



Legislative Advocacy
In the Virginia General Assembly
January 2021

Submitted via [“SPEAK”](#), the House of Delegates public comment forum

[HJ 527 Invasive plant study](#) Organization: Friends of Accotink Creek

Please support Delegate Bulova's invasive study resolution. Invasive plants are taking over our parklands and streams, displacing our native plants and killing trees. It is illogical government policy to permit sales of plants whose removal, once they invade wild habitats, taxpayers then have to fund. Removing invasives is not risk-free and has high opportunity costs for volunteers. English ivy, Japanese pachysandra, running bamboo, Asian privets, Asian wisterias, Japanese barberry (banned in West Va and other states) clematis terniflora, Japanese knotweed, winged burning bush (sterile cultivars now available) wintercreeper (banned in Maryland), Chinese silvergrass, common periwinkle, Callery pear, and many other invasive exotics for sale throughout the Commonwealth often escape our yards and infest natural areas where they can become almost impossible to eradicate. Bulova's resolution won't ban any sales, but it does mandate a thorough, year-long study of the problem. Such a study is a good start and deserves bipartisan support. Red America, Blue America, most of us appreciate trees and don't want to see them strangled by invasive plants.

[HJ 527 Invasive plant study](#)

Friends of Accotink Creek SUPPORTS Delegate Bulova's/Senator Marsden's joint resolution to mandate a study to explore options for phasing out the sale and propagation of invasive plants in Va.

Invasive plants are taking over much of our parklands, some are killing trees. English ivy, Chinese wisteria, wintercreeper, clematis terniflora, and other invasives are still available for sale. Pure madness! Why should stores be permitted to sell items that tax payers are paying to remove? A study on the problem would be a good start.

[HB1760 - Conservation easements; certain easements be liberally construed in favor of purpose which created.](#)

The Friends of Accotink Creek support HB1760. The bill provides that conservation easements will fulfill the actual purpose for which the Commonwealth makes them available - the essential necessity to protect our precious natural heritage for all generations of Virginians to come.

[HB1800 Item 377 #6h Research to Reduce Salt in Water Resources](#) (in Appropriations Committee)

Friends of Accotink Creek support Item 377, #6h Research to Reduce Salt in Water

Excess salt damages soil and aquatic life. Research directed to rectify this problem is badly needed. Please vote yes to this measure.

[HB 1902 Expanded Polystyrene Ban \(Agriculture, Chesapeake Committee\)](#)

Friends of Accotink Creek support HB 1902, the ban on expanded polystyrene food and drink containers.

1)EPS containers can leach harmful chemicals into food and drinks: EPS contains styrene, a lab animal carcinogen and possible human carcinogen and neurotoxin. Styrene can migrate from polystyrene containers into food and drink when

heated, or in contact with fatty or acidic foods. Low-income communities often lack access to grocery stores and are forced to rely on fast food options, which are often stored in EPS containers.

2) The EPS manufacturing process can harm the health of factory workers: Workers are exposed to many toxic chemicals including Styrene, Toluene, Xylene, Acetone, Methyl Chloride, and Methyl Ketone.

3) The EPS manufacturing process pollutes the air: All blowing agents currently used in EPS manufacture pose dangers to the environment. The CFCs damage the ozone layer. The blowing agent pentane creates earth-level smog and has already been restricted in some regions for air quality reasons.

4) EPS is too expensive to recycle: The NY City Dept of Sanitation recently determined that that it is not economically viable to recycle EPS foam food containers.

5) EPS is not biodegradable, it litters our parks and streams: Polystyrene containers break into smaller pieces, creating trash that is harder to collect and remove. After the CA cities of Santa Cruz and Pacific Grove banned EPS foam food containers, EPS litter on local beaches decreased up to 71%.

EPS containers are bad news, the sooner they are banned the better. Thank you, Delegate Carr, for introducing this bill.

[HB 2030 Neonicotinoid pesticides](#)

Friends of Accotink Creek supports HB 2030 regulating neonicotinoid pesticides.

Landscaping companies will say their products are safe for bees and other non-mosquito insects. Science tells another story. As regards honey bees, the workers in many tests will continue to fly and forage for a while, but queen bees are devastated by neonics thiamethoxam and clothianidin. "The queen, as the sole egg-layer and the primary source of colony cohesion, is the most important individual in the colony; without her the colony will eventually fail."

<https://www.sciencedaily.com/releases/2015/10/151013103118.htm>

Of course, neonics affect the whole hive. They do not obliterate the hive outright, but kill it over extended periods of time.

<https://www.pbs.org/newshour/science/neonicotinoid-pesticides-slowly-killing-bees>

Other studies have shown that queen bumble bees (non-honey bees) also fare very badly with neonic pesticides.

<http://cues.cfans.umn.edu/old/pollinators/pdf-BBcolony/2012Whitehorn.pdf>

Neonicotinoid pesticides (neonics) are less toxic to vertebrates than common older insecticides, but they are still harmful. They persist in the soil, leach into the environment, and harm pollinators, including honeybees and our native bees. This bill aims to protect pollinators in our community from outdoor spray, especially hives kept by Virginia suburban beekeepers.

This bill addresses only outdoor spray, not indoor treatments for pests like bed bugs and roaches, toward which neonicotinoids are most effective.

While the bill does not ban the sale, use, and distribution of neonics throughout the state, it does authorize localities to prohibit the sale of all, or certain neonics, and other pesticides deemed to be harmful to pollinators. It also allows localities to regulate or prohibit outdoor use in areas zoned for residential, business, commercial, or industrial use. This

is a major progress. That means we may write to our town councils and demand an end to neonic spraying. Those of us with bee hives or pollinator/butterfly gardens will be very pleased.

For jurisdictions who choose not to regulate neonics, the bill does mandate that everyone within a ½ mile of the neonic application get a 72-hour warning. This offers a form of limited protection. Homeowners with pollinator gardens or bee hives will have time to throw tarps or sheets over the area they need to shield from these poisons.

Thank you, Delegate Krizek, for sponsoring this measure.

[HB2042 Tree Replacement](#)

Friends of Accotink Creek SUPPORT HB /SB1393, Replacement and conservation of trees during development by Delegate Nancy Guy and Senator David Marsden

The Virginia Dept of Forestry (State of the Forests Report, 2011) says Virginia loses up to 16,000 acres of forest every year.

This is a big loss to the environment and quality of life. Trees capture carbon, filter harmful particulates from the air and water, reduce flooding, provide habitat for birds and pollinators, give badly-need shade in summer, lower temperatures in buildings and streets, and, most of all, trees are beautiful - even in their winter leaflessness when we only see "***bare ruin'd choirs where late the sweet birds sang***". (Shakespeare, Sonnet 73)

From VCN: "The current statute limits localities' authority to preserve and conserve their tree canopies. This bill enhances their ability to increase their tree canopies in several specific circumstances: (i) to generate pollution reduction credits through installation of an approved Urban Tree Canopy Expansion best management practice (BMP) or other approved BMP for compliance with the locality's Municipal Separate Storm Sewer System (MS4) Permit; (ii) to help address local flooding in any development project located in a Chesapeake Bay Preservation Area; (iii) in any development project located in an area that prior to the passage of the federal Fair Housing Act of 1968, 42 U.S.C. § 3601 et seq., was redlined or graded "D" by the federal Home Owners' Loan Corporation; and (iv) to ensure conformity with the comprehensive plan adopted by the locality. Overview: Virginia limits the percentage of trees that local governments can require developers to replace or conserve in the process of development. Depending on zoning, those caps range from 10-30%. HB2042 and SB1393 enable localities to adopt higher replacement percentages where trees are used to meet water quality, flooding management, and equity goals. The bill also expands statewide the applicability of the tree preservation statute, Va. Code 15.2-961.1.

The provisions in this statute allow local governments to establish a tree fund or tree bank, providing offsite options for developers unable to achieve the canopy replacement percentages onsite. Tree fund fees collected can be used to plant trees on municipal property or support non-profits conservation groups in planting trees on private property. Virginia is losing 16,000 acres of trees per year to development and disease. Their loss removes their ability to capture carbon and harmful particulates, reduce flooding, provide habitat, improve water quality and quality of life. "

HB2042/SB1393 is a sound, well-crafted measure and deserves full bipartisan support.

Letter to General Assembly Members in the Accotink Creek watershed:

A portion of your district lies in the Accotink Creek watershed. The Friends of Accotink Creek urge you to support these bills, resolutions, and budget amendments introduced in the 2021 General Assembly session:

- **HB 1902 Expanded Polystyrene Ban**
“Styrofoam” is a bane of Virginia streams and lakes -ubiquitous, immortal, and breaking into tiny pieces that are maddening to try to remove.
- **HJR 527 Invasive Species Ban Study**
Noxious exotic plant species overwhelm native habitats throughout Virginia, yet continue to be widely sold and planted by landscapers.
- **HB 2030 Neonicotinoid pesticides**
It has now been well established that neonicotinoid insecticides are a cause of the calamitous decline of pollinators and inoffensive insect species 0in general.
- **HB2042 Tree Replacement**
- and -
- **HB 1045 Tree Banking**
Preserving our tree cover is essential to the health of Virginia streams and to our efforts to avoid climate change.
- **HB1800 Item 377 #6h Research to Reduce Salt in Water Resources**
Cumulative buildup of salt in Virginia streams and groundwater is a growing threat to aquatic life and human health that must be addressed.

Sincerely,

Friends of Accotink Creek : : www.accotink.org : :

"Dominion over nature is a gift which has been given us yoked to the trust for its preservation." - Accotink motto

Friends of Accotink Creek

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