

Commission Meetings & Corresp.

Dec 1986

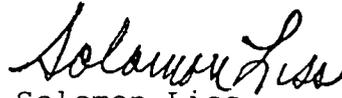
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Commission Member
December 9, 1986
Page Two

Also enclosed is a current list of panel assignments. Please review the list and call Sarah Taylor by December 31, 1986, if changes are to be made with respect to your panel assignment.

I look forward to seeing you on December 17th in Chestertown, and as this will be the last Commission meeting before the New Year, we will have refreshments provided.

Sincerely,


Solomon Liss
Chairman

SL/jjd

Enclosures

AGENDA

Chesapeake Bay Critical Area Commission

Great Oak Landing
Chestertown, Maryland

December 17, 1986

3:00 p.m. - 6:00 p.m.

- ✓ * Approval of November 5, 1986 Minutes Solomon Liss
Chairman
- ✓ * Presentation and Discussion of Bay Access and Reforestation Report Carolyn Watson
- ✓ * Review of Process Paper for Program Approval Charles Davis
- ✓ * Status Report on State Regulations, Colonial Water Birds Guidance Paper, Non-Tidal Wetlands Guidance Paper Dr. Kevin Sullivan
- ✓ * Status of Contracts With Local Governments Dr. Sarah Taylor,
- ✓ * Status of Economic Baseline Study Marcus Pollock
- ✓ * Introduction of New Staff Member - Dr. Oluwole Alade Dr. Sarah Taylor
- ✓ * Old Business Solomon Liss
Chairman
- Departmental Coordination Solomon Liss
Chairman
- ~~Contracts~~
- ✓ * New Business Solomon Liss
Chairman
- Demonstration Project With City of Annapolis
- Membership on the Commission
- Next Meeting: January 14, 1987 Panel for Hillsboro/Queenstown.

Now have responses from all of the Departments as to how they will assist the Commission staff and local govt in providing technical information. This will be presented at the February mtg.

What to do:

- Rowline + Denton - just advertised
- Oxford - had to advertise again
- Worcester - Selecting a Consultant
- Somerset - awarded, awaiting paperwork
- Wicomico - awarded, awaiting paperwork

~~off~~
 Bob Lynch
 Harry Stine
 Mary R. Walkup
 John Luthy
 Lloyd Tyle

30

file

CHESAPEAKE BAY CRITICAL AREA PROGRAM

An Update by
Sarah J. Taylor, Ph.D.
Executive Director, CBCAC

In 1984, the General Assembly and the Governor signed the Chesapeake Bay Critical Area Program into Law. Since that time the Critical Area Commission, created by the Law (Natural Resources Article §§8-1801 - 1816), has developed the mandated criteria to guide local jurisdictions in the development of their Critical Area Programs. These criteria were approved by this session of the General Assembly, but amendments to the 1984 Law were also passed which altered certain sections of the criteria focusing on: 1) growth allocation in the Resource Conservation Area, 2) intra-family transfers, 3) impervious surface limitations and 4) quorums for public hearings and official actions.

On May 13, 1986, the criteria were signed into Law by the Speaker of the House of Delegates, the President of the Senate, and the Governor. Under the Law, local jurisdictions had 45 days from the effective date of the criteria (May 13, 1986) to notify the Critical Area Commission if they will develop their own Critical Area Program. As of the writing of this article, the 16 counties and 44 municipalities have agreed to develop their own program, and the staff is working to disburse the \$2,150,000.00 available to the local jurisdictions so that work on the Programs can begin.

Under the Law, another series of dates need to be met so that Program development can continue to move forward. These dates are as follows:

By February 7, 1987

Local jurisdictions are to have completed the preparation of their local programs, under the initial 270-day provision for Commission review, or must show enough progress to justify a 180-day extension.

By August 6, 1987

180-day extension ends. The jurisdiction's program must be submitted to the Commission for approval. The Commission will then see if the program is complete, and must schedule a public hearing to be held in the affected local jurisdiction within 30 days of receipt of the Program.

A total of 90 days (including the 30 days for the hearing) is the maximum length of time allowed to elapse before the Commission notifies the local jurisdiction of its decision on the program.

At the present time a majority of the jurisdictions are developing Scopes of Work to garner the necessary funds and are issuing Requests for Proposals from which they will hire a consultant to do the work. It is anticipated that the full amount of time will be taken in the development of these programs under the Law.

The Commission staff has been organized into 4 regions, and the 4 regional planners will be responsible for coordinating all information requests (maps, data, etc.), answers to questions, and technical assistance to their areas. The staff is also working with the appropriate Departments to set up a process as well as resource people to contact. The areas are as follows:

Upper Eastern Shore - Charlie Davis

Caroline County: Hillsboro, Federalsburg, Denton, Greensboro

Cecil County: Charlestown, Chesapeake City, Elkton, North East, Perryville, Port Deposit

Kent County: Betterton, Chestertown, Millington, Rock Hall

Queen Anne's County: Centreville, Church Hill, Queen Anne's, Queenstown

Talbot County: Easton, Oxford, St. Michaels

Lower Eastern Shore - Until vacancy filled - Dr. Sarah Taylor

Dorchester County: Brookview, Cambridge, Church Creek, Eldorado, Secretary, Vienna

Somerset County: Crisfield, Princess Anne

Wicomico County: Mardela Springs, Sharptown, Salisbury

Worcester County: Pocomoke City, Snow Hill

Upper Western Shore - Marcus Pollock and Dr. Kevin Sullivan

Anne Arundel County: Annapolis, Highland Beach

Baltimore City

Baltimore County

Harford County: Aberdeen, Havre de Grace

Lower Western Shore - Carolyn Watson

Calvert County: Chesapeake Beach, North Beach

Charles County: Indian Head, Port Tobacco

Lower Western Shore (Continued).

Prince George's County

St. Mary's County: Leonardtown

It is timely for interested groups and individuals at the county and municipal level to contact their local planning office to involve themselves in the development of their local Program. There is much to be done, from mapping to innovative ways devised to protect the resources. Your participation is critical indeed.

DEPARTMENT OF NATURAL RESOURCES BRIEFING DOCUMENT

Chesapeake Bay Critical Area Commission

I. ACCOMPLISHMENTS

The following is a list of important initiatives, projects, and tasks which have been accomplished since June 1984:

- The criteria were promulgated by the Commission on December 1, 1985, after a series of 17 public hearings required by the Critical Area Law and after careful consideration of 2,000 letters and testimonies.
- The criteria passed the 1986 Session of the General Assembly and were signed into law along with four amendments to the Critical Area Law on May 13, 1986.
- By June 27, 1986, all 60 local jurisdictions, affected by the Critical Area Program, informed the Commission of their intent to develop their own local Critical Area Programs. State grant funds totalling \$2,150,000 are available for the jurisdictions to enable them to develop their programs for this fiscal year.
- As of November 30, 1986, 80% of the local jurisdictions have signed contracts with the Commission and have begun working on the development of their programs.
- Since May 1986, the Commission has produced and distributed three guidance papers to the local jurisdictions:

A Guide to the Chesapeake Bay Critical Area Criteria - May 1986

A Guide to the Conservation of Forest Interior Dwelling Birds In the Critical Area - July 1986

A Guide to Transferable Development Rights: An Analysis of Programs and Case Law - December 1986.

- A contract has been negotiated and awarded to Rutgers University, Center for Urban Policy Research, to conduct an economic baseline study measuring the impact of the Critical Area Program on various public and private sectors in Maryland.

II. FUTURE ACCOMPLISHMENTS

The following is a list of important initiatives, projects, and tasks which will be accomplished between January 1, 1987, and July 1, 1987:

- Policies and goals for the provision of public access along the shoreline of the Chesapeake Bay and its tributaries, and for the reforestation and preservation of forested land within the Critical Area, will be completed and submitted to the General Assembly by January 1, 1987. This is in accordance with Section 8-1816 of the Critical Area Law.
- Draft regulations will be published in March, 1987, by the Commission for review and comment which State and local agencies must follow when proposing development in the Critical Area. This is in accordance with Section 8-1814 of the Critical Area Law.
- A demonstration, data base management contract, will be signed by January 1, 1987, with the City of Annapolis and the Commission to design a cooperative approach for program evaluation and project tracking that can be used by other jurisdictions having compatible computer systems.
- By February 7, 1987, the Commission expects to receive and to hold hearings on four local Critical Area Programs for review and approval.
- Between February 7, 1987 and July 1, 1987, the Commission expects to receive and to hold hearings on five additional local programs.
- By April 1987, the Commission will produce a series of public information pamphlets informing the individual citizen as to how the criteria affect him or her.

III. ISSUES

The following is a list of important issues which are being addressed by the Chesapeake Bay Critical Area Commission and which may come to the Governor's attention:

- Approximately nine members of the Commission will need to be replaced either because they lost an election, have since changed their position, or are still awaiting endorsement by the Senate. Replacements are needed quickly because the panels, composed of Commission members, will soon be required to review programs and hold hearings. Continuity is needed.
- Legislation for this session of the General Assembly amending the Critical Area Law, is needed to authorize local jurisdictions to use State grant funds for ongoing program implementation.

EXPLANATION

The proposed amendment to the Critical Area Law (NRA § 8-1801-1816) would authorize local jurisdictions to use State grant funds for ongoing program implementation.

JUSTIFICATION

Section 8-1808 of the Critical Area Law specifies that the Governor shall include in the budget a sum of money to be used for grants to reimburse local jurisdictions for the reasonable cost of developing their local Critical Area Programs. Approximately \$4.3 million will have been spent by the 60 local jurisdictions over a two-year period for program development. Unless the Law is amended to provide funding for ongoing program implementation, local jurisdictions will be unable to carry-out the programs that they have developed.

LEGISLATIVE HISTORY

The Law creating the Chesapeake Bay Critical Area Protection Program was passed June, 1984. This amendment would change a specific section of that Law as so noted in the Justification.

FISCAL ESTIMATE OF LEGISLATION

TO: Supervising Analyst, Fiscal Note System, Department of Fiscal Services
 Maryland General Assembly, 90 State Circle, Room 226, Annapolis, Maryland DATE: December 1, 1986

FROM: Dept. of Natural Resources - Chesapeake Bay Critical Area Comm.

BILL/RESOLUTION NUMBER: _____ COMPANION BILL: _____ COMMITTEE REFERRAL: _____

SHORT TITLE: Amendment to the Chesapeake Bay Critical Area Law

Prepared by: Sarah J. Taylor Title: Executive Director Telephone: 269-2426

Copy of Agency testimony on bill included: Yes _____ No X If no. testimony will be sent by (Date): _____
 * * * * *

1. Please describe the effect this legislation will have on your agency. Use additional pages if necessary:

The legislation would authorize the Commission to continue funding the 60 local jurisdictions affected by the Critical Area Program for the implementation of their Program once they have been approved by the Commission.

2. Has no fiscal impact on this agency because:

The level of funding will be approximately the same as for FY 87 - \$2,150,000

3. Has your agency included a budget request for the activity required by this bill? Yes X No _____

If yes, please indicate the amount requested \$ 2,150,000 and budget code: 30.01.01.011

FISCAL IMPACT SUMMARY - SHOW DECREASES IN PARENS

4. Will provide an estimated additional revenue increase or (decrease) as follows:

	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Local Funds</u>	<u>TOTAL</u>
First Year	_____	_____	_____	_____	_____
Second Year	_____	_____	_____	_____	_____
Third Year	_____	_____	_____	_____	_____
Fourth Year	_____	_____	_____	_____	_____
Fifth Year	_____	_____	_____	_____	_____

5. Will require an estimated additional expenditure increase or (decrease) in funds as follows:

	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Local Funds</u>	<u>TOTAL</u>
First Year	_____	_____	_____	_____	_____
Second Year	_____	_____	_____	_____	_____
Third Year	_____	_____	_____	_____	_____
Fourth Year	_____	_____	_____	_____	_____
Fifth Year	_____	_____	_____	_____	_____

6. Net Effect (TOTAL of 4 and 5):

	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Local Funds</u>	<u>TOTAL</u>
First Year	_____	_____	_____	_____	_____
Second Year	_____	_____	_____	_____	_____
Third Year	_____	_____	_____	_____	_____
Fourth Year	_____	_____	_____	_____	_____
Fifth Year	_____	_____	_____	_____	_____

EXPLANATION

The proposed amendment to § 8-1808(a)(2) of the Critical Area Law would authorize local jurisdictions to use State assistance grants funds for ongoing program implementation as well as program development, and would establish an annual cycle for including such assistance in the budget.

JUSTIFICATION

Section 8-1808 of the Critical Area Law specifies that the Governor shall include in the budget a sum of money to be used for grants to reimburse local jurisdictions for the reasonable cost of developing their local Critical Area Programs. Approximately \$4.3 million will have been spent by the 60 local jurisdictions over a two-year period for program development. Unless the Law is ammended to provide funding for ongoing program implementation, local jurisdictions will be unable to carry-out the programs that they have developed. Other amendatory language removes obsolete working and establishes an annual cycle for funding assistance.

LEGISLATIVE HISTORY

Section 8-1808(a)(2) was part of the Law creating the Chesapeake Bay Critical Area Protection Program as passed June, 1984. This amendment would change a specific section of that Law as so noted in the Justification.

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CHESAPEAKE BAY CRITICAL AREA COMMISSION

BRIEFING DOCUMENT

Prepared for

Governor-Elect and
Transition Team

by

Chesapeake Bay Critical Area
Commission Staff

December 1, 1986

CHESAPEAKE BAY CRITICAL AREA COMMISSION
BRIEFING DOCUMENT

* Background	1
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BACKGROUND

A 25-member Chesapeake Bay Critical Area Commission was created by the Chesapeake Bay Critical Area Law in 1984. The purpose of the Law and of the Commission is to provide Maryland with a strategy for protecting the water quality and natural habitat of the Bay with respect to future land use in a specifically designated geographic area.

The Law recognized that the land immediately adjacent to the Bay has the greatest potential for affecting water quality and fish, plant, and wildlife habitat in the Bay. It therefore defined an initial planning area for the Critical Area as a strip of land along the tidal shoreline of 1,000 feet from the water's edge to the heads of tide or from the landward boundary of any adjacent wetlands.

The Commission was designated to draft criteria that would guide development in the Critical Area. These criteria were promulgated by the Commission on December 1, 1985, and approved by the General Assembly during their 1986 Session. On May 13, 1986, the Governor, President of the Senate and Speaker of the House signed the criteria into Law.

These criteria are being used by the 16 counties and the 44 municipalities in the development of their local Critical Area Protection Programs.

ACCOMPLISHMENTS TO FY 1987
(July 1, 1984 - June 30, 1986)

- * December 1984 - January 1985
Eight public hearings held prior to development of criteria in accordance with Critical Area Law § 8-1807.
- * January - April 1985
48 Subcommittee meetings and 6 full Commission meetings to develop draft criteria.
- * June 22, 1985
First draft of criteria published.
- * June-July 1985
Nine public hearings held after issuance of first draft in accordance with Critical Area Law § 8-1807.
- * July - August 1985
Revisions to first draft by the Commission.
- * September 27, 1985
Proposed revised draft criteria published.
- * October - November 1985
Revisions to second draft made by Commission and published in final form on November 22, 1985.
- * December 1, 1985
Proposed final draft criteria promulgated by the Commission and submitted to the General Assembly in accordance with the Critical Area Law § 8-1808.
- * January - April 1986
General Assembly holds hearings on criteria as well as proposed amendments to the Critical Area Law.
- * May 13, 1986
Criteria signed into Law along with 4 amendments to the Critical Area Law.

Guidance paper entitled: A Guide to the Chesapeake Bay Critical Area Criteria published and sent to local jurisdictions.

* June 27, 1986

All 60 local jurisdictions informed the Commission of their intent to develop their own local Critical Area Program in accordance with § 8-1809 of the Critical Area Law.

MILESTONES FOR COMPLETION - FY 87

* July 1986

Guidance Paper #2 entitled: A Guide to the Conservation of Forest Interior Dwelling Birds In the Critical Area published and sent to local jurisdictions.

* November 1986

80% of the local jurisdictions have signed contracts with the Commission and have begun working on the development of their local programs.

A demonstration, data base management contract was signed with the City of Annapolis and the Commission to design a cooperative approach for program evaluation and project tracking that can be used by other jurisdictions having compatible computer systems.

* December 1986

Guidance Paper #3 entitled: A Guide to Transferable Development Rights: An Analysis of Programs and Case Law will be published and sent to local jurisdictions.

Contract negotiated to be awarded to Rutgers University, Center for Urban Policy Research to conduct an economic baseline study measuring the impact of the Critical Area Program on various public and private sectors in Maryland.

100% of the local jurisdictions to have signed contracts with the Commission to begin working on the development of their local programs.

* January 1, 1987

Submission of policies and goals report for the provision of public access along the shoreline of the Chesapeake Bay and its tributaries to the General Assembly. The report is also to include policies and goals for the reforestation and preservation of forested land. This is in accordance with § 8-1816 of the Critical Area Law.

* February 7, 1987

Commission to receive and to hold hearings on four local Critical Area Programs for review and approval.

* Mid-March 1987

Draft regulations to be published by the Commission for review and comment which State and local agencies must follow when proposing development in the Critical Area. This is in accordance with § 8-1814 of the Critical Area Law. Final regulations must be promulgated by September 1, 1987.

* February - July 1987

Commission expects to receive and hold hearings on 5 or more additional local programs.

ISSUES OF IMPORTANCE

- * Approximately 9 members of the Commission will need to be replaced either because they lost an election, have since changed their position, or are still awaiting endorsement by the Senate. Replacements are needed quickly because the panels, composed of Commission Members, will soon be required to review programs and hold hearings.
- * Legislation for this session of the General Assembly, amending the Critical Area Law, is needed to expand the use of funds to include implementation along with program development.
- * Membership of the Commission needs to be expanded to include the Department of Transportation and perhaps more municipal representation.

BUDGET

A. Operating - FY 87

Number of Positions	<u>10</u>	
Salaries and Wages	<u>\$282,744</u>	
Operating Expenses	<u>\$2,234,645</u>	← (\$2,150,000 to local jurisdictions for program development)
TOTAL	<u>\$2,567,389</u>	
Includes:		
General	<u>\$2,567,389</u>	
Special	<u>0</u>	
Federal	<u>0</u>	

B. Capital - FY 87

None

A. Operating - Requested for FY 88

Number of Positions	<u>12</u>	
Salaries and Wages	<u>\$325,392</u>	
Operating Expenses	<u>\$2,235,300</u>	← (\$2,120,200 to local jurisdictions for program development)
TOTAL	<u>\$2,607,467</u>	

B. Capital - FY 88

None

PERSONNEL

The 25-member Commission has a full-time staff comprised of ten full-time positions and four contractual ones. They are as follows:

<u>Position</u>	<u>Person</u>	<u>Telephone</u>
1) Chairman	Judge Solomon Liss	269-2418 or 333-6240
2) Admin. Aide II to Chairman, Baltimore Office	Phyllis Steinberg	333-6240
3) Administrator IV Executive Director	Dr. Sarah Taylor	269-2426
4) Scientific Advisor (Contract)	Dr. J. Kevin Sullivan	269-2426
5) Asst. Attorney General	Lee Epstein	269-2251
6) Planner III Lower Eastern Shore	(Vacant) Held by contractual position - Ed Phillips	749-4618
7) Natural Resources Planner IV Upper East. Shore	Charles Davis	269-2426
8) Planner IV Upper West. Shore	Marcus Pollock	269-2426
9) Contractual Lower West. Shore	Carolyn Watson	269-2426
10) Natural Resources Planner-Trainee	Dawnn McCleary	269-2426
11) Contractual land base computer system	Dr. Oulele Alade	269-2426
12) Contractual economic baseline study	Eran Feitelson	269-2426
13) Office Sec. III	Veronica Nichols	269-2426
14) Office Sec. I	Jennifer Delve	269-2418

The Chairman and his Administrative Aide handle the work of the Commission at the Baltimore Office. Meetings with the metropolitan area jurisdictions as well as with the Lower Western Shore are handled through this office.

The remaining staff are housed in the Department of Natural Resources in Annapolis. Staff activities are handled by the Executive Director as well as meetings of the full Commission. The contractual Planner III position, Natural Resources IV position, Planner IV position, and the contractual position for the Lower Western Shore are all responsible for specific geographic areas and for providing technical assistance to those jurisdictions.

The planner for the Lower Eastern Shore, Ed Phillips, is responsible for the contract negotiation, technical assistance, information provision, and review of local Critical Area Programs and projects for

Dorchester County including:

Church Creek
Brookview
Vienna
Secretary
Eldorado
Cambridge

Somerset County including:

Princess Anne
Crisfield

Wicomico County including:

Mardella Springs
Sharptown
Salisbury

Worcester County including:

Pocomoke City
Snow Hill

His office is in Salisbury with the Department of State Planning's regional planner.

The planner for the Upper Eastern Shore, Charles Davis, is responsible for the contract negotiation, technical assistance, information provision, review of local Critical Area programs and projects for:

Caroline County including:

Denton
Federalburg
Greensboro
Hillsboro

Cecil County including:

Perryville
Charlestown
Port Deposit
North East
Chesapeake City
Elkton

Kent County including:

Chestertown
Betterton
Millington
Rock Hall

Queen Anne's County including:

Centreville
Church Hill
Queen Anne
Queenstown

Talbot County including:

Easton
Oxford
St. Michaels

The planner for the Upper Western Shore, Marcus Pollock, is responsible for the contract negotiation, technical assistance, information provision, review of local Critical Area Programs and projects for:

Anne Arundel County including:

Highland Beach
Annapolis

Baltimore City

Baltimore County

Harford County including:

Havre de Grace
Aberdeen

This position is also responsible for budget and procurement of the Commission, and is in charge of managing the economic baseline study with Rutgers University.

The planner for the Lower Western Shore, Carolyn Watson, is responsible for the contract negotiation, technical assistance, information provision, review of local Critical Area Programs and projects for:

Calvert County including:

Chesapeake Beach
North Beach

Charles County including:

Indian Head
Port Tobacco

Prince George's County and

St. Mary's County including:

Leonardtown

This position is also responsible for developing the policy recommendations on access and reforestation to the General Assembly due on January 1, 1987.

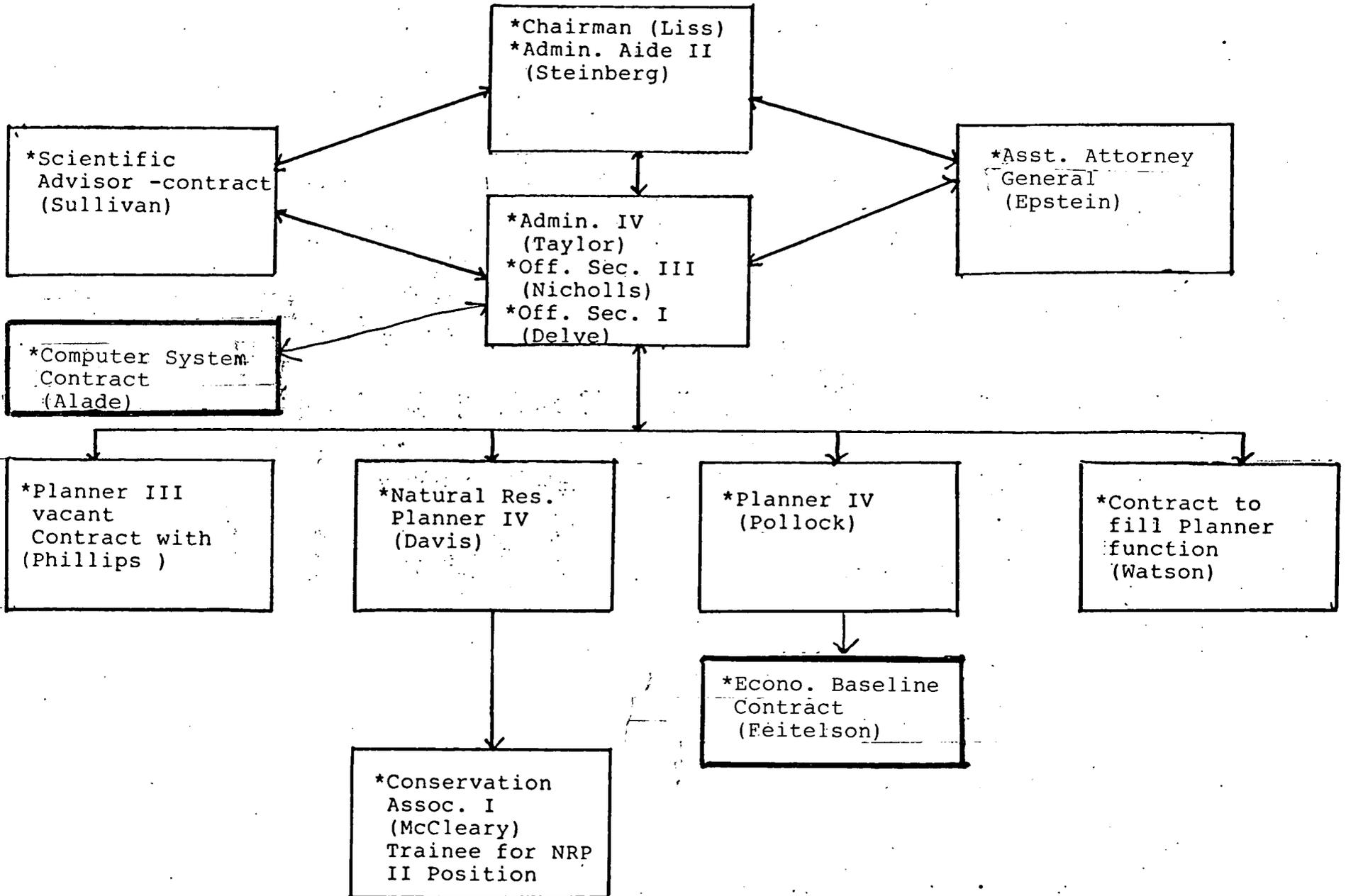
The Scientific Advisor is responsible for developing management handbooks and guidance papers with other units of the various departments to guide local governments in the application of the criteria. He is also responsible for the draft regulations to be used by State and local governmental units in proposing development in the Critical Area.

The Environmental Trainee assists the planners and the Scientific Advisor. The contractual position of Dr. Alade is for the development and operation of the land assessment computer system for program tracking and project evaluation.

The Assistant Attorney General handles all legal matters of the Commission. Two secretaries support the staff.

An organization chart follows showing the structure for the staff.

CHESAPEAKE BAY CRITICAL AREAS COMMISSION



12

COMMISSION MEMBERS

CHAIRMAN

Judge Solomon Liss

Upper Western Shore

Clarence "Du" Burns (Baltimore City)
Ronald Hickernell (Baltimore County)
Robert S. Lynch (Harford County)

Lower Western Shore

Parris N. Glendening (Prince George's County)
James E. Gutman (Anne Arundel County)
Florence Beck Kurdle (Anne Arundel County)
J. Frank Raley, Jr. (St. Mary's County)
Harry T. Stine (Charles County)
Albert W. Zahniser (Calvert County)

Upper Eastern Shore

Dr. Shepard Krech, Jr. (Talbot County)
Thomas L. Jarvis (Caroline County)
Barbara O'Neill (Cecil County)
Robert R. Price, Jr. (Queen Anne's County)
Samuel E. Turner, Sr. (Talbot County)
Mary Roe Walkup (Kent County)

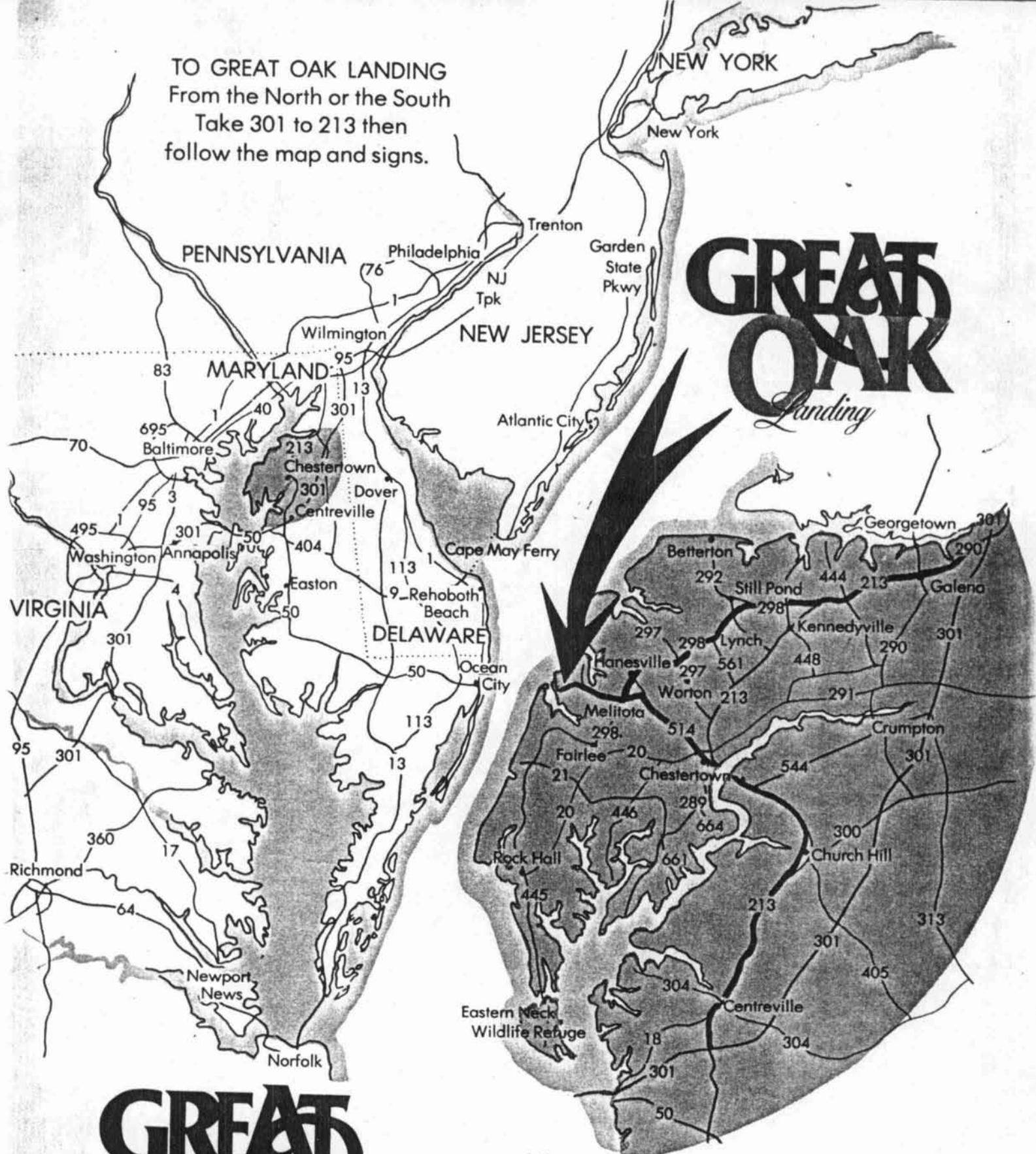
Lower Eastern Shore

William J. Bostian (Wicomico County)
Ann Sturgis Coates (Snow Hill-Worcester County)
John Luthy, Jr. (Dorchester County)
Lloyd S. Tyler, III (Crisfield-Somerset County)

Cabinet Officers

Wayne A. Cawley, Jr. - Secretary, Department of Agriculture
Ardath Cade - Assistant Secretary, Department of Economic and
Community Development
Torrey C. Brown - Secretary, Department of Natural Resources
Constance Lieder - Secretary, Department of State Planning
William Eichbaum - Assistant Secretary, Department of Health and
Mental Hygiene

TO GREAT OAK LANDING
 From the North or the South
 Take 301 to 213 then
 follow the map and signs.



GREAT OAK

Landing

GREAT OAK

Landing

- Restaurant and Lounge • Marina • Pool • Beach
- Nine Hole Golf Course • Miniature Golf • Sailboat Rentals
- Banquet and Meeting Facilities • Yacht Club Cruises
- Catering Tailored to your Special Occasion
- Fishing, Hunting and Horse back riding nearby

On the Bay at Fairlee Creek, Chestertown, Maryland 21620 (301) 778-2100

TENTATIVE PANEL LIST FOR
PUBLIC HEARINGS ON LOCAL PROGRAMS
Revised 12/9/86

Anne Arundel Co.
Annapolis
Highland Beach

Robert Lynch
James E. Gutman
William Eichbaum
Albert W. Zahniser
Shepard Krech

Baltimore City

Clarence "Du" Burns
James E. Gutman
William Eichbaum
William Bostian
Solomon Liss

Baltimore Co.

Ronald Hickernell
Solomon Liss
Torrey C. Brown
Clarence "Du" Burns
Samuel Turner

Calvert Co.
Chesapeake Beach
North Beach

Albert W. Zahniser
Harry T. Stine
Ardath Cade
Florence Beck Kurdle
J. Frank Raley, Jr.

Caroline Co.
Denton
Federalsburg
Greensboro

Wayne Cawley, Jr.
Thomas Jarvis
John Luthy, Jr.
Robert Lynch
Shepard Krech, Jr.

Cecil Co.
Charlestown
Chesapeake City
Elkton
North East
Perryville
Port Deposit

Barbara O'Neill
Mary Roe Walkup
William Eichbaum
Solomon Liss
Samuel Turner

Charles Co.
Indian Head

J. Frank Raley, Jr.
Harry Stine
Albert W. Zahniser
Ardath Cade
Parris Glendening

Dorchester Co.
Brookview
Cambridge
Church Creek
Eldorado
Secretary
Vienna

John Luthy, Jr.
Wayne Cawley, Jr.
Solomon Liss
William Bostian
Robert Price

Harford Co.
Havre de Grace

Florence Beck Kurdle
Ronald Hickernell
Ardath Cade
Barbara O'Neill
Thomas Jarvis

Kent Co.
Betterton
Chestertown
Millington
Rock Hall

Mary Roe Walkup
Robert Price
Thomas Jarvis
Wayne Cawley, Jr.
Solomon Liss

Prince George's Co.

Parris Glendening
Torrey C. Brown
Florence Beck Kurdle
James Gutman
Harry T. Stine

Queen Anne's Co.
Centreville
Church Hill
Queenstown

Robert Price
Ronald Hickernell
John Luthy, Jr.
Constance Lieder
Florence Beck Kurdle

St. Mary's Co.
Leonardtwn

J. Frank Raley, Jr.
Harry Stine
Albert W. Zahniser
William Eichbaum
Solomon Liss

Somerset Co.
Crisfield
Princess Anne

Lloyd Tyler, III
Solomon Liss
William Bostian
Ann Sturgis Coates
Wayne Cawley, Jr.

Talbot Co.
Easton
Oxford
St. Michael's

Samuel Turner
Shepard Krech, Jr.
Mary Roe Walkup
Solomon Liss
Thomas Jarvis

Wicomico Co.
Mardella Springs
Sharptown
Salisbury

William Bostian
Ardath Cade
Ann Sturgis Coates
Lloyd Tyler, III
Parris Glendening

Worcester Co.
Pocomoke City
Snow Hill

Ann Sturgis Coates
Lloyd Tyler, III
John Luthy
Torrey C. Brown
Constance Lieder

Hillsboro/Queen Anne's

Shepard Krech, Jr.

COMMISSION REVIEW OF PROPOSED LOCAL PROGRAMS

Section 8-1809 of the Critical Area Law requires the Commission to hold a public hearing, judge the adequacy of that local program, and inform the jurisdiction of its decision within 90 days of receiving the proposed program from the local jurisdiction. While this requirement may not be particularly burdensome for any one program, the fact that many programs are likely to be submitted just prior to the deadline of August 6, 1987, demands that the process of program review and approval be clearly stated and understood by all Commissioners. The purpose of this discussion paper is to present a possible review procedure so that the Commission can agree on procedures for this task.

Overview

Figure 1 lists the major steps that involve Commissioners during the initial program review period. This period begins when the completed program (as determined by the local jurisdiction), officially arrives at the Commission office and ends when the local jurisdiction receives the notification from the Commission as to program approval or rejection. (Each of these steps and some possible variations will be discussed in the following sections.) Keep in mind that the approval process may not necessarily be complete when the Commission renders its decision. Very likely the Commission will identify minor or

major deficiencies and require that proposed programs be modified prior to approving it.

Initiating Step

The delivery of the proposed program to the Critical Area Commission Office is the action that initiates the program review phase. When programs are received they will be logged, and the staff will develop a schedule for reviewing that program. Shortly thereafter, the staff will begin a series of administrative tasks necessary to successfully review that program. These tasks include arranging for hearings, meetings and distributing copies of the proposed program to the panel, and an inter-departmental review team.

Step 2

Shortly after the arrival of the program, the panel will receive a copy of the written components of the proposed program. Mapped materials will be available for viewing at the Commission Office. Panel members should be somewhat aware of the content of a program prior to its submission, but after receiving program documents, panel members should review what is being proposed for three basic characteristics:

1. subject - Does the program's elements address the same resource/issue/process/etc., that was intended by the Criteria?

2. scope - Are the proposed actions sufficient to achieve the Commission's objectives for this resource/issue/process, etc.?
3. workability - Is the proposed method of implementation likely to work as planned? Is it a voluntary program, regulatory program, or some other combination of public and private effort?

Recalling the advice of Counsel in the memo concerning the role of the panels, it's the panels responsibility to conduct the Commission-sponsored public hearing and to transmit both the pros and the cons of that program to the full Commission for its deliberations. Therefore, the panel members should be using this pre-hearing stage to familiarize themselves with the general program strategy and other specifics of program implementation so that they will be fully familiar with the program when they hold the public hearing.

Step 3

As soon as the program arrives the CAC staff will begin to review the program. In addition to the review characteristics mentioned previously, the staff will examine the program for its completeness based directly on the criteria. The full staff will share review responsibilities to assure thoroughness of review.

Step 4

Prior to the public hearing, the staff planner will meet with the panel to discuss the program.

Step 5

Around four weeks after receiving the proposed local program, the panel will hold the Commission's required public hearing. This hearing is required to occur within 30 days of the date that the Commission receives the proposed program. At the beginning of the public hearing the local jurisdiction would be allowed to give an introductory presentation of the program prior to the Commission's receipt of public comments. The presentation by the local jurisdiction should be limited to a specified interval. A record of the public hearing will be taken.

Step 6

During the week after the hearing, the CAC staff will receive comments about the program from the inter-departmental review team. This step is to assure that references to State agencies that occur within local programs are mutually acceptable and accurate and to solicit any technical expertise that may be needed to evaluate a program.

Step 7

Once the staff has assimilated the comments from the inter departmental team, the CAC staff person will meet again with the panel to synthesize all comments assembled from the panel, the

hearing, and the inter-departmental team. The staff should develop a tentative review report at this meeting.

Step 8 Presentation to the Commission

The Commission will hold a formal meeting where the staff will present a review report. The local jurisdiction will be allowed to make a statement, the panel members may make statements, and finally the Commission will discuss the program. For some programs, the Commission may wish to make a tentative vote on the acceptance of that program. During this period, full Commission meetings will likely be held at least every other week so perhaps tentative votes followed by final votes at the next meeting (two weeks later) may be an acceptable procedure. The staff would revise its report based on the comments of the Commission.

Step 9

At the next Commission meeting, the Commission may wish to vote on the acceptability of that program.

Step 10

After the Commission's final vote, it will notify the jurisdiction of its decision.

Figure 1 . Tasks and Relative Sequence for Initial Program Review

* Events	Response Period (days)		
	0	30	90
1) Proposed program delivered to CAC	X		
2) Panel receives copy of written program elements	████████████████████		
3) Staff planners review program	████████████████████		
4) Staff planner briefs panel	████████████████████		
5) Panel hearing	X		
6) Staff receives comments from interdepartmental team	████████████████████		
7) Staff meets with panel to discuss hearing, department comments	████████████████████		
8) Full Commission hears and discusses program	████████████████████		
9) Commission meets to vote on program approval decision	████████████████████		
10) Commission sends decisions to local jurisdiction	X		

* Local jurisdiction involved throughout

ACCESS AND REFORESTATION REPORT

Draft

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This document was written and prepared by Carolyn V. Watson of the Chesapeake Bay Critical Area Commission Staff.

II. EXECUTIVE SUMMARY

A. ACCESS

The State is committed through funding and planning to provide public access to the Chesapeake Bay and its tributaries. Three departments, six agencies within the three departments, and eight programs within the six agencies of State government are involved in the provision of shorefront access, yet there is no existing policy to specifically serve as a guide to these agencies for their activities involving access.

It is recommended that an overall policy for the provision of shorefront access to the Chesapeake Bay and its tributaries be established which incorporates the following:

1. The Department of Natural Resources should be designated as the coordinator for Bay access.
2. The recommendations set forth in the 1983 Maryland Outdoor Recreation and Open Space Plan regarding public access to the State's water resources should be adopted as part of the overall policy for access.
3. Local jurisdictions should be responsible for determining local shorefront access needs and the State should be responsible for evaluating regional access needs.
4. An inventory of publicly and privately owned properties currently providing public access to the Bay should be produced and kept up to date for planning purposes.
5. County and State-owned waterfront properties should be examined to see if access can be:

- a. provided on properties where access does not currently exist; and
 - b. expanded on properties where access does exist.
6. Existing and future access areas should be managed based on research which determines the area's limits and carrying capacity.
 7. If local or regional needs are not being met for swimming/sunbathing areas, boat launching ramps, or shoreline fishing/crabbing areas, priority use of State funds should be given to the development of these opportunities.
 8. The State should continue to provide technical assistance and grant funds to local governments for the development of new access facilities and the improvement of existing facilities.
 9. When developing new or expanding existing access areas, local and State agencies should observe the Chesapeake Bay Critical Area criteria (COMAR 14.15.02) regarding water dependent facilities.
 10. User fees should be collected or State monies should be made available for maintenance and operation costs of access areas.
 11. The State should continue to encourage private enterprise to operate concessions at State-owned access facilities when this arrangement is in the best interest of the public and State.

12. Bay users should be educated on the sensitive resource they are using, the potential effects of their activities on the Bay, and means which they can take to minimize these potential effects.

13. Current laws regarding littering, destruction of property, trespassing, wildlife conservation and boating safety should be enforced to the fullest extent possible in and around public access areas.

Presently, the State produces two publications which serve to guide and inform boaters who wish to use the Bay. There are no consolidated publications, however, to guide and inform non-boaters who wish to obtain access to, and use the Bay. A goal of the State should be to prepare a land based access guide listing public access locations, rules for using access areas, facility descriptions, measures to prevent adverse impacts to the environment, and natural resource information.

B. REFORESTATION

The State presently has a policy set forth through its Recreation and Open Space Plan to promote the retention, conservation and preservation of productive forest land.

It has been demonstrated that trees and forested areas provide significant water quality and wildlife habitat benefits. Forested buffer areas along the shoreline greatly reduce soil erosion, sedimentation and nutrient and pollutant loadings into the Chesapeake Bay and its streams and rivers. These benefits are noted, and reforestation and forestry practices are addressed

by the Chesapeake Bay Critical Area criteria (COMAR 14.15.01 - 14.15.11)

To enhance the effort currently underway by the State of Maryland, to restore and preserve our greatest natural resource, the Chesapeake Bay, it is suggested that the following recommendations be incorporated to expand the existing State policy addressing forest land:

1. The State should ensure that the present Chesapeake Bay Critical Area criteria regarding forestry practices are implemented.
2. The eligibility requirements which allow a landowner to utilize incentives for reforestation projects should be lessened for those landowners within the Critical Area.
3. Landowners within, but not limited to, the Critical Area should be educated on the importance of reforestation and existing State and federal programs available to them for reforestation and forestry practices.
4. The Maryland Seed Tree Law and the requirement for an erosion and sediment control plan should continue to be enforced to the greatest extent possible by the State.

Due to the significant ecological benefits of forested, buffered areas, a State goal should be to implement the Chesapeake Bay Critical Area criteria regarding forested areas throughout the Chesapeake Bay watershed and not just within the

Chesapeake Bay Critical Area. Another goal should be to develop demonstration projects regionally for the forestry aspect of the Critical Area criteria to be identified as model techniques for forestry practices within the Critical Area.

III. LEGISLATIVE ACTION

The Chesapeake Bay Critical Area Law (Natural Resources Article 8-1816) mandates the Chesapeake Bay Critical Area Commission is to prepare a report recommending State policies and goals for: 1) the provision of public access along the shoreline of the Chesapeake Bay and its tributaries; and 2) the reforestation of land within the Critical Area, and the preservation of forested land within the Critical Area.

IV. BACKGROUND

The policies and recommendations set forth in this report were drawn from:

- The analysis of the present role of the State in providing public access to the Bay;
- Existing locally and State-owned access opportunities around the Bay and its tributaries;
- Existing State programs and policies regarding forestry and reforestation;
- The results of a questionnaire on access and reforestation; and
- The results of a public workshop on access and reforestation.

A Chesapeake Bay Access and Reforestation Task Force was established to discuss the State's present role in the provision of shorefront access and existing State programs, regulations, and laws regarding reforestation. The Task Force was comprised of representatives from the Chesapeake Bay Foundation, and numerous agencies and their programs within State government. The summary of these discussions is presented in Appendix A.

An inventory of State, county and municipally owned properties within the Chesapeake Bay Critical Area that presently provide public access to the Bay and its tributaries was compiled. Information for this inventory was obtained from the Department of State Planning, various State publications, and conversations with representatives from local agencies involved in planning, acquiring, and managing open space and recreational lands. Geographic summaries of existing public access facilities within the Critical Area are presented in Appendix B.

A questionnaire was developed to generate public opinion and input on issues regarding access and reforestation. The questionnaire was constructed under the guidance of the Chesapeake Bay Access and Reforestation Task Force, the Coastal Resources Advisory Committee, and experts on survey questionnaires from the University of Maryland's Sea Grant Program and Salisbury State College's Department of Sociology and Anthropology. The sample was designed to include two types of respondents: 1) randomly selected residents of the State, and 2) members of "targeted groups" with a particular interest in the

Chesapeake Bay: county officials, municipal officials, owners of marine-oriented retail stores, boat dealers, attendants at The 1985 Sandy Point Boat Show, Bay users, and members of the Marine Trade Association, the Chesapeake Bay Yacht Club Association, the Chesapeake Bay Foundation's BayWatchers, the Forestry Board, and the Chesapeake Bay Access and Reforestation Task Force.

A total of 2,589 questionnaires were distributed. Of these, 1,250 were mailed to randomly selected residents; 1,000 were sent directly to targeted groups, and 339 were distributed as follows:

- . 100 placed in State parks;
- . 100 distributed by marine policemen on patrol;
- . 50 placed in public libraries; and
- . 89 sent in response to telephone requests.

Ninety-three of the mailed questionnaires were undeliverable, leaving 2,496 that were potentially returnable. Of those, 530 were actually returned--a response rate of 21%, which is statistically good.

The statistical analysis of the questionnaire was performed by Salisbury State College's Department of Sociology and Anthropology. A copy of the questionnaire with the percentage of respondents that answered each question is presented in Appendix C. A text summary of the questionnaire results is provided in Appendix D.

The last item in the questionnaire allowed the respondent to give their name and address if they were interested in attending

a public workshop on access and reforestation. Thirty-nine percent (206) of those that returned the questionnaire expressed an interest in attending, with 10% (53) actually attending the workshop which was held on November 3, 1986.

The 53 attending the workshop were from a broad range of interest groups. The results of the questionnaire, the findings of the State's present role in the provision of access and reforestation, and the status of existing access opportunities around the Bay were presented at the workshop. Five issues (Appendix E) were then discussed in detail to receive public input on recommendations that could be formulated to address the issues.

The recommendations set forth within this report regarding access and reforestation were distilled from the suggestions which were given at the workshop, and the analysis of the supporting information that was obtained prior to the workshop.

V. ACCESS

A. INTRODUCTION

Provision of public access to Maryland's shoreline has historically been done in a piece-meal fashion. Presently, the Department of State Planning coordinates the Maryland Outdoor Recreation and Open Space Plan (SCORP), which serves as the primary guide for the provision of outdoor recreation and open space opportunities within the State. DNR's Program Open Space has been acquiring the property on which to provide these needed

recreational activities and has recently been appropriated \$2 million specifically for Bay Access Funds. An additional \$2 million Shoreline Improvement Fund has been established which is available to jurisdictions located within the Critical Area for projects involving public access and dredging. Also within DNR, the Waterway Improvement Program is providing matching grants to share the cost of any development, construction, or improvement of waterway facilities determined to have beneficial value to the boating public. In addition, DNR's Coastal Resources Division has been making a concerted effort specifically to provide money and technical expertise for the planning and designing of public waterfront access areas, and the Department of Transportation has been providing and upgrading road access to shorefront access areas. Appendix A summarizes the State's efforts towards Bay shorefront access.

All of these work efforts have been ongoing with lack of criteria and uniformity in overall policy planning.

With the State's commitment through funding, planning and developing access areas, it is suggested that the following recommendations be incorporated into a unified policy for public shorefront access to the Chesapeake Bay and its tributaries.

ACCESS

B. RECOMMENDATIONS

Recommendation #1

DNR should be designated as the coordinator for bay access.

Elaboration #1

Currently funding, development, and planning of all State-owned and 82% of locally-owned access areas is carried out through the following State departments, agencies, and programs:

<u>Department</u>	<u>Agency</u>	<u>Program</u>
DNR	Chesapeake Bay Critical Area Commission	
	Capital Programs	Land Planning Services
		Program Open Space
		Capital Programs
		Land Planning Services
		Shore Erosion
	Forest, Park and Wildlife	Wildlife Management
		Forest & Park Management
	Maryland Environmental Trust	
	Tidewater Administration	Waterway Improvement
		Coastal Resources Division

Department

Agency

Program

Natural Resources Police

DSP

DOT

With the numerous number of State organizations involved in the provision of access, an existing Department should be designated as the coordinator of access. Each Department and its respective agencies and programs should continue to function at their existing capacity, but their efforts should be coordinated through the designated agency. Since DNR has the most agencies involved in access provision, it is suggested that this Department be designated as the coordinator. Its responsibility should be to:

1. Coordinate local and State agency responsibilities for planning, purchasing, developing, and maintaining access areas;
2. Make recommendations to guide public agencies in the identification, development, and management of access areas; and
3. Serve as a repository for all information and inventories regarding shorefront access.

This approach would serve to streamline coordination efforts between the three Departments and local agencies, minimize potential duplication of efforts, and make information more easily accessible to planners and the public.

RECOMMENDATION #2

The recommendations set forth in the 1983 SCORP regarding public access to the State's water resources should be adopted as part of an overall policy for access.

ELABORATION #2

As part of the 1983 SCORP policies and accompanying recommendations are set forth to serve as a single framework upon which State and local recreation and open space actions are based. Some of the policies set forth by the 1983 Plan address recreation and open space in general, but do not specifically, address shorefront access to the Chesapeake Bay. Recommendations supporting the policies, however, do address shorefront access directly. Those recommendations should be incorporated into an overall policy plan on access. Specifically, the recommendations are:

- A. Provide adequate public accessibility to the State's numerous and varied water resources to assure that Maryland's citizens and visitors have the opportunity to participate in water-related recreational activities.
 1. Encourage recreational use of the Chesapeake Bay and every major river in Maryland by providing public access points, particularly at the confluence of stream valleys and the Bay. DNR should continue to provide Bay Access funds for waterfront parks at the State and local level;

2. Emphasize the acquisition of development rights along stream valley, Bay or river, and discourage development incompatible with the recreation opportunities associated with these resources;
3. Provide corridors for limited recreation uses, such as bicycling, hiking, and others which relate to streams, shorelines and unique resource areas;
4. Establish an interconnecting system of walking, hiking, and riding trails along bays, estuaries, rivers and streams, linking activity centers;
5. Provide for greater utilization of and access to the State's water surfaces for outdoor recreation use; and
6. Encourage the dispersal of future land-based facilities for boating. Currently, marinas and other boating facilities are heavily concentrated near urban areas resulting in congestion in some areas while other areas remain virtually empty.

RECOMMENDATION #3

Local jurisdictions should be responsible for determining local shorefront access needs and the State should be responsible for evaluating regional access needs.

ELABORATION #3

Local access needs should be determined by local jurisdictions for two reasons:

- 1) Community needs and potential problems that may arise as a result of access provision can best be determined at the local level; and
- 2) The Chesapeake Bay Critical Area criteria require local jurisdictions to develop a plan and associated policies and implementation programs for water-dependent facilities, under which shorefront access facilities apply. As part of this plan, local jurisdictions are required to show that water-dependent facility projects meet a recognized private and public need.

While requiring local jurisdictions to determine local needs, regional demands may still not be met. Therefore, the State should be responsible for evaluating access needs on a regional basis. Where it is found that regional needs are not being met, the State should coordinate with comprising jurisdictions to discuss the resolution of the demand.

RECOMMENDATION #4

An inventory of publicly and privately owned properties currently providing public access to the Bay should be produced and updated for planning purposes.

ELABORATION #4

State Planning, as part of the SCORP, produces an inventory document which provides information on the status of recreational opportunities on a county-wide and State-wide basis. From this inventory, however, there is no way of determining which

facilities provide access to the Bay and its tributaries; therefore, a documented inventory which specifically provides information on existing privately and publicly-owned access facilities on a county-wide and State-wide basis should be produced to assist local and State officials in planning for Bay access areas.

RECOMMENDATION #5

County and State-owned waterfront properties should be examined to see if access can be:

1. Provided on properties where access does not currently exist; and
2. Expanded on properties where access does exist.

ELABORATION #5

Existing State-owned waterfront properties that are not currently utilized for access should be reviewed to determine if they can be developed or managed to provide public access to the Bay without causing adverse impacts to water quality and plant and wildlife habitats, or without undermining the intent for which the property was originally purchased or held. Lands identified as suitable for development or management should be given priority over the purchasing of new lands to provide Bay access.

Existing county-owned and State-owned access areas should be evaluated to determine if their recreational uses can be added to or expanded without causing detrimental effects to water quality

and natural habitats. Those areas which are identified as suitable for expansion should be given priority over the development or management of existing open space lands not currently used for access and over the purchasing of new lands for access development or management.

RECOMMENDATION #6

Existing and future access areas should be managed based on research which determines the areas' limits and carrying capacity.

ELABORATION #6

To minimize adverse impacts on water quality and plant and wildlife habitats, an evaluation of existing and future access sites, both publicly and privately owned should be conducted to determine the carrying capacity and limitations of the site. The areas should then be managed, and acquired or not acquired based upon the findings of the evaluation.

RECOMMENDATION #7

If local or regional needs are not being met for swimming/sunbathing areas, boat launching ramps, or shoreline fishing/crabbing areas, priority use of State funds should be given to the development of these opportunities.

ELABORATION #7

The results of the Chesapeake Bay Critical Area Commission's Access and Reforestation Questionnaire indicate that the three preferred recreational opportunities for Bay access are swimming/sunbathing, boat launching ramps and shoreline fishing/crabbing.

DSP's 1986 Recreation and Leisure Survey indicates that the two preferred uses of Bay access areas are swimming/sunbathing and boating.

The results of the Chesapeake Bay Critical Area Questionnaire indicate a lack of satisfaction with the provision of the preferred uses. It was shown that only 50% of the respondents felt that swimming and sunbathing areas are presently adequate, 64% felt that boat launching ramps are adequate, and 51% felt that shoreline fishing and crabbing areas are adequate. Based on these findings, the preferred recreational opportunities should be evaluated locally and regionally to see if the demand is being met. If not, then areas suitable for development or expansion for the preferred uses should be given priority when planning and funding for access.

RECOMMENDATION #8

The State should continue to provide technical assistance and grant funds to local governments for the development of new access facilities and the improvement of existing facilities.

ELABORATION #8

Eighty-seven percent (233) of existing access facilities are owned by local jurisdictions. Eighty-two percent of these facilities received State funding from Program Open Space, Waterway Improvement, and/or Coastal Zone Management to assist in the purchasing and/or development of the area. It is likely that without this assistance, many of these areas would not have been established. In addition to funding, the State has provided technical assistance to the local jurisdictions for the planning and development of access areas. These assistances should continue so local jurisdictions can effectively continue to plan for and provide access areas.

RECOMMENDATION #9

When developing new, or expanding existing access areas, local and State agencies should observe the Chesapeake Bay Critical Area criteria regarding water-dependent facilities (COMAR 14.15.03).

ELABORATION #9

Access facilities are classified as water-dependent facilities because the intrinsic nature of the facilities require them to be located at or near the shoreline.

The Chesapeake Bay Critical Area criteria were established to guide local jurisdictions in developing programs to foster more sensitive development along the shoreline of the Bay so as to minimize damage to water quality and natural habitats. A

chapter of the criteria (COMAR 14.15.03) is devoted to water-dependent facilities. This chapter sets forth policies to provide by design and locational criteria that water-dependent facilities will have minimal individual and cumulative adverse impacts on water quality and fish, wildlife and plant habitats. These criteria should be followed both by the State and local jurisdictions when planning for access to the Bay.

RECOMMENDATION #10

User fees should be collected or State monies should be made available for maintenance and operation costs of access areas.

ELABORATION #10

The responsibility of providing an access area does not end in the acquisition and development of a parcel of land. Once an area is established, it must be operated and/or maintained.

The results of the Access and Reforestation Questionnaire (Appendix C) show that Bay users would be willing to pay a fee to utilize access areas which offer the recreational opportunities of boating (launching ramps and marinas), swimming/sunbathing, picnicking, camping, hunting, or education. By charging user fees at the facilities which offer the above mentioned opportunities, the maintenance and operation costs of these facilities can partially, if not wholly be reclaimed. These user fees would revert directly back into the facility from which it was charged. State funding made available for the operation and maintenance of access areas at both the State and local level

where user fees do not generate enough monies to make the facility self-sufficient would assure that maintenance and operation costs would be covered. Where access is provided solely for those opportunities which the public are not willing to pay to utilize (shoreline fishing and crabbing, scenic overlooks, hiking and birdwatching) State funding is appropriate.

RECOMMENDATION #11

The State should continue to encourage private enterprise to operate concessions at State-owned access facilities when this arrangement is in the best interest of the public and the State.

ELABORATION #11

When planning for concessions at State-owned access facilities, the best interest of the public and the State need to be addressed. The following need to be considered:

- * quality of concession facility
- * pricing of concessions
- * quality of service
- * cost of operation.

If these services can best be supplied by the private sector, then private enterprise should be allowed to operate the concession at the State-owned facility.

RECOMMENDATION #12

Bay users should be educated on the sensitive resource they are using, the potential adverse effects of their activities on the Bay, and actions that they can take to minimize these potential effects.

ELABORATION #12

The State presently does not have a concentrated effort underway to educate those using the Bay of their effects on the Bay.

There is a strong need to educate Chesapeake Bay users about the sensitivity of the estuarine resource and the impact they can potentially have on it. There is a tremendous opportunity to increase resource awareness by capitalizing on the educational opportunities available at access points. This can be accomplished through signs at access facilities, distribution of brochures, and promotion of private organizations (i.e., Chesapeake Bay Foundation) educational programs, and literature.

RECOMMENDATION #13

Current laws regarding littering, destruction of property, trespassing, wildlife conservation, and boating safety should be enforced to the fullest extent possible in and around public access areas.

ELABORATION #13

To deter the abuse of access facilities and surrounding areas, and to insure the safety of Bay users, the protection of the environment, and the rights of private property owners adjacent to access areas, current laws should be enforced to the fullest extent possible.

C. GOALS

GOAL #1

The State should prepare a land based access guide listing public access locations, rules for using access areas, facility descriptions, measures to prevent adverse impacts to the environment, and natural resource information.

ELABORATION #1

The State produces two publications for the boating sector of Bay users - "A Guide to Public Piers and Boat Ramps" and the "Guide to Cruising Maryland Waterways". There are no publications however, for the non-boating sector. Those wishing to acquire access to the Bay for non-boat uses have to pull information from various publications such as: Maryland State Forest And Parks, Maryland Outdoor Guide, Guide to Hunting and Trapping, and outdoor guides which are produced at the county level. A guide for non-boaters on how to get to and how to use the Bay should be produced. The publication should serve three purposes:

- 1) Provide information on the location of access facilities;
- 2) Provide facility descriptions which illustrate highlights and limitations of the facility; and
- 3) Educate Bay users by informing them of: a) the rules for using access areas, b) the measures which they can take to prevent adverse impacts to the environment, and c) natural resource information.

VI. REFORESTATION

A. INTRODUCTION

The State of Maryland presently has a policy incorporated into its SCORP to preserve productive forest land and to continue forestry activities by the Maryland Forest, Park, and Wildlife Service.

The Chesapeake Bay Critical Area Law (Natural Resources Article 8-1801) recognizes that forests are protective land uses which provide significant water quality and wildlife habitat benefits.

In developing the Critical Area criteria, it was the objective of the Commission to conserve forests and woodlands to the greatest extent possible so that these benefits could be maintained or preferably enhanced. The Critical Area criteria require that local jurisdictions develop a Forest Preservation Plan and that any timber harvesting on tracts of one acre or more

be conducted under an approved Forest Management Plan and a Sediment Control Plan. The criteria also set forth requirements for the replacement of forests and developed woodlands which are removed from forest use.

Due to the concentrated efforts set forth by the State to preserve forested areas, not only on a State-wide basis, but specifically within the Chesapeake Bay Critical Area to enhance the water quality and wildlife habitats of the Chesapeake Bay, it is suggested that the recommendations which follow be included as part of the overall State policy for forestry practices.

B. RECOMMENDATIONS

RECOMMENDATION #1

The State should make sure that the present Chesapeake Bay Critical Area criteria are implemented.

ELABORATION #1

The Chesapeake Bay Critical Area criteria (COMAR 14.15.01 - 14.15.11) recognize forest and woodlands as protective land uses because of the water quality and wildlife habitat benefits that they provide. The regulations set forth policies and associated criteria that local jurisdictions must follow when developing their local Critical Area Programs in regard to forest and woodland protection (COMAR 14.15.05). These policies require local jurisdictions to: 1) maintain and increase the forested vegetation of the Critical Area; 2) conserve forests and develop

woodlands and provide for expansion of forested areas; 3) provide that the removal of trees associated with development activities shall be minimized and, where appropriate, shall be mitigated; and 4) recognize that forests are a protective land use and should be managed in such a manner so that maximum values for wildlife, water quality, timber, recreation and other resources can be maintained recognizing that in some cases, these may be mutually exclusive.

The regulations also set forth specific criteria (COMAR 14.15.02) that local jurisdictions must incorporate into their local programs regarding forest and woodlands when development occurs in the Critical Area. The criteria require the establishment of programs for the enhancement of forests and woodlands, the protection of existing forests and woodlands, the minimization of destruction of forests and woodlands, and the replacement of cleared forested areas on not less than an equal area basis.

With the implementation of these existing criteria, the State will effectively be addressing the issue of reforestation and preservation within the Chesapeake Bay Critical Area.

RECOMMENDATION #2

The eligibility requirements which allow a landowner to utilize incentives for reforestation projects should be established at, or lessend to one acre or more for those landowners to which the Critical Area criteria apply.

ELABORATION #2

Currently, incentives are not available to encourage small scale reforestation projects within the State.

The State's Forest Conservation and Management Program is available to landowners of 5 acres or more. The State's Reforestation and Timber Stand Improvement Tax Deduction is available to landowners of 10 - 100 acres and the State's Tree Farm Program is available for landowners of 10 acres or more.

Since the Critical Area Criteria define a forest as "a biological community dominated by trees and other woody plants covering a land area of 1 acre or more", the acreage requirement to be eligible to utilize reforestation incentives should be reduced to 1 acre or more for those landowner to which the Critical Area criteria apply.

Forest, Park and Wildlife is currently in the process of determining the acreage requirements for eligibility to utilize a newly established woodlands incentive program. They should set the requirement at one acre or more for those landowners within the Critical Area.

The cumulative effects of these smaller scaled projects could substantially reduce erosion, runoff and sedimentation and ultimately contribute to the improvement of Bay water quality.

RECOMMENDATION #3

Landowners within, but not limited to, the Critical Area should be educated on the importance of reforestation and existing State and federal programs available to them for

reforestation and forestry practices.

ELABORATION #3

It is important that people understand why they are asked or are required to participate in the forestry practices set forth by the criteria. Once there is an understanding, public support and willingness to participate is likely to increase.

A program should be developed to target information to landowners to increase their awareness of existing programs, assistances, laws, and regulations regarding forestry practices. The results of the access and reforestation questionnaire indicate that an average of only 46% of the respondents are aware of existing State programs. State funds should be made available to expand educational efforts through some of these existing programs such as an outreach through the newly established Urban Forestry Program.

RECOMMENDATION #4

The Maryland Seed Tree Law and the requirement for an erosion and sediment control plan should continue to be enforced to the greatest extent possible by the State.

ELABORATION # 4

The enforcement of the Maryland Seed Tree Law will ensure the reforestation of loblolly, shortleaf, and pond pine trees, not only within the Critical Area, but around the State as well, where these species occur.

The enforcement of the requirement for an erosion and sediment control plan for all harvests of areas exceeding 5,000 sq. ft. of disturbed area, or which cross any perennial or intermittent water-course with a drainage area exceeding 400 acres, will minimize adverse impacts to water quality by reducing erosion and sedimentation into the Bay system.

C. GOALS

GOAL #1

The State should extend the implementation of the Chesapeake Bay Critical Area criteria regarding forested areas throughout the Chesapeake Bay watershed, and not just within the Chesapeake Bay Critical Area.

ELABORATION #1

Forested buffer areas along the shoreline greatly enhance the water quality of their adjacent watercourse.

Because all non-tidal watercourses of the Chesapeake Bay eventually drain into an effect the Bay, it is imperative that the water quality of these capillaries be protected and enhanced to the greatest extent possible. By applying the Critical Area criteria regarding reforestation and forestry practices to non-tidal as well as tidal areas of the Bay, the State will be assuring that beneficial forested areas are preserved and managed to obtain maximum water quality benefits. This will result in an enhanced effort to protect the water quality and natural

resources of the Chesapeake Bay.

GOAL #2

The State should develop demonstration projects regionally for the forestry aspect of the Critical Area criteria to be identified as model techniques for forestry practices within the Critical Area.

ELABORATION #2

The State should take the initiative to develop regional demonstration projects for forested buffer areas, afforested areas, and reforested areas on State-owned properties within the Critical Area. These projects should serve as examples to private landowners of proper forestry techniques that are to be applied within the Critical Area.

APPENDIX A.

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION														EXPLANATION		
			Direct							Indirect									
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION	
DNR	Chesapeake Bay Critical Area Commission																		Responsible for preparing a report to the Governor and 1987 General Assembly recommending State policies and goals for the provision of shorefront access to the Chesapeake Bay and its tributaries.
	Capitol Programs	Land Management Services																	Controls Somers Cove Marina.
		Land Management Services																	Implements management plan on the Patuxent River. Provides technical information on access demands and potential access sites on the Patuxent River.
		Land Management Services				F		F		F									Construction has begun on a Visitors Center at the Merkle Wildlife Sanctuary.
		Program Open Space																	Allocates matching funds (50%) to the local governments for land acquisition and coordinates the purchasing of the land.

ACCESS FUNCTION

ACCESS FUNCTION															
Direct					Indirect										
BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION

DEPT	AGENCY	PROGRAM
DNR	Capital Programs	Program Open Space
		Program Open Space
		Program Open Space
		Land Planning Services
		Land Planning Services

EXPLANATION

Allocates funds (100%) for the acquisition of State lands and coordinates the purchasing of the land. This includes the purchasing of land with Bay access funds.

Allocates funds for facility development on State and local lands.

Administers the allocation of the Federal Land and Water Conservation Funds to be used for the acquisition and development of parks and natural areas.

Resource Planning staff provides planning for the acquisition and development of public lands.

Wild and Scenic Rivers staff prepares resource management plans for the major rivers, identifying access needs, potential areas for the provision of access sites, and problem areas.

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION										EXPLANATION							
			Direct					Indirect												
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION		
DNR	Capital Programs	Shore Erosion		o	o				o							o				Assist property owners with technical and financial assistance to reduce shoreline erosion. The structures they fund provide access to <u>limited</u> users in the form of platforms which could be used for sunning or fishing. In addition, a stabilized shoreline allows access where it would otherwise be prohibited.
	Forest Parks & Wildlife	Wildlife Management								o								o	Provides public hunting areas and distributes <u>Guide to Hunting and Trapping in Maryland</u> .	
		Forest & Park Management Prgm	o	o	o	o	o	o	o	o	o	o	o	o					Administers and manages State parks. This includes law enforcement; maintaining buildings, roads, parking lots, beaches and boat ramps; and conducting interpretive programs. The park system is the State's largest contribution to the actual physical provision of access opportunities to the Bay.	

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION										EXPLANATION							
			Direct					Indirect												
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION		
DNR	Maryland Environmental Trust			o	o	o			o			o					o			Acquires land through donated easements. Very limited access is presently provided through easements. Only three easements contain access clauses and of those three, only two provide access to the shoreline. They are: Patterson Point (Calvert County), and the town of Charlestown (Cecil County).
	Tidewater Administration	Waterway Improvement	o														o			Funds the construction of marine facilities. State projects are funded 100% and local projects are funded 50%. They have financed and developed 205 launching and access areas between 1966 and 1986.
		Waterway Improvement																o		Prepares and distributes <u>Guide to Public Piers and Boat Ramps</u> .
		Waterway Improvement																	o	Evaluates water-oriented recreational needs.
		Waterway Improvement																	o	Dredges channels and harbors.

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION										EXPLANATION							
			Direct					Indirect												
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION		
DNR	Tidewater Administration	Waterway Improvement												o						Marks channels and harbors and establishes navigation aids.
		Waterway Improvement												o						Clears obstructions from waterways.
		Waterway Improvement												o						Alters or removes bridges that obstruct boating.
		Coastal Resources Division															o			Conducted and produced <u>The Bay Access Park Study</u> which identifies properties not owned by the State which could serve as potential shorefront access sites.
		Coastal Resources Division												o		o				Coordinates Maryland's Coastal Zone Management Program. Uses federal funds to provide financial assistance to local governments and State agencies for coastal management.
		Coastal Resources Division												o						Acquires land under 306A fund to provide increased public access.

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION													EXPLANATION			
			Direct						Indirect										
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION	
DNR	Tidewater Administration	Coastal Resources Division																o	Provides money to local governments for a non-structural approach to shoreline erosion which protects the shoreline of access facilities.
		Coastal Resources Division																o	Provides money to local governments under 306A fund for low cost construction projects (which includes engineering and design) associated with providing increased shorefront access.
		Coastal Resources Division																o	Evaluates major development projects which involve federal funds or affect the coastal zone.
		Coastal Resources Division																o	Estuarine Sanctuaries Program identifies federally designated estuarine sanctuary sites for long-term research and education.
		Coastal Resources Division																o	Recreational Boating Program oversees the review of project permits dealing with ramps, piers, and marinas.

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION											EXPLANATION						
			Direct						Indirect											
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION	MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION		
DNR	Tidewater Administration	Coastal Resources Divison																		Recreational Boating Program works with boating or citizen groups to determine important recreational boating issues.
		Coastal Resources Division																		Recreational Boating Program produced the publication <u>Marina Siting Guidelines and Considerations</u> which offers complete guidelines to promote environmentally sound development efforts.
		Coastal Resources Division																		Recreational Boating Program administered Outer Continental Shelf (OCS)/Coastal Energy Impact Program (CEIP) funds to construct public access facilities. These funds have been used in the past but are no longer available.
		Coastal Resources Division																		Recreational Boating Program coordinates compiles, and is the editorial staff for the State's <u>Guide to Cruising Maryland Waters</u> .

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION														EXPLANATION				
			Direct							Indirect											
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION		MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION		
DNR	Tidewater Administration	Coastal Resources Division																			Shoreline Improvement Grant Program administers shoreline improvement funds for the construction of facilities for public access to the shoreline for recreational and educational purposes.
	Natural Resources Police																				Provides law enforcement and safety rescue operations primarily for the boating, hunting, and fishing populations.
DECD	Office of Tourist Development																				Provides information to inquiring citizens on laws, natural resources, and access areas.
DSP																					Would promote access if the access was not biased to Maryland residents.
																					Prepares and updates the State Comprehensive Outdoor Recreation Plan (SCORP) which is the primary guide for the provision of outdoor recreation and open space.

ACCESS FUNCTION

DEPT	AGENCY	PROGRAM	ACCESS FUNCTION														EXPLANATION				
			Direct							Indirect											
			BOATING	FISHING	SWIMMING	PICNICKING	SCENIC OVERLOOKS	BIKING	SUNNING	HIKING	HUNTING	EDUCATION		MANAGEMENT	MAINTENANCE	TECHNICAL ASST	LAND ACQUISITION	FUNDING	INFORMATION		
DSP																					Oversees the preparation of local recreational plans.
DOT																					Constructs, upgrades, and maintains roads to adequately transport people to and from access facilities.

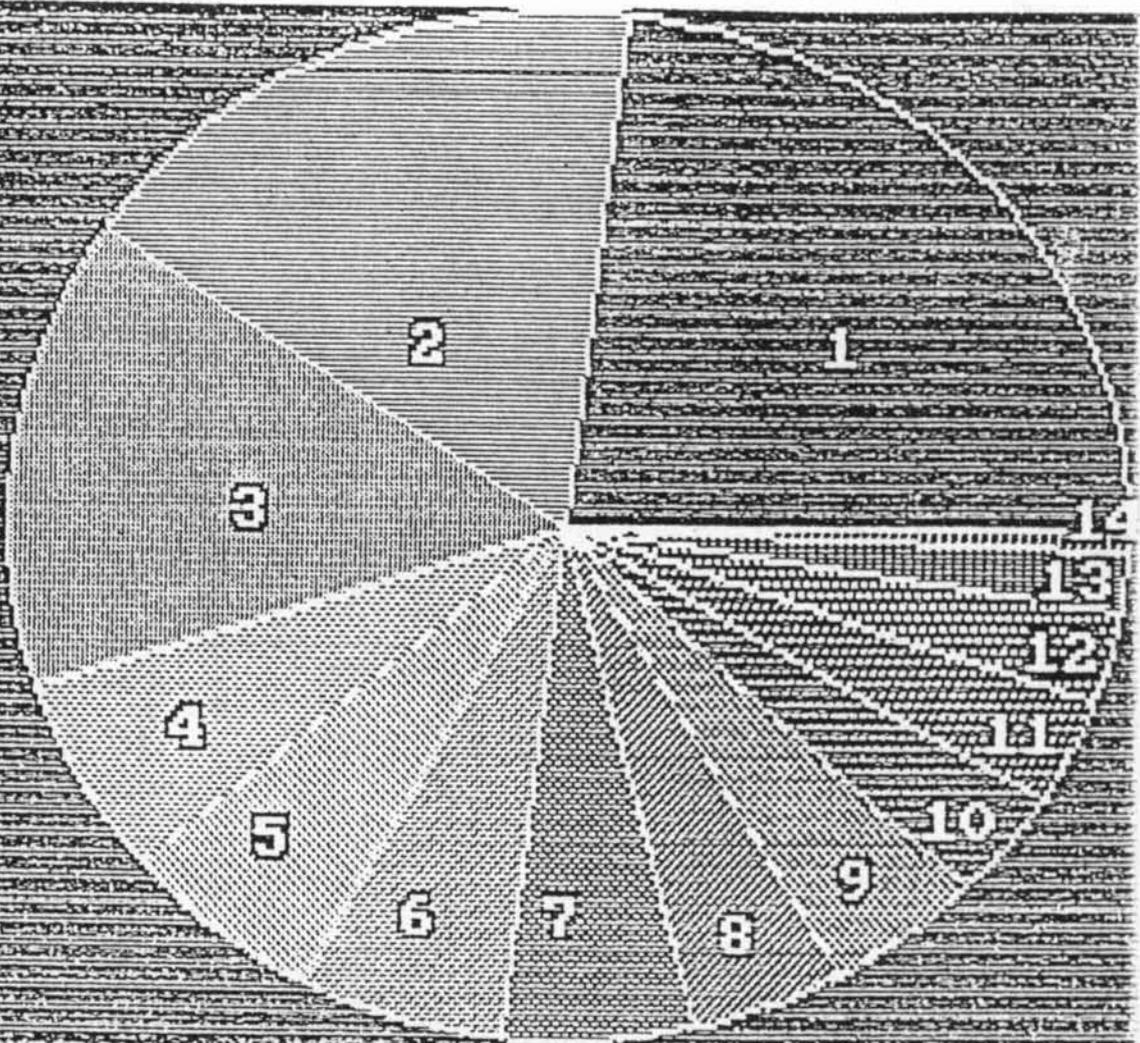
APPENDIX B

Geographic distribution of public facilities within the Chesapeake Bay Critical Areas of Maryland that provide access to the Bay and its tributaries for various recreational opportunities.

Chesapeake Bay Critical Areas Commission

October 1986

- 1 Boating (160)
- 2 Fishing (118)
- 3 Picnicking (100)
- 4 Playgrounds (43)
- 5 Hiking (42)
- 6 Scenic Dr. (40)
- 7 Swimming (38)
- 8 Athletics (31)
- 9 Birdwatching (30)
- 10 Hunting (25)
- 11 Education (22)
- 12 Sunbathing (20)
- 13 Camping (12)
- 14 Biking (5)

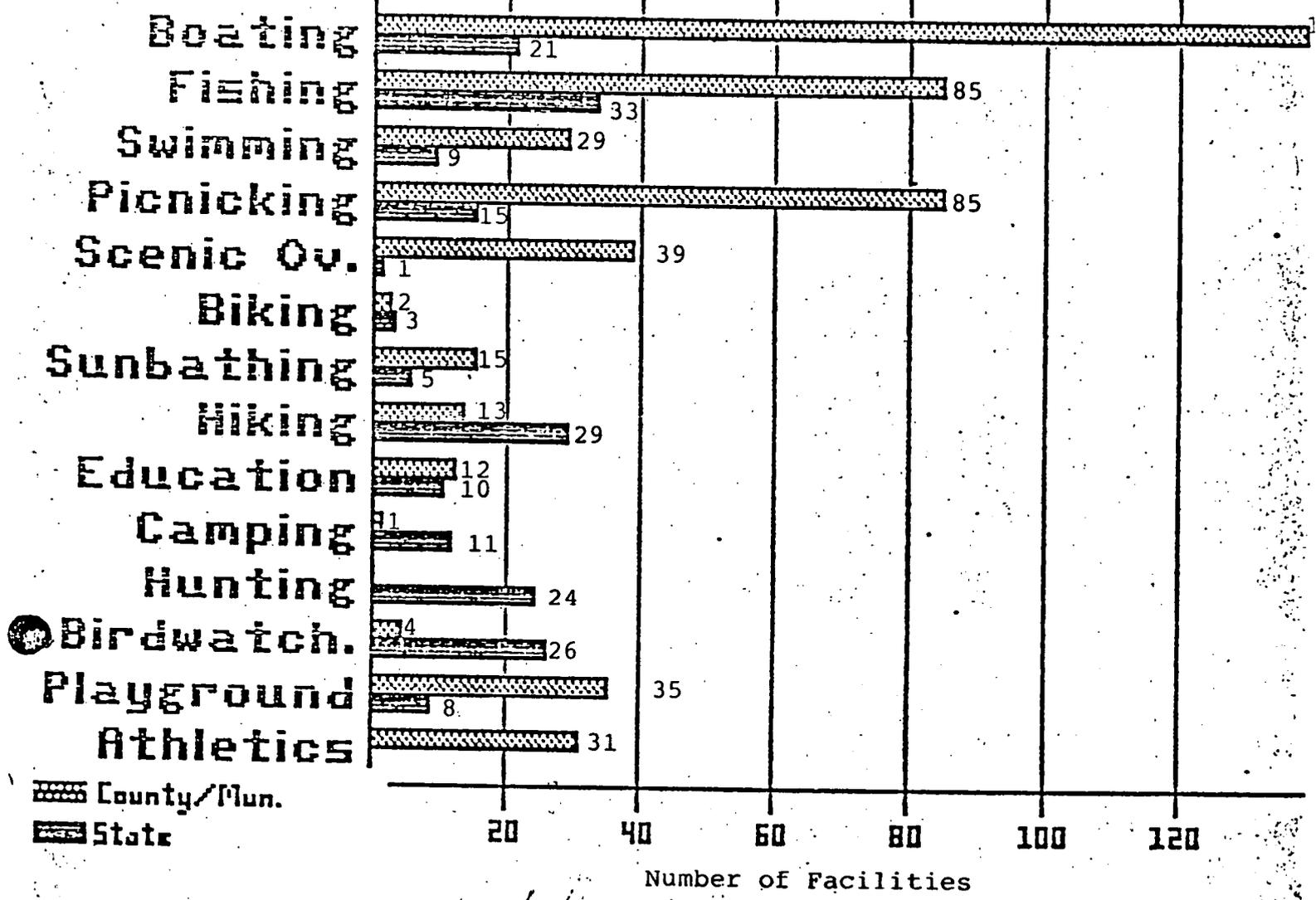


Total # of Public Access Facilities in Maryland

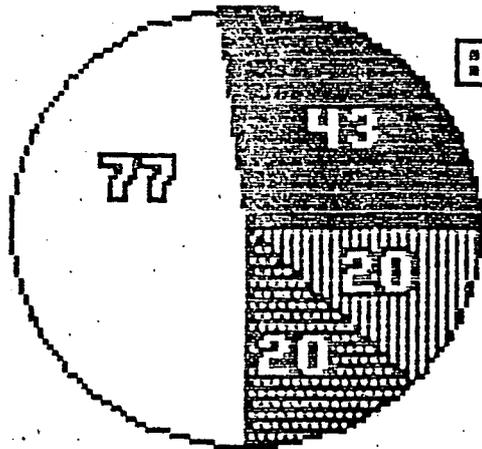
NOTE: Totals are a combination of State and local facilities.

State and Locally Owned Chesapeake Bay

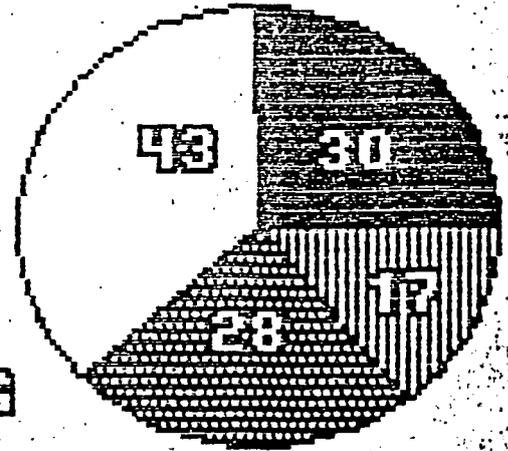
Public Access Facilities in Md.



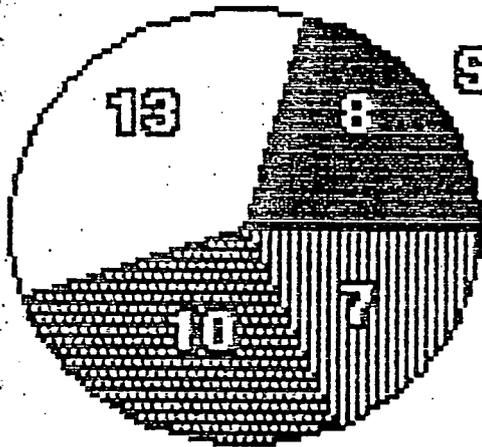
NOTE: The State has financially assisted the acquisition and/or development of an average of 83% of the county and municipal owned Chesapeake Bay access facilities.



BOATING



FISHING

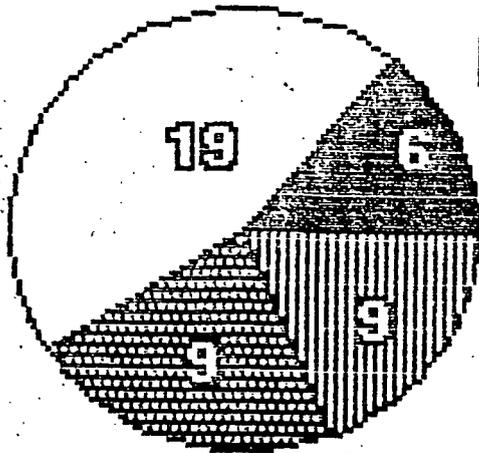


SWIMMING

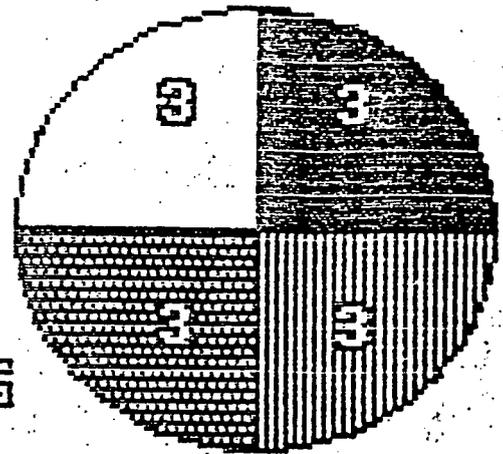
-  Upper Eastern
-  Lower Eastern
-  Upper Western
-  Lower Western

Note:

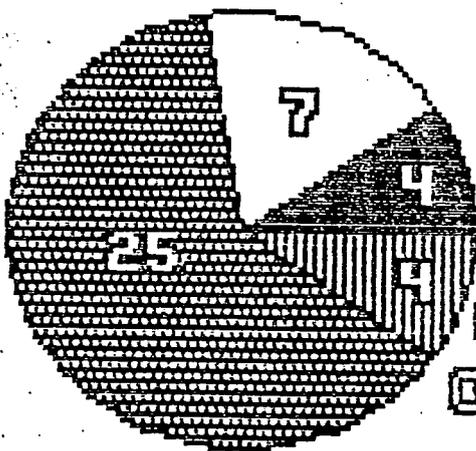
1. The Counties within a Region are as follows:
 - a. Upper Eastern — Caroline, Cecil, Kent, Queen Anne's
 - b. Lower Eastern — Dorchester, Somerset, Talbot, Wicomico, Worcester
 - c. Upper Western — Anne Arundel, Baltimore City, Baltimore, Harford
 - d. Lower Western — Calvert, Charles, Prince George's, St. Mary's
2. Numbers in the Pie represent the total number of Facilities within a region.



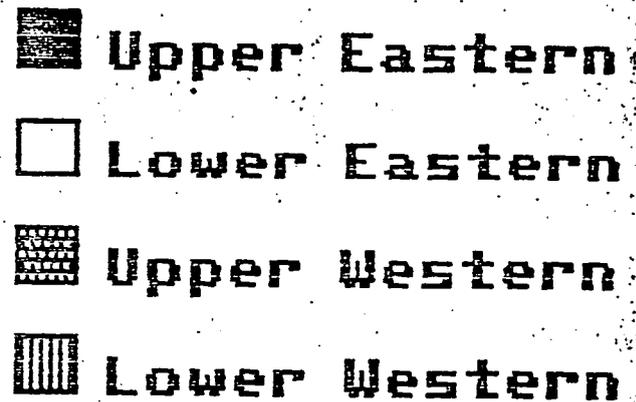
HIKING



CAMPING



SCENIC OVERLOOKS

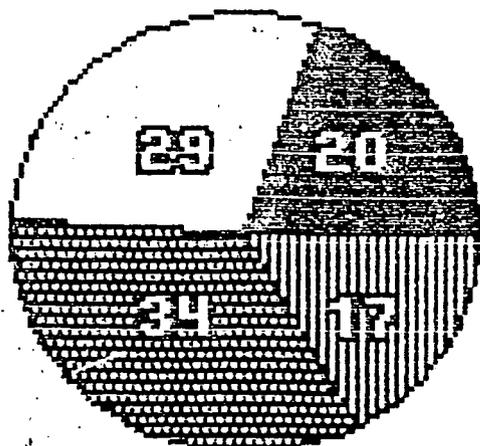


Note:

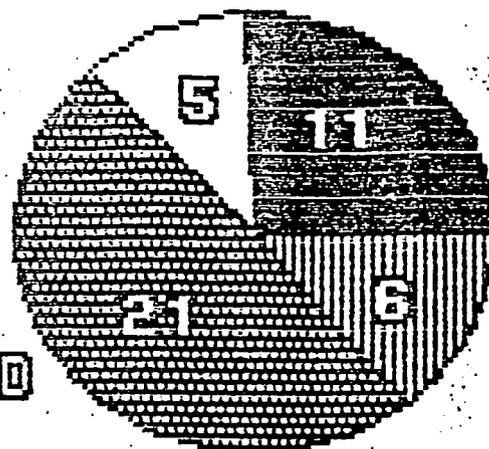
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2. Numbers in the Pie represent the total number of Facilities within a region.

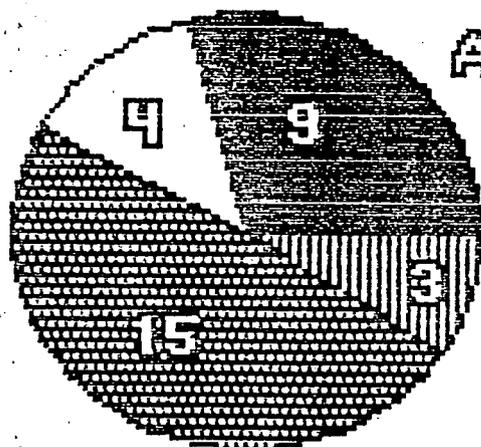
PICNICKING



PLAYGROUND



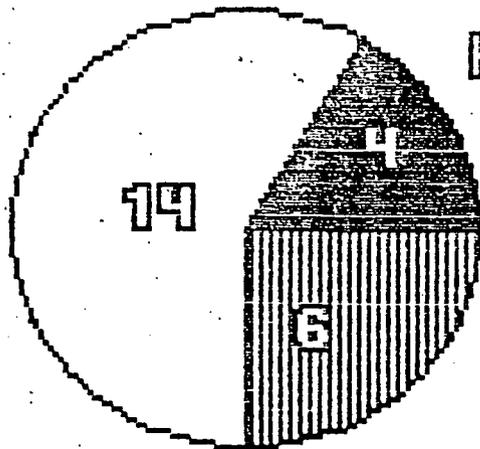
ATHLETICS



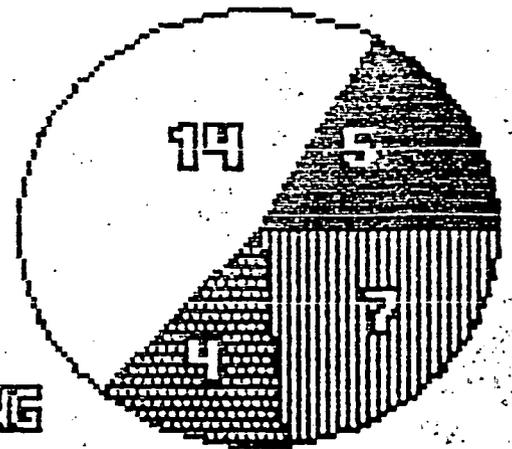
-  Upper Eastern
-  Lower Eastern
-  Upper Western
-  Lower Western

Note:

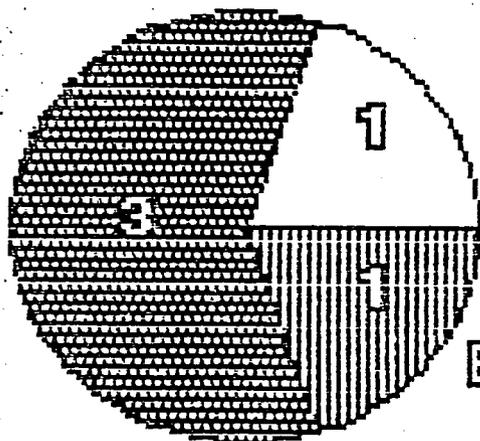
1. The Counties within a Region are as follows:
 - a. Upper Eastern — Caroline, Cecil, Kent, Queen Anne's
 - b. Lower Eastern — Dorchester, Somerset, Talbot, Wicomico, Worcester
 - c. Upper Western — Anne Arundel, Baltimore City, Baltimore, Harford
 - d. Lower Western — Calvert, Charles, Prince George's, St. Mary's
2. Numbers in the Pie represent the total number of Facilities within a region.



HUNTING



BIRD WATCHING



BIKING

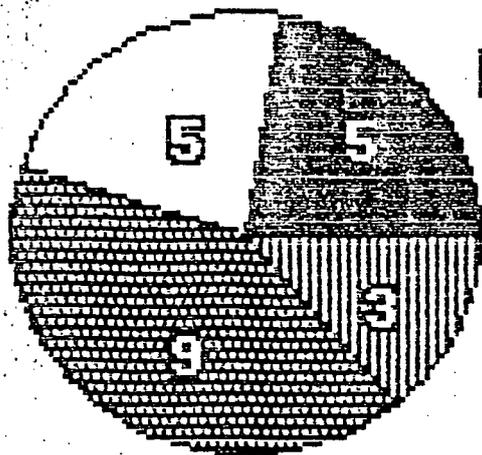
-  Upper Eastern
-  Lower Eastern
-  Upper Western
-  Lower Western

Note:

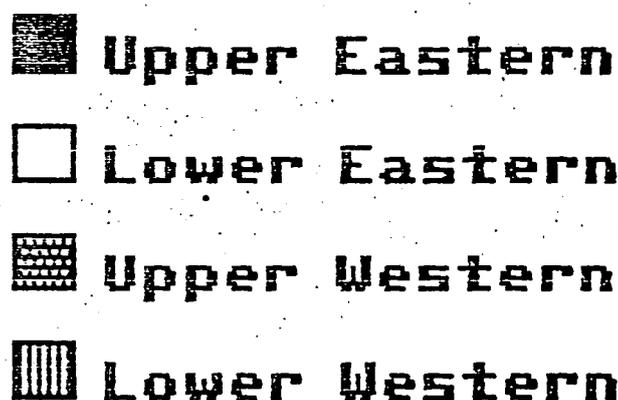
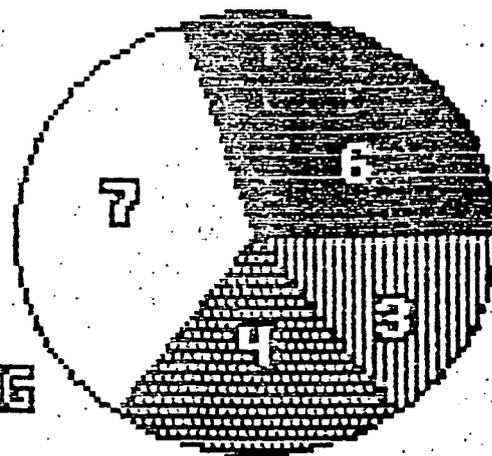
1. The Counties within a Region are as follows:
 - a. Upper Eastern — Caroline, Cecil, Kent, Queen Anne's
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 - d. Lower Western — Calvert, Charles, Prince George's, St. Mary's

2. Numbers in the Pie represent the total number of Facilities within a region.

EDUCATION



SUNBATHING



Note:

1. The Counties within a Region are as follows:
 - a. Upper Eastern — Caroline, Cecil, Kent, Queen Anne's
 - b. Lower Eastern — Dorchester, Somerset, Talbot, Wicomico, Worcester
 - c. Upper Western — Anne Arundel, Baltimore City, Baltimore, Harford
 - d. Lower Western — Calvert, Charles, Prince George's, St. Mary's

2. Numbers in the Pie represent the total number of Facilities within a region.

RESULTS - Note: Numbers represent percentage of respondents that answered a particular question.

SECTION I - ACCESS

APPENDIX C

For the purpose of this questionnaire the following definitions apply:

ACCESS: The ability of the public to view the Chesapeake Bay and its tributaries or to utilize shoreline areas for activities dependent on or enhanced by such a location (fishing, swimming, sunbathing, hiking, etc.)

PUBLIC ACCESS: Access areas owned and operated by federal, State, local or municipal governments.

PRIVATE ACCESS: Access areas owned and operated by private landowners, enterprises, or communities.

ADEQUATE: Able to satisfy a need.

Please check the column on the right which best reflects your feelings about each of these statements.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Not Sure	* % Agree
1. Some of the funds which were provided to clean up the Bay should be used to provide public access to the Bay.	15 <input type="checkbox"/>	29 <input type="checkbox"/>	26 <input type="checkbox"/>	27 <input type="checkbox"/>	3 <input type="checkbox"/>	45
2. Public access facilities are well marked from public roadways.	5 <input type="checkbox"/>	42 <input type="checkbox"/>	28 <input type="checkbox"/>	6 <input type="checkbox"/>	20 <input type="checkbox"/>	58
3. The State should offer incentives (tax breaks) to encourage private property owners to donate access rights to their property.	14 <input type="checkbox"/>	31 <input type="checkbox"/>	28 <input type="checkbox"/>	16 <input type="checkbox"/>	11 <input type="checkbox"/>	51
4. An increase in access to the Bay would promote an increase in uncontrolled illegal activities (i.e. poaching, drug running, vandalism, etc.)	11 <input type="checkbox"/>	25 <input type="checkbox"/>	37 <input type="checkbox"/>	15 <input type="checkbox"/>	12 <input type="checkbox"/>	41
5. Increasing access to the Bay will contribute to the degradation of the Bay and its resources.	13 <input type="checkbox"/>	32 <input type="checkbox"/>	36 <input type="checkbox"/>	10 <input type="checkbox"/>	9 <input type="checkbox"/>	49
6. Provision of public access to the Bay will promote citizen support for the clean-up of the Bay.	14 <input type="checkbox"/>	46 <input type="checkbox"/>	21 <input type="checkbox"/>	5 <input type="checkbox"/>	15 <input type="checkbox"/>	70
7. Private enterprise should be allowed to operate and manage certain State owned access facilities through lease arrangements.	10 <input type="checkbox"/>	46 <input type="checkbox"/>	20 <input type="checkbox"/>	9 <input type="checkbox"/>	15 <input type="checkbox"/>	66

8. How many miles would you be willing to travel to participate in the following recreational opportunities?

Median Responses	Recreational Opportunities	MILES			
		1-15	16-30	31-45	Greater Than 45
16 - 30	Boating (Marina)	30 <input type="checkbox"/>	25 <input type="checkbox"/>	18 <input type="checkbox"/>	27 <input type="checkbox"/>
16 - 30	Boating (Launching Ramp)	34 <input type="checkbox"/>	25 <input type="checkbox"/>	16 <input type="checkbox"/>	25 <input type="checkbox"/>
16 - 30	Shoreline Fishing/Crabbing	36 <input type="checkbox"/>	24 <input type="checkbox"/>	18 <input type="checkbox"/>	22 <input type="checkbox"/>
16 - 30	Swimming/Sunbathing	40 <input type="checkbox"/>	19 <input type="checkbox"/>	16 <input type="checkbox"/>	26 <input type="checkbox"/>
31 - 45	Picnicking	42 <input type="checkbox"/>	30 <input type="checkbox"/>	15 <input type="checkbox"/>	15 <input type="checkbox"/>
1 - 15	Scenic Overlooks	24 <input type="checkbox"/>	24 <input type="checkbox"/>	21 <input type="checkbox"/>	31 <input type="checkbox"/>
16 - 30	Biking	57 <input type="checkbox"/>	18 <input type="checkbox"/>	12 <input type="checkbox"/>	12 <input type="checkbox"/>
16 - 30	Hiking	40 <input type="checkbox"/>	18 <input type="checkbox"/>	16 <input type="checkbox"/>	27 <input type="checkbox"/>
45+	Education (Environmental/Interpretive Programs)	27 <input type="checkbox"/>	24 <input type="checkbox"/>	18 <input type="checkbox"/>	31 <input type="checkbox"/>
31 - 45	Camping	18 <input type="checkbox"/>	8 <input type="checkbox"/>	18 <input type="checkbox"/>	60 <input type="checkbox"/>
16 - 30	Hunting	27 <input type="checkbox"/>	8 <input type="checkbox"/>	17 <input type="checkbox"/>	48 <input type="checkbox"/>
	Birdwatching	43 <input type="checkbox"/>	17 <input type="checkbox"/>	14 <input type="checkbox"/>	27 <input type="checkbox"/>
	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* Of those that offered an opinion.

9. Please check the highest fee that you would be willing to pay (daily) to utilize access areas that offered the following recreational opportunities.

Median Response	Recreational Opportunities	DAILY FEE					I Would Not Pay
		Greater Than \$10	\$7-\$10	\$5-\$6	\$3-\$4	\$1-\$2	
\$5 - \$6	Boating (Marina)	24	16	17	13	9	21
3 - 4	Boating (Launching Ramp)	6	11	24	22	17	20
0	Shoreline Fishing/Crabbing	2	2	11	14	20	51
1 - 2	Swimming/Sunbathing	2	3	9	17	28	42
1 - 2	Picnicking	1	3	6	13	29	47
0	Scenic Overlooks	1	1	3	4	19	73
0	Biking	1	1	4	5	18	72
0	Hiking	1	1	4	7	20	68
1 - 2	Education (Environmental/Interpretive Programs)	10	4	13	15	21	37
5 - 6	Camping	13	21	30	10	7	18
1 - 2	Hunting	19	11	12	7	7	45
0	Birdwatching	1	2	4	5	14	74
	Other						

10. I would prefer access areas to be located (check one):

- 45 In rural surroundings 45
 11 In urban surroundings 11
 44 I have no preference 44

11. I would prefer access areas to be located (Check one):

- 13 On the mainstem of the Bay. Where? _____
 17 In the lower reaches of a tributary with close proximity to the Bay. Preferred tributary _____
 6 In the upper reaches of a tributary. Preferred tributary _____
 64 I have no preference.

12. I feel that access to the Bay should be promoted:

- 38 Primarily within the State of Maryland
 30 Out of the State of Maryland as well as within
 24 It should not be promoted
 9 It doesn't matter

13. How many times a year would you use an access facility that offered the following recreational opportunities?

Median Response	Recreational Opportunities	TIMES A YEAR				% The Would Use?
		Greater Than 6	4-6	1-3	0	
1 - 3	Boating (Marina)	27	6	24	43	60
1 - 3	Boating (Launching Ramp)	27	11	24	39	61
1 - 3	Shoreline Fishing/Crabbing	22	13	31	34	66
1 - 3	Swimming/Sunbathing	27	15	26	32	68
1 - 3	Picnicking	15	15	46	25	75
0	Scenic Overlooks	12	14	49	25	75
1 - 3	Biking	11	8	25	56	45
1 - 3	Hiking	12	12	35	42	58
1 - 3	Education (Environmental/Interpretive Programs)	10	15	48	28	72
0	Camping	10	11	37	42	58
0	Hunting	11	7	16	67	33
0	Birdwatching	9	8	25	58	42
	Other					

14. What three recreational opportunities would you like to see provided through access?
 (In order of preference - refer to list in Question 13.)

1. SWIMMING/SUNBATHING 3. SHORELINE FISHING/CRABING
 2. BOATING/LAUNCHING RAMP

15. Overall, how adequately do you feel the following recreational opportunities are presently being provided for by access facilities through both the public and private sector?

Recreational Opportunities	ADEQUACY			
	More Than Adequate	Adequate	Not Adequate	% Adequate
Boating (Marina)	26 <input type="checkbox"/>	54 <input type="checkbox"/>	20 <input type="checkbox"/>	80
Boating (Launching Ramp)	16 <input type="checkbox"/>	48 <input type="checkbox"/>	36 <input type="checkbox"/>	64
Shoreline Fishing/Crabbing	9 <input type="checkbox"/>	42 <input type="checkbox"/>	49 <input type="checkbox"/>	51
Swimming/Sunbathing	8 <input type="checkbox"/>	41 <input type="checkbox"/>	50 <input type="checkbox"/>	50
Picnicking	8 <input type="checkbox"/>	56 <input type="checkbox"/>	37 <input type="checkbox"/>	63
Scenic Overlooks	7 <input type="checkbox"/>	44 <input type="checkbox"/>	49 <input type="checkbox"/>	51
Biking	8 <input type="checkbox"/>	46 <input type="checkbox"/>	47 <input type="checkbox"/>	53
Hiking	7 <input type="checkbox"/>	50 <input type="checkbox"/>	43 <input type="checkbox"/>	57
Education (Environmental/Interpretive Programs)	4 <input type="checkbox"/>	41 <input type="checkbox"/>	54 <input type="checkbox"/>	45
Camping	9 <input type="checkbox"/>	49 <input type="checkbox"/>	43 <input type="checkbox"/>	58
Hunting	18 <input type="checkbox"/>	50 <input type="checkbox"/>	32 <input type="checkbox"/>	68
Birdwatching	11 <input type="checkbox"/>	63 <input type="checkbox"/>	27 <input type="checkbox"/>	73
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

16. Specifically, how adequately do you feel the following recreational opportunities are presently being provided for by the public sector alone and by the private sector alone? Which sector(s) would you prefer to provide those facilities?

	SPECIFIC ADEQUACY						WHICH SECTOR SHOULD PROVIDE?					
	PUBLIC		PRIVATE									
	% Adequate Public	% Adequate Private	More Than Adequate	Adequate	Not Adequate	More Than Adequate	Adequate	Not Adequate	Both Public and Private	Solely Public	Solely Private	No Preference
Boating (Marina)	59	81	17	42	41	33	48	19	67	6	20	8
Boating (Launching Ramp)	56	70	13	44	44	22	48	30	76	13	4	8
Shoreline Fishing/Crabbing	51	52	9	41	51	11	41	48	58	29	4	9
Swimming/Sunbathing	49	54	8	40	52	9	45	47	65	25	2	8
Picnicking	60	52	9	51	40	8	45	48	55	32	2	11
Scenic Overlooks	49	47	9	40	52	10	37	53	37	50	2	11
Biking	53	51	8	45	47	10	41	49	39	46	2	13
Hiking	58	49	7	51	42	8	41	51	42	44	2	13
Education (Environmental/Interpretive)	46	39	5	41	54	6	33	61	56	32	2	10
Camping	57	62	10	47	43	12	50	39	69	18	3	10
Hunting	65	67	15	50	35	19	48	33	59	17	8	15
Birdwatching	70	61	9	60	30	8	53	39	50	30	3	17
Other												

17. Please use the space below if you wish to express additional comments, concerns, or suggestions regarding the provision of public access to the Chesapeake Bay and its tributaries.

#1 concern was trash, congestion and the need for policing that would accompany an increase in access facilities.

SECTION II - REFORESTATION

1. The following statements are being made for your response to assess your awareness of and participation in the various programs and assistance offered by the State as to forestry practices.

A W A R E N E S S

	Yes, I am Aware	Yes, I am Aware and Have Utilized	Yes, I am Aware but Would Like to Know More	No, I am not Aware	No, I am not Aware but Would Like to Know More	% Aware
a. I am aware that the State has a nursery where trees can be purchased at cost for conservation purposes (planting of trees on recently harvested areas, wind break, wild-life habitat, and erosion control).	32 <input type="checkbox"/>	16 <input type="checkbox"/>	9 <input type="checkbox"/>	24 <input type="checkbox"/>	18 <input type="checkbox"/>	57
b. I am aware that the State has a Cooperative Forestry Program in which professional foresters meet with landowners upon request (free of charge) to give advice and assistance on how to best manage their property.	40 <input type="checkbox"/>	12 <input type="checkbox"/>	5 <input type="checkbox"/>	31 <input type="checkbox"/>	13 <input type="checkbox"/>	56
c. I am aware that the State offers income tax modifications for those landowners who replant trees on recently harvested areas and participate in timber stand improvement practices.	34 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>	48 <input type="checkbox"/>	11 <input type="checkbox"/>	41
d. I am aware that the State offers cost sharing for those landowners who replant trees on recently harvested areas and participate in timber stand improvement practices.	34 <input type="checkbox"/>	5 <input type="checkbox"/>	4 <input type="checkbox"/>	49 <input type="checkbox"/>	8 <input type="checkbox"/>	43
e. I am aware that the State has a Tree Farm Program which offers incentives to tree farmers through public recognition, free technical assistance, and free educational magazines.	38 <input type="checkbox"/>	5 <input type="checkbox"/>	4 <input type="checkbox"/>	42 <input type="checkbox"/>	11 <input type="checkbox"/>	47
f. I am aware that the State has a Seed Tree Law that insures the replanting of loblolly, short-leaf and pond pine trees from recently harvested areas.	23 <input type="checkbox"/>	3 <input type="checkbox"/>	2 <input type="checkbox"/>	60 <input type="checkbox"/>	13 <input type="checkbox"/>	27
g. I am aware that the State has a Forest Conservation and Management Program in which the assessed value of forest land can be frozen for a minimum of 15 years (for tax purposes) if the landowner follows an approved management plan.	27 <input type="checkbox"/>	5 <input type="checkbox"/>	3 <input type="checkbox"/>	54 <input type="checkbox"/>	11 <input type="checkbox"/>	36
h. I am aware that the State requires an erosion and sediment control plan for all harvests of large areas.	54 <input type="checkbox"/>	5 <input type="checkbox"/>	6 <input type="checkbox"/>	29 <input type="checkbox"/>	6 <input type="checkbox"/>	65
i. I am aware that the State has a cost sharing program for urban projects located near the Chesapeake Bay which carry out best management practices to prevent erosion, runoff and sedimentation.	31 <input type="checkbox"/>	2 <input type="checkbox"/>	5 <input type="checkbox"/>	49 <input type="checkbox"/>	14 <input type="checkbox"/>	38
j. I am aware that the State has foresters specifically assigned to help with forest planning and management within the Chesapeake Bay Critical Area (all uplands within 1,000 feet of tidal waters or tidal wetlands.)	37 <input type="checkbox"/>	4 <input type="checkbox"/>	5 <input type="checkbox"/>	43 <input type="checkbox"/>	10 <input type="checkbox"/>	47

2. The following statements are being made to assess whether or not forestry practices are being used by you on your property.

	Yes	No	Not Applicable	If Yes, What do you use? (be specific)
a. I maintain or have planted trees, shrubs or grasses for erosion control purposes.	40 <input type="checkbox"/>	24 <input type="checkbox"/>	36 <input type="checkbox"/>	_____
b. I have specifically planted or maintained trees, shrubs or grasses for wildlife value.	37 <input type="checkbox"/>	33 <input type="checkbox"/>	30 <input type="checkbox"/>	_____
c. I have established a forest (one acre or more) on portions of my property which had always or long been treeless.	10 <input type="checkbox"/>	40 <input type="checkbox"/>	51 <input type="checkbox"/>	_____
d. I maintain or have planted a buffer of trees, shrubs, or grasses between my property and the water.	20 <input type="checkbox"/>	28 <input type="checkbox"/>	52 <input type="checkbox"/>	_____

3. I believe that planting vegetation for the purpose of environmental concerns (i.e. water quality improvement and wildlife habitat improvement) should be:
 64 Mandatory 35 At the property owners discretion 1 Isn't necessary

4. Please answer the following question regardless of your personal property ownership.
 a. If I were to plant a buffer (vegetated area to protect aquatic, wetland, shoreline, and terrestrial environments from man-made disturbances) along my shoreline property I would prefer to plant a buffer of:
 47 Trees 32 Shrubs 44 Grasses

- b. Rank the following in order of importance (1 = most important; 6 = least important) as to the reason you selected the preferred buffer in question 4(a).
- 7 ___ Initial Low Planting Cost
 - 18 ___ Wildlife Habitat Value
 - 16 ___ Scenic Value (Pleasing to look at)
 - 25 ___ Scenic Value (Preserves view of the water)
 - 28 ___ Improved Water Quality
 - 9 ___ Ease of Maintenance
 - ___ Other (specify) _____

5. Please use the space below if you wish to express additional comments, concerns, or suggestions regarding reforestation practices.

SECTION III - RESPONDENT INFORMATION

1. County of residence Upper Eastern - 11 Upper Western - 40 Other - 19
 Lower Eastern - 13 Lower Western - 17

2. I am employed by:
 33 Public Sector (i.e. State, county or municipal governments)
 45 Private Sector (i.e. business, medical or education)
 22 Not Employed

3. Have you gone boating within the past year? 76 Yes 24 No

4. If you own, rent, or charter a boat(s), please indicate what kind(s).
 13 Non-motor (canoe, inflatable, skiff, windsurfer)
 50 Trailerable (motor or sail)
 37 Non-trailerable (motor or sail)

5. Please put a check by *one* of the following groups with which you are affiliated. If you are affiliated with more than one group, only check the one that you would most like to be identified with for the purpose of this questionnaire.

- 3 Member of the Marine Trade Association
- 4 Member of the Coastal Resources Advisory Committee
- 2 Member of the Maryland Watermen's Association, Inc.
- 5 Member of the Chesapeake Bay Yacht Club Association
- 11 Member of the Chesapeake Bay Foundation's BayWatchers
- 10 Forestry Board Member
- 2 Attendat at the Sandy Point Boat Show in April 1986
- 2 Boat Dealer
- 2 Marine-oriented retail store that issues hunting and fishing licenses
- 11 Member of Public Access and Reforestation Task Force established by the Chesapeake Bay Critical Areas Commission
- 6 County/Municipal Official
- 17 ~~XXXXXXXXXXXX~~ Targeted/Unidentified
- 25 Random

6. Please indicate how you received this questionnaire.

- Was mailed to me
- 3 Received at State park
- 1 Received from marine policeman
- 1 Library
- 6 I requested a copy from the Critical Areas Commission
- Other

7. If you own, rent, or charter a boat, please indicate your satisfaction regarding the State services listed below.

	Satisfied	Dissatisfied	Did Not Know Service Existed	Comments
Boating Information (i.e. rules/ regulations, safety tips, guides to facilities)	81 <input type="checkbox"/>	10 <input type="checkbox"/>	9 <input type="checkbox"/>	_____
"Guide to Cruising Maryland Waters"	77 <input type="checkbox"/>	4 <input type="checkbox"/>	19 <input type="checkbox"/>	_____
Boating Safety Courses	79 <input type="checkbox"/>	9 <input type="checkbox"/>	12 <input type="checkbox"/>	_____
Harbors of Refuge	55 <input type="checkbox"/>	14 <input type="checkbox"/>	31 <input type="checkbox"/>	_____
Alcohol Enforcement Efforts	53 <input type="checkbox"/>	38 <input type="checkbox"/>	9 <input type="checkbox"/>	_____
Search and Rescue Efforts	86 <input type="checkbox"/>	8 <input type="checkbox"/>	6 <input type="checkbox"/>	_____
Assistance to Disabled Vessels	80 <input type="checkbox"/>	14 <input type="checkbox"/>	7 <input type="checkbox"/>	_____
Marine Medical Services	51 <input type="checkbox"/>	7 <input type="checkbox"/>	42 <input type="checkbox"/>	_____
Conservation Law Enforcement	52 <input type="checkbox"/>	38 <input type="checkbox"/>	10 <input type="checkbox"/>	_____
Boating Safety Enforcement	64 <input type="checkbox"/>	31 <input type="checkbox"/>	5 <input type="checkbox"/>	_____

8. Please print your name and address below if you are interested in participating in a workshop where the proposed State recommendations will be formulated (optional).

Name _____
 Address _____
 City/State/Zip _____

APPENDIX D

RESULTS OF ACCESS AND REFORESTATION QUESTIONNAIRE

Chesapeake Bay Critical Area Commission

October, 1986

I. INTRODUCTION

The questionnaire was distributed to 2,500 respondents within the State of Maryland. Half of the questionnaires (1,250) were sent to a random population and the other half (1,250) were divided among 17 targeted groups.

We received a 21% return. The distribution of respondents by targeted groups and region are shown in Figure 1 and Figure 2, respectively. The majority of the respondents are boaters who own trailerable boats, and most are employed by the private sector.

The summary below is based on 530 responses.

II. ACCESS

1. The majority of the respondents feel that Bay clean-up funds should not be used to provide access to the Bay (Question #1). But, there is a strong belief that the provision of public access to the Bay will promote citizen support for the clean-up of the Bay (Question #6).
2. Of those respondents with an opinion, most feel that public access facilities are well marked from public roadways (Question #2). Twenty percent of the respondents were not sure on this issue.
3. The respondents are split as to whether or not the State should offer incentives (tax breaks) to encourage private property owners to donate access rights to their property (Question #3).
4. The respondents feel that an increase in access would not promote an increase in uncontrolled illegal activities (Question #4). There did seem to be a considerable amount of concern, however, regarding this issue because handwritten comments generated a number of concerns relating to the need for monitoring and policing of access areas.
5. The respondents are split as to whether or not increasing access to the Bay will contribute to the degradation of the Bay and its resources (Question #5). The most frequently expressed concern generated

by handwritten comments was that of increased trash and congestion associated with access areas (Question #17).

6. The public feels that private enterprise should be allowed to operate and manage certain State-owned access facilities through lease arrangements (Question #7).
7. The respondents are willing to travel the least amount of miles for bicycling (1 - 15) and the greatest amount of miles (45+) for camping (Question #8).
8. The respondents are willing to pay the highest daily fee (\$5 - \$6) for camping and the use of a marina. They are willing to pay a moderate fee (\$3 - \$4) for the use of a boat ramp and are willing to pay low fees (\$1 - \$2) for swimming/sunbathing, picnicking, education, and hunting. They are not willing to pay for shoreline fishing/crabbing, scenic overlooks, biking, hiking, or birdwatching (Question #9).
9. A large portion of the respondents have no preference as to where access areas should be located (Question #'s 10 and 11). Those indicating a preference, want the areas to be in rural surroundings (Question #10) and on the lower reaches of a tributary with close proximity to the Bay (Question #11). The respondents had the opportunity to express a specific area where they wanted access to be available. The largest percentage of those areas specified are located on the upper western shore and the smallest percentage are located on the lower eastern shore. This is not suprising since the largest number of respondents live on the upper western shore (Figure 2).
10. The respondents feel that access to the Bay should be promoted primarily within the State of Maryland (Question #12). One fourth of the respondents feel that it should not be promoted at all.
11. There was a low response for the utilization of access facilities that offered the recreational opportunities of biking, hunting, and birdwatching (Question #13).
12. The three preferred recreational opportunities are boating (launching ramps), swimming/sunbathing, and shoreline fishing (Question #14). Approximately two-thirds of the respondents feel that the provision of boat launching ramps is presently adequate. Only one half of the respondents feel that the provision of swimming/sunbathing and shoreline fishing areas are presently adequate (Question #15).

13. The respondents feel that boating (marinas), birdwatching, hunting, and boating (launching ramps) are most adequately being provided for. They feel that education, swimming/sunbathing, shoreline fishing/crabbing, and scenic overlooks are least adequately being provided for (Question #15).
14. The respondents indicate that they want solely the public sector to provide the recreational opportunities of biking, hiking, and scenic overlooks. (These are three of the activities that the respondents indicated they would not pay for - refer to comment 8.) They want both the private and the public sector to provide the remaining opportunities. When examining the percentage of respondents who expressed a preference between solely public and solely private facilities, boating (marinas) is the only recreational opportunity where a greater percentage wanted the private sector to provide the facility for the activity (Question #16).
15. The majority of boaters indicated that they are satisfied with all of the State services available to them. They are least satisfied with alcohol enforcement, conservation law enforcement, and boating safety efforts. A large percentage of boaters are not aware that marine medical services and harbors of refuge exist (SECTION III - Respondent Information #7).

III. REFORESTATION

1. Public awareness of State programs is high (Question #1, a-j). The respondents have the highest awareness of the requirements of an erosion and sediment control plan (1, h), the State's nursery (1, a), and the Cooperative Forestry Program (1, b). The lowest awareness was of the Seed Tree Law (1, f), the Forest Conservation and Management Program (1, g), and the cost sharing program for urban projects (1, i). The low awareness of the Seed Tree Law is geographically based since this law does not apply to 13 counties in the State.
2. Of those respondents to which the question applied, most have maintained or planted vegetation for erosion control purposes (Question #2, a) and wildlife value practices (2, b).
3. Afforestation practices (2, c) and the establishment of a buffer along waterfront property (2, d) was not applicable to most respondents. Of those to which it did apply, the majority did not practice these efforts.

4. The majority of respondents indicated that reforestation practices should be mandatory (Question #3). Only one percent indicated that these practices were not necessary.
5. The largest percentage of respondents indicated that they would plant a buffer of trees along their waterfront property (Question #4, a). The most important reason for choosing this response was improved water quality and the least important reason was initial low planting costs (4, b). Many respondents indicated that they would prefer a combination of trees, shrubs, and grasses.

Random
 Marine Trade
 Advisory Committee
 Watermen
 Yacht Club
 Baywatchers
 Forestry Board
 Show Attendant
 Dealer
 Marine Store
 Task Force
 Official
 Targeted (Unidentified)
 State Park
 Policeman
 Library
 Requested
 Unknown

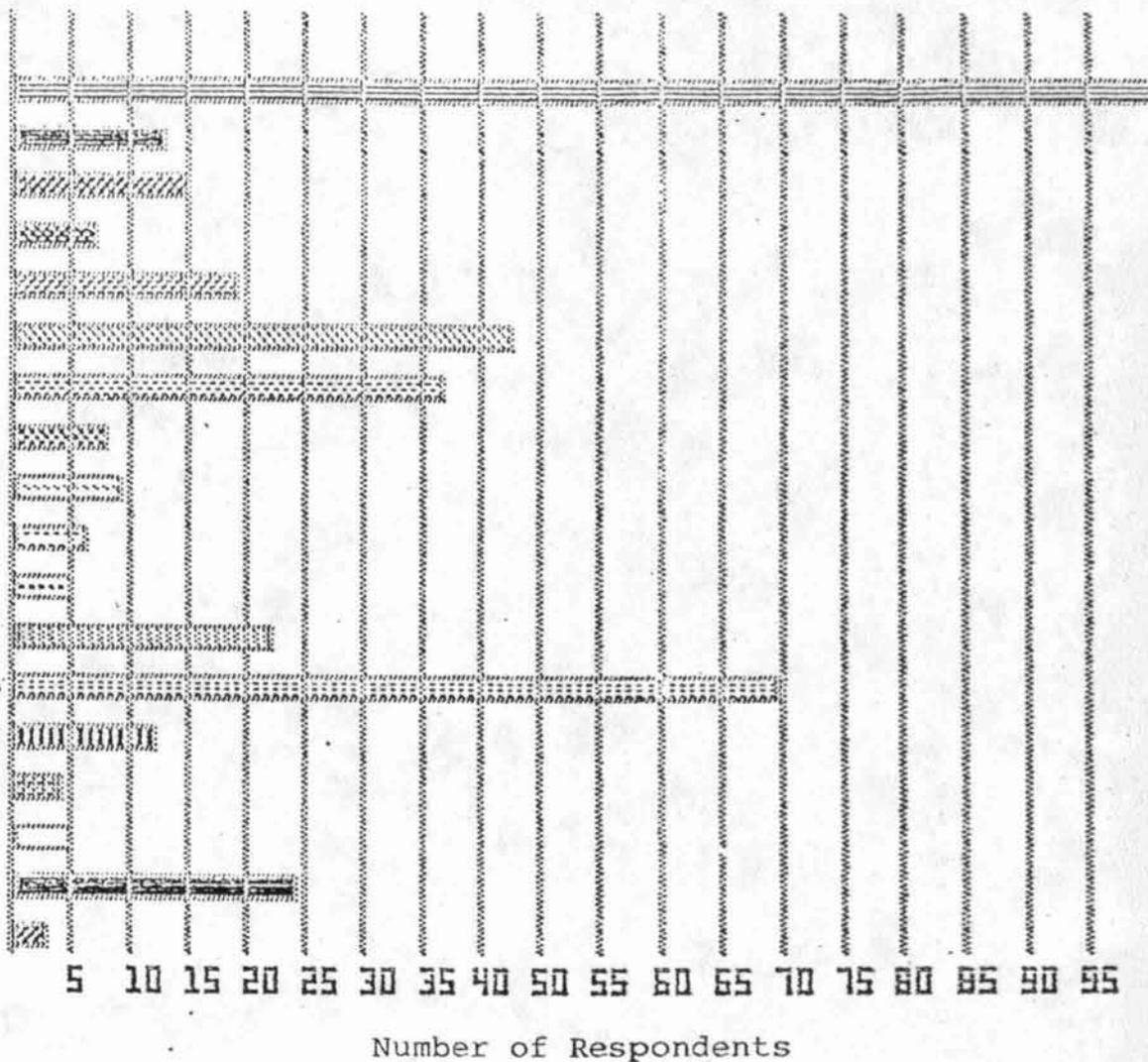
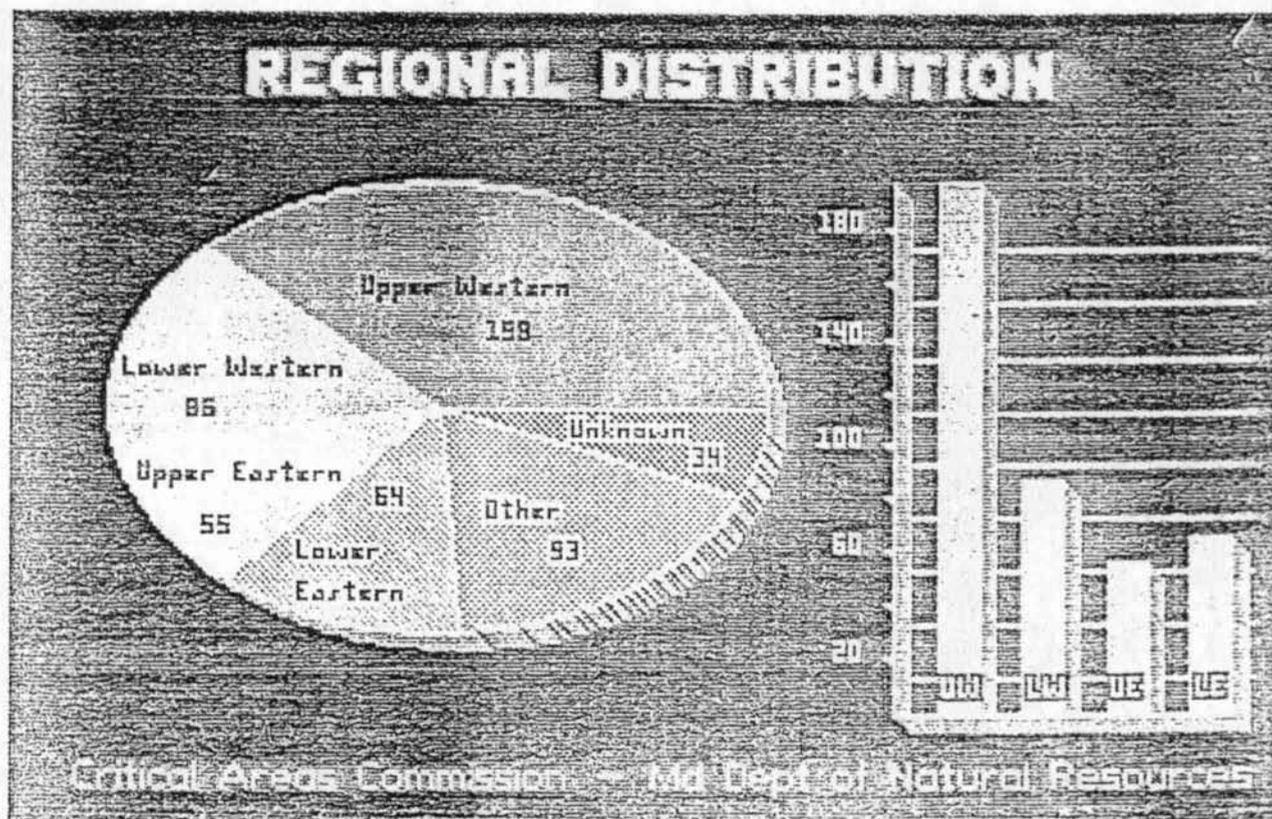


FIGURE 1

FIGURE 2



- A. Upper Eastern - Caroline, Cecil, Kent, Queen Anne's
- B. Lower Eastern - Dorchester, Somerset, Talbot, Wicomico, Worcester
- C. Upper Western - Anne Arundel, Baltimore City, Baltimore, Harford
- D. Lower Western - Calvert, Charles, Prince George's, St. Mary's
- E. Other - Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, Washington

APPENDIX E

CHESAPEAKE BAY ACCESS AND REFORESTATION WORKSHOP

Discussion Topics

Attached are five discussion topics that each group will examine. Each topic is followed by a statement and a question to stimulate group ideas. These ideas will then be considered by the Chesapeake Bay Critical Area Commission staff when formulating recommendations for State policy and goals. The recommendations will be included in a report that will be submitted to the Governor and 1987 General Assembly.

I. IMPORTANCE OF ACCESS - 10:45 - 11:15

Access in Maryland is handled by four separate State agencies and funding is provided by three separate programs.

- Question:
1. Is it important to you that there be a single program for unified access in Maryland? If so, why? If not, why?
 2. Should we be increasing our efforts for public access?

II. EFFECTS OF ACCESS - 11:15 - 11:45

Half of the questionnaire respondents feel that increasing access to the Bay will contribute to the degradation of the Bay and its resources (e.g. litter, environmental impacts).

Question: What steps can be taken to ensure that negative impacts of existing and newly created access facilities are minimized?

III. LOCATION OF ACCESS - 1:00 - 1:20

The results of the questionnaire indicate that the three preferred recreational opportunities are swimming/sunbathing, shoreline fishing/crabbing, and boating (launching ramps). Currently, the existing facilities in Maryland do not meet the demand for these opportunities.

Question: What steps can be taken to address this demand?

IV. REFORESTATION - 1:20 - 1:45

The Chesapeake Bay Critical Area Act recognizes that forests are protective land uses which provide significant water quality and wildlife habitat benefits. In developing the Critical Area Criteria it was the objective of the Commission to conserve forests and woodlands to the extent possible so that these benefits could be maintained or preferably enhanced.

The State presently offers various programs and assistance for forestry practices (See Section II of Questionnaire). The questionnaire revealed that public awareness of these programs averages 46% and the utilization of these services averages 6%.

Question: What can the State do to strengthen its efforts to ensure that forests and woodlands are conserved and enhanced to the greatest extent possible within the Chesapeake Bay Critical Area?

V. BOATING ACCESS - 1:45 - 2:05

Increasing access to the Bay and the provision of more boating facilities will likely increase the number of recreational boat users on the Bay.

Question: What are the most critical issues regarding increased boating use of the Bay and how should these issues be addressed by the State?

STEPHEN H. SACHS
ATTORNEY GENERAL
ELEANOR M. CAREY
DEPUTY ATTORNEY GENERAL
DENNIS M. SWEENEY
DEPUTY ATTORNEY GENERAL
CHARLES O. MONK, II
DEPUTY ATTORNEY GENERAL



STATE OF MARYLAND
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THE ATTORNEY GENERAL
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HOWARD P. NICHOLSON
LEE R. EPSTEIN
HENDERSON J. BROWN, IV
ELIZABETH MAUMENEE
ASSISTANT
ATTORNEYS GENERAL

December 15, 1986

Robert R. Price, Jr., Esquire
103 Lawyer's Row
Centreville, Maryland 21617

Bob
Dear Mr. Price:

As we agreed at our November dinner meeting, the next meeting of the Critical Areas Attorneys Group is set for Thursday, January 15, 1987 at 6:30 P.M. We will be meeting over dinner once again, this time at Whitehall Inn, Route 50-1 1/2 miles West of the Chesapeake Bay Bridge, Annapolis. Unless any of you have objections, I would suggest that January's major topic center around grandfathering issues.

Once again, I expect (and hope) that the discussion will be free and wide-ranging, and of course we need not limit ourselves to the major topic at hand. I hope that Tom Deming, Counsel to DNR and Judge Solomon Liss, Chairman of the CBCAC, will be able to add their voices to this discussion. I look forward to seeing you on the 15th, and will try to send a reminder letter a week or so before. Until then, have a Happy Holiday Season!

Sincerely,

Lee R. Epstein
Lee R. Epstein
Assistant Attorney General

LRE/jtd

Commission
mtg



JUDGE SOLOMON LISS
CHAIRMAN

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREAS COMMISSION
DEPARTMENT OF NATURAL RESOURCES
TAWES STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401
301-269-2418 or 269-2426

SARAH J. TAYLOR, PhD
EXECUTIVE DIRECTOR

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- Lloyd S. Tyler, III
City of Crisfield
- Mary Roe Walkup
Kent Co.
- Albert W. Zahniser
Calvert Co.

Dear Commission Member:

The next meeting of the Commission will be held on January 8, 1986 at the Department of Economic and Community Development. The Department is located at 45 Calvert Street in Annapolis. To find the building, take Route 50 to the Rowe Blvd. exit of Annapolis. Go past the Department of Natural Resources Building, over the bridge and make the 1st right hand turn from the right lane of Rowe Boulevard. That will put you onto Calvert Street. On the right side in the 2nd block is a parking garage. You should park there as the Department receptionist can stamp your ticket and there will not be a charge. The Department building is next to the parking garage (a small street divides them). The conference room is #258 which is located on the second floor of the building. Take the elevator to the 2nd floor and turn left. The conference room is close to the elevator.

Members of the Governor's staff will present to the Commission the draft of the Resolution to be submitted to the Legislature which we believe will result in the approval of the criteria adopted by the Commission. A thorough explanation of the passage of the criteria through the General Assembly will also be provided by the Governor's staff.

Members of the various programs within the Department of Natural Resources will then brief the Commission concerning the types of information available to local jurisdictions particularly as it relates to the habitat protection elements of program development. Please also remember to mark on your calendars, the local government workshop scheduled at the Tidewater Inn on the 21st of January. Please cancel all prior dates on your calendar for this workshop.

CABINET MEMBERS

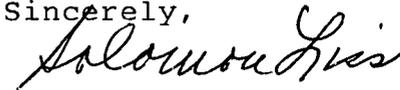
- Torrey C. Brown, M.D.
Natural Resources
- Wayne A. Cawley, Jr.
Agriculture
- William Eichbaum
Health and Mental Hygiene
- Ardath Cade
Economic and Community Development
- Constance Lieder
Planning

Commission Member
December 30, 1985
Page Two

Enclosed for your information is a copy of the final regulation and the First Annual Report of Progress under the Chesapeake Bay Agreement. Also enclosed are the minutes of the meeting of December 4, 1985, for your approval, and the agenda for January.

I look forward to seeing you at the meeting. Best wishes for a healthy and happy New Year.

Sincerely,



Solomon Liss
Chairman

SL/jjd