


**MEMORANDUM**

April 17, 2013

TO: Transportation, Infrastructure, Energy & Environment Committee

FROM:  Keith Levchenko, Senior Legislative Analyst

SUBJECT: **FY14 Operating Budget: Department of Environmental Protection (DEP)**

**Council Staff recommends approval of the FY14 DEP General Fund Budget and Water Quality Protection Fund Budget as recommended by the County Executive.**

*NOTE: Council Staff defers a recommendation on the FY14 Water Quality Protection Charge equivalent residential unit (ERU) rate, pending DEP and Council Staff review of the impacts of Council Action on Bill 34-12 and Executive Regulation 17-12.*

*NOTE: DEP-Solid Waste Services is being reviewed separately.*

Attachments to this Memorandum

- County Executive's Recommended FY14 Operating Budget – DEP Section (©1-8)
- Code Enforcement Staffing and Workload (©9-10)
- MyGreenMontgomery.org (©11-13)
- Gypsy Moth Suppression Program Detail (©14)
- Clarksburg Fire Station (No. 450300) Project Description Form (©15-16)
- Water Quality Protection Fund Summary Chart – Major Changes FY13-14 (©17-18)
- Chart: Rate of Increase in the Number of New Stormwater Management Facilities (©19)
- DEP General Fund FY14 Operating Expense Detail (©20)
- List of Stormwater Facilities by Type (©21-22)
- FY14 Water Quality Protection Charge Rate Resolution (23-24)

**The following officials and staff are expected to attend this worksession:**

- Bob Hoyt, Director Department of Environmental Protection
- Steve Shofar, Chief, Division of Watershed Management
- Stan Edwards, Chief, Division of Environmental Policy and Compliance
- Gladys Balderrama, Manager, Management Services Section
- Vicky Wan, Manager, Water Quality Protection Charge and Technology Services
- Matt Schaeffer, Office of Management and Budget
- Alex Espinosa, Office of Management and Budget

## Department Structure

Not counting Solid Waste Services (which is reviewed separately), DEP is organized into three broad program areas. These programs are summarized below:

- **Watershed Management**
  - Watershed-based monitoring, planning, policy development, and project implementation activities (including NPDES-MS4 permit compliance)
  - Stormwater Facility Maintenance
- **Environmental Policy and Compliance**
  - Development and implementation of scientifically-based programs in areas such as climate protection, energy conservation, air quality, noise abatement, forest and tree resources, and surface and groundwater quality
  - Environmental monitoring of solid waste facilities
  - Enforcement of environmental laws in areas such as noise, pollution, air, and water quality
- **Director's Office**
  - Overall management and administration to the Department, including finance, automation, personnel issues, and other areas
  - Policy development and leadership for all programs
  - Centrally coordinated public education element
  - Water and wastewater management and coordination

For this budget review, an overview of DEP (not including Solid Waste Services) is presented first. More detailed discussion is presented by fund (General Fund, followed by the Water Quality Protection Fund) later in this memorandum.

## Department Overview

**Table #1**  
**DEP Expenditures and Positions/Workyears (All Funds)**

	Actual	Approved	CE Rec	Change FY14-FY13	
	FY12	FY13	FY14	\$\$\$	%
Personnel Costs	7,792,396	8,271,144	8,586,514	315,370	3.8%
Operating Expenses	12,174,794	10,929,926	11,395,544	465,618	4.3%
Capital Outlay	-	24,810	-	(24,810)	-100.0%
<b>Total</b>	<b>19,967,190</b>	<b>19,225,880</b>	<b>19,982,058</b>	<b>756,178</b>	<b>3.9%</b>
Full-Time Positions	75	82	82	0	0.0%
Part-Time Positions	2	2	2	0	n/a
Workyears/FTEs	84.20	90.59	92.88	2.29	2.5%

For FY14, the Executive recommends total expenditures of \$19.98 million for the Department of Environmental Protection, a 3.9 percent increase from the FY13 Approved Budget. These numbers include expenditures in the General Fund and the Water Quality Protection Fund

(WQPF). No grant-funded expenditures are assumed in FY14 at this time. Also, the Solid Waste Services budget will be reviewed as part of a separate agenda item and is not included in the numbers above. The FY14 General Fund portion of the budget is up 1.2 percent. The WQPF is up 4.2 percent for FY14.

Overall, the WQPF is 92.3 percent of the total DEP budget (not counting Solid Waste Services) for FY14. This is up slightly from the FY13 percentage (92.1 percent). However, for comparison, the WQPF was less than half the DEP budget in FY06.

Not included in Table #1 are charges to the CIP. In addition to CIP current revenue (about \$1.4 million per year), beginning in FY11, the WQPF began debt financing some projects. As the debt financing has ramped up, the debt service requirement has as well. Debt service in FY13 is estimated at \$2.9 million. For FY14, the number rises to \$3.0 million (see ©8, "Transfers to Debt Service Fund") with larger increases occurring in later years.

DEP also charges 4.9 FTEs (about \$554,142) to the Solid Waste Disposal Fund for environmental monitoring activities of the Gude and Oaks closed landfills. This level of chargeback is similar to past years.

#### Position Changes and Lapse

The Executive is not recommending any major reorganization in DEP for FY14 or any net increase in positions in the DEP General Fund or Water Quality Protection Fund. FTEs are recommended to increase as a result of additional stormwater management maintenance costs moving to the WQPF.

DEP's overall lapse rate for FY14 (not including Solid Waste) is about 4.3 percent. This is higher than in past years, but DEP has experienced a high number of position vacancies in FY13 (an average vacancy level of approximately 10 positions, although DEP expects to fill most of these positions in late FY13).

### **General Fund Budget**

#### Overview

**Table #3**  
**DEP Expenditures and Positions/Workyears**

General Fund	Actual	Approved	CE Rec	Change FY14-FY13	
	FY12	FY13	FY14	\$\$\$	%
Personnel Costs	1,370,569	1,386,792	1,389,960	3,168	0.2%
Operating Expenses	290,730	124,190	138,871	14,681	11.8%
Capital Outlay		-	-	-	-
<b>Total</b>	<b>1,661,299</b>	<b>1,510,982</b>	<b>1,528,831</b>	<b>17,849</b>	<b>1.2%</b>
Full-Time Positions	40	40	40	-	0.0%
Part-Time Positions	1	1	1	-	0.0%
Workyears/FTEs	10.40	11.49	11.49	-	0.0%

As shown on Table #3, for FY14, General Fund expenditures in the DEP budget are recommended to increase by \$17,849 (or 1.2 percent). Many of the positions reflected in the General Fund budget have significant portions of their costs and FTEs charged to the WQPF.

#### Summary Crosswalk from FY13 to FY14

A crosswalk of all major expenditure changes is included in the Recommended General Fund Budget for DEP (see ©6). All of the FY14 adjustments involve technical adjustments, such as compensation and benefits and internal service cost changes (such as motor pool and printing and mail).

#### Operating Expenses

The Recommended budget includes \$138,871 in operating expenses (see ©20 for a detailed breakout). Of these expenses, most are for administrative expenses (such as motor pool, printing and mail, office supplies, etc). The non-administrative dollars are for:

- \$20,000 for Professional Services (Green Building Certification Program)
- \$15,450 for gypsy moth suppression
- \$14,220 for supplies, equipment and materials for the Compliance Team

The largest operating expense increase from FY13 is for motor pool costs (\$14,001) which is mostly to cover a shortfall based on an analysis of budgeted versus actual motor pool charges.

#### General Fund Workforce

As mentioned earlier, General Fund workyears have declined substantially over the past several years. Many positions (or portions of staff charges) are now charging to the Water Quality Protection Fund. Also, several General Fund positions have been eliminated in recent years. As a result, General Fund positions and workyears have declined from their peak of 48 positions and 37.8 workyears in FY02 to 40 and 11.5 (respectively) in the Approved FY13 and FY14 Recommended Budgets.

General fund personnel cost lapse totals \$60,115 or about 4.3 percent of total General Fund personnel costs.

Other than the administrative, management, and IT needs of the department, the major policy areas of staffing for DEP outside Water Quality are:

- **Water and Wastewater Management** (3 staff) – This function includes managing the County’s Water and Sewer Plan (and amendments/category changes requested) and coordinating with various outside agencies such as: WSSC, M-NCPPC, DCWater, and the Metropolitan Washington Council of Governments. These positions are funded primarily out of the General Fund but with some charges to the Solid Waste Fund as well.
- **Code Enforcement** (7 staff) – This section responds to cases involving water quality, indoor and outdoor air quality, illegal dumping, noise, general environmental assessments,

and other miscellaneous environmental issues. They also monitor the closed Oaks and Gude landfills and the Beantown dump. A portion of their staff time is charged to the WQPF.

- **Planning and Policy Implementation** (4 staff) – This section includes DEP’s Forest Conservation Coordinator as well as DEP’s Senior Energy Planner, and a Planning Specialist as well as DEP’s Environmental Sustainability Planner.

As noted in prior budget discussions, Council Staff believes this is a bare bones operation with broad areas of coverage in topics of major concern today, such as: water and sewer infrastructure, clean energy and energy conservation, and climate change and sustainability. All of these areas combined are about 1/7 of the total FTEs in the department. The status of some of these programs is provided below.

### Energy

Four years ago, the County was awarded a \$7.6 million federal grant for various clean energy and energy conservation initiatives across its agencies. DEP staff led the effort to obtain the grant and coordinated the allocation of the dollars to the various agencies, and is responsible for reporting back to the Federal government on results. DEP is also finalizing a commercial and multi-family building study, which will help identify future opportunities and strategies in those sectors.<sup>1</sup>

**Council Staff suggests that DEP provide an update to the T&E Committee after budget on the Federal grant work achieved, the study, and the department’s latest assessment of the County’s greenhouse gas emissions.**

### Green Business Certification Program and MyGreenMontgomery.org

The Green Business certification program is intended to recognize and publicize businesses that are meeting certain environmental standards, as identified through an application and verification process. This program was first funded in the FY09 budget. There are currently 43 individually certified businesses.

MyGreenMontgomery.org is a web-based program that went live in early 2012. It provides a one-stop-shop for individuals and organizations interested in reducing their carbon footprints and living more sustainably. Some information about the website and its participants is attached on ©11-13.

### Gypsy Moth Suppression

The County works in partnership with the Maryland Department of Agriculture (MDA) with regard to gypsy moth surveying and suppression. The County and MDA split the surveying costs 50/50, and the County pays approximately 30% of the spraying costs with MDA. The County also

---

<sup>1</sup> The County’s Climate Protection Plan sets a goal of reducing energy consumption in this sector by 25 percent by 2020.

may do additional spraying at its own expense. DEP staff prepared a chart (see ©14) showing trends in program expenditures over the past several years (for both the County and MDA).

Costs in the program can fluctuate substantially from year to year, based on the results of the annual mid-year survey. However, overall gypsy moth populations tend to curve up over a period of years and then curve down. The current peak in gypsy moth population was previously projected in FY09 and FY10 but, in fact, may have peaked in FY08.

No spraying has been done for several years, nor is it assumed for FY14. The annual winter survey is still funded and will confirm whether any spraying ultimately is needed in FY14.

### Water and Sewer Planning Issues

The Council typically receives one package of Water and Sewer Plan amendments (category change requests) each year. Other category change requests are dealt with administratively throughout the year by DEP (consistent with Water and Sewer Plan policies).

However, there are a number of specific water and sewer issues in varying stages of work which the Council is expecting to review in the near future.

- The Glen Hills Sanitary Study is nearing completion, with a Phase II report completed by the end of May. CE transmittal of the report and recommendations to the Council is projected for mid-June.
- A comprehensive update to the Water and Sewer Plan is long overdue. The Plan was last comprehensively updated in 2003. The schedule has been repeatedly pushed back as DEP has worked on other water and sewer-related priorities. DEP staff recently noted that the comprehensive update was delayed again; this time as a result of the Glen Hills study but that work will resume on the update this summer and should be transmitted to the Council this fall. There are a number of important policy issues that are in need of review and possible revision such as the Private Institutional Facilities (PIF) Policy. If the comprehensive update is delayed further, some policy issues may need to be addressed in the form of individual plan amendments.
- The Council is still awaiting an update from the County Executive regarding a scope and cost sharing plan for a sewer extension to the County's Clarksburg fire station property that would also be able to serve parts of the Clarksburg Historic District. The Council approved a modified Fire Station project that pushed the station construction out beyond six-years but which assumed design and construction of the sewer extension in FY13 and FY14 (PDF attached on ©15-16).
- DEP staff are participating in a Bi-County Working Group with Prince George's County and WSSC staff to develop recommended changes to the current financing process for extending water and sewer to properties within the water and sewer envelope. DEP expects these recommendations to be developed over the summer and ready for discussion by the two Councils this fall.

## Code Enforcement

Please see ©9-10 for an update on DEP's code enforcement efforts and trends in various enforcement areas.

## T&E Committee Recommendations (General Fund)

Over the past several years, the DEP General Fund budget has been substantially reduced (both through position abolishments and the migration of costs to the Water Quality Protection Fund). As noted in past years, Council Staff believes that DEP General Fund staffing is quite thin given the broad areas of responsibility assumed, and does not recommend any reductions to the Executive's FY14 Recommended Budget for the DEP General Fund.

### **Water Quality Protection Fund Budget**

**Table #5**  
**DEP Expenditures and Positions/Workyears**

<b>Water Quality Prot. Fund</b>	<b>Actual FY12</b>	<b>Approved FY13</b>	<b>CE Rec FY14</b>	<b>Change FY14-FY13</b>	
				<b>\$\$\$</b>	<b>%</b>
Personnel Costs	6,267,400	6,884,352	7,196,554	312,202	4.5%
Operating Expenses	9,299,388	10,805,736	11,256,673	450,937	4.2%
Capital Outlay		24,810	-	(24,810)	-
<b>Total</b>	<b>15,566,788</b>	<b>17,714,898</b>	<b>18,453,227</b>	<b>738,329</b>	<b>4.2%</b>
Full-Time Positions	35	42	42	-	0.0%
Part-Time Positions	1	1	1	-	n/a
Workyears/FTEs	72.10	79.10	81.39	2.29	2.9%

## Fiscal Summary

Expenditures in the Water Quality Protection Fund are recommended to increase by \$738,329 (or 4.2 percent). This increase comes after much larger increases in FY12 and FY13. These increases relate to DEP's ramp-up of work (both in the Operating Budget and CIP) to meet its NPDES-MS4 permit requirements.

A crosswalk of all major expenditure changes is included in the Recommended Budget (see ©6). DEP staff also provided a more detailed chart (see ©17-18) that summarizes the major work items from FY13 to FY14.

## Water Quality Protection Charge Background

In 2001, the Council approved Bill 28-00, which created the stormwater management fund (called the Water Quality Protection Fund). This fund is supported by the annual Water Quality Protection Charge. The charge is based on an equivalent residential unit (ERU).

Under the current rate structure (which will change as of July 1, 2013, see Bill 34-12 below) the ERU is the amount each property owner of a single-family detached home pays per year for

each property owned. Townhouse owners pay 1/3 of an ERU. Condominiums and apartments are assessed based on actual imperviousness that is converted to an ERU number. Associated non-residential properties (i.e., properties that drain into storm water management facilities that also serve residential properties) are also charged in a similar manner to condominiums and apartments.

The T&E Committee and The Council enacted Bill 34-12 on April 16 and will act on Executive Regulation 17-12 on April 30. The bill and regulation include a number of changes to the charge such as: broadening the charge to include all non-residential properties, establishing a 7 tier rate structure for residential properties, establishing credits for on-site stormwater management practices, and establishing a hardship exemption for residential properties and non-profit organizations. There is also a 3 year phase-in period for those properties which see an increase in ERU assessments as a result of these changes.

The Council is required to set the ERU rate each year by resolution. A resolution (see ©23-24) was introduced on April 2 with a public hearing scheduled for April 23. The Executive is recommending an ERU rate decrease from \$92.60 to \$85.40. This decrease is based on the major restructuring of the charge envisioned in Bill 34-12 and detailed in Executive Regulation 17-12. However, given that the Council made some substantive changes to the Bill and supports changes in the regulation, some changes in the recommended ERU rate will likely be needed to align the charge with the FY14 budget.

**Because Bill 34-12 was modified by the Council and enacted on April 16 (with the implementing regulation scheduled for action on April 30) DEP and Council Staff have not had time to finalize the ERU rate assumptions for FY14. Council Staff will include further information and a recommendation regarding the ERU rate requirement for FY14 as part of the Council review packet for the DEP budget.**

#### NPDES-MS4 Permit Background

The T&E Committee has held several briefings on the NPDES-MS4 permit over the past few years. Some general information is provided below.

DEP is the lead agency for Montgomery County with regard to the NPDES Permit. The Maryland Department of the Environment (MDE) is the State agency responsible for approving NPDES permits, which are required as part of the Clean Water Act enforced by the Environmental Protection Agency. The first five-year permit was renewed in July 2001, and later modified in January 2004 to include six localities as "co-permittees." The County's permit covers all areas of the County with the exception of the cities of Gaithersburg, Rockville, and Takoma Park, and lands under the control of State agencies (including the Maryland-National Capital Park and Planning Commission and Washington Suburban Sanitary Commission) or Federal agencies.

The current 5-year permit was issued by MDE on February 16, 2010. DEP is the lead department coordinating a multi-department/agency response to meet the permit's requirements.

The major requirements of the County's NPDES-MS4 Permit are:



1. Complete restoration efforts for an additional 20 percent of the County's impervious, urban surfaces not currently restored to the maximum extent practicable. **This is the primary driver of FY13-18 CIP expenditures.**
2. Support regional strategies to reduce trash and increase recycling, as set forth in the Trash Free Potomac Watershed Initiative 2006 Action Agreement, to eliminate trash in the Anacostia and Potomac Rivers.
3. Implement TMDL limits to restore impaired waterways in the County by developing and implementing plans to reduce nonpoint source pollutant loads (e.g., from stormwater). Ensure anti-degradation measures for high quality waters (Tier II waters) within the County, including appropriate reviews prior to approval of capital projects, water/sewer plan amendments, and any development with the potential to affect water quality and downstream water quality.
4. Establish long-term schedules for identifying sources of pollution and water quality improvement opportunities for all watersheds in the County.
5. Use environmental site design/low-impact development as a method to capture stormwater by improving the County's stormwater management ordinances/regulations and modifying the County's planning and zoning codes as needed. Environmental Site Design (ESD), as outlined in Chapter 5 of the Maryland Stormwater Management Act, is required to be implemented to the maximum extent practicable.
6. All new construction in the County must follow the State stormwater controls as defined in the Stormwater Management Act of 2007. Chapter 5 of the Stormwater Management Act on Environmental Site Design requires developers to maintain after development, as nearly as possible, the predevelopment runoff characteristics to the maximum extent practicable.
7. Detect and eliminate illegal, non-stormwater discharges into the storm drain.
8. Involve and engage the public in the process of stormwater control.

The County's Coordination Implementation Strategy (CCIS) was approved by the Maryland Department of the Environment (MDE) in June 2011.

The cost implications for implementation of these changes are substantial. In 2011, DEP estimated the permit costs at about \$305 million through 2015 and nearly \$1.9 billion through 2030. DEP has revised its 'through 2015' totals downward (to \$150 million). This is due to DEP using more traditional stormwater and less LID/ESD techniques during the permit period. A new "through 2030" cost update will be done as part of the FY15-20 CIP development. DEP provided a summary update of work completed to date (see ©25-26).<sup>2</sup>

---

<sup>2</sup> The 2012 Annual Report was released in March and is available for download at the DEP website at: [http://www6.montgomerycountymd.gov/content/dep/downloads/npdes/FY12\\_MS4\\_Annual\\_Report\\_Final\\_3\\_15\\_13.pdf](http://www6.montgomerycountymd.gov/content/dep/downloads/npdes/FY12_MS4_Annual_Report_Final_3_15_13.pdf)

## Major Changes

The biggest budgetary increase from FY13 to FY14 is the shifting of the remaining storm drain maintenance costs from DOT to the Water Quality Protection Fund (\$1.08 million and 2.29 FTEs). Last year, it was noted that DEP and DOT had planned to finalize a Memorandum of Understanding (MOU) by the end of FY12 that would help make sure the storm drain program is aligned with DEP's NPDES-MS4 permit requirements and well-coordinated with other work. This MOU is not completed yet. **At a T&E discussion regarding DOT Operating Budget and CIP issues on April 17, Councilmember Floreen expressed concern that storm drain maintenance and other costs, which had been moved to the WQPF during tight budget times would squeeze out core NPDES permit work in the WQPF. DEP can provide an update on the MOU work at the T&E meeting and how storm drain maintenance is related to the County's NPDES permit work in the WQPF**

Several programmatic cost changes are related to the restructuring of the Water Quality Protection Charge (Bill 42-12 and Executive Regulation 17-12) and the resulting work related to GIS data analysis, and work on the new credit program and hardship exemption program.

Additional costs (\$528,562) are included for water quality related work in the Maryland-National Capital Park and Planning Commission budget.

Additional leased space to accommodate growth in DEP's personnel complement as well as a cost increase for the existing space at 255 Rockville Pike is also included in the budget (\$194,074).

Costs are also increasing in some program areas (such as stormwater management facility inspection and maintenance) as new facilities are added or transferred into DEP's inventory (\$938,754). Cost decreases are also shown, reflecting the removal of one-time items funded in FY13 (a total of \$630,500).

One budgetary change to the Fund is the elimination of the City of Gaithersburg's pass-through revenue (\$1.3 million). The County terminated the agreement in February as a result of the planned restructuring of the County's Water Quality Protection Charge. The City of Gaithersburg agreed that they did not have the impervious area the County needed (to implement the WQPC rate structure) and elected to take over implementation and management of their charge.

## Bag Tax

The Council approved the Carryout Bag Excise Tax on May 3, 2011. As approved, revenues and expenditures associated with the tax are included within the Water Quality Protection Fund. The tax went into effect at the beginning of 2012 and the T&E Committee received an update on the bag tax this past March. As noted at that meeting, FY13 estimated revenues (\$2.29 million) are much higher than budgeted for FY13 (\$561,640) as a result of more bags being purchased than previously assumed. However, there has also been a major drop-off in disposable bags used (according to the Department of Finance) and in these bags polluting watersheds (according to organizations that do stream cleanups). Council Staff believes one possible

explanation for these two seemingly opposite results is that the County's estimates for total disposable bags used prior to the enactment of the bag tax were too low.

### Fiscal Plan

The Water Quality Protection Fund Fiscal Plan is attached on ©8. This chart shows estimated costs, revenues, and fund balance from FY13 through FY19. Some key facts regarding the fund are noted below:

- DEP staff have confirmed that the Fiscal Plan is consistent with the draft implementation plan (for the County's NPDES-MS-4 permit) submitted to the State.
- The fund balance target was revised four years ago from a level of between 10 and 15 percent of resources to a 5 percent goal. This lower level goal was a reflection of the fact that the revenue stream for this fund is extremely stable (since it is collected via property tax bills). Ultimately, the County's General Fund is the fund of last resort should any County special fund be in a deficit. However, with debt service now being paid out of the fund, the fiscal plan has assumed over the past couple of years to maintain a fund balance of approximately "1.5 times debt service costs." Fund balances shown for FY14 through FY16 are higher than this policy level, but are needed to smooth rates in anticipation of higher debt service costs beginning in FY17.
- Last year, the charge per ERU was assumed to continue to increase with a charge of \$113.00 in FY18. However, with the new restructured charge assumed in Bill 34-12, the FY14 Fiscal Plan assumes a reduction in the charge per ERU (from \$92.60 to \$85.40) for FY14 and no increases in FY15 and FY16 (thanks to the three year phase in of increased assessments under the restructured charge). However, as debt service begins to ramp up substantially in FY17, the charge per ERU will begin to increase again and is projected to be \$119.70 in FY19.

### Council Staff Recommendations (Water Quality Protection Fund)

**Council Staff recommends approval of the FY14 DEP Water Quality Protection Fund Budget as recommended by the County Executive.**

**Council Staff recommends that a recommendation on the Water Quality Protection Charge ERU rate for FY14 be deferred pending further work by DEP and Council Staff regarding the impacts of Council action on Bill 34-12 and Executive Regulation 17-12.**

### **FY14 Revenues**

In addition to the Water Quality Protection Charge and the Bag Tax discussed earlier, the DEP budget includes three other ongoing revenue items, including the Special Protection Area (SPA) Monitoring Fee, Civil Citations, and the Water and Sewer Plan Review Fee. The fees are estimated to bring in a total of \$160,000 in FY14 (the same as approved for FY13).

### Water and Sewer Plan Review Fee

This fee was created in FY06 and is charged to applicants seeking category changes. The intent of the fee is to deter frivolous requests and to provide some cost recovery for the program. DEP and DPS staff must do a substantial amount of work related to category change applications, including: answering applicant questions; assembling the application materials; coordinating reviews and comments from Permitting Services, M-NCPPC staff, and WSSC staff; and drafting an Executive staff report and recommendations for each request.

The fee structure is broken down by type of development (residential, commercial, institutional, public, mixed-use, and public health cases). Non-profit institutions (PIFs), public health cases, and public use/government applications do not pay a fee.

**Council Staff recommends that the fee structure and levels be reviewed in the context of the Council's upcoming comprehensive review of the 10 Year Water and Sewer Plan.**

### Special Protection Area (SPA) Fee

This fee is intended to cover the cost of pre- and post-construction monitoring by DEP of development within designated Special Protection Areas in the County. Developers are also required to perform their own Best Management Practices (BMP) monitoring.

According to Chapter 19, Article 5 of the County Code, the fee charged must be based on the "reasonable cost of administering and enforcing" the program. In FY07, DEP estimated that its staff costs (two positions) for biological monitoring and managing BMP consultants were approximately \$130,000 per year.

The SPA Monitoring Fee is currently \$475 per acre of development within designated Special Protection Areas in the County. Developers pay the fee at the time sediment control plans are approved by the Department of Permitting Services. The fee has not been increased since 1994, when the law putting this fee in place was enacted.

For FY13, revenue for SPA monitoring fees is estimated to be far higher than previously budgeted (nearly \$840,000 compared to the \$140,000 budgeted). The increase is assumed to be from a rush by property owners to meet plan approval deadlines by May 4, 2013 and thus be grandfathered into the old standards for stormwater management and sediment control. More typical revenue levels are assumed in FY14 (\$140,000).

### Civil Citations

DEP is responsible for enforcing several areas of the County Code, including: Chapter 3 (Air Quality Control), Chapter 18A (Energy Policy), Chapter 19 (Water Quality), Chapter 31B (Noise Control), Chapter 33 (Pesticide Use), Chapter 38 (Quarries), and Chapter 48 (Solid Waste). DEP's enforcement staff was discussed earlier. Revenue is assumed to be \$16,000, the same as in FY13.

## **Summary of T&E Council Staff Recommendations**

**Council Staff recommends approval of the FY14 DEP General Fund Budget and Water Quality Protection Fund Budget as recommended by the County Executive.**

***NOTE: Because Bill 34-12 was modified by the Council and enacted on April 16 (with the implementing regulation scheduled for action on April 30) DEP and Council Staff have not had time to finalize the ERU rate assumptions for FY14. Council Staff will include further information and a recommendation regarding the ERU rate requirement for FY14 as part of the Council review packet for the DEP budget.***

### **Attachments**

KML:f:\levchenko\dep\fy14\t&e dep 4 18 13.doc

---

# Environmental Protection

## MISSION STATEMENT

The mission of the Department of Environmental Protection (DEP) is to improve the quality of life in our community through conservation, protection, and restoration of natural resources guided by the principles of science, sustainability, and stewardship; and to provide solid waste management services, including reducing, reusing, and recycling waste in an environmentally progressive and economically sound manner.

## BUDGET OVERVIEW

The total recommended FY14 Operating Budget for the Department of Environmental Protection is \$19,982,058, an increase of \$756,178 or 3.9 percent from the FY13 Approved Budget of \$19,225,880. Personnel Costs comprise 43.0 percent of the budget for 82 full-time positions and two part-time positions. A total of 92.88 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 57.0 percent of the FY14 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 \$3,017,000 for Water Quality Protection bonds is required.

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:

- ❖ ***A Responsive, Accountable County Government***
- ❖ ***Healthy and Sustainable Neighborhoods***

## DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

## ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***Certified 50 businesses since launching the Montgomery County Green Business Certification Program with the Montgomery County Chamber of Commerce and Montgomery College.***
- ❖ ***Worked with County Council on the development of ban on pavement sealants with coal tar.***
- ❖ ***Refined a regulatory approach for protecting the County's tree canopy including proposed legislation for submission to Council codifying the approach.***
- ❖ ***Restored over 3,907 linear feet of degraded stream channels and eroding stream banks in the Northwest Branch Watershed and reforested over two acres of stream buffers.***
- ❖ ***Inspected over 1,400 stormwater management facilities and performed repair and maintenance work on 1,100 of those facilities.***
- ❖ ***Provided watershed outreach information to 12,000 residents, business owners, and stakeholders at 117 local and regional events.***
- ❖ ***Constructed and encouraged others to implement RainScapes projects by completing 169 RainScapes Rewards projects on residential and private institutional properties, and trained over 230 individuals on conservation***

---

**landscaping, rain barrels, and rain gardens.**

- ❖ **Developed amendments to the Water Quality Protection Charge (WQPC) that meet all requirements of the new State law and include a more equitable residential fee system, extend coverage to all non-residential property owners, encourage on-site controls, implement credit and hardship programs, and provide a phase-in to soften the impact of increases to the Charge caused by the amendments.**
- ❖ **Developed the semi-annual groundwater monitoring reports for the closed Oaks and Gude landfills, as required by the Maryland Department of the Environment.**
- ❖ **Completed the ARRA-funded Commercial and Multi-Family Building Study, which is the first comprehensive baseline and policy analysis the County has conducted for energy efficiency in these sectors.**
- ❖ **Launched MyGreenMontgomery, a "one-stop" website related to environmental issues in Montgomery County.**
- ❖ **Productivity Improvements**
  - **Worked with Friends of Sligo Creek to implement a new direct e-mail pollution reporting method that allows a quicker response to water quality issues.**
  - **Provided training for professional designers and contractors to improve RainScapes projects submitted through the rebate program and reduce County staff time revising plans.**
  - **Enhanced Street Sweeping Program by converting from once per year residential street sweeping to twice per month arterial street sweeping to increase total miles swept and total amount of material collected without increasing expenditures. The twice monthly frequency is necessary to receive credit for treatment of impervious surfaces and pollution reduction to meet stormwater permit requirements.**
  - **Expanded participation in watershed outreach and education activities organized by and for the Latino community.**
  - **Began translations of watershed outreach and education materials into Spanish using in-house expertise to reduce time and production costs.**
  - **Launched the Stream Stewards Volunteer program to solicit and involve residents in watershed outreach and stewardship opportunities to meet stormwater permit requirements. Since January 2012, 54 volunteers have donated 345 hours of service through the Stream Stewards program.**

## **PROGRAM CONTACTS**

Contact Gladys Balderrama of the Department of Environmental Protection at 240.777.7732 or Matt Schaeffer of the Office of Management and Budget at 240.777.2751 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 designed to achieve County stream protection goals (Chapter 19, Article IV) and comply with the federal Clean Water Act NPDES Municipal Separate Storm Sewer System (MS-4) permit. In combination with the stormwater management projects in the Capital Improvements Program, this program will provide stormwater treatment for 4,300 acres of impervious area by 2015. Program staff conduct 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 four designated "Special Protection Areas" (Chapter 19, Article IV).

Program staff manage, inspect, and enforce the operational effectiveness of over 4,400 stormwater management facilities which receive stormwater runoff discharge and are designed to protect County streams. The Department is also responsible for the structural maintenance of over 2,000 of these facilities.

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

<b>Program Performance Measures</b>	<b>Actual FY11</b>	<b>Actual FY12</b>	<b>Estimated FY13</b>	<b>Target FY14</b>	<b>Target FY15</b>
County Watershed Stream Quality Index of Biological Integrity (IBI) Score <sup>1</sup>	56%	58%	59%	60%	61%
Percent of the phosphorous pollution reduction goal met <sup>2</sup>	0.22%	1.58%	3.71%	36.37%	44.22%
Percent of the nitrogen pollution reduction goal met <sup>3</sup>	0.10%	0.59%	1.62%	20.48%	33.70%
Percent of the impervious acreage control goal met <sup>4</sup>	0.56%	2.53%	6.7%	42%	100%
Stormwater Facility Maintenance Compliance Rate <sup>5</sup>	85.4	85.4%	86.4%	87.3%	87.3%

<sup>1</sup> The Index of Biological Integrity (IBI) score classifies watersheds by the diversity of stream life and other factors. Higher scores indicate a healthier watershed.

<sup>2</sup> Change from FY13 to FY14 due to significant increases in County stormwater management projects.

<sup>3</sup> Change from FY13 to FY14 due to significant increases in County stormwater management projects.

<sup>4</sup> Change from FY13 to FY14 due to significant increases in County stormwater management projects.

<sup>5</sup> Percentage of private and County-owned stormwater facilities that have complied with the inspection report and/or maintenance notification work order detailing the repairs and/or maintenance needed for the stormwater facility.

<b>FY14 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY13 Approved</b>	<b>17,714,898</b>	<b>79.10</b>
Increase Cost: Storm Drain Maintenance charges from Department of Transportation	1,079,113	2.29
Increase Cost: Charges from M-NCPPC for their MS4 Program	479,262	0.00
Enhance: Contract Support: Administration of WQPC Credit Program and additional MS4 permit related work	200,000	0.00
Increase Cost: Lease of additional office space resulting from staffing increase and cost increases for existing space	194,074	0.00
Increase Cost: FY14 Compensation Adjustment	145,489	0.00
Increase Cost: Motor Pool Adjustment	142,415	0.00
Add: Contract Support for Administering Hardship Credit and Credit Program	89,100	0.00
Increase Cost: Annualization of FY13 Lapsed Positions	71,718	0.00
Technical Adj: Adjustment to align current M-NCPPC Stormwater Management support with FY13 appropriation	49,300	0.00
Add: Contract Support: GIS data analysis related to WQPC changes	45,760	0.00
Increase Cost: Group Insurance Adjustment	22,355	0.00
Increase Cost: Retirement Adjustment	21,735	0.00
Increase Cost: Operating expenses related to County Stormwater Management Facilities	19,000	0.00
Increase Cost: Other Labor Contract Costs	6,505	0.00
Increase Cost: Printing and Mail Adjustment	122	0.00
Increase Cost: Annualization of FY13 Personnel Costs	-18,592	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-77,367	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY13	-408,010	0.00
Technical Adj: Eliminate Gaithersburg WQPC pass through	-1,323,650	0.00
<b>FY14 CE Recommended</b>	<b>18,453,227</b>	<b>81.39</b>

## Environmental Policy and Compliance

This program develops and implements scientifically-based, integrated programs which protect and enhance the County's environmental resources and promotes 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 efforts. 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.

<b>Program Performance Measures</b>	<b>Actual FY11</b>	<b>Actual FY12</b>	<b>Estimated FY13</b>	<b>Target FY14</b>	<b>Target FY15</b>
Average Number of Days to Resolve Incoming Complaints	42	40	40	40	40
Percent of Customers Satisfied with DEP Response to Environmental Complaints	70.8%	72%	74%	76%	76%
Residential Building Energy Use as a Measure of Greenhouse Gas Reductions (Million British Thermal Units) <sup>1</sup>	37,958,498	37,183,835	36,409,172	35,634,509	34,859,845
Non-Residential Building Energy Use as a Measure of Greenhouse Gas Reductions (Million British Thermal Units) <sup>2</sup>	32,882,190	32,211,125	31,540,060	30,868,995	30,197,930

<sup>1</sup> Historic data from Montgomery County fuel-energy tax records. Projected figures based on recent trends in energy consumption.

<sup>2</sup> Historic data from Montgomery County fuel-energy tax records. Projected figures based on recent trends in energy consumption.



<b>FY14 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY13 Approved</b>	<b>747,465</b>	<b>6.44</b>
Increase Cost: Motor Pool Adjustment	14,001	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.	-3,118	0.00
<b>FY14 CE Recommended</b>	<b>758,348</b>	<b>6.44</b>

## Grants

In FY10, the County received an Energy Efficiency and Conservation Block Grant, funded by the American Recovery and Reinvestment Act (ARRA), to explore opportunities and implement improvements related to energy efficiency and conservation. Seven different activities were funded by the grant. The work funded by the grant was completed in FY13.

<b>FY14 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY13 Approved</b>	<b>0</b>	<b>0.00</b>
<b>FY14 CE Recommended</b>	<b>0</b>	<b>0.00</b>

## 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, development of the State-required Montgomery County Comprehensive Water Supply and Sewerage System Plan, and development and implementation of the County groundwater strategy (which focuses on water quality and water supply aspects of groundwater resources). The technical experts in this program work to ensure that the County's management of water and wastewater protects public health and the environment. Additional activities in the Director's Office include centrally coordinated public education, outreach, and communication; budget development and administration; contract management; human resources management; management of the Water Quality Protection Charge including geographical information systems and information technology services.

<b>FY14 Recommended Changes</b>	<b>Expenditures</b>	<b>FTEs</b>
<b>FY13 Approved</b>	<b>763,517</b>	<b>5.05</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	6,966	0.00
<b>FY14 CE Recommended</b>	<b>770,483</b>	<b>5.05</b>

## BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	1,018,258	1,004,690	972,785	1,012,022	0.7%
Employee Benefits	352,311	382,102	372,753	377,938	-1.1%
<b>County General Fund Personnel Costs</b>	<b>1,370,569</b>	<b>1,386,792</b>	<b>1,345,538</b>	<b>1,389,960</b>	<b>0.2%</b>
Operating Expenses	290,730	124,190	160,952	138,871	11.8%
Capital Outlay	0	0	0	0	—
<b>County General Fund Expenditures</b>	<b>1,661,299</b>	<b>1,510,982</b>	<b>1,506,490</b>	<b>1,528,831</b>	<b>1.2%</b>
<b>PERSONNEL</b>					
Full-Time	40	40	40	40	—
Part-Time	1	1	1	1	—
FTEs	10.40	11.49	11.49	11.49	—
<b>REVENUES</b>					
Other Charges/Fees	103,455	140,000	837,638	140,000	—
Other Fines/Forfeitures	14,255	16,000	16,000	16,000	—
Other Licenses/Permits	4,224	4,000	4,000	4,000	—
<b>County General Fund Revenues</b>	<b>121,934</b>	<b>160,000</b>	<b>857,638</b>	<b>160,000</b>	—
<b>GRANT FUND MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	127,945	0	0	0	—
Employee Benefits	26,482	0	0	0	—
<b>Grant Fund MCG Personnel Costs</b>	<b>154,427</b>	<b>0</b>	<b>0</b>	<b>0</b>	—
Operating Expenses	2,584,676	0	0	0	—
Capital Outlay	0	0	0	0	—
<b>Grant Fund MCG Expenditures</b>	<b>2,739,103</b>	<b>0</b>	<b>0</b>	<b>0</b>	—
<b>PERSONNEL</b>					
Full-Time	0	0	0	0	—
Part-Time	0	0	0	0	—
FTEs	1.70	0.00	0.00	0.00	—
<b>REVENUES</b>					
Federal Grants	4,566,270	0	0	0	—
Other Intergovernmental	10,271	0	0	0	—
<b>Grant Fund MCG Revenues</b>	<b>4,576,541</b>	<b>0</b>	<b>0</b>	<b>0</b>	—
<b>WATER QUALITY PROTECTION FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	4,891,609	5,250,824	5,101,152	5,342,242	1.7%
Employee Benefits	1,375,791	1,633,528	1,704,274	1,854,312	13.5%
<b>Water Quality Protection Fund Personnel Costs</b>	<b>6,267,400</b>	<b>6,884,352</b>	<b>6,805,426</b>	<b>7,196,554</b>	<b>4.5%</b>
Operating Expenses	9,299,388	10,805,736	10,631,672	11,256,673	4.2%
Capital Outlay	0	24,810	0	0	—
<b>Water Quality Protection Fund Expenditures</b>	<b>15,566,788</b>	<b>17,714,898</b>	<b>17,437,098</b>	<b>18,453,227</b>	<b>4.2%</b>
<b>PERSONNEL</b>					
Full-Time	35	42	42	42	—
Part-Time	1	1	1	1	—
FTEs	72.10	79.10	79.10	81.39	2.9%
<b>REVENUES</b>					
Bag Tax	871,037	561,640	2,290,000	1,832,000	226.2%
Investment Income	79	10,000	0	0	—
Miscellaneous Revenues	28,127	0	0	0	—
Water Quality Protection Fee	17,337,106	22,935,660	22,935,660	22,345,931	-2.6%
Other Charges/Fees	37,896	0	0	0	—
<b>Water Quality Protection Fund Revenues</b>	<b>18,274,245</b>	<b>23,507,300</b>	<b>25,225,660</b>	<b>24,177,931</b>	<b>2.9%</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>19,967,190</b>	<b>19,225,880</b>	<b>18,943,588</b>	<b>19,982,058</b>	<b>3.9%</b>
<b>Total Full-Time Positions</b>	<b>75</b>	<b>82</b>	<b>82</b>	<b>82</b>	—
<b>Total Part-Time Positions</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	—
<b>Total FTEs</b>	<b>84.20</b>	<b>90.59</b>	<b>90.59</b>	<b>92.88</b>	<b>2.5%</b>
<b>Total Revenues</b>	<b>22,972,720</b>	<b>23,667,300</b>	<b>26,083,298</b>	<b>24,337,931</b>	<b>2.8%</b>

## FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
<b>FY13 ORIGINAL APPROPRIATION</b>	<b>1,510,982</b>	<b>11.49</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: FY14 Compensation Adjustment	38,160	0.00
Increase Cost: Motor Pool Adjustment [Environmental Policy and Compliance]	14,001	0.00
Increase Cost: Retirement Adjustment	11,172	0.00
Increase Cost: Other Labor Contract Costs	1,595	0.00
Increase Cost: Printing and Mail Adjustment	680	0.00
Decrease Cost: Group Insurance Adjustment	-11,336	0.00
Decrease Cost: Annualization of FY13 Personnel Costs	-11,659	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-24,764	0.00
<b>FY14 RECOMMENDED:</b>	<b>1,528,831</b>	<b>11.49</b>
<b>GRANT FUND MCG</b>		
<b>FY13 ORIGINAL APPROPRIATION</b>	<b>0</b>	<b>0.00</b>
<b>FY14 RECOMMENDED:</b>	<b>0</b>	<b>0.00</b>
<b>WATER QUALITY PROTECTION FUND</b>		
<b>FY13 ORIGINAL APPROPRIATION</b>	<b>17,714,898</b>	<b>79.10</b>
<b><u>Changes (with service impacts)</u></b>		
Enhance: Contract Support: Administration of WQPC Credit Program and additional MS4 permit related work [Watershed Management]	200,000	0.00
Add: Contract Support for Administering Hardship Credit and Credit Program [Watershed Management]	89,100	0.00
Add: Contract Support: GIS data analysis related to WQPC changes [Watershed Management]	45,760	0.00
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: Storm Drain Maintenance charges from Department of Transportation [Watershed Management]	1,079,113	2.29
Increase Cost: Charges from M-NCPPC for their MS4 Program [Watershed Management]	479,262	0.00
Increase Cost: Lease of additional office space resulting from staffing increase and cost increases for existing space [Watershed Management]	194,074	0.00
Increase Cost: FY14 Compensation Adjustment [Watershed Management]	145,489	0.00
Increase Cost: Motor Pool Adjustment [Watershed Management]	142,415	0.00
Increase Cost: Annualization of FY13 Lapsed Positions [Watershed Management]	71,718	0.00
Technical Adj: Adjustment to align current M-NCPPC Stormwater Management support with FY13 appropriation [Watershed Management]	49,300	0.00
Increase Cost: Group Insurance Adjustment [Watershed Management]	22,355	0.00
Increase Cost: Retirement Adjustment [Watershed Management]	21,735	0.00
Increase Cost: Operating expenses related to County Stormwater Management Facilities [Watershed Management]	19,000	0.00
Increase Cost: Other Labor Contract Costs [Watershed Management]	6,505	0.00
Increase Cost: Printing and Mail Adjustment [Watershed Management]	122	0.00
Increase Cost: Annualization of FY13 Personnel Costs [Watershed Management]	-18,592	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum [Watershed Management]	-77,367	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY13 [Watershed Management]	-408,010	0.00
Technical Adj: Eliminate Gaithersburg WQPC pass through [Watershed Management]	-1,323,650	0.00
<b>FY14 RECOMMENDED:</b>	<b>18,453,227</b>	<b>81.39</b>

## PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Watershed Management	17,714,898	79.10	18,453,227	81.39
Environmental Policy and Compliance	747,465	6.44	758,348	6.44
Grants	0	0.00	0	0.00
Administration	763,517	5.05	770,483	5.05
<b>Total</b>	<b>19,225,880</b>	<b>90.59</b>	<b>19,982,058</b>	<b>92.88</b>

## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY13		FY14	
		Total\$	FTEs	Total\$	FTEs
COUNTY GENERAL FUND					
CIP	CIP	2,172,828	21.50	2,261,927	21.50

## FUTURE FISCAL IMPACTS

Title	CE REC.		(\$000's)			
	FY14	FY15	FY16	FY17	FY18	FY19
This table is intended to present significant future fiscal impacts of the department's programs.						
<b>COUNTY GENERAL FUND</b>						
<b>Expenditures</b>						
<b>FY14 Recommended</b>	<b>1,529</b>	<b>1,529</b>	<b>1,529</b>	<b>1,529</b>	<b>1,529</b>	<b>1,529</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>49</b>	<b>59</b>	<b>59</b>	<b>59</b>	<b>59</b>
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
<b>Subtotal Expenditures</b>	<b>1,529</b>	<b>1,577</b>	<b>1,588</b>	<b>1,588</b>	<b>1,588</b>	<b>1,588</b>
<b>WATER QUALITY PROTECTION FUND</b>						
<b>Expenditures</b>						
<b>FY14 Recommended</b>	<b>18,453</b>	<b>18,453</b>	<b>18,453</b>	<b>18,453</b>	<b>18,453</b>	<b>18,453</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>195</b>	<b>245</b>	<b>245</b>	<b>245</b>	<b>245</b>
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
<b>Labor Contracts - Other</b>	<b>0</b>	<b>0</b>	<b>-7</b>	<b>-7</b>	<b>-7</b>	<b>-7</b>
These figures represent other negotiated items included in the labor agreements.						
<b>Inspections of New Facilities</b>	<b>0</b>	<b>71</b>	<b>141</b>	<b>212</b>	<b>282</b>	<b>282</b>
These figures represent costs associated with the inspection of new above ground and underground stormwater management facilities.						
<b>Maintenance of New and Newly Transferred Stormwater Management Facilities</b>	<b>0</b>	<b>383</b>	<b>511</b>	<b>511</b>	<b>511</b>	<b>511</b>
Expenditures reflect the maintenance requirements of new stormwater management facilities and existing stormwater management facilities that transfer into the County's maintenance program.						
<b>Operating Impacts of CIP Projects</b>	<b>0</b>	<b>62</b>	<b>241</b>	<b>430</b>	<b>430</b>	<b>430</b>
These figures represent the impacts on the Operating Budget of projects included in the FY13-18 Amended Capital Improvements Program.						
<b>Program Growth</b>	<b>0</b>	<b>350</b>	<b>400</b>	<b>450</b>	<b>500</b>	<b>500</b>
These figures represent the anticipated increase of expenditures related to an increase in Water Quality Protection initiatives, including the MS4 program.						
<b>Subtotal Expenditures</b>	<b>18,453</b>	<b>19,514</b>	<b>19,984</b>	<b>20,294</b>	<b>20,414</b>	<b>20,414</b>

FY14-19 PUBLIC SERVICES PROGRAM: FISCAL PLAN				Water Quality Protection Fund			
FISCAL PROJECTIONS	FY13 Estimate	FY14 REC	FY15 PROJECTION	FY16 PROJECTION	FY17 PROJECTION	FY18 PROJECTION	FY19 PROJECTION
<b>ASSUMPTIONS</b>							
Indirect Cost Rate	12.13%	15.69%	15.69%	15.69%	15.69%	15.69%	15.69%
CPI (Fiscal Year)	2.2%	2.3%	2.4%	2.7%	3.2%	3.5%	3.7%
Investment Income Yield	0.16%	0.19%	0.36%	0.75%	1.35%	1.80%	2.15%
Original Rate Structure: Number of Equivalent Residential Units (ERUs) Billed	248,930	0	0	0	0	0	0
New Rate Structure: Number of Equivalent Residential Units (ERUs) Billed	n/a	276,588	326,857	372,369	372,369	372,369	372,369
New Rate Structure: Hardship Program (reduction to revenue)	n/a	(\$400,000)	(\$400,000)	(\$400,000)	(\$400,000)	(\$400,000)	(\$400,000)
New Rate Structure: SWMF Incentives (reduction to revenue)	n/a	(\$756,580)	(\$1,005,791)	(\$1,255,000)	(\$1,397,547)	(\$1,444,573)	(\$1,759,058)
Number of Gaithersburg ERUs	14,500	0	0	0	0	0	0
Water Quality Protection Charge per ERU	\$92.60	\$85.40	\$85.40	\$85.40	\$95.10	\$98.30	\$119.70
Collection Factor for Charge	99.5%	99.5%	99.5%	99.5%	99.5%	99.5%	99.5%
<b>BEGINNING FUND BALANCE</b>	<b>4,322,845</b>	<b>5,450,252</b>	<b>5,561,447</b>	<b>7,899,309</b>	<b>12,487,445</b>	<b>14,789,790</b>	<b>16,999,923</b>
<b>REVENUES</b>							
Charges For Services	22,935,660	22,345,931	26,368,228	29,986,310	33,437,684	34,576,280	42,190,647
Bag Tax Receipts	2,290,000	1,832,000	1,465,600	1,172,480	937,984	750,387	600,310
<b>Subtotal Revenues</b>	<b>25,225,660</b>	<b>24,177,931</b>	<b>27,833,828</b>	<b>31,158,790</b>	<b>34,375,668</b>	<b>35,326,667</b>	<b>42,790,957</b>
<b>INTERFUND TRANSFERS (Net Non-CIP)</b>	<b>(3,849,590)</b>	<b>(4,213,509)</b>	<b>(4,203,776)</b>	<b>(4,149,390)</b>	<b>(8,561,540)</b>	<b>(8,559,240)</b>	<b>(8,560,340)</b>
Transfers To General Fund	(972,950)	(1,196,509)	(1,184,576)	(1,129,140)	(1,129,140)	(1,129,140)	(1,129,140)
Indirect Costs	(835,140)	(1,129,140)	(1,129,140)	(1,129,140)	(1,129,140)	(1,129,140)	(1,129,140)
Technology Modernization	(85,810)	(67,369)	(55,436)	0	0	0	0
Pictometry	(52,000)	0	0	0	0	0	0
Transfers to Debt Service Fund (Non-Tax)	(2,876,640)	(3,017,000)	(3,019,200)	(3,020,250)	(7,432,400)	(7,430,100)	(7,431,200)
<b>TOTAL RESOURCES</b>	<b>25,698,915</b>	<b>25,414,674</b>	<b>29,191,499</b>	<b>34,908,709</b>	<b>38,301,573</b>	<b>41,557,217</b>	<b>51,230,540</b>
<b>CIP CURRENT REVENUE APPROPRIATION</b>	<b>(1,400,000)</b>	<b>(1,400,000)</b>	<b>(1,400,000)</b>	<b>(1,400,000)</b>	<b>(1,400,000)</b>	<b>(1,450,000)</b>	<b>(1,450,000)</b>
<b>PSP OPER. BUDGET APPROP/ EXP'S.</b>							
Operating Budget	(17,437,098)	(18,453,227)	(18,831,747)	(19,490,467)	(20,271,487)	(21,146,497)	(22,103,527)
FFI - Inspection of New Facilities	0	0	(70,500)	(141,000)	(211,500)	(282,000)	(282,000)
FFI - Maintenance of New and Newly Transferred Facilities	0	0	(383,400)	(511,200)	(511,200)	(511,200)	(511,200)
FFI - Operating Impacts of CIP Projects	0	0	(62,000)	(241,000)	(430,000)	(430,000)	(430,000)
FFI - Program Growth	0	0	(350,000)	(400,000)	(450,000)	(500,000)	(500,000)
FFI - Labor Contracts	0	0	(194,543)	(237,597)	(237,597)	(237,597)	(237,597)
<b>Subtotal PSP Oper Budget Approp / Exp's</b>	<b>(17,437,098)</b>	<b>(18,453,227)</b>	<b>(19,892,190)</b>	<b>(21,021,264)</b>	<b>(22,111,784)</b>	<b>(23,107,294)</b>	<b>(24,064,324)</b>
<b>OTHER CLAIMS ON FUND BALANCE</b>	<b>(1,411,565)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL USE OF RESOURCES</b>	<b>(20,248,663)</b>	<b>(19,853,227)</b>	<b>(21,292,190)</b>	<b>(22,421,264)</b>	<b>(23,511,784)</b>	<b>(24,557,294)</b>	<b>(25,514,324)</b>
<b>YEAR END FUND BALANCE</b>	<b>5,450,252</b>	<b>5,561,447</b>	<b>7,899,309</b>	<b>12,487,445</b>	<b>14,789,790</b>	<b>16,999,923</b>	<b>25,716,216</b>
<b>END-OF-YEAR RESERVES AS A PERCENT OF RESOURCES</b>	<b>21.2%</b>	<b>21.9%</b>	<b>27.1%</b>	<b>35.8%</b>	<b>38.6%</b>	<b>40.9%</b>	<b>50.2%</b>
<b>NET REVENUE</b>	<b>4,819,452</b>	<b>4,528,195</b>	<b>6,951,605</b>	<b>9,245,983</b>	<b>11,372,341</b>	<b>11,327,830</b>	<b>17,835,090</b>
<b>DEBT SERVICE COVERAGE RATIO</b>	<b>1.50</b>	<b>1.50</b>	<b>2.30</b>	<b>3.06</b>	<b>1.53</b>	<b>1.52</b>	<b>2.40</b>
<b>Assumptions:</b> 1. These projections are based on the County Executive's Recommended budget and include the revenue and resource assumptions of that budget. The projected future expenditures, revenues, and fund balances may vary based on changes to fee or tax rates, usage, inflation, future labor agreements, and other factors not assumed here. 2. In FY14, the Water Quality Protection Charge rate structure will change as outlined in Bill 34-12. Beginning in FY14, the Water Quality Protection Charge is applied to all residential and non-residential properties except for those in the cities of Gaithersburg, Rockville, and Takoma Park. The base unit for calculating the charge is the Equivalent Residential Unit (ERU), which is equal to 2,406 square feet of impervious surface (the median amount of impervious surface per single-family residential unit in Montgomery County). 3. Stormwater facilities transferred into the maintenance program will be maintained to permit standards as they are phased into the program. 4. Operating costs for new facilities to be completed or transferred between FY15 and FY19 have been incorporated in the future fiscal impact (FFI) rows. 5. The operating budget includes planning and implementation costs for compliance with the Municipal Separate Storm Sewer System (MS-4) permit issued by the Maryland Department of the Environment in February 2010. Debt service on bonds that will be used to finance the CIP project costs of MS-4 compliance has been shown as a transfer to the Debt Service Fund. The Department of Finance issued \$37.8 million in Water Quality Protection Charge Revenue Bonds dated July 18, 2012 (Series 2012A). The actual debt service costs for the Series 2012A bond issuance and projected debt service for bond issuances of \$55 million in FY2016 and a \$65 million bond issuance in FY2018 are included in the fiscal plan. Future WQPC rates are subject to change based on the timing and size of future debt issuance, State Aid, and legislation. 6. Charges are adjusted to fund the planned service program and maintain a fund balance sufficient to cover 1.5 times debt service costs.							

## Update on DEP Code Enforcement Activities

The Division of Environmental Policy and Compliance (DEPC) administers code enforcement activities related to air and water quality, noise, illegal dumping, and hazardous materials, and also monitors the County's solid waste facilities. The Code Enforcement section is comprised of seven positions: one Supervisor; one Code Enforcement Inspector; three Environmental Health Specialist (EHS) IIIs; and two EHS IIs (budgeted at the EHS III level and eligible for promotion to an EHS III). This is the same complement as last year except one of the EHS II positions was upgraded from an ESH I as result of experience and meeting certification requirements.

Code enforcement cases handled by DEPC can be broken into four major categories:

**Air Quality** – The number of cases dropped for the third year in a row, although not as significantly as in previous years.

**Noise** – The number of noise cases dropped to 273, slightly below the four-year average of 279.

**Solid Waste** – The number of cases dropped slightly in FY12 to 470, but remained above the four-year average of 465.

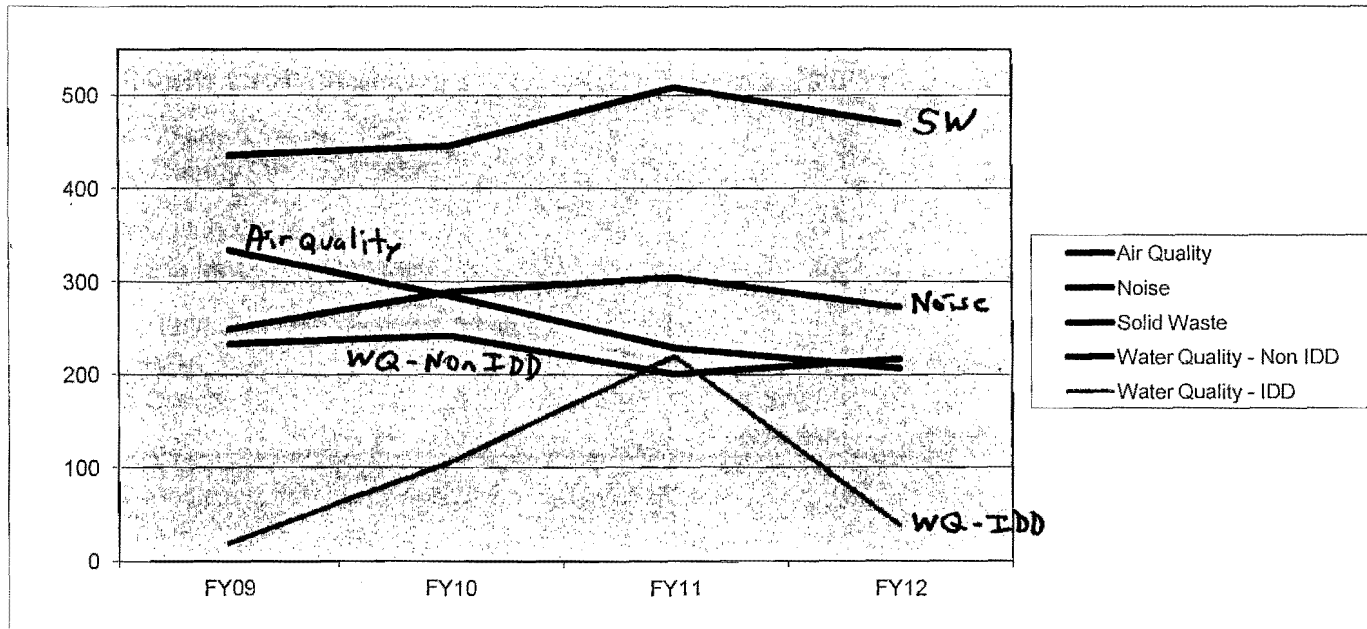
**Water Quality** – The total number of water quality cases dropped significantly in FY 12, but this is primarily the result of a particular class of scheduled activities related to illicit discharge detection (IDD). Illicit discharges are discharges to a storm drain system not composed entirely of storm water (e.g., leaking sewage lines, sump pump hookups, etc), except as allowed by permit. Illicit discharge detection and elimination is a major part of the County's MS4 permit. Unlike investigations based on complaints, illicit discharge detection activities are scheduled based on weather (there must be a sustained period of no precipitation to ensure discharges are not stormwater) and staff availability. As a result, these activities do not follow a regular pattern, and may not be evenly distributed across fiscal years, which is reflected in this year's total. In contrast to FY12, through the first nine months of FY13, DEPC has handled over 450 water quality cases including over 300 IDD cases, which already exceeds the totals recorded in any previous full year.

The attached chart entitled *Compliance Cases FY09-FY12* shows the breakdown of workload, with water quality cases broken into IDD and non-IDD activities. As discussed above, the non-IDD cases (which are based on complaints) have remained fairly steady, while IDD cases have fluctuated. **(See Attachment A)**

**Compliance Cases  
FY09 - FY12**

Type	Fund	FY09	FY10	FY11	FY12	Total	FY09	FY10	FY11	FY12	Total
Ambient Air	GF	190	158	131	134	613	14.0%	10.2%	8.0%	9.4%	10.3%
County Facility	GF	10	0	1	1	12	0.7%	0.0%	0.1%	0.1%	0.2%
Hazmat	SW	48	26	35	20	129	3.5%	1.7%	2.1%	1.4%	2.2%
Indoor Air	GF	144	127	98	73	442	10.6%	8.2%	6.0%	5.1%	7.4%
Noise	GF	249	289	305	273	1,116	18.4%	18.7%	18.5%	19.2%	18.7%
PIA	GF	75	181	182	217	655	5.5%	11.7%	11.1%	15.2%	11.0%
Solid Waste	SW	388	420	474	450	1,732	28.6%	27.1%	28.8%	31.6%	29.0%
Stormwater	WQ	121	126	104	118	469	8.9%	8.1%	6.3%	8.3%	7.8%
Water Quality - Non IDD	WQ	112	116	97	99	424	8.3%	7.5%	5.9%	7.0%	7.1%
Water Quality - IDD	WQ	19	106	220	38	383	1.4%	6.8%	13.4%	2.7%	6.4%
Total		1,356	1,549	1,647	1,423	5,975	100.0%	100.0%	100.0%	100.0%	100.0%

Type	Fund	FY09	FY10	FY11	FY12	Total	FY09	FY10	FY11	FY12	Total
Air Quality	GF	334	285	229	207	1,055	24.6%	18.4%	13.9%	14.5%	17.7%
Noise	GF	249	289	305	273	1,116	18.4%	18.7%	18.5%	19.2%	18.7%
Solid Waste	SW	436	446	509	470	1,861	32.2%	28.8%	30.9%	33.0%	31.1%
Water Quality - Non IDD	WQ	233	242	201	217	893	17.2%	15.6%	12.2%	15.2%	14.9%
Water Quality - IDD	WQ	19	106	220	38	383	1.4%	6.8%	13.4%	2.7%	6.4%
Total		1,271	1,368	1,464	1,205	5,308	93.7%	88.3%	88.9%	84.7%	88.8%



April 2013

Attachment A

## **An Overview of MyGreenMontgomery.org**

MyGreenMontgomery.org was launched in January 2012. The data below is from the launch until early April 2013.

### **Engaging with MyGreenMontgomery.org**

#### ***Ways to Contribute to the Site:***

- Events Added to the Calendar: 178
- People/Groups Adding Events to the Calendar: 45
- People/Groups who Wrote a Post for the Blog: 9
- People Suggesting an Incentive or Program: 8
- People Providing Public Comments: 32
- People Providing Private Comments: 48
- People Creating User Account: 73

#### ***Ways to Participate in the Conversation:***

##### **Facebook - Launched January 12, 2012**

- People/Groups who "Like" MyGreenMontgomery on Facebook: 168
- People/Groups who Shared a Facebook Post: 134
- Number of Daily Engagements with our Page: 1737
- Number of Times Someone "Liked" a Facebook Post: 391
- Number of Times Someone Commented on a Facebook Post: 35

##### **Twitter – Launched March 8, 2013**

- Twitter Followers: 37
- Times Content was "Retweeted": 13
- Comments on Twitter: 10
- Times our Tweets have been "Favorited": 2

#### ***Organizations Regularly Contributing Content to MyGreenMontgomery:***

Bethesda Green  
City of Rockville  
GreenWheaton  
Groundswell  
Montgomery County Chapter of Sierra Club  
Montgomery County Food Council  
Montgomery Parks  
Muddy Branch Alliance  
Nonprofit Energy Alliance  
Poolesville Green  
Rock Creek Conservancy

April 2013



Sandy Springs Friends School  
Silver Spring Green  
Washington Suburban Sanitary Commission

***Other Organizations that have Contributed Content to MyGreenMontgomery:***

American Plant Nursery  
Coalition for Smarter Growth  
EA Engineering, Science and Technology, Inc.  
Friends of Cabin John Creek  
Green Business Academy  
Izaak Walton League  
Kentlands Community Foundation  
Maryland Bluebird Society  
Montgomery College  
National Oceanic and Atmospheric Administration  
Nature Conservancy  
Poolesville High School  
Poplar Spring Animal Sanctuary  
Scrap DC  
Urban Land Institute of Washington  
Washington Ethical Society

***My Green Plan***

Users who create accounts with MyGreenMontgomery.org can keep track of green projects they successfully complete through the My Green Plan.

- People who Created Green Plans: 29
- Average Score of Green Plans: 78.28
- Median Score of Green Plans: 50
- Most Common Zip Code: 20910 (Silver Spring)

**MyGreenMontgomery.org Analytics Data**

For several months in 2012 Google Analytics was unfortunately turned off. Therefore, we only have statistics over two ranges of time: July 1, 2012 - November 1, 2012 and February 13, 2013 - April 5, 2013.

***Analytics Data from January 1, 2012 - November 1, 2012***

- Unique Visitors to the Site: 8,110
- Total Number of Visits to the Site: 11,840
- Average Number of Pages Viewed Per Visit: 3.17
- Average Length of Visit: 3 minutes 15 seconds
- Percentage of New Visitors: 68.05%
- Bounce Rate: 54.51%

*Analytics Data from February 14, 2013 - April 5, 2013*

- Unique Visitors to the Site: 1,210
- Total Number of Visits to the Site: 1,736
- Average Number of Pages Viewed Per Visit: 3.08
- Average Length of Visit: 3 minutes 9 seconds
- Percentage of New Visitors: 66.42%
- Bounce Rate: 52.65%

### Costs for Gypsy Moth Suppression Program

Item	FY11 Actual	FY12 Actual	FY13 Approved	FY14 Request
Gypsy Moth Survey				
Number of plots in Montgomery County	700	574	700	700
Cost to MDA (50% of Total)	\$15,420	\$6,930	\$15,420	\$15,000
Cost to County (50% of Total)	\$15,420	\$6,930	\$15,420	\$15,000
<b>Total Survey Costs</b>	<b>\$30,840</b>	<b>\$13,860</b>	<b>\$30,840</b>	<b>\$30,000</b>
Total Acreage Sprayed				
Sprayed by MDA	0	0	0	0
Sprayed by County	0	0	0	0
<b>Total Acreage Sprayed</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Costs for MDA Spraying				
Cost to MDA and Feds (70% of Total)	\$0	\$0	\$0	\$0
Cost to County (30% of Total)	\$0	\$0	\$0	\$0
<b>Total Costs for MDA Spraying</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Costs for County Spraying				
<b>Cost to County (100% of Total)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Costs for County Outreach				
Total Costs for County Outreach	\$0	\$0	\$0	\$0
Total Cost of Gypsy Moth Program for MCG				
Cost to MDA	15,420	\$6,930	\$15,420	\$15,000
Cost to County	15,420	\$6,930	\$15,420	\$15,000
	<b>\$30,840</b>	<b>\$13,860</b>	<b>\$30,840</b>	<b>\$30,000</b>

Attachment B (14)

#

## Clarksburg Fire Station -- No. 450300 (continued)

---

private property owners who will benefit from the extension. The property for the fire station will require a sewer category change prior to the issuance of permits. Contributions reflect a planning level estimate of a WSSC health hazard subsidy for which Clarksburg Historic District property owners would be eligible for construction of new sanitary sewer mains.

### **OTHER DISCLOSURES**

- A pedestrian impact analysis will be performed during design or is in progress.

**Montgomery County, Maryland**  
**Water Quality Protection Fund**  
**WQPC Analysis of Change in Expenditures FY13-14**

	<u>FY13</u>	<u>FY14</u>	<u>+ (-)</u>	<u>Notes</u>
Personnel Costs - DEP	\$ 4,664,242	\$ 4,833,165	\$ 168,923	See Note A Below
Personnel Costs - Finance Chargeback - Collection	245,040	247,960	2,920	Increase reflects increase of # of accts used for calculation
Personnel Costs - DOT Chargeback for StormDrains	1,975,070	2,115,429	140,359	
Operating Costs:				
Inspection Services	950,640	950,640	-	
SWF Maintenance	3,570,870	3,570,870	-	
Low-Impact Development: Residential	752,520	752,520	-	
Targeted Streetsweeping	211,160	211,160	-	
Additional Watershed Monitoring (Stream Gauges)	497,520	497,520	-	
Lease Space for 255 Rockville Pike	392,810	586,884	194,074	Increase cost of existing space plus cost of additional space for new staff
Misc. Stream Restoration Maintenance	211,020	130,020	(81,000)	Elimination of one-time \$100,000 added for Illicit Discharge Contract ; Additional \$19,000 for OBI's
Water Quality Planning & Monitoring	18,860	18,860	-	
Gaithersburg Pass-Through	1,323,650	-	(1,323,650)	MOU dissolved effective April 1, 2013
Department of Finance Chargeback	18,200	18,200	-	
MS4 Outreach and Education Programs	100,000	100,000	-	
SWM Database	62,880	62,880	-	
Motor Pool	47,155	189,570	142,415	Increase Cost: Motor Pool adjustment
Operating Expenses - Storm Drain Maintenance	402,451	1,341,205	938,754	Additional Storm Drain costs funded by WQPF
Professional Services to Update Storm Drain GIS Layer	200,000	-	(200,000)	Elimination of one -time \$200,000 for GIS Layer Consultant
Professional Services for Bag Tax Audit	60,000	-	(60,000)	Elimination of one-time \$60,000 FY13 bag tax audit
Contract Support for Admin Hardship & Credit Program	-	89,100	89,100	Support needed for new WQPC rate structure
Contract Support for GIS Analysis	-	45,760	45,760	Support needed related to new WQPC rate structure
Contract Support for QA/QC of SWM Drainage Area	-	200,000	200,000	QA/QC of SWM Drainage Area (field verification, etc)
General Operating Expenses (Phones, Supplies, etc)	116,300	93,222	(23,078)	Elimination of one-time items
M-NCPPC Water Quality Activities - Parks	1,509,300	2,037,862	528,562	Additional MNCPPC costs funded by WQPF
M-NCPPC Water Quality Activities - Planning	360,400	360,400	-	
Capital Outlay	24,810	-	(24,810)	Elimination of one-time item from FY13

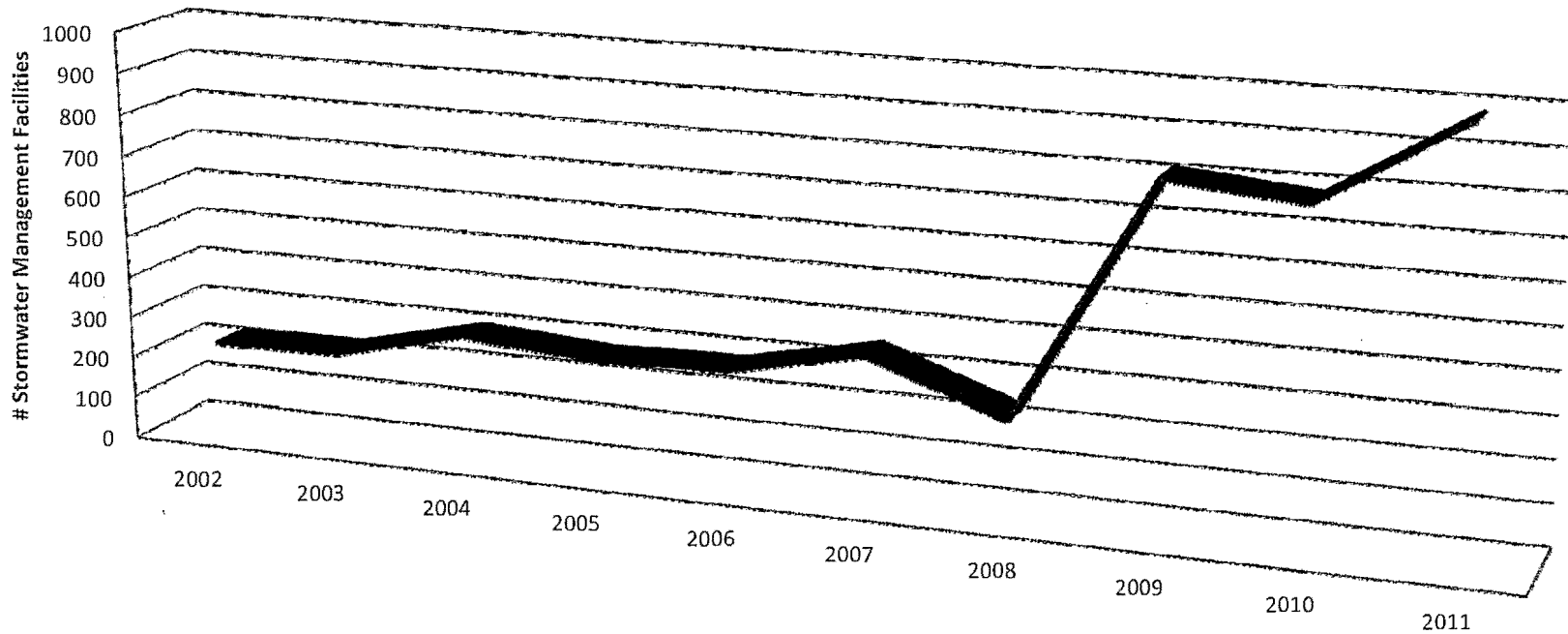
**Montgomery County, Maryland**  
**Water Quality Protection Fund**  
**WQPC Analysis of Change in Expenditures FY13-14**

	<u>FY13</u>	<u>FY14</u>	<u>+ (-)</u>	<u>Notes</u>
Subtotal Operating Budget	17,714,898	18,453,227	738,329	
CIP Costs funded with Current WQPC Revenue	1,150,000	1,400,000	250,000	New transfer of \$250,000 for Storm Drains Facility Planning
	<u>\$ 14,740,880</u>	<u>\$ 19,853,227</u>	<u>\$ 988,329</u>	
Transfer to Debt Service Fund	<u>\$ 3,210,000</u>	<u>\$ 3,016,825</u>	<u>\$ (193,175)</u>	

**Note A**

FY12 Approved Budget - DEP Personnel Costs	\$ 4,664,242
Annualization of FY13 Personnel Costs	(21,512)
Annualization of FY12 Lapsed Positions	71,718
Elimination of FY13 \$2,000 lump sum	(77,367)
Annualization of FY13 Longevity Adjustment	981
Retirement Adjustments	21,735
Group Insurance Adjustment	22,355
General Wage Adjustment	116,617
Service Increment Adjustment	27,891
Other Labor Contract Costs	6,505
	<u>\$ 4,833,165</u>

## Rate of Increase in the Number of New Stormwater Management Facilities Built in Montgomery County Over Last 9 Years



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
■ Number of Stormwater Management Facilities	225	229	302	278	284	350	234	816	785	986



Department of Environmental Protection		
General Fund Operating Budget - FY14		
	FY14	
	CE OMB	
	<u>Recommended</u>	<u>Notes</u>
Professional Purchase Of Service	\$ 20,000	Green Business Certification Prog
Tree Maintenance Services	15,450	Gypsy Moth Suppression
Other Non-Professional Services	1,800	
Computer Equip Repairs/Maint	2,000	
Office Supplies including paper etc	4,588	
Computer Supplies & Software Licenses	5,620	
Supplies, Equipment & Materials for Compliance Team	14,220	(Note A)
Uniforms & Shoes	1,800	Union Required
Central Duplicating Chargebacks	11,640	
Copier Leases	5,720	
Assigned Motor Pool Vehicles	40,066	
Communication Charges (Landline and Cell Phones)	9,960	
Metropolitan Area Travel	100	
Computer Training	557	
Professional/Licensure/Occupational Heath & Safety Training	3,150	(Note B)
Advertising Legal Compliance	2,000	Noise Waiver & Quarry License Ads
Other Board/Commis/Comm Expenditures	200	
TOTAL OPERATING EXPENSE	\$ 138,871	
Note A - Items needed in the performance of field duties. Example include: Spill absorbent, personal protective equipment, water testing kits, tools and materials for IDDE (Illicit Discharge and Elimination).		
Note B - DEPC Field staff are required to attend training classes to maintain their Registered Sanitarian License, Hazwoper (Hazardous Waste Operations and Emergency Response) Certification, and Visible Emissions Certification.		

(20)

Attachment F

Stormwater Facility Type	Category	Private Maintenance	DEP Maintained	Total	Total = FY13 (4-10-12)	Change
Aquafilter	Underground	6	5	11	8	3
Aquaswirl	Underground	16	20	36	8	28
BayFilter	Underground	0	18	18	4	14
Baysaver	Underground	65	91	156	110	46
Bayseparator flowsplitter	Underground	0	1	1	1	0
Bioretention	Aboveground	101	73	174	114	60
Bioretention - ESD	ESD	2	17	19	0	19
Bioswale	Aboveground	0	4	4	1	3
Bioswale - ESD	ESD	1	1	2	1	1
Constructed Wetland	Aboveground	60	59	119	115	4
CrystalStream	Underground	0	1	1	0	1
DownStream Defender	Underground	0	3	3	0	3
Dry Pond	Aboveground	309	388	697	625	72
Dryswale	Aboveground	11	2	13	6	7
Dry Well	ESD	1496	0	1496	0	1496
Flowsplitter	both	388	554	942	624	318
Green Roof	ESD	8	0	8	0	8
Infiltration Trench	Aboveground	341	328	669	557	112
Infiltration Basin	Aboveground	33	28	61	60	1
Levee	Aboveground	0	4	4	1	3
Micro-bioretention	ESD	5	12	17	0	17
Micro-Infiltration	ESD	86	0	86	0	86
Oil/Grit Separator	Underground	364	339	703	710	-7
Porous Pavement	ESD	29	0	29	4	25
Rain barrel	ESD	15	0	15	0	15
Raingarden	ESD	13	25	38	1	37
Stormceptor	Underground	159	86	245	221	24
Stormchamber	ESD	54	0	54	0	54
Stormfilter	Underground	111	79	190	92	98
Surface Sandfilter	Aboveground	204	307	511	382	129
Swale	ESD	48	7	55	0	55
Tree Box	ESD	16	11	27	1	26
Underground Sandfilter	Underground	145	93	238	183	55
Underground Storage	Underground	259	124	383	308	75
V2B1	Underground	0	0	0	0	0
Vortechinics	Underground	2	3	5	2	3
Vortsentry	Underground	18	14	32		
Wet Pond	Aboveground	78	120	198	200	-2
<b>Total</b>		<b>4,443</b>	<b>2,817</b>	<b>7,260</b>	<b>4,339</b>	<b>2,921</b>
<i>Subtotals</i>						
<i>Underground</i>				2,022	1647	375
<i>Ponds</i>				1,075	1000	75

Attachment G

<i>ESD</i>	1,846	7	1839
<i>Abovegrounds</i>	1,375	1061	314
<i>Flowsplitters</i>	942	624	318

Resolution No. \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

---

By: Council President at the request of the County Executive

---

**SUBJECT:**    Water Quality Protection Charge for FY14

**Background**

1.     Under County Code Section 19-35(c), each fiscal year, the County Council must, by resolution, set the rate or rates for the Water Quality Protection Charge.
2.     Executive Regulation 17-12 establishes procedures to set the rates for the Water Quality Protection Charge applicable to certain properties based on those properties' contribution of runoff to the County's stormwater management system.
3.     The base rate for the Water Quality Protection Charge is the annually designated dollar amount set by the County Council to be assessed for each equivalent residential unit (ERU) of property that is subject to the Charge.
4.     Under Executive Regulation 17-12, Section 2, an equivalent residential unit (ERU) is defined for these purposes, as the statistical median of the total horizontal impervious area of developed single-family detached residences in the County that serves as the base unit of assessment for the Water Quality Protection Charge. The designated ERU for Montgomery County equals 2,406 square feet of impervious surface.
5.     Under Executive Regulation 17-12, Section 4, the Charge for each single-family residential property is based on a percent of the base rate for one ERU in accordance with its assigned tier classification. The Charge for nonresidential properties is based on multiples of an ERU.
6.     Under County Code Section 19-35, properties in the City of Takoma Park, the City of Rockville, and the City of Gaithersburg are not subject to the Water Quality Protection Charge.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The base rate for the Water Quality Protection Charge for Fiscal Year 2014 is \$85.40 per equivalent residential unit (ERU).

This resolution takes effect on July 1, 2013.

This is a correct copy of Council action.

---

Linda M. Lauer, Clerk of the Council

## NPDES Permit Status Update

### Watershed Restoration Planning and Implementation

- Through FY12, constructing or designing stormwater controls for over 2,000 acres of impervious surfaces
- Design task orders awarded in FY13 will add over 600 additional impervious acres. The additional impervious acres in the design phase will allow us to reach 2600 impervious acres or 60% of the 4300 acre requirement.
- Continuing work on the Great Seneca and Muddy Branch watershed studies.
- Partnering with the USACE-Baltimore District to conduct a feasibility study leading to the design and construction of stream restoration projects identified in the Anacostia Restoration Plan (2010).
- Finalizing Inventory of Stormwater Management Retrofit Opportunities at Montgomery County Public Schools and Facilities Phase II
- Assessing conditions and identifying restoration projects within the Lower Monocacy, Patuxent River, Upper and Lower Potomac Direct and the remaining portions of the Seneca watersheds.

### Pollutant Reduction

- Removing 176 Billion MPN/year *E.coli*, 24,231 Billion MPN/year *Enterococci*, 457 tons/year of sediment, 9,965 lbs/year of nitrogen, 1,427 lbs/year of phosphorus and 7,431 lbs/year of trash from county watersheds with applicable TMDL WLAs.
- Removing 1,238 tons of roadway pollutants through the County's street sweeping program.
- Cleaning 811 storm drain basins and 14,328 linear feet of storm drain, removing 367 tons of material.

### Environmental Site Design/Low Impact Development Implementation

- Worked with Planning Department to assure that proposed zoning code changes reflect recommendations of 2010 report Implementing Environmental Site Design in Montgomery County.
- Continued to work among agencies and with members of the stormwater management construction community through the Policy and Design Committee and the New Products Committee on design and maintenance aspects of various ESD practices. The goal is to assure that these practices provide cost-effective designs that provide maximum runoff reduction and pollutant removal but without increasing average maintenance cost per facility.
- Presented recommendations from the Streamlining the Development Process workgroup to Council in September 2012 which included publication of approved ESD technologies to facilitate implementation, adopting guidelines for use of ESD practices in the right of way, and completing and publishing Context-Sensitive Road Designs.
- Completed publishing Context-Sensitive Road Design Standards with notes that identify the need within a given context for additional cross-section width to

accommodate features such as master plan bikeways, accessory turn lanes, and stormwater management facilities:

<http://www2.montgomerycountymd.gov/DOT-DTE/Common/Standards.aspx>.

The standards include approved lists for major (large) and minor (small) street trees varieties.

#### Trash Reduction and Litter Management

- Implementing a Bag Fee program to influence behavior change leading to reduced number of plastic bags in the environment.
- Continuing the regional anti-litter media campaign.
- Continuing programs for litter removal from streets, stormwater management ponds, and transit stops.
- Continuing streamside litter monitoring in the County's tributaries to the Anacostia River

#### Environmental Inspections and Enforcement

- Overseeing the maintenance and repairs of over 1,667 Stormwater Management BMPs.
- Performing 11,191 Erosion and Sediment Control inspections, with a total of 353 enforcement actions.
- Assessing 193 outfalls in the Bethesda mainstem of the Lower Rock Creek subwatershed of Rock Creek for illicit discharges.
- Investigating 208 water quality complaints with 31 enforcement actions.
- Investigating 450 illegal dumping complaints with 58 enforcement actions.

#### Monitoring

- Continued pre-restoration water chemistry, biological habitat and physical habitat assessment in the Breewood tributary in the Anacostia watershed.
- Continued monitoring of the effectiveness of stormwater management practices for stream channel protection in the Clarksburg Special Protection Area.
- Continued monitoring of stream restoration projects to assess achievement of stream habitat and biological improvement

#### Pollutant Source Identification and Control

- Adding storm drain mapping for Montgomery County public Schools properties.
- Implementing stormwater pollution prevention activities at County facilities covered by the NPDES general stormwater discharge permit, including several capital improvement projects to reduce pollutant runoff from the sites.
- Expanding the County's stormwater awareness education and outreach program.