

# **Environmental Protection**

**Approved FY18 Budget** \$30,271,992

Full Time Equivalents 107.97

### 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 FY18 Operating Budget for the Department of Environmental Protection is \$30,271,992, an increase of \$2,259,842 or 8.07 percent from the FY17 Approved Budget of \$28,012,150. Personnel Costs comprise 36.92 percent of the budget for 99 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 63.08 percent of the FY18 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 \$6,146,000 for Water Quality Protection bonds is required in FY18.

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 FY17 estimates reflect funding based on the FY17 approved budget. The FY18 and FY19 figures are performance targets based on the FY18 approved budget and funding for comparable service levels in FY19.

# Accomplishments

✓ Prepared and submitted the draft 2017 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan to the Maryland Department of the Environment.

- ✓ Updated the Water Quality Protection Charge (WQPC) legislation to more directly align with stormwater management permitting requirements, address issues raised by property owners regarding the volume of stormwater runoff treated, and allow up to a 100 percent credit of the WQPC.
- Provided extensive outreach and education to support building owners in complying with the County's Commercial Energy Benchmarking Law. Supported, in partnership with the Department of Finance, the construction of the first Commercial Pace (C-PACE) project in the County. The Shady Grove Professional Building and Comfort Inn Shady Grove project includes energy efficiency, weatherization, and lighting upgrades.
- ✓ Launched Phase II of the Bag Disposal Fee Outreach Campaign distributing 50,000 reusable bags to the public.
- ✓ Hosted the 2nd annual Montgomery County GreenFest with more than 1,250 attendees, more than 100 vendors and exhibitors, environmental films, and a keynote speech by the EPA Administrator.

### Innovations and Productivity Improvements

- \*\* The budget includes enhancements to the department's billing and invoicing functions in the growing program area of stormwater management capital projects by providing an additional Office Services Coordinator (OSC).
- \*\* The budget includes two new positions to address requirements in State law in the area of inspection and maintenance of Environmental Site Design (ESD) installations on public and private property as part of the County's stormwater management program.
- \* Established the Residential Energy program to assist residents, including low-income residents, reduce their energy costs and greenhouse gas emissions through implementation of energy efficiency and renewable energy measures.
- \*\* Automated the application processes for the Water Quality Protection Charge credits, RainScapes Rebates, and Tree Montgomery programs.
- \*\* Improved approval process for the Water Quality Protection Charge credit program for residential properties with permitted Environmental Site Design (ESD). This positions the department to more efficiently take treatment credit under the Municipal Separate Storm Sewer System (MS4) permit and allows for a seamless application process for the homeowner.

# **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 11,000 stormwater management facilities, and is also responsible for the structural maintenance of over 3,700 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 in the cities of Gaithersburg, Rockville, and Takoma Park.

Program Performance Measures	Actual FY15	Actual FY16	Estimated FY17	Target FY18	Target FY19
Percent of the nitrogen pollution reduction goal met	15.22	17.74	20.90	23.95	27.80
Percent of the phosphorous pollution reduction goal met	38.59	47.13	54.79	65.12	75.44
Percent of the impervious acreage control goal met	45.7	50.9	57.77	68.74	79.71
County watershed stream quality Index of Biological Integrity (IBI) score	59.9	61.0	61.8	62.6	63.3
Stormwater facility maintenance compliance rate	92	88	89	89	89

FY18 Approved Changes	Expenditures	FTEs
FY17 Approved	25,113,963	87.76
Enhance: Maryland-National Capital Park and Planning Commission (M-NCPPC) Stormwater Management program	277,628	0.00
Shift: Staff realignment from Solid Waste Services to Water Quality Protection Fund for environmental planning work (i.e. Countywide Water and Sewer Plan, Ten Year Environmental Plan)	113,502	0.71
Increase Cost: Charges from the Department of Transportation	33,198	0.00
Increase Cost: Operating Expenses for new Office Services Coordinator - watershed management division billing and administrative support	1,442	0.00
Technical Adj: County staff to oversee program to inspect and maintain Environmental Site Design (ESD) facilities on public and private properties as required by current State stormwater management law	0	2.00
Decrease Cost: Charges from the Department of Finance	(15,139)	0.00
Decrease Cost: United States Geological Survey (USGS) Water Quality Monitoring contract	(73,830)	0.00
Decrease Cost: Align stream restoration and maintenance program costs with prior year actuals	(108,651)	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.	1,955,837	1.00
FY18 Approved	27,297,950	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	Estimated FY17		
Average number of days to resolve incoming complaints	28	27	28	28	28

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Program Performance Measures		Actual FY16	Estimated FY17		Target FY19
Percent of customers who rated themselves as satisfied with DEP response to environmental complaints <sup>1</sup>	77.6	N/A	75.0	75.0	75.0
Non-residential building energy use (Million British Thermal Units) (000s) <sup>2</sup>	33,316	31,672	31,457	31,431	31,330
Residential building energy use (Million British Thermal Units) (000s) <sup>3</sup>	39,731	34,097	33,274	33,307	32,730

<sup>&</sup>lt;sup>1</sup> FY16 numbers are not fully available due to a system malfunction that failed to send out electronic email customer surveys. The system malfunction has been corrected.

<sup>&</sup>lt;sup>3</sup> Projections are made based on the average annual change in consumption over the previous five years.

FY18 Approved Changes	Expenditures	FTEs
FY17 Approved	2,079,624	12.44
Enhance: Public Outreach Funding for Bill 52-14 (Pesticides Prohibition)	125,000	0.00
Decrease Cost: Operating Expense Reductions	(8,341)	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.	(79,448)	(1.00)
FY18 Approved	2,116,835	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, including geographical information systems and services, procurement, budget, human resources, and other management services to implement capital and non-capital programs.

FY18 Approved Changes	Expenditures	FTEs
FY17 Approved	818,563	5.06
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	38,644	0.00
FY18 Approved	857,207	5.06

#### **BUDGET SUMMARY**

	Actual FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	1,196,965	1,422,015	1,280,947	1,485,476	4.5 %
Employee Benefits	417,232	469,294	420,080	500,671	6.7 %

<sup>&</sup>lt;sup>2</sup> Projections are made based on the average annual change in consumption over the previous five years.

### **BUDGET SUMMARY**

		17 CI C I			
	Actual FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
County General Fund Personnel Costs	1,614,197	1,891,309	1,701,027	1,986,147	5.0 %
Operating Expenses	823,768	845,965	869,845	921,196	8.9 %
Capital Outlay	5,831	0	0	0	_
County General Fund Expenditures	2,443,796	2,737,274	2,570,872	2,907,343	6.2 %
PERSONNEL					
Full-Time	43	46	46	46	
Part-Time	2	0	0	0	_
FTEs	15.09	16.50	16.50	16.50	_
REVENUES					
Other Charges/Fees	74,617	62,550	35,550	47,000	-24.9 %
Other Fines/Forfeitures	7,025	10,000	10,000	10,000	_
Other Licenses/Permits	9,700	6,000	6,000	8,000	33.3 %
Tree Canopy	676,525	500,000	500,000	500,000	_
County General Fund Revenues	767,867	578,550	551,550	565,000	-2.3 %
WATER QUALITY PROTECTION FUN	VID.				
EXPENDITURES	ND				
Salaries and Wages	5,718,254	6,450,122	6,389,460	6,908,379	7.1 %
Employee Benefits	1,879,632	2,163,220	1,964,324	2,281,450	5.5 %
Water Quality Protection Fund Personnel Costs	7,597,886	8,613,342	8,353,784	9,189,829	6.7 %
Operating Expenses	14,887,987	16,661,534	16,718,315	18,174,820	9.1 %
Capital Outlay	29,826	0	0	0	
Water Quality Protection Fund Expenditures	22,515,699	25,274,876	25,072,099	27,364,649	8.3 %
PERSONNEL					
Full-Time	50	50			
Part-Time		50	50	53	6.0 %
	0	0	0	0	6.0 %
FTEs	0 86.69				
FTEs REVENUES		0	0	0	6.0 %
		0	0	0	— 3.1 %
REVENUES	86.69	0 88.76	0 88.76	0 91.47	3.1 %
REVENUES Bag Tax	86.69 2,471,921	0 88.76 2,280,000	0 88.76 2,471,921	0 91.47 2,471,921	_
REVENUES Bag Tax Investment Income	2,471,921 69,878	0 88.76 2,280,000 91,130	0 88.76 2,471,921 137,520	0 91.47 2,471,921 235,750	3.1 % 8.4 % 158.7 %
REVENUES Bag Tax Investment Income Other Charges/Fees	2,471,921 69,878 106,288	0 88.76 2,280,000 91,130 200,000	0 88.76 2,471,921 137,520 1,090,000	0 91.47 2,471,921 235,750 565,000	3.1 % 8.4 % 158.7 % 182.5 %
REVENUES Bag Tax Investment Income Other Charges/Fees Water Quality Protection Charge Water Quality Protection Fund Revenues	2,471,921 69,878 106,288 30,806,226	0 88.76 2,280,000 91,130 200,000 34,530,616	0 88.76 2,471,921 137,520 1,090,000 34,548,261	0 91.47 2,471,921 235,750 565,000 37,501,846	3.1 % 8.4 % 158.7 % 182.5 % 8.6 %
REVENUES Bag Tax Investment Income Other Charges/Fees Water Quality Protection Charge Water Quality Protection Fund Revenues GRANT FUND - MCG	2,471,921 69,878 106,288 30,806,226	0 88.76 2,280,000 91,130 200,000 34,530,616	0 88.76 2,471,921 137,520 1,090,000 34,548,261	0 91.47 2,471,921 235,750 565,000 37,501,846	3.1 % 8.4 % 158.7 % 182.5 % 8.6 %
REVENUES Bag Tax Investment Income Other Charges/Fees Water Quality Protection Charge Water Quality Protection Fund Revenues GRANT FUND - MCG EXPENDITURES	2,471,921 69,878 106,288 30,806,226 33,454,313	0 88.76 2,280,000 91,130 200,000 34,530,616 37,101,746	0 88.76 2,471,921 137,520 1,090,000 34,548,261 38,247,702	0 91.47 2,471,921 235,750 565,000 37,501,846 40,774,517	3.1 % 8.4 % 158.7 % 182.5 % 8.6 %
Bag Tax Investment Income Other Charges/Fees Water Quality Protection Charge Water Quality Protection Fund Revenues GRANT FUND - MCG	2,471,921 69,878 106,288 30,806,226	0 88.76 2,280,000 91,130 200,000 34,530,616	0 88.76 2,471,921 137,520 1,090,000 34,548,261	0 91.47 2,471,921 235,750 565,000 37,501,846	3.1 % 8.4 % 158.7 % 182.5 % 8.6 %

**Environmental Protection** 

### **BUDGET SUMMARY**

	Actual FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
Operating Expenses	128,552	0	0	0	_
Grant Fund - MCG Expenditures	128,552	0	0	0	_
PERSONNEL					
Full-Time	0	0	0	0	_
Part-Time	0	0	0	0	_
FTEs	0.00	0.00	0.00	0.00	_
REVENUES					
Other Intergovernmental	40,000	0	0	0	_
State Grants	88,252	0	0	0	_
Grant Fund - MCG Revenues	128,252	0	0	0	_
DEPARTMENT TOTALS					

Total Expenditures	25,088,047	28,012,150	27,642,971	30,271,992	8.1 %
Total Full-Time Positions	93	96	96	99	3.1 %
Total Part-Time Positions	2	0	0	0	_
Total FTEs	101.78	105.26	105.26	107.97	2.6 %
Total Revenues	34,350,432	37,680,296	38,799,252	41,339,517	9.7 %

### FY18 APPROVED CHANGES

	Expenditures FTEs
COUNTY GENERAL FUND	
FY17 ORIGINAL APPROPRIATION	2,737,274 16.50
Changes (with service impacts)	
Enhance: Public Outreach Funding for Bill 52-14 (Pesticides Prohibition) [Environmental Policy and Compliance]	125,000 0.00
Enhance: Annualization of FY17 Lapsed Positions	90,619 0.00
Reduce: Lapse adjustment	(54,746) 0.00
Other Adjustments (with no service impacts)	
Increase Cost: Motor Pool Adjustment	65,954 0.00
Increase Cost: FY18 Compensation Adjustment	34,796 0.00
Increase Cost: Annualization of FY17 Personnel Costs	13,473 0.00
Increase Cost: Retirement Adjustment	7,606 0.00
Increase Cost: Annualization of FY17 Compensation Increases	3,090 0.00
Decrease Cost: Printing and Mail	(2,222) 0.00
Decrease Cost: Operating Expense Reductions [Environmental Policy and Compliance]	(8,341) 0.00
Decrease Cost: Elimination of One-Time Items Approved in FY17	(105,160) 0.00
FY18 APPROVED	2,907,343 16.50

### FY18 APPROVED CHANGES

	Expenditures	FTEs
WATER QUALITY PROTECTION FUND		
FY17 ORIGINAL APPROPRIATION	25,274,876	88.76
Changes (with service impacts)		
Enhance: Inspections of New Stormwater Management Facilities	450,000	0.00
Enhance: Maryland-National Capital Park and Planning Commission (M-NCPPC) Stormwater Management program [Watershed Management Operations]	277,628	0.00
Enhance: Growth in Rainscapes Rebates for Property Owners	110,000	0.00
Other Adjustments (with no service impacts)		
Increase Cost: Operating Budget Impacts of CIP Projects	1,124,000	0.00
Increase Cost: FY18 Compensation Adjustment	127,407	0.00
Shift: Staff realignment from Solid Waste Services to Water Quality Protection Fund for environmental planning work (i.e. Countywide Water and Sewer Plan, Ten Year Environmental Plan) [Watershed Management Operations]	113,502	0.71
Increase Cost: Annualization of FY17 Personnel Costs	103,692	0.00
Increase Cost: Increase in Stream Monitoring costs	87,500	0.00
Increase Cost: Building Rent Escalation	35,180	0.00
Increase Cost: Charges from the Department of Transportation [Watershed Management Operations]	33,198	0.00
Increase Cost: Annualization of FY17 Compensation Increases	27,274	0.00
Increase Cost: Retirement Adjustment	13,084	0.00
Increase Cost: Operating Expenses for new Office Services Coordinator - watershed management division billing and administrative support [Watershed Management Operations]	1,442	0.00
Technical Adj: County staff to oversee program to inspect and maintain Environmental Site Design (ESD) facilities on public and private properties as required by current State stormwater management law [Watershed Management Operations]	0	2.00
Decrease Cost: Printing and Mail	(2,415)	0.00
Decrease Cost: Charges from the Department of Finance [Watershed Management Operations]	(15,139)	0.00
Decrease Cost: United States Geological Survey (USGS) Water Quality Monitoring contract [Watershed Management Operations]	(73,830)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY17	(98,880)	0.00
Decrease Cost: Align stream restoration and maintenance program costs with prior year actuals [Watershed Management Operations]	(108,651)	0.00
Decrease Cost: Motor Pool Adjustment	(115,219)	0.00
FY18 APPROVED	27,364,649	91.47

# PROGRAM SUMMARY

Program Name	FY17 APPR Expenditures	FY17 APPR FTEs	FY18 APPR Expenditures	FY18 APPR FTEs
Watershed Management Operations	25,113,963	87.76	27,297,950	91.47
Environmental Policy and Compliance	2,079,624	12.44	2,116,835	11.44
Administration	818,563	5.06	857,207	5.06

**Environmental Protection** 

### PROGRAM SUMMARY

	Total	28,012,150	105.26	30,271,992	107.97
Program Name		Expenditures	FTEs	Expenditures	FTEs
Program Namo		FY17 APPR	FY17 APPR	FY18 APPR	FY18 APPR

### CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY17 Total\$	FY17 FTES	FY18 Total\$	FY18 FTES
WATER QUALITY PROTEC	CTION FUND				
CIP	Capital Fund	3,059,512	26.20	3,302,853	27.20

### **FUTURE FISCAL IMPACTS**

CC APPROVED (\$000S)

CC APPI	ROVED (\$000S)					
Title	FY18	FY19	FY20	FY21	FY22	FY23
COUNTY GENERAL FUND						
EXPENDITURES						
FY18 Approved	2,907	2,907	2,907	2,907	2,907	2,907
No inflation or compensation change is included in outyear project	ctions.					
Elimination of One-Time Items Approved in FY18	0	(70)	(70)	(70)	(70)	(70)
Items recommended for one-time funding in FY18, including one funds related to Bill 52-14, will be eliminated from the base in the	•	rogram redu	ictions in F	∕18 and out	reach and e	ducation
Labor Contracts	0	6	6	6	6	6
These figures represent the estimated annualized cost of general	wage adjustme	nts, service	increments,	and other n	egotiated ite	ms.
Subtotal Expenditures	2,907	2,843	2,843	2,843	2,843	2,843
WATER QUALITY PROTECTION FUND						
EXPENDITURES						
FY18 Approved	27,365	27,365	27,365	27,365	27,365	27,365
No inflation or compensation change is included in outyear project	ctions.					
Annualization of Positions Approved in FY18	0	55	55	55	55	55
New positions in the FY18 budget are generally assumed to be fill amounts reflect annualization of these positions in the outyears.	led at least two	months afte	r the fiscal y	ear begins.	Therefore, t	he above
Elimination of One-Time Items Approved in FY18	0	(4)	(4)	(4)	(4)	(4)
Items recommended for one-time funding in FY18, including first eliminated from the base in the outyears.	year operating e	expenses as	sociated wit	h new positi	ions, will be	
Building Rent Escalation	0	72	150	0	0	0
Increase in lease costs for DEP offices.						
Operating Budget Impacts of CIP Projects	0	0	0	935	706	706
These figures represent the Operating Budget Impacts of Stormw	ater Manageme	nt projects i	n the FY17-2	22 CIP.		

### **FUTURE FISCAL IMPACTS**

CC APPROVED (\$000S)

Title	FY18	FY19	FY20	FY21	FY22	FY23
Program Growth	0	0	500	750	1,500	2,500
These figures represent the anticipated increase of personnel and operating expenses related to an increase in Water Quality Protection initiatives, including the MS4 program.						
Wheaton Redevelopment Project Operating Budget Impacts	0	0	348	1,975	1,959	1,935
These figures represent the total impact (debt service, operating expenses net of lease savings) of the Wheaton Redevelopment project on the Water Quality Protection Fund.						
Labor Contracts	0	40	40	40	40	40
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	27,365	27,528	28,454	31,116	31,621	32,597

### ANNUALIZATION OF PERSONNEL COSTS AND FTES

	FY18 Approved	FY19 Annualized		
	Expenditures FTES	Expenditures FTEs		
Program Manager II - Inspections of privately owned Environmental Site Design (ESD) facilities	75,041 1.00	102,764 1.00		
Program Manager II - Inspections of publically owned Environmental Site Design (ESD) facilities	75,041 1.00	102,764 1.00		
Total	150,082 2.00	205,528 2.00		

