

Environmental Protection

MISSION STATEMENT

The mission of the Department of Environmental Protection (DEP) is to protect and enhance the quality of life in our community through conservation, preservation, and restoration of our environment, guided by the principles of science, resource management, sustainability, and stewardship.

County Government Reorganization

In February, 2008, the County Executive announced a detailed Montgomery County Government Reorganization to improve effectiveness, customer service, accessibility, and efficiency. As part of this plan, Solid Waste Services was moved from the Department of Public Works and Transportation to the Department of Environmental Protection. Due to the scale of operations, the Solid Waste Services budget is displayed separately.

BUDGET OVERVIEW

The total approved FY09 Operating Budget for the Department of Environmental Protection is \$11,413,370, an increase of \$947,130 or 9.0 percent from the FY08 Approved Budget of \$10,466,240. Personnel Costs comprise 47.4 percent of the budget for 60 full-time positions and five part-time positions for 51.0 workyears. Operating Expenses and Capital Outlay account for the remaining 52.6 percent of the FY09 budget.

The Clean Energy Rewards program has been shifted from the General Fund to the Climate Change Implementation Non-Departmental Account (NDA).

In addition, this department's Capital Improvements Program (CIP) requires Current Revenue funding.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

❖ *Healthy and Sustainable Neighborhoods*

PERFORMANCE MEASURES

This table presents the department's performance data estimates and projections from FY08 through FY10 if there are no changes in funding.

Measure	Actual FY06	Actual FY07	Estimated FY08	Approved FY09	Projected FY10
Enforcement of environmental requirements - Citations ¹	27	70	50	50	50
Enforcement of environmental requirements - Notices of Violation (NOV) ²	285	268	275	275	275
Million metric tons of greenhouse gas emissions in County ³	12.6	12.8	12.9	13.1	13.2
Total number of specific impairments found in County watersheds ⁴	33	33	33	33	34
Percentage of County watersheds in excellent or good condition ⁵	53	51	51	51	51

¹Citations are issued if a Notice of Violation (NOV) goes unheeded, or if the initial violation is severe enough to warrant an immediate civil citation. A citation results in a fine up to \$500 for the first offense, and \$750 for subsequent violations.

²Notice of Violation (NOV) data includes NOV's and written notices. NOV's warn an individual or organization that they are violating an environmental code and corrective action must be taken. Written notices are to inform of a possible violation.

³Emissions estimates are from building energy consumption and transportation fuels and do not include loss of sequestration capacity from land use changes and changes in tree canopy. Figures are subject to change.

⁴Impairments are contaminants or other factors that degrade water quality as determined by the Maryland Department of Environment in listing Impaired Watersheds (303(d) list).

⁵A watershed's condition is determined by its capacity to sustain the same aquatic species as those found in natural conditions, as measured by the Index of Biological Integrity. Data reflects a five-year rolling average.

ACCOMPLISHMENTS AND INITIATIVES

❖ *Initiate the Green Business Certification Program that recognizes and promotes businesses taking environmentally responsible actions*

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- ❖ **Enhance inspection program of stormwater facilities**
 - ❖ **Enhance routine maintenance program for above and below ground stormwater facilities**
 - ❖ **Improve management of stream gages for enhanced water quality monitoring**
 - ❖ **Completed the transfer of MCPS owned stormwater facilities to the County for maintenance.**
 - ❖ **Established an informal citizen advisory workgroup in FY08 from the County's watershed and community groups to provide input into the Rainscapes Rebates Program**
 - ❖ **Provided environmental review of the Inter-County Connector (ICC) alignment**
 - ❖ **Initiated comprehensive neighborhood-based assessments for urban runoff mitigation in five drainage areas within impaired watersheds**
 - ❖ **Collected data to inventory County Greenhouse Gas Emissions with publication anticipated during FY09**
 - ❖ **Implemented the new Asset Maintenance Management Software System for enhanced efficiency across multiple departments**
 - ❖ **Implemented enhanced customer service through a new online 24/7 environmental issues and complaints web based application**
 - ❖ **Productivity Improvements**
 - **Developed an intranet-based map application in FY08 to expedite response time to residents' inquiries about the water quality protection charge**
 - **Developed an algorithm based program in FY08 using remote sensing technology to derive forest canopy in the County. This algorithm is capable of extracting impervious areas, which reduces manual labor and allows for more time to implement the program**
 - **Developed an online biological monitoring database in FY07 for field biologists, which enables direct data entry from the field**
 - **Developed the Clean Energy Rewards database to enhance budget, planning and oversight data management**

PROGRAM CONTACTS

Contact Gladys Balderrama of the Department of Environmental Protection at 240.777.7732 or Trudy-Ann Hunter of the Office of Management and Budget at 240.777.2778 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Watershed Management

This program supports watershed-based monitoring, planning, policy development, and project implementation activities which address County stream protection goals (Chapter 19, Article IV). This includes assessment of land development impacts on water resources and the effectiveness of best management practices that mitigate these impacts within the County's four designated "Special Protection Areas" (Chapter 19, Article IV). To comply with aspects of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit requirements staff conduct baseline stream monitoring, storm drain discharge monitoring, and public outreach activities that increase awareness and promote citizen involvement in stream stewardship; develop watershed protection priorities; and manage stream protection and restoration projects that implement NPDES stormwater discharge permit requirements and the Countywide Stream Protection Strategy.

Program staff also manage, inspect, and enforce the operational effectiveness of over 3,000 stormwater management facilities which control impacts from stormwater runoff to protect County streams. DEP is also responsible for the structural maintenance of over 600 of these facilities. Revenue for the program is generated through a Water Quality Protection Charge, applied to all residential and associated non-residential properties (associated non-residential properties are non-residential properties that drain into the stormwater facilities of residential properties), except for those in the cities of Rockville and Takoma Park.

FY09 Changes

	Expenditures	WYs
FY08 Approved	6,743,680	24.1
Enhance: Annualization of transfer of MCPS owned Stormwater Management Facilities to DEP	633,800	0.0
Enhance: Below ground routine maintenance of 277 additional storm water facilities	176,970	0.0
Increase Cost: Annualization of FY08 lapsed position and Personnel Costs	150,800	0.5
Enhance: Above-ground routine maintenance of 72 additional stormwater facilities	122,660	0.0
Enhance: Inspection of 130 additional stormwater facilities	99,070	0.0
Enhance: Inspector III and operating expenses for privately-maintained stormwater management facilities and to enforce Executive Regulation 7-02 AM and NPDES permit	94,960	0.8
Increase Cost: Pass through to the City of Gaithersburg	81,550	0.0
Enhance: Planning Specialist III and operating expenses to handle the transfer of stormwater facilities to the County	65,190	0.8
Increase Cost: Planning Specialist III and operating expenses to implement the Low Impact Design: Residential Program	65,190	0.8
Increase Cost: DTS charges for maintenance of Asset Management Inventory and Maintenance System	51,000	0.0
Increase Cost: Downcounty Stream Gages maintenance	46,580	0.0
Decrease Cost: Technical adjustment of Workyears	0	-0.3
Decrease Cost: Decrease Operating Expenses	-31,500	0.0
Decrease Cost: Low Impact Design (LID) - Private Sector Program and create a new Planning Specialist III position to implement the program	-65,190	0.0
Decrease Cost: Low Impact Design - Community Outreach	-106,250	0.0
Shift: Transfer of Government Facility Retrofit with Low Impact Design to the CIP	-591,000	-1.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	-174,500	-0.1
FY09 Approved	7,363,010	25.6

Environmental Policy and Compliance

This program develops and implements scientifically-based, integrated programs which protect and enhance the County's environmental resources, and encourage sustainable practices by the County government, businesses and residents. The division develops, analyzes, and enforces policies, programs and regulations related to air quality (ambient and indoor), water quality and stormwater management, energy conservation, forest and tree resources, noise control, pollution prevention, and sustainability. The division is also responsible for environmental monitoring of the County's solid waste facilities; coordination of responses on all legislative referrals at the local, state and federal levels; and participation on local and regional task forces, committees, and various advisory groups.

FY09 Changes

	Expenditures	WYs
FY08 Approved	1,811,610	12.0
Increase Cost: Study resulting from the Clean Water Task Force	375,000	0.0
Add: Green Business Program	25,000	0.0
Decrease Cost: Technical adjustment of Workyears	0	-0.1
Decrease Cost: Annualization of FY08 Service Increment - Charges to Others	-1,190	0.2
Decrease Cost: Vacant Part-Time Program Specialist I	-33,600	-0.5
Decrease Cost: Decrease Operating Expenses	-38,000	0.0
Decrease Cost: Gypsy Moth Suppression and Survey	-41,000	0.0
Decrease Cost: Vacant Full-Time Planning Specialist III	-81,040	-1.0
Shift: The Clean Energy Rewards Program from DEP's General Fund to the Climate Change Implementation Non-Departmental Account	-361,000	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	421,400	0.1
FY09 Approved	2,077,180	10.7

Administration

The Office of the Director provides leadership on policy development, implementation, and administration for all departmental programs. The Director's office is also responsible for planning, development and administration of water supply and wastewater policies for the County, development of the State-required Montgomery County Comprehensive Water Supply and Sewerage System Plan; development and implementation of the County groundwater strategy which focuses on water quality and water supply aspects of groundwater resources. Accordingly, this program provides the department and the County with a comprehensive and technically based team of experts in water and wastewater focused on promoting public health and environmental protection. In addition, the Director's office provides centrally-coordinated public education, outreach, and effective communication of County environmental

initiatives and objectives to promote better community understanding of environmental issues and services provided by the Department. The Administrative Services Section in the Director's office is responsible for budget and fiscal management oversight, contract management, human resources management, information technology, and day-to-day operational services for the department.

FY09 Changes

	Expenditures	WYs
FY08 Approved	1,910,950	14.4
Increase Cost: MLS Adjustment	14,700	0.0
Increase Cost: Annualization of FY08 Personnel Costs	9,630	0.0
Increase Cost: Central Duplicating Deficit Recovery Charge	660	0.0
Increase Cost: Central Duplicating Recovery Charge	160	0.0
Increase Cost: Technical adjustment	0	0.3
Decrease Cost: Personnel Costs	-46,550	0.0
Decrease Cost: Decrease Operating Expenses	-53,250	0.0
Miscellaneous adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting more than one program	136,880	0.0
FY09 Approved	1,973,180	14.7

BUDGET SUMMARY

	Actual FY07	Budget FY08	Estimated FY08	Approved FY09	% Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	2,258,059	2,641,660	2,503,040	2,735,450	3.6%
Employee Benefits	720,062	869,570	777,490	882,250	1.5%
County General Fund Personnel Costs	2,978,121	3,511,230	3,280,530	3,617,700	3.0%
Operating Expenses	923,533	1,253,800	1,179,140	783,840	-37.5%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	3,901,654	4,765,030	4,459,670	4,401,540	-7.6%
PERSONNEL					
Full-Time	45	46	46	45	-2.2%
Part-Time	6	5	5	4	-20.0%
Workyears	34.9	34.9	34.9	33.9	-2.9%
REVENUES					
Civil Citations - DEP	13,580	8,000	14,000	14,000	75.0%
SPA Monitoring Fee	186,735	200,000	120,000	120,000	-40.0%
Water and Sewer Plan Review Fee	59,750	65,000	30,000	30,000	-53.8%
County General Fund Revenues	260,065	273,000	164,000	164,000	-39.9%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	0	0	0	0	—
Employee Benefits	0	0	0	0	—
Grant Fund MCG Personnel Costs	0	0	0	0	—
Operating Expenses	52,345	0	0	0	—
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	52,345	0	0	0	—
PERSONNEL					
Full-Time	0	0	0	0	—
Part-Time	0	0	0	0	—
Workyears	0.0	0.0	0.0	0.0	—
REVENUES					
Remote High Hazard Dam Monitoring 5% Initiative	42,107	0	0	0	—
Chesapeake Bay Small Watershed	10,183	0	0	0	—
Pilot Watershed Program - Task 3	55	0	0	0	—
Grant Fund MCG Revenues	52,345	0	0	0	—
WATER QUALITY PROTECTION FUND					
EXPENDITURES					
Salaries and Wages	874,058	1,140,100	1,193,050	1,330,710	16.7%
Employee Benefits	272,975	315,540	368,920	458,940	45.4%
Water Quality Protection Fund Personnel Costs	1,147,033	1,455,640	1,561,970	1,789,650	22.9%
Operating Expenses	3,949,006	4,245,570	4,053,600	5,198,680	22.4%
Capital Outlay	0	0	0	23,500	—
Water Quality Protection Fund Expenditures	5,096,039	5,701,210	5,615,570	7,011,830	23.0%
PERSONNEL					
Full-Time	11	12	12	15	25.0%
Part-Time	1	1	1	1	—
Workyears	13.9	15.6	15.6	17.1	9.6%
REVENUES					
FEMA Reimbursement	300,194	0	0	0	—
Investment Income	273,640	230,000	230,000	150,000	-34.8%
Water Quality Protection Charge	5,980,892	6,086,440	5,986,290	8,465,140	39.1%
Water Quality Protection Fund Revenues	6,554,726	6,316,440	6,216,290	8,615,140	36.4%
DEPARTMENT TOTALS					
Total Expenditures	9,050,038	10,466,240	10,075,240	11,413,370	9.0%
Total Full-Time Positions	56	58	58	60	3.4%
Total Part-Time Positions	7	6	6	5	-16.7%
Total Workyears	48.8	50.5	50.5	51.0	1.0%
Total Revenues	6,867,136	6,589,440	6,380,290	8,779,140	33.2%

FY09 APPROVED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY08 ORIGINAL APPROPRIATION	4,765,030	34.9
<u>Changes (with service impacts)</u>		
Add: Green Business Program [Environmental Policy and Compliance]	25,000	0.0
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: General Wage and Service Increment Adjustments	165,710	0.0
Increase Cost: Group Insurance Adjustment	47,630	0.0
Increase Cost: Retirement Adjustment	31,180	0.0
Increase Cost: Motor Pool Rate Adjustment	25,190	0.0
Increase Cost: MLS Adjustment [Administration]	14,700	0.0
Increase Cost: Annualization of FY08 Personnel Costs [Administration]	9,630	0.0
Increase Cost: Printing and Mail Adjustments	3,940	0.0
Increase Cost: Central Duplicating Deficit Recovery Charge [Administration]	660	0.0
Increase Cost: Technical adjustment [Administration]	0	0.3
Decrease Cost: Annualization of FY08 Service Increment - Charges to Others [Environmental Policy and Compliance]	-1,190	0.2
Decrease Cost: Decrease Operating Expenses [Watershed Management]	-31,500	0.0
Decrease Cost: Vacant Part-Time Program Specialist I [Environmental Policy and Compliance]	-33,600	-0.5
Decrease Cost: Decrease Operating Expenses [Environmental Policy and Compliance]	-38,000	0.0
Decrease Cost: Gypsy Moth Suppression and Survey [Environmental Policy and Compliance]	-41,000	0.0
Decrease Cost: Personnel Costs [Administration]	-46,550	0.0
Decrease Cost: Decrease Operating Expenses [Administration]	-53,250	0.0
Decrease Cost: Vacant Full-Time Planning Specialist III [Environmental Policy and Compliance]	-81,040	-1.0
Shift: The Clean Energy Rewards Program from DEP's General Fund to the Climate Change Implementation Non-Departmental Account [Environmental Policy and Compliance]	-361,000	0.0
FY09 APPROVED:	4,401,540	33.9
GRANT FUND MCG		
FY08 ORIGINAL APPROPRIATION	0	0.0
FY09 APPROVED:	0	0.0
WATER QUALITY PROTECTION FUND		
FY08 ORIGINAL APPROPRIATION	5,701,210	15.6
<u>Changes (with service impacts)</u>		
Enhance: Annualization of transfer of MCPS owned Stormwater Management Facilities to DEP [Watershed Management]	633,800	0.0
Enhance: Below ground routine maintenance of 277 additional storm water facilities [Watershed Management]	176,970	0.0
Enhance: Above-ground routine maintenance of 72 additional stormwater facilities [Watershed Management]	122,660	0.0
Enhance: Inspection of 130 additional stormwater facilities [Watershed Management]	99,070	0.0
Enhance: Inspector III and operating expenses for privately-maintained stormwater management facilities and to enforce Executive Regulation 7-02 AM and NPDES permit [Watershed Management]	94,960	0.8
Enhance: Planning Specialist III and operating expenses to handle the transfer of stormwater facilities to the County [Watershed Management]	65,190	0.8
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Study resulting from the Clean Water Task Force [Environmental Policy and Compliance]	375,000	0.0
Increase Cost: Annualization of FY08 lapsed position and Personnel Costs [Watershed Management]	150,800	0.5
Increase Cost: Pass through to the City of Gaithersburg [Watershed Management]	81,550	0.0
Increase Cost: General Wage and Service Increment Adjustments	77,650	0.0
Increase Cost: Planning Specialist III and operating expenses to implement the Low Impact Design: Residential Program [Watershed Management]	65,190	0.8
Increase Cost: DTS charges for maintenance of Asset Management Inventory and Maintenance System [Watershed Management]	51,000	0.0
Increase Cost: Downcounty Stream Gages maintenance [Watershed Management]	46,580	0.0
Increase Cost: Group Insurance Adjustment	21,120	0.0
Increase Cost: Retirement Adjustment	8,920	0.0
Increase Cost: Printing and Mail Adjustments	2,440	0.0

	Expenditures	WYs
Increase Cost: Central Duplicating Recovery Charge [Administration]	160	0.0
Decrease Cost: Technical adjustment of Workyears [Environmental Policy and Compliance]	0	-0.1
Decrease Cost: Technical adjustment of Workyears [Watershed Management]	0	-0.3
Decrease Cost: Low Impact Design (LID) - Private Sector Program and create a new Planning Specialist III position to implement the program [Watershed Management]	-65,190	0.0
Decrease Cost: Low Impact Design - Community Outreach [Watershed Management]	-106,250	0.0
Shift: Transfer of Government Facility Retrofit with Low Impact Design to the CIP [Watershed Management]	-591,000	-1.0
FY09 APPROVED:	7,011,830	17.1

PROGRAM SUMMARY

	FY08 Approved		FY09 Approved	
	Expenditures	WYs	Expenditures	WYs
Watershed Management	6,743,680	24.1	7,363,010	25.6
Environmental Policy and Compliance	1,811,610	12.0	2,077,180	10.7
Administration	1,910,950	14.4	1,973,180	14.7
Totals	10,466,240	50.5	11,413,370	51.0

CHARGES TO OTHER DEPARTMENTS

Recipient Department	Recipient Fund	FY08		FY09	
		Total\$	WYs	Total\$	WYs
GENERAL FUND					
CIP	CIP	640,160	5.9	786,100	7.0
DEP-Solid Waste Services	Solid Waste Disposal	668,280	5.3	680,500	5.1

ANNUALIZATION OF PERSONNEL COSTS AND WORKYEARS

	FY09 Approved		FY10 Annualized	
	Expenditures	WYs	Expenditures	WYs
Enhance: Inspector III and operating expenses for privately-maintained stormwater management facilities and to enforce Executive Regulation 7-02 AM and NPDES permit [Watershed Management]	61,360	0.8	73,630	1.0
Enhance: Planning Specialist III and operating expenses to handle the transfer of stormwater facilities to the County [Watershed Management]	61,360	0.8	73,630	1.0
Increase Cost: Planning Specialist III and operating expenses to implement the Low Impact Design: Residential Program [Watershed Management]	61,360	0.8	73,630	1.0
Total	184,080	2.4	220,890	3.0