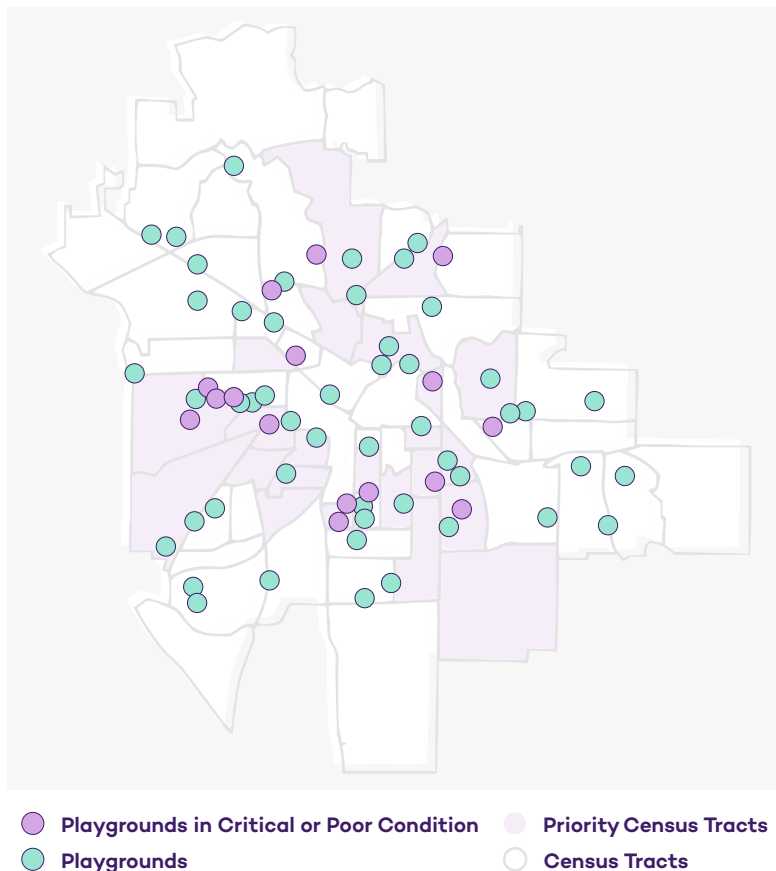
We then create a vibrant, easy-to-digest report that can be used to advocate for playspace equity, and determine where and what type of investments are needed to end playspace inequity across the community or system. We'd love to partner with you on this critically impactful work for the kids in your community.

Many cities across the U.S. do not have a data-informed understanding of the availability and quality of playspaces across their municipal systems. Without this data, it's difficult for city leaders to understand what the gaps in access to quality playspaces are, and how those gaps usually align to patterns of continued disinvestment and disparate outcomes in health, resiliency, and learning for kids of color. KABOOM! is committed to partnering with cities across the U.S. to create data-guided maps for understanding and addressing playspace inequities at scale. Our mapping team uses GIS technology to create data and community-informed maps of quality playspaces across systems.

Playspace Equity Mapping Case Study

KABOOM! recently partnered with a mid-size US city to understand what playspace access and quality looked like across the park system. Using existing data about where playspaces were located, local insights about playspace quality, and community demographic information, KABOOM! was able to identity patterns of playspace inequity occurring within the parks system.

Prioritized Communities for Playspace Investment



INSIGHTS FROM PLAYSPACE MAPPING

70% of playgrounds in poor or critical condition were located in communities with a higher concentration of Black, Indigenous, and People of Color (BIPOC) residents per capita than the rest of the city

More than **80%** of the playgrounds that were removed between 2016 and 2021 were located in primarily BIPOC communities

80% of the new playgrounds built between 2016 and 2021 were located in communities with less BIPOC residents per capita than the city at large

With data about playspace inequity in hand, KABOOM! and the city are now partnering together to drive investment into the communities that need it most—addressing playspace inequity at scale.

SB 56_UNF_MML.pdf

Uploaded by: Angelica Bailey

Position: UNF



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

January 25, 2022

Committee: Senate Education, Health, and Environmental Affairs

Bill: _____ SB 56 Program Open Space - Local Plans and Programs - General Assembly Approval

Position: Oppose

Reason for Position:

The Maryland Municipal League respectfully opposes SB 56, which would require State legislative approval on local government Program Open Space applications to the Department of Planning.

MML is concerned that this requirement could slow or stall local projects that engage residents, provide health and recreational benefits, and enhance the quality of life in our communities. Cities and towns use Program Open Space funds quite extensively each year for the funding and construction of and renovations or upgrades to well-loved local, urban, and neighborhood parks and playgrounds. All applications to these programs are already evaluated based on need, community conditions, project/program scope, proposed timeline, budget, and environmental impact. We do not believe that adding a legislative veto adds to the evaluation process. Instead, we fear this could open the door for political retribution in jurisdictions where local governments and their delegations do not see eye-to-eye.

For these reasons, the Maryland Municipal League opposes SB 56 and respectfully requests an unfavorable report.

FOR MORE INFORMATION CONTACT:

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SB0056-EHE_MACo_OPP.pdf

Uploaded by: Dominic Butchko

Position: UNF



Senate Bill 56

Program Open Space - Local Plans and Programs - General Assembly Approval

MACo Position: **OPPOSE**

To: Education, Health & Environmental
Affairs Committee

Date: January 25, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** SB 56. This bill injects an unwarranted and potentially detrimental General Assembly approval stage into the local designation of projects and offerings under Program Open Space.

Since 1969, Program Open Space has helped counties expand access to public recreational areas. The 1968 Legislative Council committee on recreational areas recommended that the State develop and implement a program to:

“(1) Expedite acquisition of outdoor recreation and open space areas before escalating cost of land prevents its purchase for public use and before potential areas are devoted to some other use; and

(2) Accelerate development and capital renewal of needed outdoor recreation facilities, including the provision of public access to the facilities.” (§5–902)

In the over half-century since Program Open Space was implemented, the State of Maryland and its counties have been immensely successful at achieving these goals. The program has advanced numerous health and economic benefits to Marylanders. The Department of Natural Resources highlights that home values increase faster around parks and protected areas and new businesses prefer communities with healthy environments. Access to active and outdoor venues like these are a central element in our state’s “quality of life” proposition.

Historically, the General Assembly has also played an important role with the success of Program Open Space. Legislation has helped to prioritize its use for the balanced goals of land preservation and active resident access. This visioning role should remain the province of a citizen legislature, to guide and refine the scope of the program as times change. SB 56, however, expands that role to smaller-scale ministerial duties, where such a large deliberative body would be least effective.

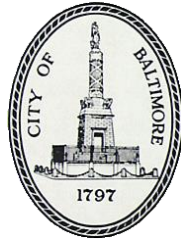
One successful hallmark of Program Open Space has been its deliberate design to grant speed and discretion to counties in expanding access to active and outdoor recreational spaces. This bill would compromise that local autonomy by effectively granting the General Assembly a “veto” over these local plans. This would create an additional waiting period of at least a year before a county could move forward with its local plan. That additional delay would not only create a bureaucratic backlog, but also have a negative impact on economic development. Land acquisitions, park upgrades, the purchase of necessary equipment, etc., would all be delayed, and in many cases, opportunities arising from willing landowners would be lost.

SB 56 could undermine a very productive State/local collaborative model for one of our state’s showcase policy innovations in Program Open Space. Accordingly, MACo requests an **UNFAVORABLE** report on SB 56.

SB0056-EHEA-OPP.pdf

Uploaded by: Natasha Mehu

Position: UNF



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
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Annapolis, Maryland 21401*

SB 56

January 25, 2022

TO: Members of the Education, Health, and Environmental Affairs Committee

FROM: Natasha Mehu, Director of Government Relations

RE: **Senate/House Bill 56 Program Open Space - Local Plans and Programs - General Assembly Approval**

POSITION: Oppose

Chair Pinsky, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **opposes** Senate Bill 56.

SB 56 requires approval through legislation enacted by the General Assembly before any revised local land preservation and recreation plan under Program Open Space takes effect.

Every year Baltimore City Recreation & Parks (BCRP) undergoes an exhaustive application process to determine agency priorities and use of Program Open Space (POS) funding. Each Capital budget year we present our list of priorities to the elected officials within the various districts that make up the Baltimore City State Delegation. Our list of Capital Improvement Projects (CIP) begins with an internal discussion that provides an equity score for each project. The CIP is then presented to the Baltimore City Planning Commission, Mayor's Office, and is then approved by the Baltimore City Board of Estimates. Upon approval, we then submit the CIP Projects requesting POS funding to the State of Maryland Department of Natural Resources and the Program Open Space review process, which is ultimately approved by the State Board of Public Works.

To add an additional application layer elongates the thorough and proven approval process already in place.

We respectfully request an **unfavorable** report on Senate Bill 56.

SB56 MACPRA Position 1-21-22.pdf

Uploaded by: Steve Miller

Position: UNF



MARYLAND ASSOCIATION OF COUNTY PARK & RECREATION ADMINISTRATORS (MACPRA)

SB56 Program Open Space – Local Plans and Programs

Requiring approval through legislation before any local annual or revised program under Program Open Space takes effect

January 21, 2022

MACPRA Position: OPPOSE

The Maryland Association of County Park and Recreation Administrators opposes SB56 creating a requirement for Maryland General Assembly approval before any local annual or revised program under Program Open Space (POS) takes effect.

At its heart, the proposed legislation would remove local control of the annual POS approval process. Under the current rules, each jurisdiction has its own internal processes for building its annual plans, allowing local governments to address local needs. MACPRA strongly opposes removing or altering this structure, as POS has been an effective program for over 50 years in Maryland and remains a national model.

In addition to removing local control, the proposed legislation would add significant amounts of time to approval processes. This problem would be exacerbated by also requiring Maryland General Assembly approval for alterations to an annual plan, which is necessary from time to time as local conditions change. The end result would include increased costs for local governments and fewer development and acquisition projects getting approved and completed in a timely manner.

While the administrative requirements proposed are not practical and would harm local governments, Maryland residents would be the ones most harmed as projects get delayed, postponed or canceled.

MACPRA urges the Committee to give an **UNFAVORABLE** report on this bill.

The Maryland Association of County Park & Recreation Administrators (MACPRA) is an affiliate of the Maryland Association of Counties and represents the Parks and Recreation departments of all 23 counties and Baltimore City – the professionals engaged in the delivery of Parks and Recreation services throughout Maryland.

SB0056_DNR_LOI_EHEA_1-25-22.pdf

Uploaded by: Bunky Luffman

Position: INFO



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: Senate Bill 56

Short Title: Program Open Space - Local Plans and Programs - General Assembly Approval

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources provides the following information on Senate Bill 56. Senate Bill 56 requires the General Assembly to enact legislation approving any local annual or revised program and any revised local land preservation and recreation plan under Program Open Space before it takes effect.

Program Open Space (POS) Local provides financial and technical assistance to local subdivisions (counties and municipalities) for the planning, acquisition, and/or development of recreation land or open space areas. DBM allocates POS Local funds annually to every county and Baltimore City according to a formula. The Department administers POS Local according to Sections 5-905 and 5-906 of the Natural Resources Article which includes the following requirements:

- Every county and Baltimore City must submit an annual program of proposed acquisition and development projects to be funded with POS Local funds to the Department of Planning for review and to the Department of Natural Resources for approval by July 1 of each fiscal year. Prior to approval of a local annual program, or any revision thereof, the Department provides the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the annual program or its revisions.
- Every county and Baltimore City must revise its local land preservation and recreation plan at least every 5 years and submit the revised local plan to the Department and to the Department of Planning for joint approval. Prior to approval of a revised local plan, the Department provides the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the revised local plan.

A process already exists in statute by which the Maryland General Assembly has a role in reviewing the annual programs and local land preservation, parks, and recreation. Requiring the Maryland General Assembly to enact legislation approving these documents before they can take effect will delay projects proposed for POS Local funding. For example, since annual programs are due July 1 for the upcoming fiscal year, requiring legislation be enacted approving the annual

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program would mean that the Department could not present any POS Local projects to the Board of Public Works for approval until the following spring, delaying program encumbrances and expenditures and the completion of local park and recreation projects. In addition, this legislation would result in the majority of POS Local projects being submitted to Clearinghouse Review and the Board of Public Works for approval only during the last part of the fiscal year instead of throughout the fiscal year. Compressing a full year of work into the last part of the year could cause further delays or require the hiring of additional staff to assist processing.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.