



GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of the Environment

Anacostia River Clean Up and Protection Fund
Fiscal Year 2014 Summary Report

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May 5, 2015

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 District Department of the Environment (DDOE). The Fund is used to implement watershed education programs, conduct stream restoration projects, install and maintain trash capture devices in streams, and install green infrastructure. It is also used to 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.

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.

For the first year of implementing the bag fee, DDOE prioritized compliance assistance with regulated businesses. DDOE ramped up enforcement efforts in FY2011 and now 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 to District residents (see 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.

District residents can 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

Annual bag fee revenue has been roughly consistent year-to-year since the Act became effective in 2010, though fee revenue has increased slightly as the District’s population has grown and the number of regulated retail establishments in the District has increased (see Table 1). For example, bag fee revenue increased by 4.59% from FY2012 to FY2014, while the District’s population grew by 4.62% over the same period.¹ Notably, several large department and grocery stores that are subject to the Bag Law have opened in the District since the fee first took effect.

¹ Population measured at the beginning of each fiscal year

Table 1: Bag Fee Revenue

Fiscal Year	2010*	2011	2012	2013	2014
Revenue (\$)	1,510,088.35	1,845,313.25	1,993,183.22	2,001,575.50	2,084,613.59

*Partial fiscal year from January to October

In addition, enforcement revenue has increased since 2011, as more businesses receive warning letters and then fines (see Table 2).

Table 2: Enforcement Revenue

Fiscal Year	2010*	2011	2012	2013	2014
Revenue (\$)	0	300.00	3,164.13	2,302.25	4,567.30

*Partial fiscal year from January to October

Other Revenue Sources

Since 2011, the issuance of Anacostia River license plates has generated nearly \$50,000 in revenue (see Table 3).

Table 3: Commemorative License Plate Revenue

Fiscal Year	2010*	2011	2012	2013	2014
Revenue (\$)	0	6,493.80	10,670.15	10,753.05	21,935.50

*Partial fiscal year from January to October

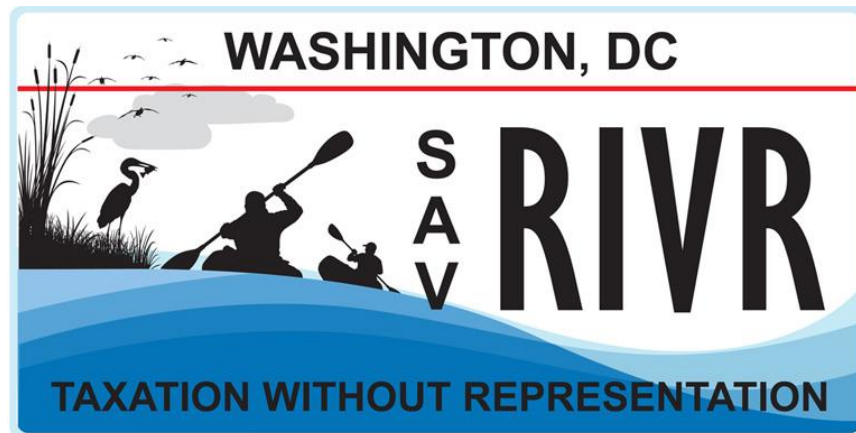


Figure 1: Anacostia River license plate

From 2010-2014, District residents donated over \$250,000 to the Fund through voluntary contributions on their income tax returns (see Table 4).

Table 4: Voluntary Tax Contribution Revenue

Fiscal Year	2010*	2011	2012	2013	2014
Revenue (\$)	18,107.49	69,849.37	64,117.91	58,120.21	60,853.69

*Partial fiscal year from January to October

Fiscal Year 2014 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 priorities and the activities that addressed them are outlined in the Appendix. In FY2014, DDOE used Fund revenues to implement activities across several areas including green infrastructure installation, watershed education, trash capture, stream restoration, and community outreach (see Table 5). 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 DDOE’s bag fee enforcement and collection efforts.

Table 5: FY2014 Total Spending

Fund-Supported Activity	FY14 Spending (\$)
Green Infrastructure	205,842.16
Watershed Education	170,316.29
Trash Capture	191,241.10
Stream Restoration	225,599.24
Outreach and Reusable Bag Distribution	186,912.61
Enforcement and Fee Collection	133,063.22
Administration	79,152.26
Total Spending	1,192,126.88

Select activities implemented with Fund revenues in FY14 are described below.



Figure 2: Native vegetation planting installed with financial and technical assistance from DDOE’s RiverSmart Homes program

Green Infrastructure

RiverSmart Homes: Fund revenues support DDOE’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 to receive a rebate of up to \$1,200 after they install a rain garden, a native vegetation planting, or permeable pavement (see Figure 2). In addition to this rebate, the RiverSmart Homes program offers rain barrels and shade trees for copayments of \$45 and \$50, respectively. Installing a rain barrel or shade tree generally costs around \$300 each; the RiverSmart Homes program covers the difference in cost for participating homeowners. In FY14, District homeowners installed 134 rain gardens, 130 native vegetation plantings, 75 permeable pavements, 565 rain barrels, and 972 shade trees through the program.



Figure 3: District public school students participating in an Overnight Watershed Education Experience hosted by DDOE and its nonprofit partners

Watershed Education

Overnight Watershed Education Experiences: Through its nonprofit partners, DDOE hosts a three-day, two-night overnight field study for fifth graders attending District public and charter schools (see Figure 3). The trip engages students in environmental education programming and team-building activities. The program also involves classroom visits from environmental educators both before and after the field study. The program began at schools in Wards 7 and 8. In FY14, 696 District fifth-grade students from Wards 7 and 8 participated in this program, representing 47% of fifth graders in those wards. In FY15, with the support of Fund revenues, the program expanded to include all District public and charter schools that teach fifth graders. By the end of FY15, Fund revenues will have covered roughly three-quarters of the costs

associated with the program since its inception; expenses include activity costs, food, lodging, and transportation fees.

Trash-Focused Watershed Education Experiences: Through its nonprofit partners, DDOE offers environmental education programming about water resources and trash pollution for students at District public and charter schools. Through these activities, students develop an understanding of current issues affecting District watersheds and the critical role citizens play in maintaining the health of natural resources. In FY14, 185 students at ten District schools participated in this program. Fund revenues cover all expenses associated with the program.

Watershed Stewards Academy: The National Capital Region Watershed Stewards Academy is an adult education program that equips community leaders with the resources and knowledge they need to implement pollution reduction projects in their neighborhoods and raise awareness of water-related issues. The course includes a 15-session class and a capstone project that participants complete within one year of finishing the classwork. In FY14, 32 participants successfully completed the classwork and capstone to become certified Master Watershed Stewards. Fund revenues pay for approximately half of the expenses associated with the program.

Trash Capture

Trash Traps: Fund revenues have supported – wholly or in part – the installation and maintenance of six trash traps in the Anacostia River and its tributaries, which have collectively removed more than 25,000 pounds of trash from the District’s water bodies since they were installed (see Figure 4).



Figure 4: Fund revenues support the maintenance of this trash trap, which removes trash from the Watts Branch tributary of the Anacostia River.

Stream Restoration

Nash Run: Fund revenues supported the design of a restoration of Nash Run, a tributary of the Anacostia River located in the northeast quadrant of the District. The Nash Run watershed is highly impervious, resulting in sudden and intense stream flows, even during moderate storms. Considerable amounts of trash and debris wash out of the storm sewer system during these rain events, choking portions of the stream and causing areas for ponding and mosquito breeding. The resulting hydrologic alterations have deteriorated the water quality of Nash Run and degraded natural habitat downstream. DDOE has designed a system to capture trash and sediment at the end of the storm sewer system. It has also designed a restoration for an 800-foot section of the stream valley using natural channel stream design techniques. DDOE will solicit bids to implement these designs in 2015.



Figure 5: Broad Branch after being restored by DDOE. Fund revenues are supporting similar stream restorations in Nash Run and Alger Park.

Alger Park: Fund revenues supported the development of designs for a stream restoration that runs through Alger Park, which is home to one branch of the Texas Avenue tributary of the Anacostia River. The project aims to restore a 1,540 foot stretch of the stream valley by improving the water quality, bank stability, and habitat features of the Alger Park branch of the tributary. It will also include upstream green infrastructure that will help minimize stormwater runoff into the restored stream. DDOE expects to receive permit approvals for the stream restoration in 2015.

Outreach and Reusable Bag Distribution

Litter Behavior Study: In partnership with the Alice Ferguson Foundation (AFF), DDOE is implementing a regional litter prevention campaign aimed at raising public awareness about trash pollution, changing citizen behavior around littering, and reducing the amount of trash found in

District communities and water bodies (see Figure 6). In addition to funding the campaign itself, Fund revenues are supporting studies that analyze the effectiveness of social marketing around littering behavior. This builds on earlier research by AFF and DDOE that studied why people litter and what forms of marketing most effectively eliminate littering behavior.



Figure 6: Poster created for the Trash-Free Potomac Watershed Initiative, a regional litter prevention campaign supported by fund revenues

Reusable Bag Distribution: DDOE purchased over 17,000 reusable bags with Fund revenues in FY14. These bags are being distributed to communities and organizations throughout the District, with a special focus on low-income and senior populations. This effort aids residents in changing their behavior from using disposable bags to using reusable bags. Among the recipients of these reusable bags are DC Central Kitchen’s (DCK) Second Helping program, which provides ongoing nutritional and social support for graduates of DCK’s Culinary Job Training Program, and St. Mary’s Court, a residential living facility and community center for senior citizens.

Enforcement and Fee Collection

In FY14, DDOE conducted 563 inspections of District businesses to ensure compliance with the Act. As a result of these inspections, DDOE issued 165 Notices of Violation, or warning letters, and 46 Notices of Infraction, which carry civil penalties. DDOE assessed a total of \$7,600 in civil penalties for infractions of the Act that occurred in FY14.

As a result of DDOE’s enforcement efforts, compliance with the Act has consistently improved over time. Compliance with the requirement to charge the bag fee has increased roughly five percent per year since 2011. Likewise, compliance with the District’s material and labeling requirements for disposable bags has increased roughly eight percent per year since the Act took effect.

Fund revenues also support the District’s efforts to process bag fees remitted by businesses on their sales and use tax returns and transfer them to the Fund.

Administration

A small portion of Fund revenues covers administrative expenses associated with the program, such as equipment, printing and reproduction, and overhead expenses shared by all of DDOE's programs that are necessary for the day-to-day function of agency activities.

More Information

The Fund is managed by DDOE's Stormwater Management Division. For more information about implementation of the Act, visit ddoe.dc.gov/bags. Additional questions should be directed to Brian Van Wye, Branch Chief for Program Implementation in the Stormwater Management Division, at (202) 741-2121 or brian.vanwye@dc.gov.