

Eastern Shore of Virginia Improper Disposal of Litter Impact Assessment



Virginia Coastal Zone
MANAGEMENT PROGRAM



Prepared for: Virginia Coastal Zone Management Program

Prepared by: Accomack-Northampton Planning District Commission

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PREFACE

The purpose of this assessment was to determine the dollar value of the negative impacts litter has on the Eastern Shore of Virginia. The assessment was conducted to complement the efforts of our GreenWorks Committee and to help ensure that local resources are allocated appropriately to mitigate this issue. The data in this report and the map are subject to change and as such, as more information is released, staff intends to update the report, using the GreenWorks funding mechanism. This assessment and map were made possible through a grant from the Virginia Coastal Zone Management Program (VCZMP) through the National Ocean and Atmospheric Administration (NOAA).

ACKNOWLEDGEMENTS

This project would not have been possible without data provided by Eastern Shore localities, Accomack County Solid Waste Committee, Accomack & Northampton Counties' Sherrif Departments, Virginia Department of Transportation, Waste Watchers of the Eastern Shore of Virginia, and the GreenWorks Committee. In addition, Keep America Beautiful reports were valuable resources. It is important to note that any errors or omissions in this report are the responsibility of Accomack-Northampton Planning District Commission staff and not those whom provided assistance along the way. Furthermore, this project was funded by the Virginia Coastal Zone Management Program at the Department of Environmental Quality through Grant #NA19NOS4190163 of the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, under the Coastal Zone Management Act of 1972, as amended.

EXECUTIVE SUMMARY

Roadside litter and marine debris take a toll on the wildlife and the economy on the Eastern Shore. To many the thought is that this is simply a NIMBY (not in my back yard) aesthetic issue. This is not true. Litter effects not only the aesthetic of a region, but also has significant economic, environmental, infrastructure, and health impacts. Increased risk of mosquito-borne illness, increased stormwater flooding, and negative impacts to property value, along with the negative impacts to aquaculture and commercial fisheries once land-based litter becomes marine debris are just some of the negative impacts litter has on the Eastern Shore region.

Data was collected through outreach efforts and research; with the data provided by Virginia Department of Transportation, Accomack Solid Waste Committee, Waste Watchers of the Eastern Shore of Virginia, Sheriff's Departments, and localities on the Eastern Shore, a comprehensive assessment was developed. Compiling all this information into one report and one map helps to show where attention is needed and provide guidance for more strategic planning on all fronts. Presenting an assessment of the larger impacts of the problem will help to ensure that local resources are allocated appropriately to tackle this issue. This report complements the efforts of the GreenWorks Committee and the final product is to be presented to the Accomack County Solid Waste Committee and the Northampton County Department of Public Works. Virginia Department of Transportation is currently digitizing the Adopt-A-Highway program and publicizing it, at which time staff intends to update the map accordingly.

Through research and data collection, it was calculated that on the Eastern Shore of Virginia, over \$1 Million dollars in five years will be spent toward litter removal services. When analyzing the impacts that litter has on property value, reports state that litter decreases property value by 7.4%. This results in a million-dollar deficit of property tax income in Accomack County, and a half million-dollar deficit of property tax income in Northampton County, costing the region almost \$2 Million dollars. Further economic impacts result from a decrease in tourism due to marine debris, where it was reported that along the Delaware/Maryland coast, an average loss in recreation value of over \$100 Million dollars could be seen if marine debris doubles. This loss translates into a \$254,086,000 deficit in visitor spending, along with a loss of 3,386 jobs. While these results were not from the Virginia coast, similar losses could be seen where the region is geographically linked to the Delaware/Maryland coast and provides comparable resources and recreation.

Recommendations for reducing litter and facing the issue of litter and marine debris that is a threat to the Eastern Shore and the Chesapeake Bay watershed include advocating for increased funds for litter removal, as well as funding for education and outreach on the impacts of litter and marine debris. Further recommendations involve support of 2020 General Assembly legislation, some of which has passed and some of which is continuing to the 2021 General Assembly. Aligning with legislation that authorizes localities to impose plastic bag taxes would support efforts to reduce litter and increase funds; as would support for legislation to prohibit or impose a tax on the sale or provision of single-use products that are not recyclable or compostable.

I. Introduction

This Improper Disposal of Litter Impact Assessment provides a comprehensive evaluation of existing long-term data that depicts the significant impacts litter has on the Eastern Shore of Virginia (ESVA) and what these impacts mean financially for the region.

In order to complete this assessment, the Accomack-Northampton Planning District Commission (A-NPDC) reached out to localities and community partners, Accomack County Solid Waste Committee (SWC), Accomack County Sheriff's Department, Northampton Sheriff's Department, Virginia Department of Transportation (VDOT), and Waste Watchers of the Eastern Shore of Virginia (WW). Keep America Beautiful (KAB) litter fact sheets were referenced for nation-wide statistics regarding litter impacts.

In an effort to recognize the impacts of improperly disposed litter, the following report has been developed. It highlights the negative economic, environmental, infrastructural, and health impacts in our region. Ideally the information contained herein will assist public policy decision makers make educated choices when allocating local resources to mitigate this issue.

Geographical and Jurisdictional Setting

The Eastern Shore of Virginia is a narrow, approximately 70-mile peninsula separating the Chesapeake Bay from the Atlantic Ocean with two Counties and 19 incorporated Towns. The peninsula is buffered from coastal impacts along its Atlantic coast by a barrier island chain and vast tidal marshes and along some areas of its Chesapeake Bay coast by various islands and tidal marshes. Litter that is improperly disposed of gets washed into our storm drains and ultimately deposits into the Chesapeake Bay and seaside bays – having a negative impact on the water quality, leading to decrease in tourism and aquaculture – a prime economic driver on the ESVA.

Economic Justification for Need

Figures from the National Oceanic and Atmospheric Administration (NOAA) *The Effects of Marine Debris on Beach Recreation and Regional Economies in Four Coastal Communities: A Regional Pilot Study* from 2019 indicate that an increase in marine debris alone could result in the average loss in recreation value of \$133 million (note that this figure is an average from four coastal regions, none of which were in Virginia). The ESVA, being the longest stretch of undeveloped coastline on the Eastern Seaboard, supports unique wildlife and relies on tourism. Tourism across the region is built upon the access provided to our beaches, water trails, ecotours, and the beauty of our land and wildlife along the coasts. According to KAB, \$1.3 billion is spent on litter abatement in the United States, however it is unclear the direct and indirect costs to local governments due to litter removal often being a hidden cost within employee expenses or various projects. This assessment aims to determine the cost of litter removal and pick up on the ESVA and provide insight into the economic benefits of investing in litter removal and prevention along our coastal peninsula.

Local Commitment, Funding, and Maintenance

Waste Watchers of the Eastern Shore of Virginia (WW) is an independent, non-profit volunteer community group that promotes the responsible disposal of waste on the ESVA. WW focuses on Eastern Shore litter and trash pick up along ESVA highways, shorelines, and other crucial points. In addition, the GreenWorks committee – staffed by the Accomack-Northampton Planning District Commission in partnership with WW – works collaboratively with local governments and serve the region. Funding is sourced mainly from county contributions and small state grants. Despite the county and awarded funds, much more is needed to sustain litter removal, especially with the growing year-round and seasonal populations. Despite volunteer efforts, maintenance continues to be of concern where there is more litter than volunteers can keep up with. Further funding for litter removal would ensure proper maintenance of cleaned roads and shorelines. The objective of this assessment is to identify the value of litter removal and maintenance provided by volunteers and localities and develop a map a map resource that is easily accessible and will reveal service and data gaps. Having all of this info in one map can help show where attention is needed and help with more strategic planning on all fronts, while maintaining the local commitment of volunteers to engage in promotion and education of the importance of litter removal and clean-up of marine debris.

Plastic Bags, Balloons, Styrofoam, & Marine Debris

According to Litter Free Virginia, a “gathering place for organizations and individuals that are interested in decreasing litter in the Commonwealth” (<https://litterfreeva.org/about/>), there are several detrimental items and materials that are contributing to the intensity of litter seen in the Commonwealth, and further as it makes its way out to the ocean and the bay as marine debris. Single-use plastic bags are an extreme threat to our environment and our economy. In Virginia alone, Litter Free Virginia reports an estimated use of 3 billion bags annually. These plastic bags, when littered, are fatal for animals where these plastic bags can be the cause of entanglement and be mistaken for food. Environmentally, plastic bags may leach harmful chemicals into our water, which in turn can be passed up through the food chain to humans. Furthermore, plastic bags that get littered can land in agricultural fields and catch up in machinery, such as a cotton gin, ruining entire bales. Tourism is also affected by litter and marine debris, where tourists are less likely to visit a beach littered with debris and trash.

Balloons are another source of harmful litter, especially when they are released. Balloons fly off and can be caught in power lines, causing power outages, and land as far as 3 miles out into the Chesapeake Bay and Atlantic Ocean, where they can cause animal entanglement – strangling the animal or hurting their hands and feet or be ingested when animals mistake them for food.

In a report written for NOAA CZM Grant NA16NOS4190171, Task 81, titled *Monitoring Marine Debris in Virginia’s Coastal Zone*, the top identifiable marine debris items included balloons, container caps, lumbar/building material, food wrappers, cigarettes, plastic bags, and straws. Another report, by Trapani, O’Hara, and Register (2018), entitled *Litter on Virginia’s Remote*

Beaches: Results of Monitoring from 2013 through 2017, shows that balloon-related litter makes up 40% of marine debris, beverage bottles plastic accounts for 22%, and fishing and aquaculture gear accounts for 12%. The remaining amount of litter was made up of construction materials, rope pieces, food wrappers, bottle caps plastic, plastic bags, beverage bottles glass, and shotgun wad/shells.

According to the *Virginia Marine Debris Reduction Plan*, microplastics are of growing concern with the amount of marine debris that is seen. The larger pieces of plastic litter that make their way to the ocean, eventually begin to degrade into smaller and smaller pieces. One source of microplastic is polyethylene and polypropylene microbeads which are found in personal care products, industrial scrubbers, and resin pellets. Microfibers are another type of microplastic, resulting from the washing of synthetic clothing made of polyester and nylon. These microplastics are making up a vast amount of marine debris and at this time, most wastewater treatment plants are unable to remove the microbeads; this results in the microplastics passing through to streams, rivers, oceans, and freshwater lakes. The Virginia CZM Program has developed the Virginia Marine Debris Reduction Plan, and in October 2014, became the first state on the east coast to have such a plan in place. The Virginia Marine Debris Reduction Plan outlines a path for reducing the amount of trash and marine debris from land-based and water-based sources in Virginia – for ecological, social, and economic benefits ([Marine Debris in Virginia.](#))

II. Regional Cost of Litter Removal

The following sections summarize data from localities, regional entities and committees, and state-wide statistics with regards to the amount of dollars, man-hours, and energy spent on litter removal across the Eastern Shore of Virginia. Regionally, the Eastern Shore allocates a value of \$233,128 per year – over \$1.1 Million dollars in five years – toward litter removal services. *See Table 1: Compiled Litter Removal Data, 5-year Model and Table 2: Compiled Annual Value of Hours.*

Accomack County Department of Public Works

According to the Accomack County Department of Public Works (DPW) and Solid Waste Committee (SWC), 1,728 hours are dedicated to providing litter clean up services; added to this cost was the \$14,203 (actual cash dollars) spent in litter removal supplies. In addition, 58 volunteers were in the field collecting litter, totaling 18.39 tons and 350 bags of litter. SWC figures indicated that an average of \$49,179 per year – \$245,894 in five years – is spent on litter removal services.

Northampton County Litter Prevention and Recycling Funds

According to the FY2019 Accounting Report for the Virginia Litter Prevention and Recycling Grant, Northampton County was awarded \$10,343. Of this award, \$9,741 funded salary, wages,

and fringe benefits; \$502 was spent on contractual services (clean-up, routine volunteer, and tire removal); \$100 was spent on dues.

Northampton County Sheriff's Department

According to the Northampton County Sheriff's Department, probationers who are part of the Clean Up Crew and the Deputies who supervise them dedicated 49 days (a total of 394 individuals and 2,400 hours) to provide litter removal services. The result was 2,545 bags of litter and 249 tires removed from our roadways. Northampton County's Sheriff's Clean Up Crew averages \$68,304 per year – \$341,520 in five years – spent on litter removal services.

VDOT Adopt A Highway

According to the Virginia Department of Transportation (VDOT) Adopt a Highway program, since 2015, a total of 1,888 volunteers have dedicated 774 hours to cleaning our roadways of litter. The result of their efforts was a total of 667.4 cubic yards and 3,337 bags of litter picked up. The VDOT Adopt a Highway program averages \$25,158 per year – \$125,793 in five years – spent on litter removal services.

Waste Watchers of the Eastern Shore of Virginia

According to the Waste Watchers of the Eastern Shore of Virginia (WW), 952 volunteers dedicated 7,149 hours total of their time to keeping our roads litter free. WW averages \$40,698 per year - \$203,489 in five years – spent on litter removal services.

Operation Our Clean Roads (OOCR)

According to Operation Our Clean Roads, an effort coordinated by WW, 258 volunteers commit a total of 774 hours to picking up litter across the Eastern Shore. The result of their efforts was 538 bags of litter removed from this along 46.3 miles of this region. In addition to litter, various items such as derelict fishing gear and ammo were found; these items were disposed of and reported accordingly. OOCR averages \$7,343 per year - \$36,713 in five years – spent on litter removal services.

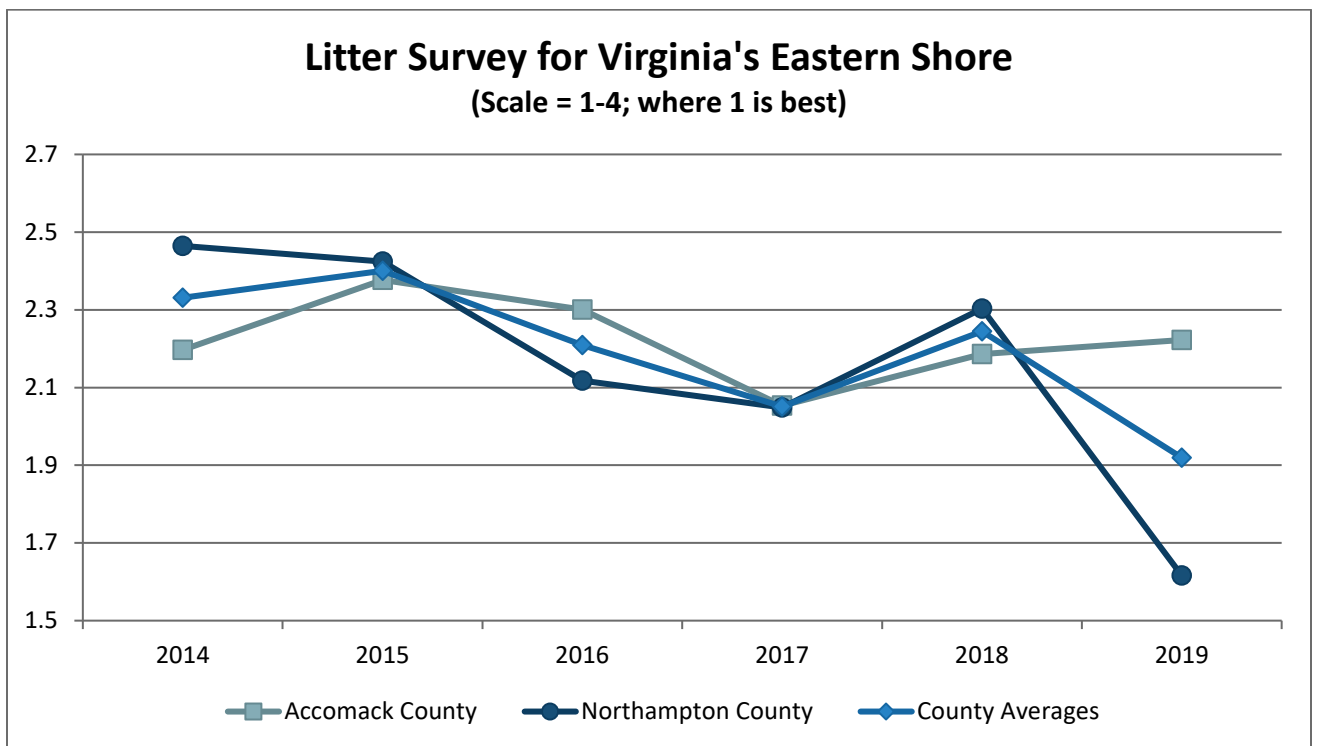
Eastern Shore of Virginia Litter Survey

A Litter Survey of the Eastern Shore of Virginia is conducted annually by volunteer members involved with Waste Watchers. Using the Keep America Beautiful standards, volunteers score segments of Eastern Shore roads in order to track roadside litter progress. These surveys are completed in the spring of each year, and typically Accomack County Department of Public Works contributes by transporting volunteers for the 3 days in a County van. In order to conduct the survey, 5 volunteers dedicate a total of 128 volunteer hours (including the time it takes to assess the data and develop the annual survey.) Conducting the Eastern Shore of Virginia Litter Survey averages \$3,643 per year - \$18,214 in five years – spent on tracking, collecting, and comparing roadside litter data.

Due to the COVID-19 pandemic, the 2020 Litter Survey was unable to be completed. However, *Chart 1: Litter Survey for Virginia's Eastern Shore* (below), shows trends for both Accomack and

Northampton Counties where Accomack has been gradually increasing in the amount of litter seen along roadsides and Northampton has had a strong decrease since 2018. The Litter Survey scale ranks from 1 – 4, where 1 is the best (i.e. least amount of litter seen alongside roads.) In 2019, Accomack County had an average score of 2.2 and Northampton County averaged 1.6 for overall litter seen alongside the roads. Each County is broken down into Areas and Sites, which remain the same each year for consistent data collection and comparison. Accomack County has 8 locations, each with six to eight sites per location, for a total of 55 survey sites. Northampton County has 5 locations, each with six to seven sites per location, for a total of 32 survey sites.

Chart 1: Litter Survey for Virginia’s Eastern Shore



Accomack County Department of Public Works (DPW) Recycling Report

Each year, the Accomack County Department of Public Works tracks recycling efforts made by businesses in the county. These efforts are made possible because of the county’s [VDEQ Litter Prevention and Recycling Grant Program](#). *Table 3: Accomack County DPW Recycling Totals* reveals the materials and amounts recycled. These materials are recycled through existing contracts with TFC Recycling, with chipper product intended to be given to residents for free and used as a confining layer on the landfill. Accomack County DPW staff dedicates 50% (1,000 hours) of their time to managing these recycling efforts, tracking recycling totals, and reporting out to DEQ on total materials recycled; this values \$28,460 per year - \$142,300 in five years –

spent on increasing recycling efforts throughout Accomack County. This report is compiled as a result of the county's Litter Prevention and Recycling Grant through VDEQ, paid for by the Virginia Litter Tax. Accomack County passes on a percentage of the grant funds to their towns.

Table 1: Compiled Litter Removal Data, 5-Year Model

Entity	Total Miles	Total Bags	Total Yd ³
Accomack County Solid Waste Committee			18.39
Northampton County Sheriff's Department		2,545	
VDOT Adopt A Highway		3,337	667.4
Operation Our Clean Roads	46.3	538	
Waste Watchers of the Eastern Shore of VA			
Accomack County Sheriff's Department		350	
Adopt A Highway Litter Removal Services of America, Inc.	26.64	119	
TOTAL	72.94	1,007	685.79

Table 2: Compiled Annual Value of Hours

Entity	1 – Year		5 – Year	
	Hours	Value	Hours	Value
Accomack County Solid Waste Committee	1,728	\$49,179	8,640	\$245,894
Northampton County Virginia Litter Prevention and Recycling Grant	--	\$10,343	--	\$51,715
Northampton County Sheriff's Department	2,400	\$68,304	12,000	\$341,520
VDOT Adopt A Highway	884	\$25,158	4,420	\$125,793
Operation Our Clean Roads	258	\$7,343	1,290	\$36,713
Waste Watchers of the Eastern Shore of VA	1,430	\$40,698	7,150	\$203,489
Litter Survey for Virginia's Eastern Shore	128	\$3,643	640	\$18,214
Accomack County Department of Public Works	1,000	\$28,460	5,000	\$142,300
TOTAL	7,828	\$233,128	39,140	\$1,165,639

All dollar values are rounded to the nearest dollar and based on the current Virginia value of volunteer rate of \$28.46 ([Virginia Service, 2020](#)).

Table 3: Accomack County DPW Recycling Totals

Material	Total (tons)
Metal	1,112.03
Tire	270.65
Textiles	159.64
TFC	247.26
Oil	7,745.00
Batteries (total # wet cell; pounds C2R) [†]	159; 480
Electronics	1.29
Mulch	967.44
Litter Vacuum Truck	11.17
TOTAL	10,514.48

[†]Batteries not counted in Total (tons)

III. Impacts of Litter on the Eastern Shore of Virginia

Economic Impact

The 2009 Keep America Beautiful (KAB) National Visible Litter Study and Litter Cost Study references a report developed by the National Association of Home Builders (NAHB), where it was determined that litter typically reduced property value by roughly 7.4%. This report was further assessed by KAB in the 2009 study, which found that 93% of homeowners agreed that neighborhood litter would decrease home value, along with turning homeowners away from purchasing in a littered neighborhood. Further data collected in the KAB litter report resulted in 40% of homeowners estimating that their property value would decrease by 10% to 24% due to litter. In addition, Real Estate agents (agents) were surveyed with similar questions, suggesting that 50% of agents' decision to show a home is influenced by an unkempt neighborhood. Furthermore, 55% of agents stated that litter would decrease their assessment of a home's value by an average of 9%. Property appraisers surveyed unanimously (100%) felt that an unkempt neighborhood influenced the decision to purchase a home, with 60% stating that a littered neighborhood would decrease the assessment of the home's value. (2009 National Visible Litter Survey and Litter Cost Study, KAB)

The average property value in Accomack County is \$165,000 with a real property tax rate of \$0.61 for every \$100 assessed. With the median number of households being 13,401, this equals an average tax revenue of \$13,488,106. When the impact of litter is taken into consideration, with its 7.4% reduced property value, this revenue decreases significantly to \$12,489,986 – a nearly million-dollar deficit. ([2019 U.S. Census Bureau](#) & [Accomack County](#))

The average property value in Northampton County is \$164,000 with real property tax rate of \$0.83 for every \$100 assessed. With the median number of households being 5,151, this equals an average tax revenue of \$7,011,541. When the impact of litter is taken into consideration, with its 7.4% reduced property value, this revenue decreases significantly to \$6,492,687 – over a half-million-dollar deficit. ([2019 U.S. Census Bureau](#) & [Northampton County](#))

Environmental Impacts

According to the Chesapeake Bay Program, stormwater runoff is the fastest growing source of pollution to the Chesapeake Bay. Polluted runoff is a result of litter being carried by stormwater flowing over impervious surfaces, down storm drains, and into the nearest body of water. Marine debris is “any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, disposed of or abandoned into the marine environment...” ([NOAA](#)). Stormwater runoff not only contributes to an increase in marine debris, which can cause injury and death to marine wildlife, but can also cause erosion, damaging hundreds of miles of aquatic habitat. This stormwater runoff may also contain excess nitrogen and phosphorous, leading to algae bloom growths that cause low-oxygen dead zones, suffocating marine animal and plant life ([Chesapeake Bay Program](#)). Furthermore, marine debris has significant impacts on regional economies, according to [The Effects on Marine Debris on Beach Recreation and Regional Economies in Four Coastal Communities: A Regional Pilot Study](#), a report submitted to NOAA in 2019. The study states that in coastal Delaware and Maryland regions (similar to Virginia’s coastal Eastern Shore), when marine debris doubled, there were reduced visitor days by 3.5 million. This translated into a \$254,086,000 deficit in visitor spending, along with a loss of 3,386 jobs.

Health Impacts

As litter builds up on streets and neighborhoods and is washed down storm drains and ditches, it causes storm drains and culverts to become clogged. As a result, pooling of stormwater in residential areas and Towns occurs, “increasing potential breeding areas for mosquitoes” ([Public Health Effects of Inadequately Managed Stormwater Runoff](#)), which are carriers of Zika virus, West Nile virus, malaria, and more. Further health impacts from nonpoint source pollution include chronic and acute illnesses due to exposure from consuming the water, eating seafood that was harvested from the water, and contact recreation. ([Public Health Effects of Inadequately Managed Stormwater Runoff](#))

IV. Conclusion

In this comprehensive evaluation of existing long-term data, it is evident the negative impacts litter has on the Eastern Shore of Virginia. The Improper Disposal of Litter Impact Assessment highlights existing long-term data and the significant impacts litter has on the Eastern Shore of Virginia (ESVA). Furthermore, this report makes it clear, the economic and environmental impacts litter and marine debris have on this coastal region. The Accomack-Northampton

Planning District Commission (A-NPDC) reached out to localities and community partners to compile local data. These partners included the Accomack County Solid Waste Committee (SWC), Accomack County Sheriff's Department, Northampton Sheriff's Department, Virginia Department of Transportation (VDOT), and Waste Watchers of the Eastern Shore of Virginia (WW). This report has been developed to provide information that can be used to assist public policy decision makers allocate resources appropriately to get ahead of this issue, by highlighting the negative economic, environmental, infrastructural, and health impacts.

If the issue of litter is not recognized and addressed, it could cost the Eastern Shore over \$1 Million dollars in five years on litter removal services. Supporting data shows that litter decreases property value by 7.4%, which will result in an almost \$2 Million dollar deficit in property tax income for the region. By ignoring visible litter and marine debris issues, the Eastern Shore could face significant losses in recreation value, potentially leading to multi-million dollar deficits in visitor spending and thousands of jobs lost. It is crucial to not only the ability for the Eastern Shore to thrive, but to survive and remain an ecotourism destination, that the impacts of litter be faced, funding be increased, and litter prevention programs be put into place.

V. Litter Legislation

The following list outlines 2020 General Assembly legislation regarding litter, supplied by [Litter Free Virginia](#).

[SB 11](#) (Senator Adam Ebbin of District 30) –Local disposable paper and plastic bag tax. Authorizes any locality to impose a tax of five cents per bag on disposable paper bags or disposable plastic bags provided to consumers by certain retailers, with certain bags being exempt from the tax. The bill allows every retailer that collects the tax to retain one cent of the five-cent tax. **House and Senate Conference member agreed to new language**– Any locality in the Commonwealth has the authority to impose a fee of five cents per bag on disposable plastic bags. **Has been signed by the Governor!**

[SB 26](#) (Senator Chap Petersen of District 34) –Plastic bag tax in Chesapeake Bay watershed. Imposes a five-cent per bag tax on plastic bags provided to customers by certain retailers in localities located wholly within the Chesapeake Bay Watershed and directs revenues to be used to support the Chesapeake Bay Watershed Implementation Plan. The bill also allows every retailer that collects the tax to retain one cent of every five cents collected. **–Incorporated by SB 11**

[SB 193](#) (Senator Favola of District 31) – Single-use plastic and expanded polystyrene products; local prohibition; local tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single-use products that are not recyclable or compostable and for which there is a suitable and cost-

effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any locality to impose a five-cent per item tax on single-use plastics and polystyrene products provided to customers by certain retailers, with certain products being exempt from the tax. The bill directs revenue from the local tax to be used by the locality imposing the tax for cleanup or education programs designed to reduce waste. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner. **–Struck at request of the Patron**

SB 198 (Senator Locke of District 2) – Disposable plastic shopping bags; local option. Allows any locality by ordinance to prohibit the distribution, sale, or offer for sale of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness, bags that are used to carry certain products, such as ice cream or newspapers, and garbage bags that are sold in multiples. **– Incorporated by SB 11**

SB 318 (Senator Kiggins) – Release of balloons; prohibition. Reduces the number of balloons per hour that a person may release without penalty from 49 to one. **Passed the Senate. Continued to 2021 in House Agriculture, Chesapeake and Natural Resources by voice vote.**

SB 486 (Senator Favola)- Food waste; to study VDACS sources, scale, and prevention of food waste. Directs the Virginia Department of Agriculture and Consumer Services (VDACS) to study, in consultation with the Department of Environmental Quality and stakeholders, the sources, scale, and prevention of food waste in the Commonwealth. In conducting its study, VDACS shall (i) assess the total annual statewide rate of preventable food waste received by landfills within the Commonwealth; (ii) identify the industry sectors within the Commonwealth that contribute to preventable food waste, and determine their rate of contribution to such waste; (iii) identify alternative uses of food that is wasted; and (iv) recommend policies to reduce the annual rate of preventable food waste in the Commonwealth with data-driven reduction targets and timelines, including food donation requirements for certain food waste from grocery stores and restaurants. The provisions of the bill are contingent on funding in a general appropriation act. **Passed Senate . Continued to 2021 in House Rules by voice vote.**

HB 302 (Delegate McNamara of District 8)- Litter tax repeal. This bill would repeal the annual litter tax. [HB 302 opposition talking points](#)– **Left in House Finance Subcommittee 3**

HB 502 (Delegate Krizek of District 44)– Litter tax; penalty. Adds \$100 to the existing penalty for litter tax delinquency. [HB 502 supporting talking points](#) – **Has been signed by the Governor!**

HB 507 (Delegate Guy of District 83)– Release of balloons prohibited; civil penalty. Prohibits any person, with certain exceptions, from knowingly releasing or causing to be released any balloon outdoors and provides that any person convicted of a violation shall be liable for a civil penalty of not less than \$250 or more than \$2,500, to be paid into the Litter Control and Recycling Fund. A court may, as an alternative to imposing the penalty, require the performance of at least 10 hours of community service in litter abatement activities. Current law prohibits a person from releasing 50 or more balloons within an hour and sets the civil penalty at \$5 per balloon. [HB 507 supporting talking points](#) – **Failed in House Agriculture, Chesapeake, and Natural Resources Committee**

HB 533 (Delegate Carr of District 69)- Expanded polystyrene food service containers; prohibition on dispensing, civil penalty. Prohibits the dispensing by a food vendor of prepared food to a customer in a single-use expanded polystyrene food service container, as defined in the bill. The bill requires certain chain restaurants to stop using such containers by July 1, 2023, and sets the date for compliance by all food vendors as July 1, 2025. The bill exempts certain institutions, including correctional facilities and public schools, from the definition of “food vendor” and provides a process by which a locality may grant consecutive one-year exemptions to individual food vendors on the basis of undue economic hardship. The bill provides a civil penalty of \$50 for each day of violation, to be collected in a civil action brought by the Attorney General or the relevant locality. The penalties collected are to be deposited in the Litter Control and Recycling Fund or to the treasury of the relevant locality, as appropriate. Finally, the bill directs the Department of Environmental Quality to post to its website information on compliance and the filing of complaints. – **Passed the General Assembly this year and signed by the governor, but will need to be reenacted next year to remain in effect.**

HB 534 (Delegate Carr of District 69)– Local disposable plastic bag tax. Authorizes any locality to impose a tax of five cents per bag on disposable plastic bags provided to consumers by certain retailers, with certain bags being exempt from the tax. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the locality imposing the tax to be used by such locality for the mitigation of pollution and litter. The bill requires each locality imposing the tax by ordinance to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective. The bill also allows every retailer that collects the tax to retain one cent of the five-cent tax. **Incorporated into SB 11**

HB 1151 (Delegate Lopez of District 49)- Single-use plastic and expanded polystyrene products; local prohibition, local tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single-use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any locality to impose a five-cent per item tax on

single-use plastics and polystyrene products provided to customers by certain retailers, with certain products being exempt from the tax. The bill directs revenue from the local tax to be used by the locality imposing the tax for cleanup or education programs designed to reduce waste. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner. **Still alive, waiting to be heard by the Senate Committee on Finance and Appropriations**

[HB 1154 \(Delegate Lopez of District 49\)- Litter taxes; amount of tax.](#) Increases the annual litter tax from \$10 to \$15 and the additional annual litter tax from \$15 to \$30. Both taxes are imposed on manufacturers, wholesalers, distributors, and retailers of certain products, however, the additional tax applies to fewer businesses. [HB 1154 supporting talking points](#) **Has been signed by the Governor!**

[HB 1354 \(Delegate Plum of District 36\)- Establishes the Plastic Pollution Prevention Advisory Council.](#) Establishes in the executive branch of state government the Plastic Pollution Prevention Advisory Council to study and make recommendations regarding plastic pollution problems in the Commonwealth, with the mission of eliminating plastic waste. **Has been signed by the Governor!**

[HB 1347 \(Delegate Plum of District 36\)– Expanded polystyrene food service containers; prohibition on dispensing, civil penalty.](#) prohibits the dispensing by a food vendor of prepared food to a customer in a single-use expanded polystyrene food service container, as defined in the bill. The bill requires certain chain restaurants to stop using such containers by July 1, 2023, and sets the date for compliance by all food vendors as July 1, 2025. The bill exempts certain institutions, including correctional facilities and public schools, from the definition of “food vendor” and provides a process by which a locality may grant consecutive one-year exemptions to individual food vendors on the basis of undue economic hardship. The bill provides a civil penalty of \$50 for each day of violation, to be collected in a civil action brought by the Attorney General or the relevant locality. The penalties collected are to be deposited in the Litter Control and Recycling Fund or to the treasury of the relevant locality, as appropriate. Finally, the bill directs the Department of Environmental Quality to post to its website information on compliance and the filing of complaints. **Incorporated by HB 533**

[HB 1673 \(Delegate Ware of District 65\)-](#) Allows localities to impose a five-cent (\$0.05) per bag tax on plastic bags provided to customers by retailers in grocery stores, convenience stores, or drugstores in the Commonwealth. The bill also (i) requires every retailer to provide recycling receptacles at its place of business for such disposable plastic bags and (ii) allows every retailer that collects the tax to retain one cent (\$0.01) of every five cents (\$0.05) collected. The tax is to be administered in the same manner as the retail sales and use tax, and all revenues from the tax shall be deposited in equal sums into the Virginia Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund. **Incorporated by HB 1151**

HJ 89 (Delegate Krizek of District 44)- Study; economic and environmental impacts of litter on fishing, farming, habitat, organisms, and water quality in streams; Requests the Department of Environmental Quality to study the economic and environmental impacts of litter on fishing, farming, water quality, and other components of Virginia’s economy and habitat and to propose strategies, campaigns, and necessary state actions to protect the economy of the Commonwealth from harm caused by litter and to promote Virginia’s economic welfare. **HJ 89 supporting talking points** **Left in House Appropriations Committee**

HJ 116 (Delegate Gooditis of District 10)- Waste Diversion Recycling Task Force; DEQ to establish. Requests the Department of Environmental Quality to establish a Waste Diversion and Recycling Task Force to study ways to increase waste diversion and recycling. The resolution requests that the Department work with stakeholders to develop recommendations to reduce waste at the source such as composting and recycling of organic material. It also requests that the Department study potential improvements in the goals and efficiency of the grant program funded by the Litter Control and Recycling Fund, which under current law is used to fund local litter prevention, recycling grants to localities, and statewide and regional litter prevention and recycling educational program grants. The Department shall (i) study methods of improving recycling, reducing waste, and diverting waste from landfills, (ii) develop recommendations to reduce waste at the source, such as composting and recycling of organic material, and (iii) consider whether current recycling rates required by Virginia law should be increased and whether state policy should be changed to give landfills a greater role in the management of organic material. **Left in House Appropriations Committee**

VI. Recommendations

In order to begin making a difference on the Eastern Shore and in our surrounding watershed, several practices can be put into place. There is a need for further education and outreach on the impacts of littering and the root causes of marine debris. Additional outreach and education should be geared toward teaching litter prevention, such as informing residents of convenience centers on the Eastern Shore. This could be accomplished with additional funding to engage youth in litter reduction education and practices as well as rebuilding the Waste Watchers of the Eastern Shore of Virginia (a KAB affiliate) and rebuilding volunteer membership. Increased funding to Accomack and Northampton counties is crucial in these efforts and has been stagnant for decades, inadequately meeting the needs of each county to manage and reduce litter. Three of the major culprits of litter and marine debris are plastic bags, balloons, and polystyrene – all of which were addressed in the 2020 General Assembly. A step forward in reducing litter and marine debris would be to align with SB11, encouraging localities to impose a plastic bag tax. Another action that can be taken by the Eastern Shore of Virginia in efforts to limit litter is petitioning support for SB318 which prohibits the release of balloons and has been passed by Senate, but

continued to 2021 in House Agriculture, Chesapeake and Natural Resources by voice vote. Continued support for the reenactment of HB533, which prohibits the dispensing by a food vendor of prepared food to a customer in a single-use expanded polystyrene food service container, is needed in order for this legislation to remain in effect. Furthermore, continued support is needed for HB1151, which authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single-use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. Additionally, HB1151 would authorize any locality to impose a tax on single-use plastics and polystyrene products; the revenue would be directed to the locality imposing the tax for cleanup and education programs aiming to reduce waste, such as the Waste Watchers and GreenWorks Committee.

VII. References

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