

HB797 -- Waterway Recreational Access Along Maryland's Bridges Frequently Asked Questions

Q. What does this bill do?

A. The purpose of HB 797 is to promote safe and reasonable canoe, kayak and fishing access along Maryland's bridges and roadways. It does so by requiring the Maryland Department of Transportation and local governments to:

- Consider any "reasonable and appropriate measures" to provide or improve water access for fishing, canoeing and kayaking when developing a bridge or road construction or improvement project that is adjacent to or crosses a waterway;
- Establish standards and guidelines, in consultation with Maryland DNR and interested stakeholders, for identifying appropriate transportation facilities for water access as well as best practices and cost effective strategies to accommodate that access;

The bill offers multiple public benefits, including improved roadwaysafety and public health and enhanced opportunitiesfor outdoor recreation, environmental stewardship,and economic and community development.

Q. Why is this legislation necessary?

A. Maryland is home to more than 10,000 miles of rivers and streams as well as some 4,000 miles of tidal shoreline within the State's portion of the Chesapeake watershed. Yet accessing these waterways is often very difficult for the growing number of people who wish to use them for fishing, canoeing, kayaking and other recreational activities. Many of Maryland's 5100+bridges as well as road ends or roadways adjacent to waterways currently serve as barriers to water access. They lack safe shoulders, pull-off areas or parking that could keep canoeists, kayakers and anglers safe from automobile and truck traffic. They sometimes have guardrails, which unreasonably or unnecessarily (from a highway safety perspective), obstruct access to the water. More often than not, they are constructed or reconstructed without any consideration of how safe access to the waterway from the bridge or roadway could be accommodated or improved for fishing, kayaking or other appropriate recreational uses.

Q. Won't this pose a safety problem for motorists?

A. On the contrary, this will improve safety for motorists, fishermen and canoeists and kayakers alike. In a state where traffic is increasing and roadways are becoming more congested, we must ensure the safety of *all* roadway users, including those who use the roadways to access our waterways. By providing improved shoulders, pull-off areas, parking or other appropriate accommodations near waterways, citizens who are taking to our waters for canoeing, kayaking and fishing will be kept safe from automobile and truck traffic. Likewise, in areas where people like to fish or put a boat in the water, safety for motorists who otherwise might hit a vehicle parked half on the shoulder and half on the roadway would be improved. Safely designed access makes our roads safer for everyone.

Q. Does this mean that there should be waterway access near every bridge and road?

A. No, of course not. There are many places where such access would be unnecessary, unreasonable, or unsafe. An example is along Interstate Highways. The planning process would determine whether waterway access is desirable and can be accommodated reasonably and safely.

Q. Is there a precedent for doing this?

A. This initiative is modeled on Federal and state bicycle and pedestrian safety accommodations as well as similar waterway access efforts in California, Tennessee and North Carolina. Maryland DNR's website advertises good spots to go fishing, most of which are already along bridges, underscoring the fact the bridges are a good location to provide such recreational access.

Q. Won't this cost a lot of money, when we don't have enough funds even to maintain our bridges and roads?

A. No. Provision of waterway access can be accomplished with little, if any, cost because construction at potential access areas will already occur during bridge construction or repair. Consequently, access features could easily be incorporated into project design for minimal cost. For example, staging areas are created for most bridge and roadway construction or reconstruction projects. In many instances these staging areas – expanded shoulders, parking, etc. -- are removed after the project is completed, at a cost to the project. Rather than remove them, State and local highway departments could leave them in place to provide parking for boaters and anglers. Providing access involves no land acquisition costs, because these potential access areas are already located in a public right of way. Moreover, communities throughout the country which have promoted public access to their waterfronts and waterways have reaped substantial economic benefits from the new recreation and tourism benefits of those improvements.

Q. Waterway access is about recreation, not transportation. Why should scarce transportation dollars be used for this purpose?

A. For several reasons: First, for safety reasons discussed above. Second, fishermen, kayakers, and canoeists alike pay their fair shares of highway user fees and use our roads and bridges to arrive at their recreational destinations. They should not be treated differently than other highway users. Third, it was the construction of bridges and roads and the designs that were used that restricted the access to our waters in the first place. This issue is about mitigating for the restrictions that resulted from the construction of those transportation facilities. Fourth, this bill does not require State or local highway departments to construct paths or trails to the waterway. Rather its focus is on bridge-side and road-side safety and access accommodations where feasible. Any decision to further improve access from the roadway to the water such as paths and/or soft launches would be left to local and state governments and citizens and could be financed with Federal Gateways and Watertrails, Recreational Trails or other Transportation Alternatives and private funds.

Q. Won't this kind of recreational waterway access degrade the environment and contribute to water pollution by creating more impervious surfaces, stream-bank erosion and trash?

A. No; to the contrary. Connecting people -- and especially our youth -- to our waterways helps build an environmental stewardship ethic. We know from many years of experience that if people have access to waterways, they are more likely to care and work to protect them. Furthermore, State and local transportation departments already must comply with strict environmental standards in constructing or reconstructing new bridges and roads, including erosion control and storm-water runoff. This legislation does not require them to do anything different in complying with those standards than they currently do.

Q. Won't this impact upon private property?

A. No. Waterway access would only be provided along the public rights of way associated with bridge and road projects, and after a careful planning process that involves the community.

Q. Who supports this legislation?

A. Chesapeake Conservancy, Maryland Recreation and Parks Association, American Sportfishing Association, American Canoe Association, American Whitewater, Mid-Atlantic Center National Wildlife Federation, Anacostia Watershed Society, Lower Susquehanna Heritage Greenway, Sultana Projects, Inc., Eastern Shore Land Conservancy, Patuxent River Keeper, Baltimore National Heritage Area, National Parks Conservation Association, Maryland Bass Federation, Maryland Legislative Sportsmen's Foundation, Mid-Atlantic Council of Trout Unlimited, Community Commons, Dorchester County Tourism, Chester River Association, the Maryland Department of Transportation and the Maryland Department of Natural Resources

For more information, please contact:

Chesapeake Conservancy, Charlie Stek, 301-575-7957, charliestek@gmail.com ; Joel Dunn 443-321-3610, jdunn@chesapeakeconservancy.org ; Emily Myron 240-372-0792 emyron@chesapeakeconservancy.org
Maryland Recreation and Parks Association, Tom Donlin, 301-352-7203 X22, director@mrpanet.org
American Canoe Association, Wade Blackwood, 540-907-4460 X111, wblackwood@americancanoe.org
American Sportfishing Association, Michael Leonard, 703-519-9691 X230, mleonard@asafishing.org