



Paddlers return to Kenilworth Park in Washington, D.C., at the end of a paddle night organized by the Anacostia Watershed Society on Sept. 23, 2014. (Photo by Will Parson/Chesapeake Bay Program)

I. Introduction

The Chesapeake Bay watershed is home to more than 18 and a half million people. Ten million of them live along or near the Bay's shores and another 150,000 new people move into the Bay watershed each year. Due to increasing urbanization, fewer people interact daily with the waters, forests and open lands of the region. Despite this trend—or perhaps because of it—people increasingly seek opportunities to reconnect with the outdoors. 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. The *Chesapeake Bay Watershed Agreement* public access goal reaffirms both the need for and benefits of providing communities with access to these resources.

II. Goal, Outcome and Baseline

This management strategy identifies approaches for achieving the following goal and outcome:



Public Access 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

By 2025, add 300 new public access sites, with a strong emphasis on providing opportunities for boating, swimming and fishing, where feasible.

Baseline and Current Condition

Physical access to the Bay and its tributaries is highly desirable and is proven to have a direct impact on quality of life, stable economies and long-term conservation. Increasing public access to waterways for boating, fishing, swimming and other activities fosters a shared sense of responsibility and increased stewardship that supports many watershed goals. It is also good for businesses that provide services and other amenities to all who enjoy waterways throughout the Bay region. For the time frame from 2011 through 2022, 249 new public access amenities were opened for public use. The total number of identified public access sites in the watershed at the close of 2022 was 1388. This statistic marks an 83% attainment towards achieving the goal of 300 new sites by 2025.

A Chesapeake Bay Watershed Public Access Plan (2013)¹ was developed to outline and guide a strategy for achieving the 300 new public access sites goal. The plan was prepared by the National Park Service (NPS) and a newly constituted Public Access Workgroup, including people involved in public access planning and implementation in each of the watershed states and the District of Columbia. The plan, prepared with extensive public involvement, inventories existing public access, assesses barriers to expanding access and identifies specific opportunities for new access sites. The Public Access Workgroup² carries out annual processes for tracking progress in implementing the plan and identifying new potential access sites. The sections of this management strategy that follow draw on information prepared for and set out in the Public Access Plan.

The baseline for tracking was set in 2010. Only new sites opened from 2011 onward are counted towards the goal. When previously existing sites are found which were not captured in the original inventory process which set the 2010 baseline they are added to the baseline number and not counted as new sites towards the goal. Thus, the baseline number may change overtime as previously missed sites are identified and added. Only new public access sites actually developed and opened since 2010, the base year, may be counted towards the goal.

¹ National Park Service, Chesapeake Bay Watershed Public Access Plan, 2013; see http://www.nps.gov/chba/parknews/upload/Public_Access_Plan_v16.pdf

² The Public Access Workgroup was initially formed in 1989. The Workgroup is specifically focused on carrying out planning, implementation and tracking to achieve the 300 new public access sites goal.

The definitions of public access and what counts as a new access site are taken from the Chesapeake Bay Watershed Public Access Plan:

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 a memorandum of understanding (MOU), grant, or other agreement with a governmental agency.

The four types of access that will be tracked towards the 300 new sites goal are as follows:

- Boat-related access: boat ramps and soft launches supporting motorized and non-motorized craft as well as boat-in campsites which include their own water access site
- 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: boardwalks and observation decks located at or leading to the water's edge.

The definition of "new" access sites to create consistency in tracking is as follows:

- Development of a new public access facility on a new site
- Development of a new type of access at an existing site. For example, if a fishing pier is developed at a site that currently has a boat ramp, the pier would count as a new public access toward the goal.

III. Participating Partners

The following partners have participated in the development of this strategy. A work plan to accompany this management strategy will be completed six months after this document is finalized. It will identify specific partner commitments for implementing the strategy.

Chesapeake Bay Watershed Agreement Signatories

- State of Delaware
- District of Columbia
- State of New York
- Commonwealth of Pennsylvania
- Commonwealth of Virginia
- Chesapeake Bay Commission
- State of Maryland
- State of West Virginia

Other Key Participants

- U.S. Fish and Wildlife Service
- U.S. Forest Service
- National Park Service
- Department of Defense
- U.S. Geological Survey
- Environmental Protection Agency

Local Engagement

Citizens and NGOs can be a catalyst for identifying needs and urging projects forward. State, federal and local governments continue to work on public access projects on a case by case basis. Capacity varies greatly throughout the watershed making a one size fits all approach to local government involvement unrealistic. Government agencies play multiple roles in creating new public access sites, often serving as planners, funders, land acquisition coordinators, land use regulators, permitting agencies, property owners, construction contractors and/or site managers.

IV. Factors Influencing Success

Through the Chesapeake Bay Watershed Public Access Plan³ a number of influential factors have been identified which could play a role and affect the ability of partners to reach the desired outcome. It is important to note that the relative significance of these factors depends on specific site circumstances. Each of the key factors is addressed as follows:

1. Limited public sector funding

Public sector funding for public access sites has become more limited in recent years. This has hampered the development of new sites and created a backlog of major maintenance projects. It is now harder for some public agencies to justify new site development when they cannot keep up with maintenance on existing sites. Maintenance problems have in turn reduced use of some sites that suffer from channel siltation or storm damage but lack funding to make necessary repairs. Of particular concern are reductions in federal funding for maintaining shallow water navigation channels. This may well result in the loss of some existing boating opportunities as channels fill in and recreational boats are no longer able to use existing facilities. Loss of these channels would have a major impact on power boating and the significant economic value it brings to the region. As existing sites are lost, the value of adding new sites is diminished. It is evident that the lack of a strong and stable funding source for both new facility development and maintenance of existing sites is a significant factor in meeting the access goal.

2. Land use and ownership

Land use and ownership plays a critical role in access development. In urban areas, commercially developed waterfronts and residential uses have limited public access development in some cities. Military installations and hydroelectric power facilities often restrict public access to miles of waterfront and waterways for security and safety reasons. In many rural areas, private landowners restrict access to maintain their privacy and exclusive use of the waterway. Liability concerns also deter private landowners from providing public access. This situation may be improved through continued education of landowners about applicable state statutes designed to address liability issues related to outdoor recreational use.

³ Chesapeake Bay Watershed Public Access Plan, p. 11-12

3. Public lands

Public land, whether held by local, state or federal government, provides many opportunities for access to streams, rivers and the Bay. Nonetheless, public workshops revealed considerable concern over the limitations imposed on some public lands. In some cases access is limited due to resource management concerns, insufficient staffing levels, or restrictions imposed by the type of funding used in the property's acquisition or development. There are also situations where obstructions, such as needlessly high guard rails, fences and the lack of safe shoulders or parking areas and even no parking signs along the public rights-of-way of roads and bridges in the watershed present major barriers. These barriers limit access to many rivers and streams in the watershed for fishing, kayaking and other hike-in or carry-in activities. Federal, state and local public lands with frontage on streams and rivers should be reevaluated on a unit-by-unit basis for their potential to add public access opportunities or remove any unnecessary restrictions.

4. Permitting requirements

Permitting requirements have been reported by many public access managers and advocates to have a major impact on the development of new access sites. New public access sites must be developed in a way that is sensitive to the environment. Federal, state, and local permitting authorities should consider expedited review procedures for some types of access site development. Permitting agencies should consider methods such as simplified permitting procedures, pre-approved design guidelines and a review of appropriate mitigation requirements.

5. Accessibility and inclusion

Public access sites should strive to be accessible to all populations. Universal accessibility standards and guidelines exist to ensure access by a population with diverse physical capabilities. Site managers must comply with the Architectural Barriers Act of 1968, Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended. Physical accessibility is a crucial aspect of a commitment to Diversity, Equity, Inclusion, and Justice (DEIJ), as it ensures that individuals with disabilities can navigate and enjoy these spaces without barriers. These principles are paramount in the context of public access sites, ensuring that these spaces are welcoming, accessible, and beneficial to all individuals, regardless of their background or abilities. Implementing DEIJ in public access sites fosters an environment where diverse populations feel valued and included, promoting social cohesion and community well-being, as well as promoting the use of those sites.

6. Limited local government capacity

Local government capacity is expressed frequently by stakeholders as a reason for gaps in public access. Whether it is a lack of funding for land acquisition, capital improvements or ongoing maintenance, many local governments face serious financial challenges when trying to create or enhance public access. Ongoing maintenance is a particular concern because staffing is limited and grant funds, which are often obtained for initial construction, cannot be used for maintenance. In some cases, local governments have also expressed liability concerns about providing public access.

7. Conflicts among users

Conflicts can take many forms. They may develop when a site is designated or perceived to be designated for one use but is used in other ways. For example, anglers' use of a boat launch pier or parking area may be in conflict with those trying to launch or retrieve boats. Conflicts also arise among users based on who is perceived to have paid for the access site. The great majority of boat ramps are paid for through registration fees or from the excise tax collected from power boat owners. With the rapid growth in paddle craft use, more paddlers are using facilities that were traditionally used by power boaters. Conflicts can occur when use of an access site impacts or may be perceived to impact adjacent landowners. For example, if the parking at an access site is full, users might park on the side of the road in a way that impacts local residents. Residents of some communities may also object to a proposed access site because they fear excessive noise, trespass, undesirable uses or litter. As news of real or perceived conflicts spread, the development of access sites can become more difficult.

8. Railroads

Railroads are a major barrier that limits access to many rivers in the watershed, sometimes on both riverbanks. Railroad companies are generally opposed to granting at-grade crossings of rail lines for either vehicles or pedestrians, stating liability as their primary concern. If approved, a fully developed road crossing must be provided. Such crossings are expensive to build and have long-term maintenance and operational costs, making development of many access sites prohibitively expensive. Some states have enacted legislation indemnifying railroads from liability when they grant an at-grade crossing for public access. Still railroad companies have argued this does not prevent a suit from being filed in another state should a user of the crossing be injured by a passing train.

9. Climate change

Climate change and sea level rise are growing concerns globally and in the watershed in particular. The transition zone between water and land is where public water access sites are located and it is also where the first impacts of sea level rise will become evident. While most marine or water-related facilities are designed to be able to survive the frequent storm events and—to a degree—hurricanes, less emphasis is given to designs which address sea level change which many perceive as being “down the road”. The mounting evidence, however, dictates that it is now important to consider strategies that can address this real and growing concern.

V. Current Efforts and Gaps

Current Efforts

Federal and state grant programs often target projects that enhance existing, or develop new, public access. Some localities have been able to leverage grant funding or secure donations from corporations to help with the development of new public access sites. The Public Access Workgroup continues to seek out sites that could potentially fill access gaps.

In recent years, state and federal partners have been actively pursuing creation and advocacy of water trails/blueways. Over the past decade, the number of water trails has increased, driven by rising interest

in non-motorized paddle sports and opportunities for outdoor exercise. Water trails provide a focus area for outfitters and guides and serve as a catalyst for natural and cultural heritage tourism.

Gaps

There is an ongoing demand for new public access sites throughout the watershed, especially in highly populated areas. Provision of new public access sites should be prioritized to provide the highest service to areas of highest demand. However, we must recognize that existing sites require regular maintenance and renovation to keep them safe and viable. Without regular maintenance these sites can face closure and result in gaps in public access. It is important for state, local and federal partners to recognize the importance of maintaining existing sites and not solely on the development of new ones. In addition, the nature of public access in urban environments is different from that in more rural settings. Development and urbanization of waterfronts, higher land values, economic and social influences, population density, transportation systems, concentrated water pollution and different levels of commitment to public access all combine to present substantially different circumstances and call for unique strategies.

Actions, Tools and Support to Empower Local Government and Others

Local governments are a key component in the development and management of public water access sites. This is particularly important in the development of their comprehensive land use plans. The identification and inclusion of potential sites in these plans is helpful to their future development. Federal and state agency partners, within their resource capabilities, can provide technical assistance in planning for new public access sites and may be able to also provide funding assistance through a number of different programs.

VI. Management Approaches

The partnership will work together to carry out the following actions and strategies to achieve the Public Access goal. These approaches seek to address the factors affecting our ability to meet the goal and the gaps identified above.

- Track progress towards the 300 new sites goal.
 - As part of our management approach, at the close of each calendar year, our workgroup members will gather and submit data pertaining to public access sites within their jurisdiction. This data will encompass any newly established sites, closures, or sites not previously included in data calls. Annually, we will compile, review, and submit a comprehensive list of additions and deletions of public access sites to the Chesapeake Bay Program. It's crucial to note that Department of Defense facilities are exempt from disclosing specific location data, and their sites will not be pinpointed on any map product.
- Advocate for, and pursue, financial support for public access projects.
 - In this management approach, we aim to secure funding for public access projects through suitable funding programs. We will prioritize securing funding for activities such as planning and developing new sites, enhancing and maintaining existing ones, and dredging small channels. Additionally, we will support and advocate for state and federal programs

identified as dedicated funding sources for public access projects. We encourage these programs to explore avenues to maximize available funding, ensuring comprehensive support for access initiatives.

- Enhance public access for diverse populations and improve access for all communities. Incorporate DEIJ principles into public access projects with a focus on accessibility.
 - This management approach focuses on enhancing access to water-based resources and associated green spaces, with particular attention to underserved neighborhoods and communities. We will prioritize encouraging mediated feedback from community representatives through trusted connector groups. For instance, we could identify if any urban stewards have adopted a park and whether they are from the neighboring community, fostering community engagement and stewardship. Additionally, we will advocate for increased stewardship from all populations in the watershed, emphasizing the importance of involvement from underrepresented communities.
- Incorporate new ideas and approaches to providing public access into traditional planning activities and practices.
 - As part of our management approach, we aim to provide technical assistance and funding to support various stages of public access projects, including site assessment, planning, project design, and compliance/permitting. We will also prioritize identifying public access opportunities during plan updates, funding cycles, and resource management reviews. Moreover, we will encourage agencies at all levels to share and utilize information, data, and recommendations from local and state plans, incorporating them into broader planning efforts. Additionally, we will leverage new and emerging resources to inform and enhance accessibility, promote sustainable practices, adapt to changing use patterns, and bolster climate resiliency efforts.

VII. Monitoring Progress

A new process for monitoring progress toward the public access outcome was put in place in 2011 by the Public Access Workgroup and NPS. In the new tracking process, designated state agency staff may use either an online system or a specially designed spreadsheet to input the geographic locations of newly developed access sites (based on the established definitions of “new” and “public access”). Public access program staff can also use the spreadsheet or online system to fill out a few fields of information, such as name, water body, access type and ownership on each new site.

VIII. Assessing Progress

New site information will be collected consistently in January of each year from 2013 through 2025. This updated tracking process is an improvement over prior efforts, because the location of new sites will be directly placed on the interactive map and it provides a significantly wider range of information. As new

sites are developed, they will be tracked and reported annually as progress towards meeting the *Chesapeake Bay Watershed Agreement* goal.

Lessons Learned

As a result of going through the adaptive management process, the Public Access Workgroup refined its key actions and performance targets towards meeting the 2025 Public Access Outcome under the Stewardship Goal. While 300 sites by 2025 remains the goal, more emphasis is being directed into two specific areas. First, partners will focus on improving the quality, and not just the quantity, of public access sites. This will help to ensure that sites are safe, accessible and equipped with basic amenities and signage that meets the needs of diverse communities. Second, partners will make efforts to develop access opportunities at existing publicly managed sites. This approach enables management entities to utilize existing infrastructure to support additional opportunities for access. It should also be noted that with the reductions that state agencies and localities have experienced in the public access arena in recent years, the number of new sites developed each year will likely be affected.

A new endeavor of the public access workgroup is to engage new and diverse users at the public access facilities. Thus, more effort will be spent on looking at methods and programs to engage a new group of users and thus develop an expanded group of watershed stewards. Enhancing access for a diverse population is critical in meeting this outcome and the various methods include: looking at the location and kinds of access that exist, identifying gaps in service to underserved communities, determining what is needed to enhance access opportunities, and expanding programs to attract new users. Language in the management approaches was updated accordingly to account for these changes. The new actions and management approaches in the 2024-2025 workplan are reflected in the Management Strategy.

IX. Adaptively Manage

The Public Access Workgroup Team convenes at least twice a year to discuss public access issues and tabulate new and potential access sites within the watershed. The assessment of progress, i.e., tabulating newly opened access sites; allows the Workgroup to focus on areas of the watershed that have gaps in access and/or to address opportunities for meeting the expanding diversity in the Bay region. As pointed out in the Chesapeake Bay Watershed Public Access Plan, maintaining existing and adding 300 new sites along streams, rivers and bays of the watershed is no small task. If the goal of 300 new public access sites is achieved prior to 2025, the Public Access Workgroup will reassess gaps in access to the Bay and its tributaries and will recommend a revised goal if appropriate. Future consideration will be given to on whether or not to directly address maintenance of existing access sites.

X. Biennial Work Plan

A biennial work plan for each management strategy will be developed by December 2024 and will include the following information:

- Listing of each key action
- Timeline for the action
- Expected outcome
- Partners responsible for each action