



The treasured landscapes of the Chesapeake region are astonishingly diverse, from the rich marshlands of the Eastern Shore to working farmlands along the Susquehanna River, shown here. [Image: David Harp]

## Land Conservation & Public Access in the Chesapeake Bay Region

A Draft Report Fulfilling Section 202(e) of Executive Order 13508

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## Executive Summary

### Introduction

In May 2009, President Barack Obama asked federal agencies to report on seven key challenges to protecting and restoring the Chesapeake Bay and to recommend strategies for addressing them. This report responds to the President's request on one of these challenges: conserving Chesapeake landscapes and improving public access to the Bay and its tributaries.

Conserving landscapes in the Chesapeake Bay region is not a matter of sealing off wild places to remain untouched. Today, land conservation efforts must balance both ecological health and community well-being. The Bay's most important landscapes are those that reflect and promote a positive and productive relationship between people and place. Although some of these landscapes are indeed wild, they are also places where people live, work, learn, and recreate. They include wooded parks, water trails, small town main streets, urban green spaces, and historic homesteads and battlefields. They also encompass farms, working forests, and waterfronts that add billions of dollars to the region's economy.

However, many of the Chesapeake's treasured landscapes are threatened both by development and climate change. With these major forces at work, the region's important places may soon be altered irreversibly or lost forever. Swift, targeted and measured conservation is essential.

Protecting these special places will provide a suite of benefits. Ecological landscapes help sustain wildlife, improve air and water quality, and reduce flood damage. Historic areas, as well as working farms and forests, maintain the character of the Bay region. Outdoor recreation restores balance to our lives by providing opportunities for exercise, relaxation, reflection, and family fun.

These combined experiences connect us to the landscape and deepen our sense of place; they shape our cultural identity and provide motivation to become personal stewards of the land. People protect the places they care about.

Conservation and public access strategies for the Bay region must honor and strengthen this integrated relationship between nature and culture. Conservation approaches that support multiple social goals are essential to restoring the Bay and to sustaining quality of life in a rapidly developing watershed.

### **Conserving Landscapes in the Chesapeake Bay Region**

Some 18 percent—or 7.3 million acres—of the Bay region is considered permanently protected, but there are opportunities to conserve hundreds of thousands of additional valuable, high priority acres.

Local jurisdictions, state and federal agencies, and private organizations are already at work on this challenge. These groups have developed systems for recognizing special landscapes and produced some goals and strategies for conservation. These recognition programs tend to sort landscapes by their ecological or cultural values. Ecological recognition systems emphasize habitat and watershed functions. Cultural recognition systems emphasize the interplay between people and place: working landscapes, historic sites, and recreational areas. However, any large, important landscape in the Bay region will inevitably represent values from both categories due to the long and intimate relationship between land, water, and people.

The Bay states—Maryland, Pennsylvania, Virginia, Delaware, New York and West Virginia—have committed to permanently conserving an additional 695,000 acres of forested land by 2020; just 6 percent of this goal has been achieved to date. Virginia and Maryland have also committed to significant conservation goals for other landscapes. Virginia has set a goal to protect 400,000 acres; as of July 2009, just under 350,000 acres have been protected through easements and other conservation programs. Maryland has identified more than two million acres of targeted ecological areas as conservation priorities. As of 2008, approximately 636,000 of these acres were protected, representing less than one-third of the goal. Maryland’s farmland preservation goal identifies 1,030,000 acres for protection through easements; more than 480,000 acres have been preserved to date.

Together, these initiatives aim to conserve some 4 million acres of land. Yet nearly two-thirds of that amount—at least 2.3 million acres—remain unprotected today. This alone represents an extremely significant conservation objective—but it also represents only one portion of the full goal. This figure does not include state conservation objectives from Pennsylvania, New York, Delaware, or West Virginia, other than those for forest protection.

Nor does it include any conservation goals for culturally important landscapes beyond the Maryland farmland preservation goals.

The scope of conservation opportunities expands still further when considering other areas. For example, the region lacks consistent goals and recognition systems for cultural landscapes. The problem is compounded by the need to know more about the ways in which the broad spectrum of Americans define and relate to their landscapes—including African Americans, Native Americans, Hispanic Americans, farm communities, and urban and suburban residents.

### **Expanding Public Access in the Chesapeake Bay Region**

Public access sites are the places in which the public can enjoy the natural and cultural bounty of the Chesapeake region—relaxing, learning, and reflecting in direct interaction with the Bay’s treasured landscapes. Some sites provide direct access to the waters of the Bay and its rivers. Others provide land-based sites where visitors without watercraft can fish, observe wildlife, walk trails, and explore historic sites.

Hundreds of public access sites exist in the six Bay states and the District of Columbia, provided by a range of federal, state, and local government agencies, as well as some private nonprofit organizations and creative partnerships. These sites represent varying degrees of access, but support a wide variety of outdoor activities, including hiking, fishing, boating, kayaking, hunting, camping, biking, birding, and nature photography.

Forty-eight federal properties provide a portion of these sites. Most access on federal land is provided through the National Park Service, Army Corps of Engineers, and U.S. Fish and Wildlife Service. The range of access an agency can provide depends largely on its mission. For example, the Department of Defense does not offer public access at installations where such activity would interrupt its primary commitment to national security.

Currently, public access to the Bay and its rivers falls short of public demand—less than 2 percent of the 11,600 mile shoreline of the tidal region is publicly accessible. Expanded and additional access sites could address the notable increase in kayaking and canoeing throughout the watershed, and the surging interest in water trails. State and local budget constraints also affect the core operation of existing facilities.

The *Chesapeake 2000* agreement sets out certain goals for expanding public access, most of which have been nearly or fully achieved. However, these goals were set almost a decade ago without any comprehensive analysis of public need. Despite a dramatic growth in designated water trails, for example, there can be long and unmanageable distances between sites for launch-

ing and landing boats. A more definitive analysis of public demand, including a look at how the demand correlates with on-the-ground resources, should inform future public access goals.

Notable progress has been made in providing thematic visitor experiences of Chesapeake landscapes by connecting diverse sites across multiple jurisdictions; this occurs through the Chesapeake Bay Gateways and Watertrails Network, Captain John Smith Chesapeake National Historic Trail, Star-Spangled Banner National Historic Trail, and Potomac Heritage National Scenic Trail. Although federal agencies coordinate and/or support these trails, the great majority of participating sites are on state, local, and non-governmental properties managed by non-federal entities.

These partnership systems highlight the important role of federal agencies, while demonstrating that the amount of public access available on federal land is dwarfed by the amount of access available at state and local sites. Ultimately, public access goals must be achieved by expanding access on both federal and non-federal lands.

### **Recommendations for Expanding Landscape Conservation and Public Access**

This report details the following major recommendations for expanding the conservation of landscapes and the amount of public access in the Bay region:

1. *Establish a Chesapeake Treasured Landscape Initiative to provide coordinated and targeted federal funding for landscape conservation and public access.* Several federal programs fund conservation and access, but there has been little coordination between these programs and insufficient targeting of federal, state and local funds to protect the most significant landscapes, including culturally significant lands. A major *Chesapeake Treasured Landscape Initiative* should address these issues. The initiative should:
  - Target available funding: Given the more than 2 million acres of Chesapeake landscapes currently identified as important for conservation—and a shortage of public access to Bay waters—the initiative should prioritize new investments within the Chesapeake region. This is consistent with the selection of projects as part of the \$115 million increase in funding for the Land and Water Conservation Fund in the President’s 2010 budget request over the 2009 enacted level.
  - Identify and prioritize treasured landscapes and public access sites: Survey the region for culturally significant landscapes, build on existing data identifying ecologically significant landscapes, develop a regional public access plan, and target the

- most threatened significant landscapes and priority public access sites.
- Develop public access throughout the Bay region: Implement additional public access on federal lands and develop a Bay region wide access plan.
  - Coordinate efforts: Ground future conservation actions in a coordinated strategy to identify the most significant lands and direct federal, state, and local funds toward their conservation.
2. *Consider new federal land management units and expand existing units.* Historic trails, water trails, National Wildlife Refuges, National Parks, a National Forest, and other federal units can increase funding, public awareness, and attention within smaller areas of the Bay region. Explore the creation and expansion of these units, including the acquisition of lands from willing sellers. While the possible types of designations vary widely, approaches and models appropriate for this region would most likely be non-traditional; they would involve collaborative partnerships and retain many patterns of land ownership and land use, such as that of the existing Rappahannock River Valley National Wildlife Refuge.
3. *Provide incentives for conservation and public access.* Private citizens, non-governmental organizations and all levels of government must play roles in conserving land and providing public access if conservation goals for the Chesapeake region are to be realized. The *Great Outdoors America* report states that “private stewardship over the past 20 years has become a major entrepreneurial force in protecting land and water resources and providing outdoor recreation, as well as offering ample opportunities to advance the outdoor resources agenda.” Yet, to maximize private stewardship—or stewardship actions by other levels of government—key incentives must be maintained and enhanced, and targeted to significant landscapes threatened by land development and/or climate change. This report recommends the federal government continue to play a role in providing incentives through tax policy, funding, and market-based programs.
4. *Provide landscape conservation assistance and capacity building.* Regardless of direct funding or regulatory requirements for land conservation, many local governments and non-governmental organizations central to on-the-ground conservation simply lack the capacity for carrying out their roles. Many federal and state agencies already provide funding and/or direct technical assistance to local governments and organizations to enable conservation to move forward in the coming decade. To build on these efforts and address the still unmet need, the following actions could be taken:
- Support a conservation capacity-building program focused on land trusts

- Coordinate the network of technical assistance providers
  - Integrate and support local, state, regional, and landscape scale conservation planning
5. *Coordinate the use of regulatory tools.* Regulatory tools such as wetland and stormwater permits and mitigation requirements can provide important incentives or create challenges for protecting significant landscapes. The design of regulatory tools at the federal, state, and local level should be analyzed to determine if they foster protection of these landscapes in an efficient manner. These government agencies should work together to consider specific options for using regulatory tools.