

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 481

BY SENATORS SMITH, PHILLIPS, CAPUTO, STOLLINGS,

LINDSAY, WOODRUM, JEFFRIES, AND HAMILTON

[Originating in the Committee on Natural Resources;

reported on February 1, 2022]

1 A BILL to amend and reenact §22-15A-3a of the Code of West Virginia, 1931, as amended,
2 relating to the Adopt-A-Stream Program; requiring volunteers 17 years of age or younger
3 be accompanied by an adult; changing streams eligible for participation in program;
4 altering process for selecting stream participation in program; allowing department to
5 approve or deny applications at its discretion; expanding sources of funding to support
6 program; lengthening period of stream participation from one to three years; altering
7 method of collection of stream litter; and requiring one cleanup of the river prior to road
8 signs being erected.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 15A. THE A. JAMES MANCHIN REHABILITATION ENVIRONMENTAL
ACTION PLAN.**

§22-15A-3a. Creation of Adopt-A-Stream Program required.

1 (a) The Adopt-A-Highway Program was established in the late 1980s to improve the
2 quality of the state's environment by encouraging public involvement in the elimination of highway
3 litter. That program is cosponsored by the Division of Highways and the Department of
4 Environmental Protection, Rehabilitation Environmental Action Plan. Its objective is to save
5 taxpayer money by increasing public awareness and to serve as an educational tool by focusing
6 on the consequences of littering. The program offers volunteers the opportunity to take charge of
7 their own environment by making a positive effort to create a cleaner, more aesthetic place in
8 which to live.

9 In West Virginia there are currently 25,000 volunteers who regularly pick up litter on 4,000
10 miles of highway. They have been responsible for removing more than 40 million pounds of litter
11 since the program began.

12 (b) As with the Adopt-A-Highway Program, individuals, families, churches, businesses,
13 schools, civic organizations, government agencies, scouting groups, fraternities, and

14 communities may participate in an Adopt-A-Stream Program, which the department shall create
15 and implement. ~~Anyone who is at least 12 years old may participate~~ Participants 17 years of age
16 or younger must be accompanied by an adult. Any stream or river ~~that is a part of the West Virginia~~
17 ~~Stream Partners Program~~ within the state of West Virginia is eligible for adoption, with the
18 exception of streams or rivers ~~considered~~ determined to be unsafe by the department. ~~Volunteers~~
19 ~~may select a stream or river to adopt and then have it approved by the department, or they may~~
20 ~~ask the department to suggest an adoptable stream or river~~ Adopted streams or river sections
21 must be at least one-mile long. Applications for adoptions will be reviewed and approved or denied
22 at the department's discretion. The Litter Control Fund, or other sources of funding deemed
23 appropriate by the secretary, may be used to support the Adopt-A-Stream Program.

24 (c) Adoptions are for a period of ~~one year~~ three years, during which time at least one
25 cleanup is required per year. ~~As volunteers pick up litter, bags that have been filled are placed on~~
26 ~~stream sides~~ Collected litter will be placed at designated locations approved by the department.
27 The department may coordinate with volunteers, local authorities, and state agencies for removal
28 and disposal ~~by the program~~ of collected litter. Garbage bags, ~~safety vests,~~ safety training, ~~traffic~~
29 ~~warning signs,~~ and gloves are to be furnished by the program.

30 (d) Adopted streams or rivers may be identified by a sign at ~~each end of the~~ a location
31 along the adopted section bearing the Adopt-A-Stream logo and the name of the adopter after
32 the first cleanup has been completed. Volunteers who complete one required litter pickup within
33 the ~~one-year~~ first year of the three-year contract period shall be awarded a certificate of
34 accomplishment signed by the secretary.

35 (e) Any stream obstruction or other cause for concern observed by volunteers may be
36 reported to the Department of Environmental Protection, Division of Natural Resources, the State
37 Conservation Committee, or the appropriate local county emergency manger.

38 (f) ~~(e)~~ (f) The secretary may propose legislative rules pursuant to §29A-3-1 *et seq.* of this
39 code.