

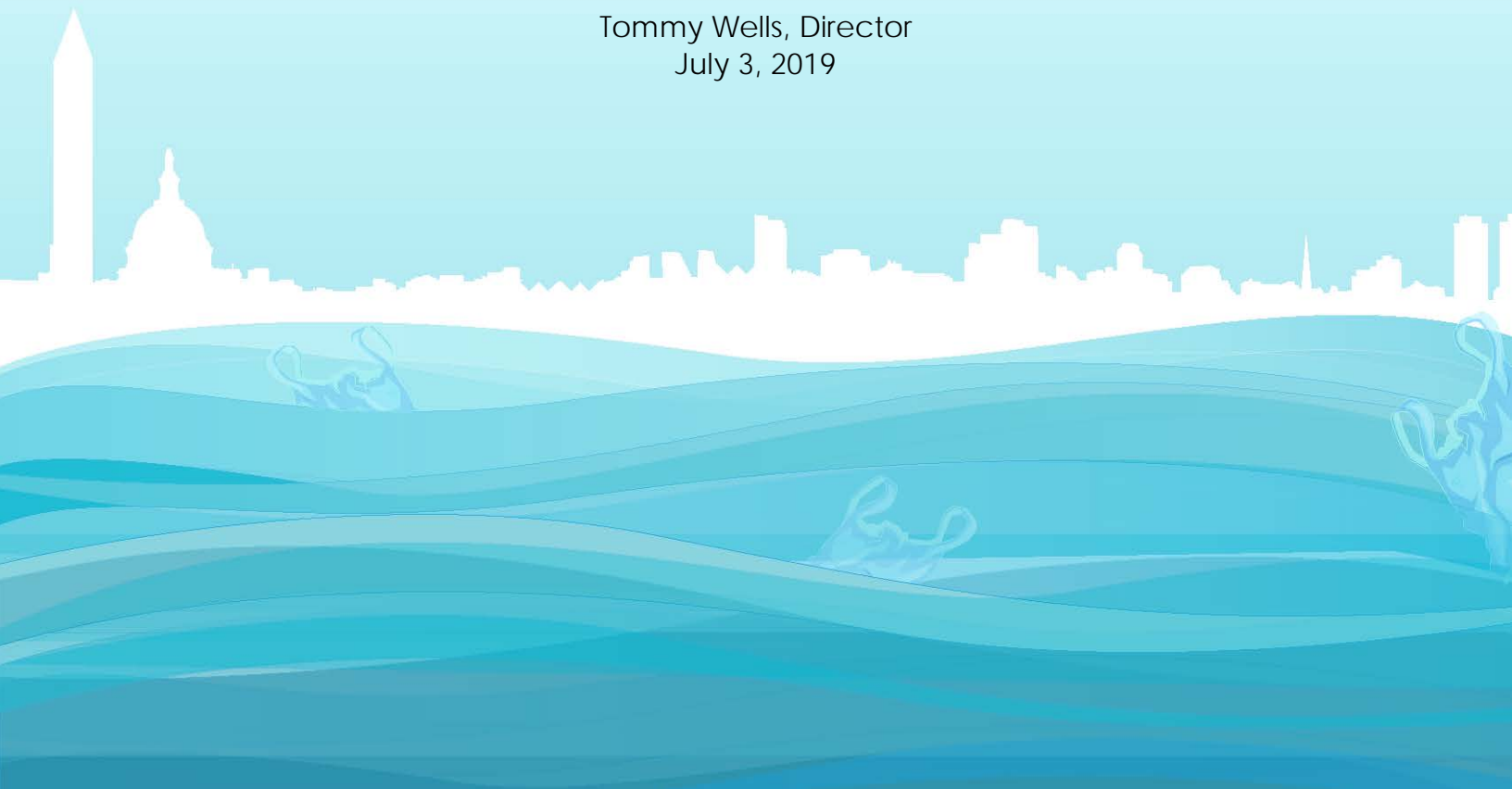


**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF ENERGY AND ENVIRONMENT**

ANACOSTIA RIVER CLEAN UP AND PROTECTION FUND

Fiscal Year 2018
Summary Report

Tommy Wells, Director
July 3, 2019



BACKGROUND

The Anacostia River Clean Up and Protection Act of 2009 ("Act") established the Anacostia River Clean Up and Protection Fund ("Fund"), a special-purpose revenue fund administered by the Department of Energy and Environment (DOEE). DOEE uses the Fund to conduct stream restoration projects, install and maintain trash traps in streams, install green infrastructure, deliver watershed education programs, and purchase and distribute reusable bags, especially to low-income and senior populations. The Fund has four revenue sources: disposable bag fees, enforcement revenue, proceeds from Anacostia River commemorative license plates, and voluntary tax contributions from District residents. This *Anacostia River Clean Up and Protection Fund Summary Report*, published annually since 2013, reviews revenue generated and activities supported by the Fund for Fiscal Year 2018 (FY18), spanning October 1, 2017 to September 30, 2018.

Effective January 1, 2010, the Act requires all District businesses that sell food or alcohol to charge a \$.05 fee for each paper or plastic disposable bag distributed with any purchase, with certain exemptions. Most businesses are required to remit \$.04 of each \$.05 fee to the Office of Tax and Revenue on their sales tax return. Businesses that offer a rebate to customers who bring their own bag are only required to remit \$.03 of each \$.05 fee. Remitted fees are deposited into the Fund.

To verify compliance with the Act, DOEE inspects over 550 businesses per year. Businesses in violation of the Act receive a warning letter before being fined between \$100 and \$800, depending on the number of previous violations. Fines are deposited into the Fund.

Since 2010, the Department of Motor Vehicles has sold commemorative Anacostia River license plates (Figure 1). To obtain these plates, residents must pay a \$25.00 specialty tag application fee and a specialty tag display fee of \$10.00, which must be paid annually upon renewal. A portion of the proceeds from the issuance of Anacostia River license plates are deposited into the Fund.



Figure 1: Anacostia River license plate

District residents can also make voluntary contributions to Anacostia River restoration efforts on their individual income tax returns. Both the D-40 and D-40EZ tax forms have special line items for voluntary contributions to the Fund.

BAG FEE AND ENFORCEMENT REVENUE

Between fiscal years 2010 and 2017, annual bag fee revenue increased year-to-year (see Table 1).¹ Revenue decreased slightly in 2018, likely due to updates to the Office of Tax and Revenue (OTR) system for reporting Sales and Use tax information and decreases in the number of disposable bags requested as consumers bring more reusable bags. DOEE and OTR are developing outreach materials to businesses on charging and remitting bag fees that will be distributed in FY19.

Table 1: Bag Fee Revenue²

Fiscal Year	Revenue (\$)
2014	2,084,613.59
2015	2,236,275.44
2016	2,284,104.15
2017	2,382,747.11
2018	2,294,977.50

The total dollar value of fines assessed for violations of the Act increased starting in 2011 as more businesses received warning letters and then fines (see Table 2). As more inspected businesses are likely to have previously been issued a Notice of Violation over time, the total number of fines issued increases, even as compliance rates increase or plateau. The increase in total fines assessed for FY18 are largely a result of an increase in the number of individual fines issued, which is expected for a program entering its ninth year of enforcement.

Table 2: Fines Assessed for Violations of the Act³

Fiscal Year	Total Fines (\$)
2014	7,800.00
2015	5,300.00
2016	7,000.00
2017	9,100.00
2018	11,100.00

¹ Businesses can remit bag fees on a monthly, quarterly, or annual basis. Bag fees are attributed to the fiscal period they were received by the District government, which may be different than the fiscal period they were collected by a business.

² All tables in the FY18 spending report show data for the last 5 fiscal years. For information on years prior to FY18, refer to FY13-FY17 reports

³ Historic data updated to reflect fines assessed to establishments based on the fiscal year in which the enforcement action was served. New reporting method began in FY17 report.

OTHER REVENUE SOURCES

Since 2011, the issuance of Anacostia River license plates has generated more than \$160,000 in revenue.

Table 3: Commemorative License Plate Revenue

Fiscal Year	Revenue (\$)
2014	21,935.50
2015	26,414.45
2016	28,086.95
2017	28,750.70
2018	29,288.80

From 2010-2018, District residents donated over \$630,000 to the Fund through voluntary contributions on their income tax returns.

Table 4: Voluntary Tax Contribution Revenue

Fiscal Year	Revenue (\$)
2014	60,853.69
2015	72,435.77
2016	76,906.63
2017	104,331.65
2018	109,646.07

Over \$19 million has been collected and deposited into the Fund since it was first established in 2010.

Table 5: Total Revenue

Fiscal Year	Revenue (\$)
2014	2,171,970.08
2015	2,369,891.73
2016	2,402,657.03
2017	2,550,482.61
2018	2,498,432.98

Fiscal Year 2018 Fund-Supported Activities

Fund revenues are used solely to support activities that fulfill the priorities outlined in the Act, including environmental education and protection activities that improve the health of the District's water bodies. The Act's priorities and the activities that addressed them are outlined in the Appendix. Annual spending varies based on funds available and projects in progress (see Table 5).

Table 6: FY18 Total Spending

Fiscal Year	Total Spent(\$)
2014	\$1,192,126.88
2015	\$1,541,153.72
2016	\$1,612,163.62
2017	\$3,460,501.31
2018	\$2,677,294.89

In FY18, DOEE used Fund revenues to implement activities across several areas including green infrastructure installation, watershed education, trash capture, stream restoration, and community outreach (see Table 6). Many of these activities are ongoing programs that have been supported by Fund revenues over multiple years. Fund revenues also supported project management for these activities and DOEE's bag fee enforcement and collection efforts. As a note, spending levels were higher in FY17 because the Anacostia River Cleanup and Restoration Fund was used to support the Alger Park Stream Restoration in the Anacostia Watershed, a major capital project. Spending on capital projects, in particular, varies from year-to-year based on the size, complexity and multiple funding sources supporting these large-scale restoration efforts.

Table 7: FY18 Total Spending

Fund-Supported Activity	FY18 Spending (\$)
Green Infrastructure	\$613,681.09
Watershed Education	\$833,038.70
Trash Capture	\$156,987.51
Stream Restoration	\$600,911.16
Outreach and Reusable Bag Distribution	\$214,860.56
Enforcement and Fee Collection	\$52,901.92
Administration	\$204,913.95
Total Spending	\$2,677,294.89

Select activities implemented with Fund revenues in FY18 are described below.

GREEN INFRASTRUCTURE

RiverSmart Homes: Fund revenues support DOEE's RiverSmart Homes program, which offers financial and technical assistance to homeowners that reduce their residential stormwater runoff by installing green infrastructure practices. Stormwater runoff carries pollutants from impervious surfaces into the District's water bodies. District homeowners are eligible for a free stormwater audit to determine their property's suitability for rain gardens, tree planting, rain barrels, native landscaping, permeable pavement and re-vegetation. If recommended, homeowners are connected to local contractors who will install their selected practices for a small copay.

In FY18, RiverSmart Homes accomplishments included the following:

- Properties audited: 1,047
- Properties with installations: 415
- Rain barrels installed: 296
- Shade trees planted: 491
- Rain gardens installed: 161
- BayScaping (native landscaping) installed: 217
- Permeable Pavers installed: 32
- Re-vegetation projects installed: 15



Figure 2: A recently installed RiverSmart Homes rain barrel.

RiverSmart Schools: DOEE's RiverSmart Schools works with applicant schools to install practices that reduce polluted stormwater runoff and create functional outdoor classrooms. Teachers at participating RiverSmart Schools receive training on how to use the sites to teach to curriculum standards and properly maintain them. In FY 2018 RiverSmart Schools:

- Provided 25 teachers with a four-day workshop on RiverSmart schools site usage and programming,
- Conducted 15 classroom visits and provided eight boat trips to support integration of watershed lessons for the RiverSmart Schools project at each participating school, and
- Engaged 200 students, teachers, and volunteers in community work days to construct and maintain designed schoolyard conservation sites.

DOEE also completed the design and construction of the following three RiverSmart LID Schools projects:

1. Janney Elementary School: Installed 2,000 square feet of bioretention cells, including the innovative use of a two 265-gallon rainwater harvesting systems to allow the students to water new pollinator plantings.
2. IDEA School: Removed 3,900 square foot asphalt parking lot and installed three enhanced rain gardens with an outdoor classroom integrated into a wet meadow.

3. Lee Montessori School: Addressed a challenging sloped site with no access to a storm sewer or drain inlet by installing a 265-gallon cistern rainwater harvesting system to collect runoff from the roof and divert it into two modified step pools on the hillside.



Figure 3: Rain gardens at IDEA High Public Charter School (L) and ribbon cutting and community rain garden planting at Janney Elementary (R)

RiverSmart Communities Demonstration Program: DOEE's RiverSmart Communities Demonstration Program covers 100% of the cost to install green infrastructure on eligible properties. Applicants are selected based on the environmental benefits of the project, their plan for community engagement, and project cost effectiveness and feasibility. Eligible pollution control measures, often called Best Management Practices (BMPs) include, but are not limited to, shade trees, rain gardens/bioretention cells, impervious surface removal and replacement with pervious/vegetated surfaces, cisterns that drain to other BMPs, stormwater planters, and swales. Five religious institutions were selected and funded in FY18. The institutions that received funding perform outreach and education to the audience they serve about relevant District environmental programs as a requirement of the program.



Figure 4: A rain garden installed at Grace Lutheran Church

WATERSHED EDUCATION

Overnight Meaningful Watershed Education Experiences: With three nonprofit partners, DOEE provides a three-day, two-night overnight field study for fifth graders attending District Public and Public Charter Schools. The trip engages students in watershed and sustainability education programming, team-building activities, and pre- and post-field study classroom visits by professional environmental educators. During the 2017-18 school year, 2,303 fifth-graders from 57 District of Columbia Public Schools and Public Charter Schools participated in the overnight field experience component of this program, representing 40% of fifth graders and 46% of schools with fifth graders. Fund revenues cover activity costs, food, and lodging.



"This was so informative for students from DC... To come out here, away from technology, in my opinion is going to shape their characters and build empathy for the environment. Hopefully they take this information back to Stanton and teach their friends about watersheds and pollution control for their own environments. Thank you for what you do. This is truly a great experience!"

– Anthony Berry, Teacher
Stanton Elementary School

Figure 5: 5th Graders on an overnight MWEE Trip at Alice Ferguson Foundation's Hard Bargain Farm in Accokeek, MD (Credit: Alice Ferguson Foundation) (L) and a quote from a teacher whose students participated in the FY18 field trips (R)

River Corps: In 2018, 19 District young people completed the 5-month River Corps Green Infrastructure Job Training Program run by the Latin American Youth Center. River Corps participants performed photo monitoring, invasive species control, native species plantings, and trash clean-ups on public and private space near 12 streams in the District. Corps members also received OSHA-10 training for safety, ATSSA Flagger Certification to learn how to become effective safety flaggers, and First Aid/CPR Certification that will help with job placement.



Figure 6: River Corps members supporting fish monitoring in Nash Run

Anacostia River Explorers: Through two nonprofit organizations, DOEE provides free boat tours of the Anacostia River. This program is available to anyone, with a special focus on DC residents. The tours are designed to educate participants about the Anacostia River’s history, wildlife, and environmental threats and describe efforts underway to restore it. These free, guided motorboat and canoe tours launch from a variety of locations up and down the Anacostia River and can accommodate anyone, no matter their age, ability, or language preference. In FY18, the two grantees provided 284 tours which allowed 4,500 participants to gain access to the Anacostia River.



Figure 7: Boat tour participants with Anacostia Riverkeeper on Earth Day 2018. Photo Credit: Anacostia Riverkeeper

TRASH CLEANUP

Trash Traps: Fund revenues have supported the installation and maintenance of seven trash traps in the Anacostia River and its tributaries, which have collectively removed more than 70,000 pounds of trash and debris from the District’s water bodies since they were installed. In 2018, these trash traps captured 9,493 pounds. Each trap is monitored and data is reported on

the amount (weight and volume) and type of trash collected and removed. This data informs DOEE's litter reduction measures.



For example, data from the Nash Run Trash Monitoring Program shows a significant decrease in the volume of Expanded Polystyrene (EPS – “Styrofoam,” or foam) removed since the District’s foam ban took effect January 1, 2016 (see chart below for data).

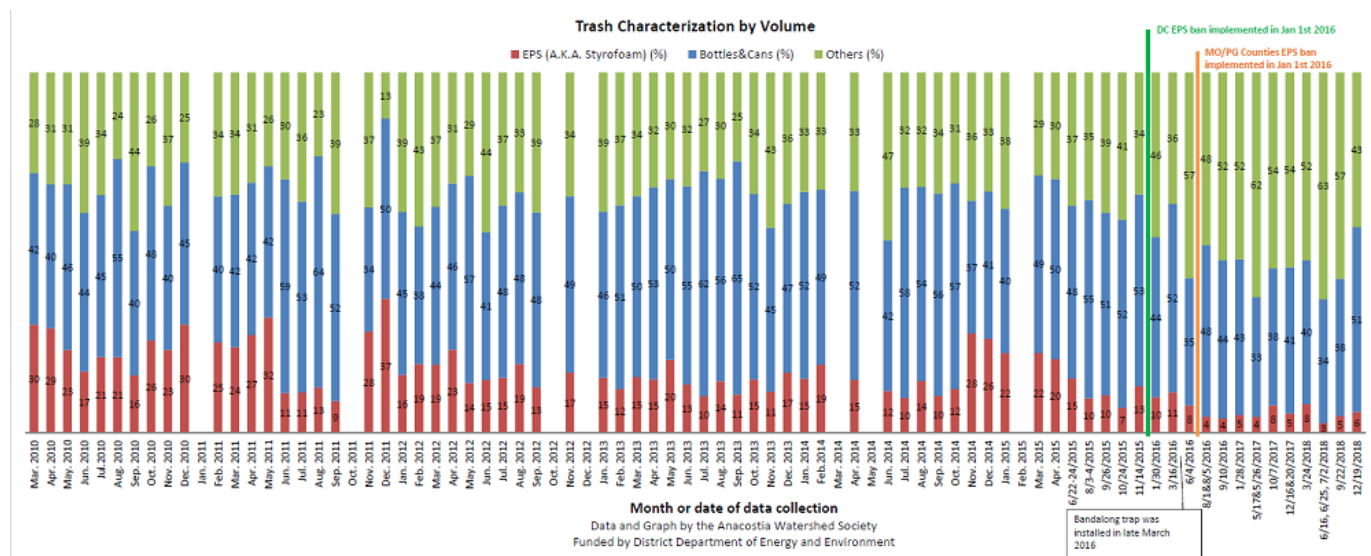


Figure 8: Maintenance and collection of the Nash Run trash trap (Top) and Data of Trash Monitoring Volume by product characterization in Nash Run (Bottom)

COMMUNITY GRANT PROGRAMS

Community Stormwater Solutions: DOEE provides funding for innovative, community-oriented and inspired projects to improve water quality, reduce trash, and raise awareness of what citizens can do to restore rivers, streams, and parks. A key goal of the program is to increase DOEE's partnerships with community-based organizations and small local businesses to help these entities build capacity and experience as grantees. The program provides up to \$20,000 per grant and is offered on a yearly basis. Grantees must be located within the District and have the capacity to engage a diverse audience. In FY18, DOEE received 27 proposals and awarded 10 grants totaling \$181,985. The Anacostia River Clean Up and Protection Fund funded four of these grants, totaling \$61,999.

- Anacostia Riverkeeper: Litter Letter Project (\$20,000) - Anacostia Riverkeeper created a temporary art installation with an anti-littering message for the 2018 Year of the Anacostia.
- Anacostia Waterfront Trust: Anacostia River Mobile "ParKit" (\$19,999) – Anacostia Waterfront Trust built and deployed a mobile green infrastructure educational toolkit called the "ParKit" which acts as multifunctional mobile green infrastructure demonstration tool and green space community amenity kit.
- Changing Perceptions: Building Opportunity and Awareness (\$20,000) - Changing Perceptions worked with returning citizens in the skills to own and run a stormwater solutions business.
- The George Washington University: GW Litter Collection and Characterization (\$2,000) - The George Washington University performed three waste characterization studies to evaluate the success of their existing zero waste strategies, increase campus awareness of pollution prevention efforts and reduce the impacts of pollution on water quality.



Figure 9: #TrashFreeDC sign in front of Anacostia Pool and Recreation Center on the banks of the Anacostia River.

Trash Free Communities Grant: In partnership with the Alice Ferguson Foundation (AFF), DOEE is implementing a regional litter prevention campaign to raise awareness about trash pollution, change behavior around littering, and reduce the amount of trash found in District

communities and water bodies. The litter prevention campaign has engaged over 7,352 District residents since its initial award in August 2016, and organized cleanups in FY18 that resulted in the removal of over 69,000 pounds of trash. In FY18, AFF piloted the new Adopt-A-Stream program, which allows volunteers to adopt segments of District streams. Adopt-A-Stream volunteers collect data on the type of trash found along their adopted stream segments and organize community cleanups. A total of 16 volunteers were trained in FY18 and 11 stream segments were adopted.



Figure 10: Two Adopt-A-Stream volunteers in front of their adopted stream segment in Northeast DC

ENFORCEMENT AND FEE COLLECTION

In FY18, DOEE conducted 554 inspections of District businesses to ensure compliance with the Act. As a result of these inspections, DOEE issued 88 Notices of Violation, or warning letters, and 61 Notices of Infraction, which carry civil penalties. DOEE assessed a total of \$11,100 in civil penalties for infractions that occurred in FY18. Compliance rates decreased slightly in FY18, likely a combined effect of time since the last business outreach campaign and natural fluctuations in violations found during inspections. A business's compliance with the law heavily depends on each individual cashier's training and adherence to protocol, and the likelihood a business will be found in compliance during an inspection can vary. To increase compliance rates, DOEE is implementing a new outreach campaign in FY19 in coordination with the Office of Tax and Revenue to remind businesses of requirements under the Bag Law (See Table 8).

Table 8: Compliance Rate of Bag Law inspections

Fiscal Year	2014	2015	2016	2017	2018
Compliance Rate	62.2%	67.7%	70.3%	75.7%	73.3%

* Compliance rate calculated for total violations with the law investigated by inspectors per fiscal year



For more information on how the Bag Law funds are used to protect the District's waters, please visit doee.dc.gov/bags

