



Environmental Protection

APPROVED FY19 BUDGET

\$30,708,365

FULL TIME EQUIVALENTS

107.97

 PATTY BUBAR, ACTING DIRECTOR

MISSION STATEMENT

The mission of the Department of Environmental Protection (DEP) is to enhance the quality of life in our community by protecting and improving Montgomery County's air, water, and land in a sustainable way while fostering smart growth, a thriving economy, and healthy communities.

BUDGET OVERVIEW



The total approved FY19 Operating Budget for the Department of Environmental Protection is \$30,708,365, an increase of \$436,373 or 1.44 percent from the FY18 Approved Budget of \$30,271,992. Personnel Costs comprise 37.65 percent of the budget for 91 full-time position(s) and no part-time position(s), and a total of 107.97 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 62.35 percent of the FY19 budget.

The debt service for the Water Quality Protection Fund is appropriated in the Debt Service Fund and is, therefore, not displayed in this section. To pay for the debt service, a transfer of funds from the Water Quality Protection Fund to the Debt Service Fund of \$6,148,600 for Water Quality Protection bonds is required in FY19.

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**
-  **A Responsive, Accountable County Government**

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY18 estimates reflect funding based on the FY18 Approved Budget. The FY19 and FY20 figures are performance targets based on the FY19 Approved Budget and funding for comparable service levels in FY20.

INITIATIVES

- ★ Continue to evaluate opportunities to report to the Maryland Department of the Environment (MDE) restored impervious surface due to non-CIP measures including partnerships with other agencies and continued use of information and data from newly permitted treatment facilities.
- ★ Identify opportunities for enhanced cooperation between the County and M-NCPPC to integrate activities associated with meeting requirements under their respective Municipal Separate Storm Sewer System (MS4) permits.
- ★ Continued leadership and participation in discussions with MDE and other MS4 jurisdictions on the requirements for the FY19-24 MS4 permit to ensure a clear understanding of the impact of restoration actions to date as well as the continued need for actions to improve local water quality.
- ★ Continued support of the Green Bank initiatives as new financing products and mechanisms are made available to local businesses to increase the implementation of energy efficiency and renewable energy projects.
- ★ DEP's Office of Sustainability will continue to implement programs for residents and businesses designed to help them reduce their environmental footprint and save money. Included among these are the Energy Coach network, designed to help residents reduce their energy use and costs; Tree Montgomery, which continues to grow the number of trees planted each year; and expansion of the Green Business Certification program to recognize additional businesses, such as farmers, who adopt sustainable business practices.

ACCOMPLISHMENTS

- ✔ Completed construction of seven storm water pond retrofits, 29 environmental site design/low impact development projects, and two stream restoration projects for a total of 158.7 impervious acres restored by the CIP program. Using information and data collected under the MS4 and Water Quality Protection Charge Programs documented 850 impervious acres restored by non-CIP efforts. Over 2,927 impervious acres have been restored, achieving 77% of the restoration goal.
- ✔ Reduced 11,351 pounds of total phosphorus in several watersheds including the Anacostia and Rock Creek. Reduced 20,986 pounds of nitrogen in the Anacostia watershed.
- ✔ Planted nearly 600 trees for a total of 1,085 trees through Tree Montgomery (through March 2017), utilizing funds provided by the Tree Canopy Law.
- ✔ DEP's Watershed Restoration Grant Program has awarded 23 grants totaling nearly \$1 million through two competitive grant rounds.
- ✔ Supported, in partnership with the Department of Finance, eleven commercial property assessed clean energy (C-PACE) projects totaling more than \$7.6 million. Additionally, DEP led the establishment of the Montgomery County Green Bank, including recruitment of the initial Board of Directors, and facilitated the Board's recruitment of the Green Bank's first Chief Executive Officer.
- ✔ Responded to over 1,700 environmental complaints and requests related to air, water quality, illegal dumping, noise, and other environmental compliance issues.
- ✔ Managed the Green Business Certification Program, developed in conjunction with the Montgomery County Chamber of Commerce, which recognizes more than 80 County businesses and organizations that take steps to reduce their ecological footprint, demonstrating innovative leadership and helping the County transition to a sustainable future.

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

- Continued evaluation of progress in meeting the requirements of the County's MS4 Permit using data and information to show continued progress towards restoring 3,778 impervious acres.
- Issued a solicitation and entered into Pay for Performance contracts for the design and construction of three stormwater management projects that will treat 252 acres of untreated impervious surface. Under the Pay for Performance construct, the vendor must complete the work before being compensated.
- DEP's Stormwater Facility Maintenance Program pre-screened 995 underground (UG) facilities prior to annual maintenance and found 648 facilities required no annual cleaning. This finding saved the County an estimated \$2,217,456 (based on an average UG maintenance cost of \$3,422 per facility).
- Conducted an evaluation of the RainScapes Rewards for Trees and the Tree Montgomery programs which resulted in the discontinuation of the RainScapes Rewards for Trees program in favor of having one tree program in DEP (Tree Montgomery), leading to better efficiency for tree delivery to residents.
- Developed a more streamlined Best Management Practice (BMP) monitoring program with more efficient study designs, standardized methods, and coordinated monitoring. The first study was initiated in 2017 to evaluate Environmental Site Design (ESD) and impacts to streams surrounding the Clarksburg Premium Outlets. These enhancements and improvements were primarily funded by the new BMP Monitoring Fees which became effective April 13, 2016.

PROGRAM CONTACTS

Contact Patty Bubar of the Department of Environmental Protection at 240.777.7786 or Trevor Lobaugh of the Office of Management and Budget at 240.777.2763 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Watershed Management Operations

The Watershed Management Operations Division manages, inspects, and ensures the operational effectiveness of over 12,000 stormwater management facilities, and is also responsible for the structural maintenance of over 5,000 of these facilities.

The Watershed Management Operations Division supports watershed-based monitoring, planning, policy development, and reporting to achieve County stream protection goals (Montgomery County Code Chapter 19, Article IV) and comply with the federal Clean Water Act NPDES Municipal Separate Storm Sewer System (MS-4) permit. Program staff conducts baseline stream monitoring, storm drain discharge monitoring, and public outreach activities that increase awareness and promote citizen involvement in stream stewardship. The program also assesses land development impacts on water resources and the effectiveness of best management practices that mitigate those impacts within the County's designated "Special Protection Areas."

Revenue for this program is generated by the Water Quality Protection Charge, applied to all residential and non-residential properties except for those owned by the State and County government and those in the cities of Gaithersburg, Rockville, and Takoma Park.

Program Performance Measures	Actual FY16	Actual FY17	Estimated FY18	Target FY19	Target FY20
Amount of total nitrogen loads reduced or controlled (pounds / year) ¹	19,157	20,986	23,105	25,045	27,074
Amount of total phosphorus loads reduced or controlled (pounds / year) ²	8,444	11,351	13,153	14,955	16,756

Program Performance Measures	Actual FY16	Actual FY17	Estimated FY18	Target FY19	Target FY20
County watershed stream quality Index of Biological Integrity (IBI) score	61.0	61.6	62.4	63.1	63.9
Stormwater facility maintenance compliance rate	88%	79%	89%	89%	89%

¹ This measure has been modified to prepare to align with a new model based on guidance from the Maryland Department of the Environment to be consistent with other jurisdictions.

² This measure has been modified to prepare to align with a new model based on guidance from the Maryland Department of the Environment to be consistent with other jurisdictions.

FY19 Approved Changes	Expenditures	FTEs
FY18 Approved	27,297,950	91.47
Increase Cost: Finance Chargeback Increase	105,958	0.00
Increase Cost: DOT Storm Drains Chargeback	54,986	0.00
Enhance: Additional funding for Watershed Restoration and Outreach Grant Program	50,000	0.00
Increase Cost: Computer Supplies Budget	3,025	0.00
Re-align: Maintenance Budget	(230,648)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	597,494	0.00
FY19 Approved	27,878,765	91.47

Environmental Policy and Compliance

The Division of Environmental Policy and Compliance develops and implements integrated programs which protect and enhance the County's environmental resources and promote sustainable practices by residents, businesses, and the County government.

The division analyzes, develops, and implements programs related to air quality, energy conservation and renewable energy, forest and tree resources, and other sustainability issues. The division also helps formulate and enforce County laws and regulations related to air and water pollution, illegal dumping, noise control, pesticides, and other environmental issues. Finally, the division is 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.

Program Performance Measures	Actual FY16	Actual FY17	Estimated FY18	Target FY19	Target FY20
Average number of days to resolve incoming complaints	27	30	30	30	30
Percent of customers who rated themselves as satisfied with DEP response to environmental complaints	N/A	67.1%	70.0%	70.0%	70.0%
Non-residential building energy use (Million British Thermal Units) (000s) ¹	31,672	31,917	31,984	31,994	31,715
Residential building energy use (Million British Thermal Units) (000s) ²	34,097	34,307	34,547	34,218	33,023

¹ Projections are made based on the average annual change in consumption over the previous five years.

² Projections are made based on the average annual change in consumption over the previous five years.

FY19 Approved Changes	Expenditures	FTEs
FY18 Approved	2,116,835	11.44
Reduce: Lapse Program Manager II - Data Analysis and Research for Six Months	(51,680)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(20,878)	0.00
FY19 Approved	2,044,277	11.44

☀ Administration

The Office of the Director provides leadership on policy development, implementation, and administration for all departmental programs and management services. The Director's Office is also responsible for planning, development, and administration of water supply and wastewater policies for the County, as well as development of the State-required Montgomery County Comprehensive Water Supply and Sewerage System Plan, in order to ensure that the County's management of water and wastewater protects public health and the environment. The Director's Office generates the Water Quality Protection Charge revenue and rate, and manages integration of the Water Quality Protection Charge funds, bond issuance funds, and other County funds with program and permit requirements. The Director's Office provides IT support, including geographical information systems and services, procurement, budget, human resources, and other management services to implement capital and non-capital programs.

FY19 Approved Changes	Expenditures	FTEs
FY18 Approved	857,207	5.06
Reduce: Lapse of MII Water & Wastewater Policy Group	(28,492)	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(43,392)	0.00
FY19 Approved	785,323	5.06

BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	1,285,059	1,485,476	1,393,419	1,499,769	1.0 %
Employee Benefits	419,077	500,671	454,561	521,215	4.1 %
County General Fund Personnel Costs	1,704,136	1,986,147	1,847,980	2,020,984	1.8 %
Operating Expenses	880,287	921,196	796,196	741,917	-19.5 %
County General Fund Expenditures	2,584,423	2,907,343	2,644,176	2,762,901	-5.0 %
PERSONNEL					
Full-Time	46	46	46	46	—
Part-Time	0	0	0	0	—
FTEs	16.50	16.50	16.50	16.50	—
REVENUES					
Miscellaneous Revenue	223	0	0	0	—
Other Charges/Fees	32,490	47,000	47,000	40,400	-14.0 %
Other Fines/Forfeitures	24,800	10,000	10,000	10,000	—
Other Licenses/Permits	10,100	8,000	8,000	9,000	12.5 %
Tree Canopy	703,249	500,000	500,000	500,000	—
County General Fund Revenues	770,862	565,000	565,000	559,400	-1.0 %

WATER QUALITY PROTECTION FUND

BUDGET SUMMARY

	Actual FY17	Budget FY18	Estimate FY18	Approved FY19	%Chg Bud/App
EXPENDITURES					
Salaries and Wages	6,458,730	6,908,379	6,727,414	7,212,255	4.4 %
Employee Benefits	1,889,101	2,281,450	2,008,074	2,328,123	2.1 %
Water Quality Protection Fund Personnel Costs	8,347,831	9,189,829	8,735,488	9,540,378	3.8 %
Operating Expenses	15,979,439	18,174,820	18,114,496	18,405,086	1.3 %
Water Quality Protection Fund Expenditures	24,327,270	27,364,649	26,849,984	27,945,464	2.1 %
PERSONNEL					
Full-Time	50	53	53	45	-15.1 %
Part-Time	0	0	0	0	—
FTEs	88.76	91.47	91.47	91.47	—
REVENUES					
Bag Tax	2,607,512	2,471,921	2,471,921	2,471,921	—
Investment Income	203,069	235,750	235,750	333,980	41.7 %
Other Charges/Fees	1,146,599	565,000	565,000	50,000	-91.2 %
Water Quality Protection Charge	34,514,057	37,501,846	37,501,846	37,415,935	-0.2 %
Water Quality Protection Fund Revenues	38,471,237	40,774,517	40,774,517	40,271,836	-1.2 %
DEPARTMENT TOTALS					
Total Expenditures	26,911,693	30,271,992	29,494,160	30,708,365	1.4 %
Total Full-Time Positions	96	99	99	91	-8.1 %
Total Part-Time Positions	0	0	0	0	—
Total FTEs	105.26	107.97	107.97	107.97	—
Total Revenues	39,242,099	41,339,517	41,339,517	40,831,236	-1.2 %

FY19 APPROVED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
	FY18 ORIGINAL APPROPRIATION	2,907,343 16.50
<u>Changes (with service impacts)</u>		
Reduce: Lapse of MII Water & Wastewater Policy Group [Administration]	(28,492)	0.00
Reduce: Lapse Program Manager II - Data Analysis and Research for Six Months [Environmental Policy and Compliance]	(51,680)	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY19 Compensation Adjustment	47,420	0.00
Increase Cost: Annualization of FY18 Personnel Costs	26,823	0.00
Increase Cost: Printing and Mail	325	0.00
Decrease Cost: Retirement Adjustment	(13,980)	0.00
Decrease Cost: Motor Pool Adjustment	(54,604)	0.00

FY19 APPROVED CHANGES

	Expenditures	FTEs
Decrease Cost: Elimination of One-Time Items Approved in FY18	(70,254)	0.00
FY19 APPROVED	2,762,901	16.50

WATER QUALITY PROTECTION FUND

FY18 ORIGINAL APPROPRIATION	27,364,649	91.47
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Changes (with service impacts)

Enhance: Maryland-National Capital Park and Planning Commission (M-NCPPC) Stormwater Management Program	271,668	0.00
Enhance: Additional funding for Watershed Restoration and Outreach Grant Program [Watershed Management Operations]	50,000	0.00

Other Adjustments (with no service impacts)

Increase Cost: FY19 Compensation Adjustment	154,104	0.00
Increase Cost: Finance Chargeback Increase [Watershed Management Operations]	105,958	0.00
Increase Cost: Stream Monitoring Gages	75,000	0.00
Increase Cost: Annualization of FY18 Lapsed Positions	55,446	0.00
Increase Cost: DOT Storm Drains Chargeback [Watershed Management Operations]	54,986	0.00
Increase Cost: Stormwater Management Database (INFOR)	34,000	0.00
Increase Cost: Building Rent Escalation	11,011	0.00
Increase Cost: Motor Pool Adjustment	9,000	0.00
Increase Cost: Annualization of FY18 Personnel Costs	8,554	0.00
Increase Cost: Computer Supplies Budget [Watershed Management Operations]	3,025	0.00
Increase Cost: Agriculture Chargeback Increase	1,032	0.00
Increase Cost: Printing and Mail	375	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY18	(4,326)	0.00
Decrease Cost: Retirement Adjustment	(18,370)	0.00
Re-align: Maintenance Budget [Watershed Management Operations]	(230,648)	0.00
FY19 APPROVED	27,945,464	91.47

PROGRAM SUMMARY

Program Name	FY18 APPR Expenditures	FY18 APPR FTEs	FY19 APPR Expenditures	FY19 APPR FTEs
Watershed Management Operations	27,297,950	91.47	27,878,765	91.47
Environmental Policy and Compliance	2,116,835	11.44	2,044,277	11.44
Administration	857,207	5.06	785,323	5.06
Total	30,271,992	107.97	30,708,365	107.97

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY18 Total\$	FY18 FTES	FY19 Total\$	FY19 FTES
WATER QUALITY PROTECTION FUND					
CIP	Capital Fund	3,302,853	27.20	2,552,445	19.20

FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY19	FY20	FY21	FY22	FY23	FY24
COUNTY GENERAL FUND						
EXPENDITURES						
FY19 Approved	2,763	2,763	2,763	2,763	2,763	2,763
No inflation or compensation change is included in outyear projections.						
Restore One-Time Lapse Increase	0	80	80	80	80	80
Restoration of one-time lapse adjustment in the budget development year						
Labor Contracts	0	22	22	22	22	22
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	2,763	2,865	2,865	2,865	2,865	2,865

WATER QUALITY PROTECTION FUND

EXPENDITURES

FY19 Approved	27,945	27,945	27,945	27,945	27,945	27,945
No inflation or compensation change is included in outyear projections.						
Building Rent Escalation	0	12	0	0	0	0
Increase in lease costs for DEP offices.						
Maintenance of New and Newly Transferred Facilities	0	81	114	780	821	696
Increase maintenance cost due to new and newly transferred facilities into the SWMF maintenance program.						
Operating Impacts of CIP Projects	0	466	416	416	416	416
Estimated Operating Impacts of Stormwater Management CIP Projects						
Wheaton Redevelopment Project Operating Budget Impacts	0	0	1,266	1,266	1,266	1,266
These figures represent the total impact (debt service and operating expenses net of lease savings) of the Wheaton Redevelopment project on the Water Quality Protection Fund.						
Labor Contracts	0	76	76	76	76	76
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	27,945	28,580	29,817	30,483	30,524	30,399