

## Public Access Outcome Justification

**Goal:** Expand public access to the Bay and its tributaries through existing and new local, state and federal parks, refuges, reserves, trails and partner sites.

**Outcome:** Increase public access to the Bay and its tributaries by adding 300 new public access sites by 2025.

### Current Condition:

As a result of the in-depth inventory conducted for the *Chesapeake Bay Watershed Public Access Plan* and the switch to watershed-wide tracking, a revised 2010 baseline of 1,138 public access sites was established. Table 1a shows this baseline, as well as the progress in adding new public access sites in 2011 and 2012. At the end of 2012, a cumulative total of 1,171 public access sites were identified as having been opened to the public.

Table 1a: Existing Public Access Sites in the Chesapeake Bay Watershed								
Year	MD	PA	VA	DC	DE	NY	WV	Cumulative Total
Baseline	572	180	286	22	6	28	44	1138
2011	578	183	291	23	6	28	44	1153
2012	582	187	297	23	6	32	44	1171

Some existing sites managed by local governments have still likely escaped the heightened documentation process that took place during the development of the public access plan. As these sites are identified in the future, they will be added to the inventory as previously existing sites. This will increase the baseline from which additional new access sites are tracked.

### Supporting Details

#### 1. Why is this outcome important?

The Chesapeake Bay region is rapidly urbanizing. More than eleven million people live in metropolitan areas close to the Bay, including significant diverse communities and new immigrants. Fewer people interact daily with the waters, forests, and open lands of the region. Despite this trend—or perhaps because of it—regional residents increasingly seek opportunities to reconnect with the outdoors. Multiple studies and plans, including all Chesapeake Bay watershed state outdoor recreation plans, continue to document this high public demand for access to streams, rivers, and bays.

State, federal, and local governments are guardians of these opportunities, providing public sites where everyone can enjoy the natural and cultural bounty of the Chesapeake Bay watershed—relaxing, learning, and reflecting in direct interaction with the region’s treasured outdoors. Some sites provide direct access to the Bay and its rivers for boating and swimming. Others provide spots where visitors without watercraft can fish, observe wildlife, walk trails, and camp along the water’s edge.

Open, green spaces and waterways with ample public access bolster public health and quality of life. People rely on these special places to exercise, relax, and recharge their spirits. Outdoor time strengthens family bonds and nurtures fit, creative children. At the same time, it builds personal connections with the very places that have shaped life in the region for centuries—especially its streams, rivers, and bays. This has a distinct economic value too, as tourism, much of it associated with the area’s waters, is a potent force in the region.

The sense of place that evolves from outdoor experiences along Chesapeake waters often leads to a feeling of shared responsibility for the resources. People who enjoy the outdoors are more likely to become active citizen stewards, engaged in the many conservation and stewardship efforts taking place throughout the region.

Despite this, physical access to the Bay and its tributaries—the very resources that form the basis for the Chesapeake’s unique identity—is limited. This has real consequences for quality of life, for the economy, and for long-term conservation.

## **2. Generally, how was the outcome derived?**

### **a. Public Access Definition**

Public access sites are defined by three elements: ownership/management status, the types of access provided, and location.<sup>1</sup> These are described below:

*Ownership/Management Status:* Public access sites are defined as those sites owned, operated, and/or managed expressly for a type of public access by:

- Any unit of federal, state, or local government; or
- A non-governmental organization operating under an agreement with a governmental agency.

Informal sites—those that may be on public land and used by the public but which are not managed by an agency for access—are not counted as public

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<sup>1</sup> The definition of public access is set out in the *Chesapeake Bay Watershed Public Access Plan* (2013).

access sites. To be counted, a site must be developed and expressly managed for a type of public access.

*Types of Access Provided:* Public access sites are defined as those providing one or more of the following types of access:

- Boat-related access: boat ramps, car-top boat launches, soft launches (supporting paddle craft, motor, and/or sail boats)
- Swimming access: designated areas appropriate for swimming
- Fishing access: piers, bank fishing facilities or easements, and parking adjacent to the water
- Viewing access for water, wildlife, and shoreline areas: nature trails, hiking or biking trails, waterfront trails, boardwalks, and observation decks located at or leading to the water's edge.

*Location:* Qualifying public access sites are those on significant water bodies in the Chesapeake watershed, including portions of Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia, and all of the District of Columbia. A uniform definition of the water bodies covered includes:

1. Consistent with the past public access planning efforts of the Chesapeake Bay Program, all tidal streams and bays with boating opportunities.
2. "Fifth-order streams" and higher. Stream order is a system for classifying streams and rivers based on a scale of 1 to 12, with first-order streams being the smallest and twelfth-order the largest. Fifth-order streams are large enough to offer canoe/kayak use during at least some part of the year.
3. At the discretion of state planning staff, access sites can be considered on streams smaller than fifth-order when such streams are part of a water trail or contribute to its development.

With the exception of expanding the parameters to include access sites throughout the watershed, this definition hews closely to criteria used by the Chesapeake Bay Program for over two decades.

#### **b. Goal History**

Public access goals have been included in Chesapeake Bay Program Agreements for many years. The 1987 Chesapeake Bay Agreement included a goal, objectives and commitments for increasing public access. Jurisdictions cooperated to release the first public access inventory by 1989. The *Chesapeake 2000* Agreement also contained commitments for public access. The agreement included a commitment to, "by 2010, expand by 30 percent the system of public access points to the Bay, its tributaries, and related resources sites." This goal was met by 2010.

### **c. Outcome Derivation**

In 2009 and 2010, state, federal and non-governmental partners working on land conservation and public access met at a series of collaborative sessions to develop recommendations for supporting further progress in these areas. These sessions provided the basis for actions included in the *Strategy for Protecting and Restoring the Chesapeake Bay Watershed* (2010) and a new goal statement and outcomes for land conservation and public access. The land conservation and public access goals and outcomes have been in general use in subsequent collaborative working sessions and initiatives of state, federal and non-governmental land conservation and public access partners since that time.

### **3. Which partners (state, federal agencies, goal teams, committees) were involved in creating this outcome?**

In developing the 300 site target, NPS consulted with state officials numerous times and at several levels. In September 2009, the National Park Service Chesapeake Bay Office consulted with federal agencies (NPS, FWS, BLM, DoD and USDA Forest Service), states agencies and local partners to compile information on the potential to expand public access to the waters and open spaces of the Chesapeake Bay and its tributaries. These entities provided information on access projects such as trails, boat ramps, beaches, and fishing areas that were in some degree of planning or development that would allow them to be completed within the next five years, but not yet fully funded. In addition, consultations with state officials and other partners in developing the outcome in the context of what was then called the Chesapeake Treasured Landscape Initiative (CTLI) included:

- Full day workshop among more than fifty partners (July 2009) to develop basis for recommendations advancing land conservation and public access
- Conference call briefings on the draft Land Conservation and Public Access in the Chesapeake Bay Region report recommendations (August 2009)
- CTLI Partners Meetings: convened by Friends of the John Smith Trail in December 2009, and February and March 2010
- NCTC Retreat with state officials (February 2010)
- Direct individual consultations on outcomes with state officials (March 2010)
- Public and state comments on draft outcomes (April 2010)

### **4. What is the basis for the target?**

When the outcome was being developed in early 2010, partners looked at several factors, including data on past access development trends and statistics as documented at the time by the Chesapeake Bay Program.

In 2010, the Chesapeake Bay Program’s tracking of public access sites in the jurisdictions signing *Chesapeake 2000* (Maryland, Pennsylvania, Virginia and the District of Columbia) initial baseline list of 761 existing public access sites<sup>2</sup>. The list did not include public access sites in the New York, West Virginia or Delaware portions of the Bay watershed (which constitute 16.5% of the watershed land base); a comprehensive listing of public access sites for the entire watershed did exist at the time.

Table 1 shows public access sites along the Chesapeake Bay’s main stem and tributaries in Maryland, Pennsylvania, Virginia and the District of Columbia, as known in 2010<sup>3</sup>. These public access sites may be on federal, state or local public lands; however, breakout data on the number of sites in different ownership categories was not available. Most of these sites provide physical access to the water through either a boat ramp, fishing pier, or swimming area. Based on a sampling of 2005 data, a small percentage (less than 10%) of the total number of sites offered just water viewing locations such as wildlife viewing platforms or boardwalks.

<b>TABLE 1 - Annual public access trends and totals in the Chesapeake Bay and its major tributaries</b>										
<b>Jurisdiction</b>	<b>Baseline 2000<sup>4</sup></b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	
Maryland	304	314	322	322	336	341	354	354	358	
Pennsylvania	81	81	82	82	85	96	103	106	109	
Washington, DC	15	15	15	15	15	15	15	20	20	
Virginia	219	224	229	231	233	238	260	266	270	
<b>Total</b>	<b>619</b>	<b>634</b>	<b>648</b>	<b>650</b>	<b>669</b>	<b>690</b>	<b>732</b>	<b>746</b>	<b>757</b>	<b>Total Average</b>
New Sites Per Year		15	14	2	19	21	42	14	11	17
Data Source: Chesapeake Bay Program Bay Barometer Report										
* Data source the <i>2000 Chesapeake Bay, Susquehanna, and Tidal Tributaries Public Access Guide</i>										

Table 1<sup>4</sup> also shows trend data on an annual basis from 2000 to 2008. A total of 138 new public access sites were added during that period. The average annual increase in

<sup>2</sup> Note that this baseline statistic has subsequently been revised based on far more complete data gathered during development of the *Chesapeake Bay Watershed Public Access Plan* (2013), as summarized under “current condition” on page 1 of this document.

<sup>3</sup> Table 1 only depicts CBP data for 2000 through 2008. The calculations that follow are based on this data. Subsequent to this analysis the CBP released the 2009 Bay Barometer reflecting 2009 data; between 2008 and 2009 the total number of public access sites increased from 757 to 761.

<sup>4</sup> The baseline for public access data was established in 2000 through a Public Access Workgroup with members from Maryland, Virginia, Washington, DC and Pennsylvania. This team developed the *2000 Chesapeake Bay, Susquehanna, and Tidal Tributaries Public Access Guide* that listed and mapped all the public access sites along the Chesapeake Bay’s main stem and major tidal tributaries in those states. The 2000 data served as the baseline upon

public access sites over this timeframe was 17 new sites per year. Again, this data is only for MD, VA, PA and DC and does not include sites added in NY, DE and WV.

Setting the new outcome of 300 sites was informed by these past trends of adding 17 new sites annually (recognizing this figure does not include additions in NY, DE and WV), as well as by the continuing high priority for adding water access sites as expressed in State Comprehensive Outdoor Recreation Plans, and by information collected during development of the report *Land Conservation and Public Access in the Chesapeake Bay Region* (2010). Through this assessment, over 125 both planned and potential sites already documented for near term development that were identified by the federal agencies, states and local partners. In total, these factors pointed to the 300 site target (an average of 20 sites per year) as being a realistic, achievable goal that would significantly increase the number of public access sites over 15 years.

**5. Which partners (state, federal agencies, other GITs) need to be involved to achieve the outcome?**

It has been consistently assumed that the 300 new public access site outcome would be achieved through the addition of sites by all levels of government, as well as non-governmental organizations. This is consistent with the tracking information and past trends described above.

A Public Access Planning Action Team, including representatives from all Chesapeake Bay Watershed jurisdictions, convenes to work on issues related to public access and to track access site development in relation to this outcome. Current members of the Public Access Planning Action Team include: *[see table on following page]*

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which these states added their new access points each year. The 2001 through 2008 additions depicted in Table 1 were counted towards a public access goal of 805 sites by 2010 set in the *Chesapeake 2000* agreement. More information on public access is available at <http://www.chesapeakebay.net/publicaccessrestoration.aspx?menuitem=16774>

<b>Jurisdiction</b>	<b>First Name</b>	<b>Last Name</b>	<b>Agency/Organization</b>
Federal	John	Davy	National Park Service - Chesapeake Bay Office
Federal	Andy	Fitch	National Park Service - Chesapeake Bay Office
Federal	Jackie	Kramer	National Park Service - Chesapeake Bay Office
Federal	Tammy	Stidham	National Park Service - National Capital Region
Federal	Suzanne	Baird	US Fish and Wildlife Service - Blackwater NWR
NGO/Staff	Sarah	Brzezinski	Chesapeake Research Consortium
DC	Diane	Davis	District Department of the Environment
Delaware	Michael	Krumrine	DE Division of Parks and Recreation
Delaware	Susan	Moerschel	DE Division of Parks and Recreation
Maryland	Lisa	Gutierrez	MD Department of Natural Resources
Maryland	Emily	Wilson	MD Department of Natural Resources
New York	Mark	Hohengasser	NY State Office of Parks, Recreation, and Historic Preservation
New York	Ed	Woltmann	NY State Department of Environmental Conservation, Bureau of Fisheries
Pennsylvania	Scott	Bollinger	PA Fish and Boat Commission
Pennsylvania	Tom	Ford	PA Department of Conservation and Natural Resources
Virginia	Larry	Hart	VA Department of Game and Inland Fisheries
Virginia	Danette	Poole	VA Department of Conservation and Recreation
West Virginia	Bret	Preston	WV Division of Natural Resources

## 6. What are major factors influencing ability to achieve outcome?

Information gleaned through producing the *Chesapeake Bay Watershed Public Access Plan* brings to light a number of points to be considered in a strategic approach to public access development. Some are factors or opportunities related to development of new public access sites. Others have the potential to impact existing sites. Each will require the attention of public access advocates and managers in planning strategies that address them. Details related to the following influencing factors are provided in the full *Chesapeake Bay Watershed Public Access Plan*:

- Providing Public Access in Urban Areas
- Water Trails as Motivators for Site Development
- Use Conflicts
- Railroads
- Access at Public Lands
- Permitting Requirements
- Universal Accessibility

- Hydropower Licensing
- State and Local Planning Documents
- Working Waterfronts
- Transportation Improvements and Public Access
- Funding Sources, Issues, and Strategies

## 7. What management strategies will ensure the outcome is met?

In August 2010, a broad coalition of state, federal and non-governmental organization partners (at the time called Chesapeake Treasured Landscape Initiative Partners) convened to set out initial steps for implementing the public access and land conservation goals and outcomes. One direct product of that session was establishment of the Public Access Planning Action Team (noted above), with its first task to produce the *Chesapeake Bay Watershed Public Access Plan*.

In late 2010, the Public Access Planning Action Team began work developing what would become the *Chesapeake Bay Watershed Public Access Plan*, ultimately published in final form in January 2013. The team was composed of staff involved in public access planning and implementation at each of the Chesapeake watershed states, the District of Columbia, and the National Park Service. The plan, developed with extensive public involvement, created the first watershed-wide inventory of existing public access sites, identified over 300 potential public access sites for development, and set out approaches for implementation. It is available at:

<http://www.baygateways.net/PublicAccess/>

The plan recognizes and documents a series of planning and policy considerations that will influence a strategic approach to expanding public access and identifies a series of federal and state funding sources that are typically used to support public access development. In addition, the plan sets out a series of actions for moving access development forward. These include:

1. Make funding for public access a priority.
2. Carry out and support more detailed assessments and project design for potential sites.
3. Fill strategic gaps in access along water trails.
4. Incorporate identified proposed public access sites and actions in key plans.
5. Further examine urban public access issues and needs.
6. Work with private sector funders to develop access.
7. Engage in hydropower re-licensing processes to expand public access.
8. Explore options for resolving railroad crossing liability.
9. Establish memoranda of understanding (MOUs) with transportation departments.
10. Explore potential for additional access on public lands.



11. Fully address accessibility at public access sites.
12. Build opportunities for citizen stewardship.

Implementing these actions and responding to the specific opportunities for adding access sites will expand the number of places for people to get to the water by more than 20 percent by 2025.

## **8. What data will be used to measure progress?**

Based on the opportunistic nature of public access site development and the trends of public access development from the past decade, variation between the numbers of additional sites developed each year was anticipated.

### **a. Process for Tracking Existing Sites:**

As agreed to in Appendix A of the *Chesapeake Bay Watershed Public Access Plan*, the Public Access Action Team, a partnership of all Chesapeake Bay states, federal agencies, and relevant nonprofit partners with National Park Service assistance, will continue to coordinate public access tracking updates. The call for the update of new sites will be made in late December/early January of each year, with a final deadline for data submission in late January. It will cover the period from January through the end of December of the previous year (eg: the data call for sites opened to the public in 2013 will be issued in December of 2013 and completed in January 2014). Information for this effort will be collected annually from 2013 through 2025. For this data collection effort, designated state agency staff will use a simple, online system to input the geographic locations of newly developed access sites based on the established definitions of “new” and “public access,” and the agreed upon geographic scope for this effort. Designated state agency staff will also be provided with a spreadsheet template, or utilize the online system, to fill out a few fields of information (name, water body, access type, ownership, etc.) on each new site. Additional information, such as project cost, can also be collected if deemed necessary.

All new public access sites that were ***opened*** to public use during the specified calendar year will be counted as new access toward the goal. This process should also identify those new sites that were developed from the list of potential sites in the plan so that they can be removed from the potential site list. All new sites will then be added to the base map of existing sites maintained by the National Park Service. The total number of new sites will then be reported to the Chesapeake Bay Program and for the Chesapeake Bay Executive Order 13508 progress report as progress towards the goal of developing 300 new public access sites to the Bay and its tributaries by 2025.

For the purposes of future tracking, the following are considered new public access sites that count towards the goal of developing 300 new sites by 2025:

- Development of a new public access facility on a site owned and operated by a governmental entity or non-governmental organization operating under an agreement with an entity of government
- Development of a new type of access at an existing site, such as a fishing pier added to a site that currently has a boat ramp

If an informal site becomes officially recognized and managed by a public agency, it would then be counted as a new public access site.

Constructing a new boat ramp, canoe/kayak launch, fishing pier or designated swimming area would meet the definition of creating a public access site. Constructing a boardwalk or trail at or leading to the Bay or its tributaries would also meet the definition.

Certain enhancements to existing public access are not counted as new access. For example, adding new parking, a restroom, picnic area, or other amenity to an existing site does not equate to a “new” site. To be counted as a new access site, a new type of access must be added to the existing site.

#### **b. Process for Identifying and Tracking Potential Sites:**

In August of each year a request would be made to all agency and organizational partners to provide updates to the list of potential access sites that will be maintained online in association with the *Chesapeake Bay Watershed Public Access Plan*. It is anticipated that each partner will be able to go to the online mapping tool and add any potential new sites for their area of interest on an ongoing basis. It is anticipated that all information will be able to be collected through the online tool, however until these capabilities are fully developed a spreadsheet of important information will also be completed for each site. Sites should be identified by the plan’s category of 1, 2, or 3 based on their readiness to be developed. (As detailed in the *Chesapeake Bay Watershed Public Access Plan*, category 1 sites are those for which nearly all planning and permitting has been completed and only funding is needed to proceed to development; category 2 sites are those which have had some planning and site analysis completed and need only final plan development and possibly permitting before project could proceed; category 3 sites are those which have had only a cursory review and significant planning is needed to determine if site is truly suitable and access can be developed.) This entire process should be completed by the end of October of each year. This will allow the new potential site update to be available in the fall of each year for the following years funding opportunities. This process would be completed each year to help guide the development of needed new public access sites.

Public Access Planning Action Team members recognize that public engagement is a crucial part of any public access planning effort and should continue to be a part of watershed-wide strategic efforts. As such, revisions suggested by members of the

Action Team to improve the data collection process for potential new access sites identified by members of the public will be made to the online tool. The current plan is to get input from the public this year using the revised guidelines and tool! To allow time for data review and management, and to provide better coordination with the existing processes now being used by the states for public access planning, the frequency of future public updates will be determined after this year's process is complete.