

SB0035 Written Testimony.pdf

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Position: FAV

January 21, 2022

FAVORABLE WITH BILL – SB0035: Charles County - Program Open Space – General Assembly Approval

Mr. Chairman and Members of the Committee,

We are writing in strong support of Senate Bill 0035 on behalf of Waterkeepers Chesapeake, a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. As we here at Waterkeepers work to protect and maintain the ability of the public to safely enjoy the waters of our State, we are also in support of the equitable distribution and availability of parks, playgrounds, and other green spaces for all citizens in Charles County, Maryland. Although the goal of Program Open Space has been to provide localities with financial and technical assistance for the development of recreational and open space areas, much of the funding provided by the program has been concentrated in only certain populations of Charles County. SB 35 aims to ensure equity in the distribution of these funds within Charles County through requiring the approval of legislation enacted by the General Assembly before any Charles County annual or revised program under Program Open Space takes effect. Furthermore, this bill would require similar approval before any project in Charles County may be approved for a grant. These requirements would act as a safeguard for communities who have been left with inequitable access to the parks and green spaces provided through Program Open Space funding.

Waterkeepers Chesapeake supports Senate Bill 0035 and its expressed requirements. The National Recreation and Park Association has defined “park access” as “The just and fair quantity, proximity and connections to quality parks, green spaces and recreation facilities, as well as programming that are safe, inclusive, culturally relevant and welcoming to everyone.” We strongly believe that equitable access to parks and green spaces in underserved communities helps foster a healthier, stronger, and more cohesive community. Therefore, we believe these requirements will help ensure a more equitable distribution of funds from Program Open Space in order to **greater benefit all citizens of Charles County** after having been excluded from the recreational benefits provided to their neighbors.

For these reasons, we urge a favorable report on SB0035.

Alexander Villazon
Waterkeepers Chesapeake

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Position: INFO



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

Bill Number: Senate Bill 35

Short Title: Charles County - Program Open Space - General Assembly Approval

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources (DNR) provides the following information on SB 35. Senate Bill 35 requires the Maryland General Assembly to enact legislation approving any Charles County annual or revised program and any revised Charles County land preservation and recreation plan under Program Open Space before it takes effect.

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

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

A process already exists in statute by which the Maryland General Assembly has a role in reviewing the annual programs and local land preservation, parks, and recreation. Requiring the Maryland General Assembly to enact legislation approving these documents before they can take effect will delay projects proposed for POS Local funding. For example, since annual programs are due July 1 for the upcoming fiscal year, requiring legislation be enacted approving the annual program would mean that DNR could not present any POS Local projects to the Board of Public Works for approval until the following spring, delaying program encumbrances, and expenditures and the completion of local park and recreation projects.

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

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