



## **House Bill 1312**

### *Program Open Space Sites – Public Access*

MACo Position: **SUPPORT**

To: Education, Health, and Environmental Affairs  
Committee

Date: March 25, 2014

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** House Bill 1312 as amended. The bill would add new public access requirements for Program Open Space (POS) projects.

As amended, HB 1312 would require the use of POS funding to provide public access to facilities and open space land. The Department of Natural Resources (DNR) and participating local governments must consider for each POS project whether it is feasible to provide public access and may consider such factors as: (1) funding availability; (2) public safety; (3) readiness of the facility or land to receive the public; and (4) any contractual obligations or other commitment that would limit public access for a period of time. Finally, the bill specifies that POS acquisition funds and monies from the Bay Access Areas Fund can be used for public access projects.

Public access should be an important consideration of any POS project and MACo supports the general idea that POS funding can be used to improve public access to recreational facilities and lands. As amended, the bill requires consideration of public access for each POS project but also allows DNR and local governments to balance important and valid factors that may delay or limit such access.

MACo believes that HB 1312 as amended highlights and furthers the goal of public access to POS projects and land. Accordingly, MACo recommends the Committee give HB 1312 a **FAVORABLE** report.