

T&E Committee #3
April 18, 2016

Worksession

MEMORANDUM

April 15, 2016

TO: Transportation, Infrastructure, Energy & Environment Committee

FROM:  Keith Levchenko, Senior Legislative Analyst

SUBJECT: **FY17 Operating Budget: Department of Environmental Protection (DEP)**

County Executive Recommended Budget Summary

- **General Fund**
 - Recommended to increase by \$342,545 (or 15.6 percent). Three quarters of this increase is for increased tree planting dollars (+\$250,000) related to the County's tree canopy law (supported by dedicated revenue). *Without the tree planting dollars, the General Fund increase is 4.2 percent.*
 - A new position related to implementation of Bill 52-14 (pesticides) is requested (\$50,119; assumes January 1 fill date). However, there are no additional operating expenses assumed for outreach and education.
 - Two existing Office of Sustainability positions are lapsed in FY17 for fiscal reasons.
 - Contractual costs for partnership development in the Office of Sustainability are also removed (-\$42,443).
- **Water Quality Protection Fund**
 - Recommended to increase by \$2.01 million (or 8.6 percent). The largest increase is for inspections and maintenance of additional facilities (+\$1.1 million), increases in chargebacks from Finance (+\$480,163), and storm drain maintenance (+\$406,777).
 - No new positions requested.
 - Includes \$50,000 in outreach funding for a new anti-littering campaign in the White Oak area to address the EPA approved Anacostia Trash TMDL and \$25,000 to expand the pet waste program across several TMDL areas.
 - Water Quality Protection Charge is assumed to increase from \$88.40 to \$95.00 (an increase of \$6.60 or 7.5 percent).

NOTE: DEP's Division of Solid Waste Services budget to be reviewed on April 27.

Council Staff Recommendation Summary

- No reductions in the General Fund or WQPF budgets are recommended.
- Approve the County Executive's Water Quality Protection Charge ERU rate recommendation of \$95.00. *NOTE: Action on the ERU rate resolution will occur in mid-May.*
- Potential Reconciliation List Items: Lapsed Sustainability Office Positions and outreach and education dollars for implementation of the pesticides legislation.

Attachments to this Memorandum:

- County Executive's Recommended FY16 Operating Budget – DEP Section (©1-8)
- DEP Organizational Chart (©9)
- Bill 52-14 (Pesticides) Excerpt: Section 33B-11 Outreach and Education Campaign (©10)
- DEP General Fund FY17 Operating Expenses Breakout (©11)
- Office of Sustainability Office Structure (©12)
- Gypsy Moth Suppression Program Detail (©13)
- Compliance Case Workload FY11-15 (©14)
- Water Quality Protection Fund Summary Charts – Major Changes FY16-17 (©15-18)
- Chart: Monthly Revenue from the Bag Tax (©19)
- Testimony on Behalf of Safe Grow Montgomery (©20)

Meeting Participants Include:

- Lisa Feldt, Director, Department of Environmental Protection (DEP)
- Patty Bubar, Deputy Director, DEP
- Michelle Hwang, Senior Financial Specialist, DEP
- Stan Edwards, Chief, Division of Environmental Policy and Compliance, DEP
- Amy Stevens, Stormwater Facility Inspection and Maintenance Manager, DEP
- Matt Schaeffer, Management and Budget Specialist, Office of Management and Budget

Department Structure

During FY16, DEP went through some structural reorganization. A revised organizational chart is attached on ©9. The major changes include:

- A new Deputy Director of Administration and Operations position was created (out of a vacant Chief Operating Officer position) to focus on all budget and administrative and strategic integration and management of functions across all DEP programs.
- The Watershed Management Division was split into two divisions (Watershed Management Operations and Watershed Management Capital Projects). The vacant Chief of Management Services position was reclassified as the new Division Director of Watershed Management Capital Projects.

The Division of Solid Waste Services (scheduled for Committee review on April 27), the Division of Environmental Policy and Compliance, and the Water and Wastewater Policy Group were not reorganized.

For this budget review, an overview of DEP (including the General Fund and Water Quality Protection Fund (WQPF)) is presented first. More detailed discussion is presented by fund (General Fund, followed by the WQPF) later in this memorandum.

Department Overview

For FY17, the Executive recommends total expenditures of \$27.8 million for the Department of Environmental Protection, a 9.2 percent increase from the FY16 Approved Budget. These numbers include expenditures in the General Fund and the WQPF. No grant-funded expenditures are assumed in FY17 at this time. Also, the Solid Waste Services budget will be reviewed separately by the Committee on April 27, and that budget is not included in the above numbers. The FY17 General Fund portion of the budget is up 15.6 percent. The WQPF is up 8.6 percent for FY17.

Overall, the WQPF is 90.9 percent of the total DEP budget (not counting Solid Waste Services) for FY17. This ratio is similar to the FY16 approved budget. However, for comparison, the WQPF was less than half the DEP budget in FY06 prior to the major expansion in program expenditures to address the requirements of the County’s current National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit.

Not included in Table #1 are charges to the CIP. In addition to CIP current revenue, 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 FY16 is estimated at about \$3 million. However, that number ramps up to about \$6.4 million per year in FY17 and FY18, about \$11.6 million per year in FY19 and FY20, and \$15.6 million per year in FY21 and FY22 (see ©8, “Transfers to Debt Service Fund”).

DEP also charges 5 FTEs (about \$804,951) to the Solid Waste Collection and Disposal Funds for environmental monitoring activities of the Gude and Oaks closed landfills, as well as portions of staff time in the Director’s office related to administrative functions for the Division of Solid Waste.

Position Changes and Lapse

One new position is requested (a Program Manager II) to assist in the implementation of the pesticides bill. The budget assumes the position is filled after January 1 (\$50,119). (See later discussion)

DEP’s recommended budgeted lapse rate for FY17 (not including Solid Waste) is about 2.6 percent (7.6 percent in the General Fund and 1.5 percent in the WQPF). The General Fund rate represents an increase from past years and seems reasonable given that DEP’s vacancies have averaged about 10 in recent years. DEP staff have noted that vacancies during FY16 have averaged 11 to 18 per month. All of the positions are in various stages of the recruitment process with the exception of two Office of Sustainability positions (data analysis and Partnership Development), which the Executive recommends lapsing for FY17 for fiscal reasons. (See later discussion)

General Fund Budget

Overview

**Table #2
DEP Expenditures and Positions/FTEs**

General Fund	Actual	Approved	CE Rec	Change FY17-FY16	
	FY15	FY16	FY17	\$\$\$	%
Personnel Costs	1,464,217	1,704,713	1,750,891	46,178	2.7%
Operating Expenses	287,115	496,147	792,514	296,367	59.7%
Capital Outlay		-	-	-	-
Total	1,751,332	2,200,860	2,543,405	342,545	15.6%
Full-Time Positions	41	43	45	2	4.7%
Part-Time Positions	2	2	1	(1)	-50.0%
FTEs	13.09	15.09	16.00	0.91	6.0%

As shown in Table #2, for FY17, General Fund expenditures in the DEP budget are recommended to increase by \$346,545 (or 15.6 percent) with two new full-time positions (one of which involves a part-time position moving to full-time) and an overall FTE increase of 0.91.¹

General Fund Summary Crosswalk from FY16 to FY17

A crosswalk of all major expenditure changes is included in the Recommended General Fund Budget for DEP (see ©5).

About three quarters of the General Fund increase noted above is related to increased tree planting dollars (+\$250,000) which is completely offset with dedicated revenue resulting from the County's tree canopy law (discussed later).

Implementation of Bill 52-14 (Pesticides Prohibition) is included in the form of one new position (lapsed to January 1, 2017) with a cost of \$50,119. *NOTE: No additional dollars are recommended by the County Executive for outreach and education. Bill 52-14 explicitly calls for an outreach and education campaign (see ©10). The Council received testimony from Safe Grow Montgomery (see ©20) expressing support for the new position but expressing concern about the lack of outreach and education dollars. It's not clear what existing dollars DEP will be able to devote to an outreach and education campaign (as required in the law before and during implementation).*

Compensation and technical adjustments add about \$84,869 in FY17. Savings of \$42,443 are noted in contractual costs related to the Office of Sustainability (discussed later). Apart from the increased tree planting dollars, the General Fund budget is only increasing 4.2 percent (even including FY17 compensation adjustments (+\$21,275)).

General Fund Operating Expenses

The Recommended General Fund budget includes \$792,514 in operating expenses, which is an increase of \$296,367 (or 59.7 percent) from FY16 (see ©11 for a detailed breakout), with much of the increase related to increased tree planting dollars (\$250,000). Many operating expense categories involve administrative expenses (such as motor pool, printing and mail, office supplies, etc.). The non-administrative dollars are for:

- \$500,000 for Tree Planting (up from \$250,000 in FY16)
- \$20,000 for Professional Services - Green Building Certification Program (same as FY16)
- \$15,450 for gypsy moth survey (same as FY16)
- \$153,332 for Professional Services – Office of Sustainability (research & data analysis; outreach; website development/maintenance).

General Fund Workforce

General Fund FTEs declined substantially over the past decade as many positions (or portions of staff charges) began charging to the WQPF. As a result, General Fund positions and workyears (FTEs) have declined from their peak of 48 positions and 37.8 workyears in FY02 to 43 full-time and 2 part-time and 15.1 FTEs in the Approved FY16 Recommended Budget.

¹ Note: the FTEs total is much less than the position totals because many of the positions reflected in the General Fund budget have significant portions of their costs and FTEs charged to the WQPF.

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 Policy Group** (4 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. For FY16, a fourth position (funded with WQPF dollars) was recommended by the County Executive and approved by the Council. This position has not yet been filled. According to DEP, it has been advertised and is expected to be filled in June 2016.
- **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** (8 staff) – This section includes DEP’s Office of Sustainability (see current office structure as presented in the 2016 Annual Report on ©12).

This office focuses on external activities to residents and businesses to promote and improve environmental sustainability, while the similarly named office in the Department of General Services focuses internally on the County Government’s efforts to green its own operations and to implement energy conservation and renewable energy efforts. The Council recently received DEP’s Office of Sustainability’s 2016 Annual Report. This report can be reviewed by the Committee in more detail after budget.

Currently, seven positions are filled with an eighth position, a Residential Energy Program Manager position, expected to be filled within the coming weeks.

Two other approved positions (Data analysis and Partnerships) have not been filled during FY16 for fiscal reasons and are recommended by the County Executive to be lapsed for FY17 as well. In addition, some contract costs in the office are recommended for reduction (-\$42,443). Without these additional resources, existing staff will be relied upon to handle these functions where possible. DEP staff will be available at the Committee meeting to discuss the implications of these FY17 recommendations.

As noted in prior budget discussions, Council Staff believes DEP’s General Fund operation is “bare bones”, 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 20 percent of the total FTEs in the Department. The status of some of these programs is provided below.

Tree Montgomery Program

The Tree Montgomery Program is funded completely out of the Tree Canopy Conservation Account that was established under Bill 35-12, adopted by the Council in July 2013. That account collects fees in lieu of tree planting when development requires a sediment control permit under Chapter 19 of the County Code.

The FY16 DEP budget originally included \$250,000 in expenditures (and revenue) for this program. However, in FY16 these dollars were spent by December 2015. As of February 11, 2016, the Tree Canopy Conservation Account had collected over \$900,000, with only about one-third of it spent. A supplemental appropriation for an additional \$350,000 to be spent from the Tree Canopy Account was approved on March 15, 2016 to continue the program for the rest of FY16.

DEP estimates that by the end of this spring, over 500 trees will have been planted. DEP provided the following cost information per tree:

“The total average cost per shade tree is \$554. This average cost includes \$340 for a shade tree and installation, \$210 for a 2-year warranty and aftercare package, and \$4 for deer protection. The average is based on all trees purchased to date through Tree Montgomery. Given that the existing contract will remain in place without cost adjustments, the average costs associated with each shade tree will remain the same throughout FY17.”

NOTE: Other expenses to support tree planting activities under the Tree Canopy Law (e.g., County Arborist, outreach staff, outreach materials, etc.) are paid for by funding sources other than the Tree Canopy Conservation Account.

Council Staff is supportive of the FY17 recommended budget increase for this program, as it is completely self-supported from dedicated revenue and actual expenses will not exceed actual revenue received for this program.

Green Business Certification Program

The Green Business Certification Program recognizes and publicizes businesses which are meeting certain environmental standards, as identified through an application and verification process. This program was first funded in the FY09 budget. In 2015, the program began accepting businesses certified through outside programs, including: B Lab, Green America, Green Restaurant Association, and Green Seal. As of the end of FY15, there were 84 certified green businesses in the County.

Below is an update from DEP on this program:

DEP, in partnership with the Montgomery County Chamber Community Foundation, is exploring implementation of a one-year pilot program utilizing WeSpire’s sustainability platform. We are currently reviewing the necessary program and legal documents and gauging interest among Certified Green Businesses.

The platform would be open to 2,000 employees whose businesses are recognized by the Green Business Certification Program. Participating businesses would each have a “team” and employees would “compete” to earn points for environmental actions taken. An algorithm would calculate environmental and financial benefits and businesses would be able to aggregate the collective accomplishments of individual employees.

It is anticipated that the WeSpire tool will leverage and complement the Green Business Certification Program by helping businesses to engage and motivate individual employees and, importantly, facilitate collaboration among the Certified Green Business community.:

In addition to the WeSpire pilot, DEP is interested in engaging a broader swath of the business community, including those that are not ready for certification and require technical assistance.

Reaching these businesses could involve outreach efforts that are geared toward businesses just starting to address sustainability and focused on “low hanging fruit” opportunities that either save money or are fiscally neutral such as energy efficiency improvements subject to rebates.

For example, DEP is exploring the “Measure What Matters” tool, a streamlined, easy-to-use assessment designed to help businesses measure their social and environmental impact; benchmark their performance against other businesses; and annually track their performance. The tool was created by B Lab, the nonprofit organization that created the B Corps certification program (B Corps are recognized by the Green Business Certification Program) and spearheaded the move across the county to create a new corporate form called Benefit Corporations. New York City has promoted the tool extensively as part of a comprehensive outreach campaign and successfully encouraged 1,000+ businesses over six months to take the assessment.

The Recommended Budget assumes the same staffing and operating expenses for this effort.

MyGreenMontgomery.org

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.

Below is an update from DEP on this program:

There are no major structural changes planned for MyGreenMontgomery.org in FY17. Consistent with the evolution of the content of the site, DEP staff constantly seeks to broaden the scope of the information provided on MyGreenMontgomery.org and its associated social media platforms to encompass the full range of sustainability topics. For example, as DEP takes steps to implement the healthy lawns law, there will be increased information about organic lawn care practices.

In 2015, MyGreenMontgomery.org was redesigned for mobile responsiveness so that the public can easily access information “on-the-go” with an engaging blog design, search functionality, a new “Your Stories” blog feed and the elimination of the “Green Plan” registration. The website is more colorful, dynamic and easier to navigate no matter the device.

The site had over 35,000 unique page views in 2015, representing a 35% increase over 2014. The most visited pages included the blog search page, the calendar page, an article on GreenFest and an article on the RainScapes trainings for 2015.

In 2015, the My Green Montgomery social media sites continued to grow and reach new audiences. The data below is as of the end of 2015.

- *Twitter: @MyGreenMC has 838 followers, a 37.8% increase over 2014*
- *Facebook: @MyGreenMontgomery has 607 likes, a 61.4% increase over 2014*
- *Instagram: @MyGreenMC has 71 followers, an 82% increase over 2014*

My Green Montgomery also maintained a Pinterest board of 174 pins on 7 boards, 6,138 photos on Flickr and 51 videos on the YouTube channel.

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 percent of the spraying costs with MDA. The County also may do additional spraying at its own expense. DEP staff prepared a chart (see ©13) showing trends in program expenditures from FY11 through FY16.

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.

No spraying has been done for a number of years, nor is spraying assumed at this time for FY17. The annual winter survey is recommended to be funded again in FY17, but at a lower cost than originally approved in FY16 based on actual costs in FY15 and FY16. The results of the survey will confirm whether any spraying ultimately is needed in FY17.

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 has been working on or is expected to review in the near future.

- The Council approved an amendment to the Water and Sewer Plan for the Glen Hills Study Area which provides some additional flexibility in the area for consideration of public sewer approvals on a case-by-case basis. As part of this approval, the Council expressed its support for a limited master plan amendment to consider additional changes in sewer policy while addressing environmental and land use concerns in the area.
- A comprehensive update to the Water and Sewer Plan is expected to be transmitted to the Council this fall. The Plan was last comprehensively updated in 2003. The schedule for transmittal to the Council has been repeatedly pushed back as DEP has worked on other water and sewer-related priorities, most recently the Glen Hills study and the Ten Mile Creek Limited Area Master Plan. There are a number of longstanding important policy issues that are in need of review and possible revision, such as the Private Institutional Facilities (PIF) Policy and the issue of water and sewer extension costs. In addition, during the Glen Hills amendment review, a number of septic policy issues were raised which warrant further review.
- The Council recently received WSSC's Ten Mile Creek Sewer Study, which looked at a number of options for how to implement the recommendations of the Limited Master Plan Amendment and identified a preferred approach going forward. The Planning Board is expected to hold a hearing on the Study later this Spring. The Council will review the Study after the Planning Board review. In addition to the Sewer Study, the Limited Master Plan Amendment included some other follow-up water/sewer issues for DEP, including:

- Working with WSSC to extend sewer to the Clarksburg Historic District. The County continues to work with WSSC to plan and build the necessary infrastructure to extend sewer to the Historic District of Clarksburg in a manner which is affordable to property owners in the Historic District (as recommended in the Ten Mile Creek Limited Area Master Plan).
- Working with WSSC and other regional partners on the development of a study of the long-term health of the Little Seneca Reservoir.

As noted earlier, a new Planning Specialist III position was approved as part of the FY16 budget to provide additional support within this program. Council Staff had noted for a number of years that this program has been understaffed ever since a position was cut in this program during the last recession.

Code Enforcement

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 includes seven positions: one Supervisor; one Code Enforcement Inspector; and five Environmental Health Specialists. This is the same complement as last year. DEP staff provided a summary chart breaking down trends by type of case (see ©14) and a narrative update below:

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

Air Quality – The number of air quality cases increased in FY15 after a five-year pattern of decline, but remained below the annual total for FY11 – FY13.

Noise – The number of noise complaints dropped in FY15 after increases in FY13 and FY14. Noise cases remained among the most challenging and time consuming cases handled by code enforcement staff, remaining open longer than all other types of cases.

Solid Waste – The number of solid waste cases increased by 12.2% in FY15, the first increase in four years.

Water Quality – Water quality cases are classified as IDDE or non-IDDE cases. IDDE cases are scheduled activities related to illicit discharge detection and elimination (IDDE). 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. Non-IDDE cases involve investigation of the discharge of potential water pollutants (e.g. sanitary sewer system overflows, oil poured in a storm drain, or wastewater from washout of a concrete truck at a construction site). These cases have remained fairly steady over the past five years.”

Council Staff Recommendations (General Fund)

Council Staff recommends approval of the DEP General Fund budget as recommended by the County Executive.

The Committee may want to consider placing funding on the reconciliation list to provide for the filling of the two existing Office of Sustainability positions which the County Executive recommends lapsing for all of FY17, or possibly restoring some of the contract dollars recommended for reduction in the Office of Sustainability.

The Committee may also want to consider placing funding on the reconciliation for outreach and education dollars for the Pesticide legislation implementation.

Water Quality Protection Fund Budget

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

Water Quality Prot. Fund	Actual	Approved	CE Rec	Change FY16-FY15	
	FY15	FY16	FY17	\$\$\$	%
Personnel Costs	7,416,736	8,326,075	8,619,576	293,501	3.5%
Operating Expenses	12,638,393	14,947,752	16,661,534	1,713,782	11.5%
Capital Outlay				-	-
Total	20,055,129	23,273,827	25,281,110	2,007,283	8.6%
Full-Time Positions	46	50	50	-	0.0%
Part-Time Positions	1	0	0	-	n/a
FTEs	84.39	86.69	88.76	2.07	2.4%

Fiscal Summary

Expenditures in the Water Quality Protection Fund (WQPF) are recommended to increase by \$2.01 million (or 8.6 percent). This increase (along with increases in prior years, including an 8.1 percent increase in FY15 and 13.4 percent increase in FY16) relates 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 ©5-6). DEP staff also provided additional detail (see ©15-18) that summarizes the major work items and changes from FY16 to FY17.

Water Quality Protection Fund and Charge

DEP’s MS4 work (both operating and capital) is budgeted within the County’s Water Quality Protection Fund. This self-supporting fund draws its revenue primarily from the WQPC (an estimated \$32.6 million in FY16) as well as from the County’s bag tax (an estimated \$2.4 million in FY16).

The Fund and charge were created in 2001, when the Council approved Bill 28-00.

Three years ago, the Council enacted Bill 34-12 and approved Executive Regulations 17-12AM and 10-13. The bill and regulations included 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. A three-year phase-in period for those properties that experienced an increase in assessments as a result of the legislation was also included.

This past November, at the County Executive's request, the Council enacted legislation (Bill 45-15, Stormwater Management - Water Quality Protection Charge - Curative Legislation) to designate the Water Quality Protection Charge as an excise tax (rather than a fee) to address concerns raised in a Circuit Court opinion.²

The T&E Committee received a briefing from DEP on the status of the County's NPDES-MS4 permit this past January.

On March 24, the County Executive transmitted proposed legislation (Expedited Bill 11-16) which would make changes to Water Quality Protection Charge credits along with a number of other changes. A public hearing is scheduled for April 26. T&E Committee review is scheduled for May 5.

The Council is required to set the ERU rate each year by resolution. A resolution was introduced on April 1 and a public hearing is scheduled for April 26. The Executive recommends increasing the ERU rate by \$6.60 from the FY16 level of \$88.40 up to \$95.00 (a 7.5 percent increase).

Major Changes

The biggest budgetary increase from FY16 to FY17 is the maintenance of new and newly transferred stormwater management facilities³ to the program (+\$990,000). The second largest increase results from the Department of Finance increasing its chargeback for property tax billing (+\$480,463). Storm drain maintenance costs are the next largest increase (+369,240).

M-NCPPC Planning and the Parks Department have about \$3.1 million combined in water quality related work supported by the WQPF in FY16. For FY17 an increase of \$87,131 (about 2.8 percent) is requested to cover staffing and other costs to meet NPDES requirements.

New for FY17 is \$210,000 in funding for the Cities of Gaithersburg, Takoma Park, and Rockville to defray their costs of providing stormwater control services to County-owned property.

The Homeowner Association Roads Credit (\$447,000 in FY16) is deleted for FY17 based on the impact of Senate Bill 863 in 2015, which amended the storm water law and exempted private streets that are on the list to receive State highway user funds. Based on this change, the County grant program for HOAs is no longer necessary.

The FY17 recommendation also includes \$50,000 in outreach funding for a new anti-littering campaign in the White Oak area to address the EPA approved Anacostia Trash TMDL and \$25,000 to expand the pet waste program across several TMDL areas.

Bag Tax

² Paul N. Chod v. Board of Appeals for Montgomery County (Civil No.35398704-V, entered July 23, 2015).

³ Overall there are an estimated 9,508 stormwater management facilities in the County (an increase of 344 facilities over the past year). DEP inspects all of them on a triennial basis (or more frequently) and is responsible for maintaining 3,976 of these facilities.

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 WQPF. The tax went into effect at the beginning of 2012 and the T&E Committee has received periodic updates on the bag tax and also considered potential changes to the charge from time to time.

DEP provided Bag Tax revenue information (see ©19) through January 2016, which was compiled by the Department of Finance.

FY16 estimated revenues (after 2nd quarter) shown in the Executive's Recommended budget are \$2.4 million (the same as originally projected for FY16). The recent revenue information through January 2016 shows revenues trending slightly higher than budget. The increased revenue is the result of a slowing but steady increase in the number of participating retailers (from 1,253 in July 2015 to 1,278 through January 2016). Monthly bag tax revenue tends to fluctuate up and down, but has generally been showing an increasing trend over time, despite assumptions that disposable bag purchases would decline over time. In FY17, DEP expects its continued outreach efforts and a new anti-littering campaign planned for FY17 will begin to bring bag tax revenue down slightly from FY16.

Fiscal Plan

The Water Quality Protection Fund Fiscal Plan is attached on ©8. This chart shows estimated costs, revenues, and fund balance from FY16 through FY22. Some key facts regarding the fund are noted below:

- The debt service coverage ratio (net revenues/debt service) was adjusted for FY16 from 1.5 times debt service costs to 1.25 times debt service costs (i.e., a debt service coverage ratio of 1.25). In FY16, this coverage target is greatly exceeded. However, the debt service coverage moves back toward the target level in the later years of the fiscal plan as debt service scales up.
- The Fund Balance policy assumption is changed from 10 to 15 percent of resources down to 5 percent of resources. DEP/OMB staff note that,

“The current fund balance policy was developed in 2005. Given the continuing maturity of the program and the stability of the collection rate for the Water Quality Protection Charge, it was determined that a lower fund balance is acceptable for overall planning purposes in the fund. The six-year fund projections with the 5% fund balance assumed were disclosed to the rating agencies and the debt was highly rated and received very competitive bids. Executive staff is updating the fund balance policy statement to reflect the 5% fund balance level and will be transmitting this as soon as possible.”

- The recommended charge per ERU for FY17 (\$95.00) is slightly higher than the FY17 assumption made in the FY16 budget last year (\$93.25). In the latest fiscal plan, the rate increases by approximately 10 percent per year to cover increasing debt service levels and operating expenses.

Council Staff Recommendations (Water Quality Protection Fund)

Council Staff recommends approval of the FY17 DEP Water Quality Protection Fund Budget. Council Staff also supports the County Executive's Water Quality Protection Charge ERU rate recommendation of \$95.00.

FY17 Revenues

In addition to the Tree Canopy Fee, the Water Quality Protection Charge, SPA fees, and the Bag Tax discussed earlier, the DEP budget includes several other revenue items, including the Special Protection Area (SPA) Monitoring Fee, Civil Citations, and the Water and Sewer Plan Review Fee.

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 minor 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.

The revenue generated can fluctuate substantially from year to year. \$12,000 is assumed in FY16, although only \$7,000 has been collected through April 10, 2016. For FY17, DEP has lowered its revenue estimate to 9,000.

Council Staff recommends that the fee structure and levels be reviewed in the context of the Council's expected fall 2016 comprehensive review of the 10 Year Water and Sewer Plan.

Special Protection Area (SPA) Fee

This fee, paid by developers, is intended to cover the cost of pre- and post-construction monitoring by DEP of development within designated Special Protection Areas in the County.

In FY13, revenue for SPA monitoring fees was far higher than previously budgeted as a result of a rush by property owners to meet plan approval deadlines by May 3, 2013 and thus be grandfathered into the old standards for stormwater management and sediment control. FY14 revenue was \$46,208. The FY15 budget assumed \$75,000 and \$88,580 was collected. \$160,000 was assumed in the FY16 budget. However, actual collections to date are at about \$61,920. The FY17 recommended budget assumes \$50,000 in fees and reflects the Department of Permitting Services estimates for acres that could qualify for the SPA monitoring fee in FY17.

Civil Citations and Noise Control Fees

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. FY17 Revenue is assumed to be \$16,000 (the same as the original FY16 budget assumption).

Attachments

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Environmental Protection

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 recommended FY17 Operating Budget for the Department of Environmental Protection is \$27,824,515, an increase of \$2,349,828 or 9.22 percent from the FY16 Approved Budget of \$25,474,687. Personnel Costs comprise 37.27 percent of the budget for 95 full-time position(s) and one part-time position(s), and a total of 104.76 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 62.73 percent of the FY17 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 \$6,367,900 for Water Quality Protection bonds is required in FY17.

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 FY16 estimates reflect funding based on the FY16 approved budget. The FY17 and FY18 figures are performance targets based on the FY17 recommended budget and funding for comparable service levels in FY18.

Initiatives

- ★ Conducted tree planting activities consistent with the Tree Canopy Law by planting more than 500 trees on residential and multifamily properties in 2015.
- ★ Added new position in FY17 to coordinate the implementation of Bill 52-14 (Pesticides Prohibition). This new position will ensure implementation of Bill 52-14 and provide outreach to the community on updates to County pesticides law.

Accomplishments

- ✓ Completed third-generation Municipal Separate Storm Sewer System permit with retrofit of 1,774 impervious acres completed and the remaining 2,003 acres in design or construction.
- ✓ Created the Watershed Restoration and Outreach grants, which resulted in the distribution of \$371,000 to thirteen community organizations for watershed improvement projects.
- ✓ Led the Benchmarking Work Group, which provided recommendations to improve the County's Commercial Benchmarking Law. The Benchmarking Law requires buildings greater than 50,000 square feet to track energy usage, to help them identify potential

opportunities for energy efficiency improvements and operating cost savings.

- ✓ Collaborated with the Department of Finance on the development of the Commercial Property Assessed Clean Energy (PACE) program, which will allow commercial property owners to borrow money for energy efficiency improvements and renewable energy projects, and repay the loan via their property tax bill.
- ✓ Expanded the Green Business Certification Program to recognize other third-party certification programs including B Lab, Green America, Green Restaurant Association, and Green Seal; 83 businesses and organizations are currently recognized by the program.
- ✓ Completed the Glen Hills Sanitary Study to review the sustainability of the nearly 400 homes on septic systems in this community. Developed a proposed policy that supports the area master plan and addresses future septic system problems and limited sewer service.

Productivity Improvements

- ✱ Enhanced the Infor Enterprise Asset Management System (EAM) by integrating Geographic Information Systems (GIS) data with stormwater facilities asset data. This effort merged and synchronized the stormwater facility point geodatabase with Infor EAM to allow for real time edits to data, improving the accuracy and integrity of the data by creating one integrated system to edit.
- ✱ Streamlined and improved the illicit discharge detection and elimination (IDDE) mobile app, greatly reducing time spent recording information and allowing for auto-generated reports.
- ✱ Developed a new Rainscapes database, allowing for more complete and efficient recall of information on project status and initiatives.
- ✱ Continued to recruit and train volunteers for the Stream Stewards volunteer program. In FY15, volunteers participated in 13 events and donated 1,214 hours of service at cleanups, outreach events, and storm drain art painting days with a service equivalent of \$27,982.

Program Contacts

Contact Michelle Hwang of the Department of Environmental Protection at 240.777.7724 or Matt Schaeffer of the Office of Management and Budget at 240.777.2766 for more information regarding this department's operating budget.

Program Descriptions

Watershed Management

The Watershed Management Division supports watershed-based monitoring, planning, policy development, and project implementation activities designed 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 includes an extensive capital improvement program that retrofits untreated impervious area. 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." Program staff manages, inspects, and ensures the operational effectiveness of over 9,000 stormwater management facilities, and is also responsible for the structural maintenance of over 3,700 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 owned by the State and County government, and in the cities of Gaithersburg, Rockville, and Takoma Park.

Program Performance Measures	Actual FY14	Actual FY15	Estimated FY16	Target FY17	Target FY18
Percent of the nitrogen pollution reduction goal met	4.39	15.22	17.74	20.09	23.95
Percent of the phosphorous pollution reduction goal met	20.14	38.59	47.13	54.79	65.12
Percent of the impervious acreage control goal met	9.7	45.7	50.90	57.77	68.7
County watershed stream quality Index of Biological Integrity (IBI) score	59.5	59.9	60.6	61.3	62
Stormwater facility maintenance compliance rate	82.0	92.0	87.0	87.0	87.0

FY17 Recommended Changes	Expenditures	FTEs
FY16 Approved	23,115,048	85.69
Increase Cost: Maintenance of completed Capital Improvements Program construction projects	643,000	0.00
Increase Cost: Charges from Department of Transportation for storm drains maintenance	406,777	0.00
Increase Cost: Maintenance of New and Newly Transferred Stormwater Management Facilities	362,000	0.00
Increase Cost: Municipal stormwater management fees	210,000	0.00
Increase Cost: Stormwater Facility Inspection and Maintenance Tracking System	98,880	0.00
Increase Cost: Best Management Practice (BMP) Monitoring in Special Protection Areas	88,000	0.00
Increase Cost: M-NCPPC Stormwater Management Support	87,131	0.00
Enhance: Outreach and education for MS4-related programs	75,000	0.00
Increase Cost: Software licenses for InforEAM System	16,440	0.00
Increase Cost: Increase Cost for Building Rent - 255 Rockville Pike	14,624	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account	(9,856)	0.00
Decrease Cost: Homeowner Association Roads Credit Phased Implementation	(447,000)	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.	460,153	2.07
FY17 Recommended	25,120,197	87.76

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 promotes sustainable practices by residents, businesses, and the County government. The division develops and implements programs related to air quality, water quality and stormwater management, 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 FY14	Actual FY15	Estimated FY16	Target FY17	Target FY18
Average number of days to resolve incoming complaints	30	28	30	30	30
Percent of customers who rated themselves as satisfied with DEP response to environmental complaints	66.1	77.6	70.0	70.0	70.0
Non-residential building energy use (Million British Thermal Units) ¹	33,391,014	35,685,180	36,207,000	TBD	TBD
Residential building energy use (Million British Thermal Units)	40,192,546	41,767,534	42,624,000	TBD	TBD

¹ Source: Fuel Energy Tax Data as reported by energy suppliers to County businesses and residents. Does not include behind-the-meter generation. DEP's Office of Sustainability will develop projections for this measure.

FY17 Recommended Changes	Expenditures	FTEs
FY16 Approved	1,526,221	10.94
Enhance: Tree Canopy Conservation program; total budget of \$500,000 will fund the planting and two years of aftercare for approximately 800 trees	250,000	0.00
Increase Cost: Implementation of Bill 52-14 (Pesticides Prohibition)	50,119	1.00
Decrease Cost: Contractual services to implement partnership development and other activities in the Office of Sustainability	(42,443)	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.	100,692	0.00
FY17 Recommended	1,884,589	11.94

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. Additional activities in the Director's Office include budget development and administration; human resources management; management of the Water Quality Protection Charge; and management of the Department's information technology and geographical information systems and services.

FY17 Recommended Changes	Expenditures	FTEs
FY16 Approved	833,418	5.15
Increase Cost: Charges from Department of Finance for Water Quality Protection Charge processing	480,163	2.80
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(493,852)	(2.89)
FY17 Recommended	819,729	5.06

Budget Summary

	Actual FY15	Budget FY16	Estimate FY16	REC FY17	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	1,080,928	1,267,367	1,208,449	1,312,023	3.5 %
Employee Benefits	383,289	437,346	411,579	438,868	0.4 %
County General Fund Personnel Costs	1,464,217	1,704,713	1,620,028	1,750,891	2.7 %
Operating Expenses	287,115	496,147	804,949	792,514	59.7 %
County General Fund Expenditures	1,751,332	2,200,860	2,424,977	2,543,405	15.6 %
PERSONNEL					
Full-Time	41	43	43	45	4.7 %
Part-Time	2	2	2	1	-50.0 %
FTEs	13.09	15.09	15.09	16.00	6.0 %
REVENUES					
Other Charges/Fees	99,477	227,000	177,000	62,550	-72.4 %
Other Fines/Forfeitures	18,140	10,000	10,000	10,000	—
Other Licenses/Permits	3,875	6,000	6,000	6,000	—
Tree Canopy	509,250	250,000	250,000	500,000	100.0 %
County General Fund Revenues	630,742	493,000	443,000	578,550	17.4 %
WATER QUALITY PROTECTION FUND					
EXPENDITURES					
Salaries and Wages	5,593,349	6,230,239	5,763,514	6,456,356	3.6 %
Employee Benefits	1,823,387	2,095,836	1,890,586	2,163,220	3.2 %
Water Quality Protection Fund Personnel Costs	7,416,736	8,326,075	7,654,100	8,619,576	3.5 %
Operating Expenses	12,638,393	14,947,752	14,304,708	16,661,534	11.5 %
Water Quality Protection Fund Expenditures	20,055,129	23,273,827	21,958,808	25,281,110	8.6 %
PERSONNEL					
Full-Time	46	50	50	50	—
Part-Time	1	0	0	0	—
FTEs	84.39	86.69	86.69	88.76	2.4 %
REVENUES					
Bag Tax	2,485,541	2,400,000	2,400,000	2,280,000	-5.0 %
Investment Income	28,213	81,730	63,790	91,130	11.5 %
Other Charges/Fees	81,566	200,000	200,000	200,000	—
Water Quality Protection Fee	28,150,474	32,633,364	32,351,518	34,530,616	5.8 %
Water Quality Protection Fund Revenues	30,745,794	35,315,094	35,015,308	37,101,746	5.1 %
GRANT FUND - MCG					
EXPENDITURES					
Salaries and Wages	0	0	0	0	—

	Actual FY15	Budget FY16	Estimate FY16	REC FY17	%Chg Bud/Rec
Employee Benefits	0	0	0	0	—
Grant Fund - MCG Personnel Costs	0	0	0	0	—
Operating Expenses	24,181	0	0	0	—
Grant Fund - MCG Expenditures	24,181	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					
State Grants	95,761	0	0	0	—
Grant Fund - MCG Revenues	95,761	0	0	0	—

DEPARTMENT TOTALS

Total Expenditures	21,830,642	25,474,687	24,383,785	27,824,515	9.2 %
Total Full-Time Positions	87	93	93	95	2.2 %
Total Part-Time Positions	3	2	2	1	-50.0 %
Total FTEs	97.48	101.78	101.78	104.76	2.9 %
Total Revenues	31,472,297	35,808,094	35,458,308	37,680,296	5.2 %

FY17 Recommended Changes

Expenditures FTEs

COUNTY GENERAL FUND

FY16 ORIGINAL APPROPRIATION 2,200,860 15.09

Changes (with service impacts)

Enhance: Tree Canopy Conservation program; total budget of \$500,000 will fund the planting and two years of aftercare for approximately 800 trees [Environmental Policy and Compliance] 250,000 0.00

Other Adjustments (with no service impacts)

Increase Cost: Annualization of FY16 Personnel Costs 50,761 (0.09)
 Increase Cost: Implementation of Bill 52-14 (Pesticides Prohibition) [Environmental Policy and Compliance] 50,119 1.00
 Increase Cost: Motor Pool Adjustment 27,131 0.00
 Increase Cost: FY17 Compensation Adjustment 21,275 0.00
 Increase Cost: Group Insurance Adjustment 9,063 0.00
 Increase Cost: Printing and Mail 692 0.00
 Shift: Telecommunications to the Telecommunications Non-Departmental Account (7,010) 0.00
 Decrease Cost: Retirement Adjustment (17,043) 0.00
 Decrease Cost: Contractual services to implement partnership development and other activities in the Office of Sustainability [Environmental Policy and Compliance] (42,443) 0.00

FY17 RECOMMENDED 2,543,405 16.00

WATER QUALITY PROTECTION FUND

FY16 ORIGINAL APPROPRIATION 23,273,827 86.69

Changes (with service impacts)

Enhance: Outreach and education for MS4-related programs [Watershed Management] 75,000 0.00

Other Adjustments (with no service impacts)

Increase Cost: Maintenance of completed Capital Improvements Program construction projects [Watershed Management] 643,000 0.00
 Increase Cost: Charges from Department of Finance for Water Quality Protection Charge processing [Administration] 480,163 2.80
 Increase Cost: Charges from Department of Transportation for storm drains maintenance [Watershed Management] 406,777 0.00
 Increase Cost: Maintenance of New and Newly Transferred Stormwater Management Facilities [Watershed Management] 362,000 0.00
 Increase Cost: Municipal stormwater management fees [Watershed Management] 210,000 0.00
 Increase Cost: Stormwater Facility Inspection and Maintenance Tracking System [Watershed Management] 98,880 0.00
 Increase Cost: FY17 Compensation Adjustment 89,543 0.00

	Expenditures	FTEs
Increase Cost: Best Management Practice (BMP) Monitoring in Special Protection Areas [Watershed Management]	88,000	0.00
Increase Cost: M-NCPPC Stormwater Management Support [Watershed Management]	87,131	0.00
Increase Cost: Group Insurance Adjustment	32,169	0.00
Increase Cost: Motor Pool Adjustment	20,128	0.00
Increase Cost: Software licenses for InforEAM System [Watershed Management]	16,440	0.00
Increase Cost: Increase Cost for Building Rent - 255 Rockville Pike [Watershed Management]	14,624	0.00
Increase Cost: Printing and Mail	804	0.00
Shift: Telecommunications to the Telecommunications Non-Departmental Account [Watershed Management]	(9,856)	0.00
Decrease Cost: Retirement Adjustment	(43,313)	0.00
Decrease Cost: Annualization of FY16 Personnel Costs	(117,207)	(0.73)
Decrease Cost: Homeowner Association Roads Credit Phased Implementation [Watershed Management]	(447,000)	0.00
FY17 RECOMMENDED	25,281,110	88.76

Program Summary

Program Name	FY16 APPR		FY17 REC	
	Expenditures	FTEs	Expenditures	FTEs
Watershed Management	23,115,048	85.69	25,120,197	87.76
Environmental Policy and Compliance	1,526,221	10.94	1,884,589	11.94
Administration	833,418	5.15	819,729	5.06
Total	25,474,687	101.78	27,824,515	104.76

Charges to Other Departments

Charged Department	Charged Fund	FY16		FY17	
		Total\$	FTEs	Total\$	FTEs
WATER QUALITY PROTECTION FUND					
CIP	Capital Fund	2,918,293	25.20	3,059,512	26.20

Future Fiscal Impacts

Title	CE RECOMMENDED (\$000s)					
	FY17	FY18	FY19	FY20	FY21	FY22
COUNTY GENERAL FUND						
EXPENDITURES						
FY17 Recommended	2,543	2,543	2,543	2,543	2,543	2,543
No inflation or compensation change is included in outyear projections.						
Annualization of Positions Recommended in FY17	0	49	49	49	49	49
New positions in the FY17 budget are generally assumed to be filled at least two months after the fiscal year begins. Therefore, the above amounts reflect annualization of these positions in the outyears.						
Elimination of One-Time Items Recommended in FY17	0	(1)	(1)	(1)	(1)	(1)
Items recommended for one-time funding in FY17, including computer costs for Pesticides Prohibition position, will be eliminated from the base in the outyears.						
Labor Contracts	0	10	10	10	10	10
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	2,543	2,601	2,601	2,601	2,601	2,601

WATER QUALITY PROTECTION FUND

EXPENDITURES

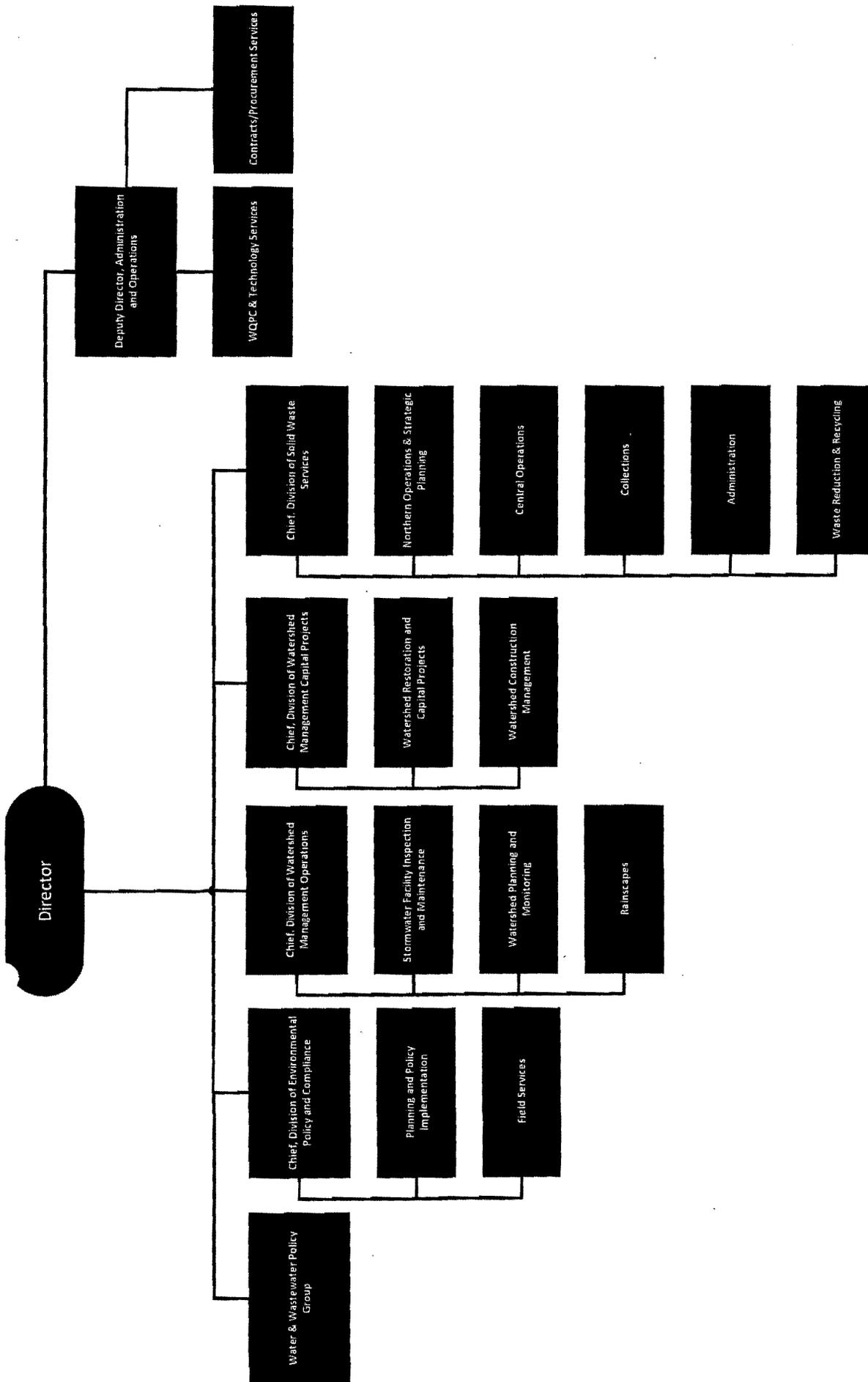
FY17 Recommended	25,281	25,281	25,281	25,281	25,281	25,281
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Title	CE RECOMMENDED (\$000s)					
	FY17	FY18	FY19	FY20	FY21	FY22
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY17	0	(99)	(99)	(99)	(99)	(99)
Items recommended for one-time funding in FY17, including stormwater facility maintenance tracking system costs, will be eliminated from the base in the outyears.						
Building Rent Escalation	0	15	15	16	16	16
Increase in lease costs for DEP offices.						
Maintenance of New and Newly Transferred Stormwater Management Facilities	0	71	71	71	71	71
These figures reflect the maintenance requirements of new stormwater management facilities and existing stormwater management facilities that transfer into the County's maintenance program.						
Operating Budget Impacts of CIP Projects	0	1,124	552	1,124	2,059	1,830
These figures represent the Operating Budget Impacts of Stormwater Management projects in the FY17-22 CIP.						
Program Growth	0	50	100	150	200	250
These figures represent the anticipated increase of expenditures related to an increase in Water Quality Protection initiatives, including the MS4 program.						
Labor Contracts	0	61	61	61	61	61
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	25,281	26,502	25,980	26,603	27,588	27,409

Annualization of Personnel Costs and FTEs

	FY17 Recommended		FY18 Annualized	
	Expenditures	FTEs	Expenditures	FTEs
Implementation of Bill 52-14 (Pesticides Prohibition)	49,119	1.00	98,238	1.00
Total	49,119	1.00	98,238	1.00

FY17-22 PUBLIC SERVICES PROGRAM: FISCAL PLAN		Water Quality Protection Fund					
FISCAL PROJECTIONS	FY16 Estimate	FY17 CE REC	FY18 PROJECTION	FY19 PROJECTION	FY20 PROJECTION	FY21 PROJECTION	FY22 PROJECTION
ASSUMPTIONS							
Indirect Cost Rate	15.98%	16.45%	16.45%	16.45%	16.45%	16.45%	16.45%
CPI (Fiscal Year)	0.81%	1.8%	2.3%	2.5%	2.7%	2.7%	2.7%
Investment Income Yield	0.35%	0.50%	1.00%	1.50%	2.50%	2.50%	3.00%
Number of Equivalent Residential Units (ERUs) Billed	372,369	368,355	368,355	368,355	368,355	368,355	368,355
Water Quality Protection Charge (\$/ERU)	\$88.40	\$95.00	\$104.25	\$114.70	\$125.50	\$136.25	\$138.50
Collection Factor for Charge	99.5%	99.5%	99.5%	99.5%	99.5%	99.5%	99.5%
BEGINNING FUND BALANCE	13,221,064	5,702,695	1,738,360	1,846,256	1,657,663	1,831,410	1,837,147
REVENUES							
Charges For Services	32,351,518	34,530,616	37,892,045	41,690,438	45,613,918	49,515,696	50,480,680
Bag Tax Receipts	2,400,000	2,280,000	2,166,000	1,949,400	1,754,460	1,579,020	1,421,120
Miscellaneous	263,790	291,130	382,260	473,390	564,520	655,650	746,780
Subtotal Revenues	35,015,308	37,101,746	40,440,305	44,113,228	47,932,898	51,750,366	52,648,580
INTERFUND TRANSFERS (Net Non-CIP)							
Transfers To General Fund	(1,330,510)	(1,431,071)	(1,431,761)	(1,418,610)	(1,418,610)	(1,418,610)	(1,418,610)
Indirect Costs	(1,330,510)	(1,417,920)	(1,418,610)	(1,418,610)	(1,418,610)	(1,418,610)	(1,418,610)
Telecommunications Charge	0	(13,151)	(13,151)	0	0	0	0
Transfers to Debt Service Fund (Non-Tax)	(3,020,250)	(6,367,900)	(6,342,250)	(11,581,960)	(11,578,400)	(15,581,650)	(15,581,900)
TOTAL RESOURCES	43,885,612	35,005,470	34,404,654	32,958,914	36,593,551	36,581,516	37,485,217
CIP CURRENT REVENUE APPROPRIATION							
PSP OPER. BUDGET APPROP/ EXPS.	(13,126,000)	(7,986,000)	(5,413,000)	(3,852,000)	(5,783,000)	(3,839,000)	(3,918,000)
Operating Budget	(21,958,808)	(25,281,110)	(25,824,526)	(26,650,036)	(27,557,576)	(28,498,446)	(29,473,976)
FFI - Labor Agreement	0	0	(60,927)	(60,927)	(60,927)	(60,927)	(60,927)
FFI - Maintenance of New and Newly Transferred Facilities	0	0	(71,000)	(71,000)	(71,000)	(71,000)	(71,000)
FFI - Operating Impacts of CIP Projects	0	0	(1,124,000)	(552,000)	(1,124,000)	(2,059,000)	(1,830,000)
FFI - Building Rent Escalation	0	0	(14,945)	(15,288)	(15,638)	(15,996)	(15,996)
FFI - Program Growth	0	0	(50,000)	(100,000)	(150,000)	(200,000)	(250,000)
Subtotal PSP Oper Budget Approp / Exp's	(21,958,808)	(25,281,110)	(27,145,398)	(27,449,251)	(28,979,141)	(30,905,369)	(31,701,899)
OTHER CLAIMS ON FUND BALANCE	(3,098,109)	0	0	0	0	0	0
TOTAL USE OF RESOURCES	(38,182,917)	(33,267,110)	(32,558,398)	(31,301,251)	(34,762,141)	(34,744,369)	(35,619,899)
YEAR END FUND BALANCE	5,702,695	1,738,360	1,846,256	1,657,663	1,831,410	1,837,147	1,865,318
END-OF-YEAR RESERVES AS A							
PERCENT OF RESOURCES	13.0%	5.0%	5.4%	5.0%	5.0%	5.0%	5.0%
NET REVENUE	10,622,491	10,389,565	11,863,146	15,243,367	17,535,147	19,426,387	19,528,071
DEBT SERVICE COVERAGE RATIO	3.52	1.63	1.87	1.32	1.51	1.25	1.25
Assumptions:							
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. Stormwater facilities transferred into the maintenance program will be maintained to permit standards as they are phased into the program.							
3. Operating costs for new facilities to be completed or transferred, Operating Budget impacts of Stormwater CIP projects, and Program Growth between FY18 and FY22 have been incorporated in the future fiscal impact (FFI) rows.							
4. 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 (\$41 million in FY2016, \$65 million in FY2018 and a \$50 million bond issuance in FY2020) are included in the fiscal plan. Actual debt service costs may vary depending on the size and timing of future bond issues. Current revenue may be used to offset future borrowing requirements. Future WQPC rates are subject to change based on the timing and size of future debt issuance, State Aid, and legislation.							
5. Charges are adjusted to fund the planned service program and maintain net revenues sufficient to cover 1.25 times debt service costs.							
6. Current Water Quality Protection fund balance policy target is at least 5% of resources.							



291 (6) control a pest outbreak that poses an imminent threat to human
 292 health or prevent significant economic damage if a restricted
 293 lawn care pesticide is not used.

294 **33B-11. Outreach and education campaign.**

295 The Executive must implement a public outreach and education campaign
 296 before and during implementation of the provisions of this Article. This campaign
 297 should include:

- 298 (a) informational mailers to County households;
- 299 (b) distribution of information through County internet and web-based
 300 resources;
- 301 (c) radio and television public service announcements;
- 302 (d) news releases and news events;
- 303 (e) information translated into Spanish, French, Chinese, Korean,
 304 Vietnamese, and other languages, as needed;
- 305 (f) extensive use of County Cable Montgomery and other Public,
 306 Educational, and Government channels funded by the County; [[and]]
- 307 (g) posters and brochures made available at County events, on Ride-On
 308 buses and through Regional Service Centers, libraries, recreation
 309 facilities, senior centers, public schools, Montgomery College, health
 310 care providers, hospitals, clinics, and other venues; and
- 311 (h) a survey of pesticide use by County residents and custom applicators.

312 **ARTICLE 4. Common Ownership Communities.**

313 **33B-12. Definitions.**

314 In this article the terms association document, common element, community
 315 association, owner, and unit have the meanings attributed to them in Section 10B-8.

316 **33B-13. Application of pesticide to individual units.**



**General Fund Operating Expenses Budget
FY17 CE Rec**

Department of Environmental Protection		
General Fund - CE Recommended Operating Budget - FY17		
	FY17	
	CE OMB	
	<u>Recommended</u>	
Prof. Purchase Of Service-Tree Canopy Law Expenditures	\$ 500,000	
Prof. Purchase Of Service-Office of Sustainability	153,332	
Assigned Motor Pool Vehicles	40,000	
Prof. Purchase Of Service-Green Business Certification Program	20,000	
Tree Maintenance Services - Gypsy Moth Suppression	15,450	
Other Non-Professional Services	9,400	
Communication Charges (Landline and Cell Phones)	9,104	
Supplies, Equipment & Materials for Compliance Team	9,150	(Note A)
Central Duplicating Chargebacks (Postage, Mail & Inter-Office Pony charges)	9,363	
Computer Equipment, Software, Repairs, and Supplies	8,965	
Advertising - Legal Compliance (Noise Waiver & Quarry License Ads)	3,500	
Professional/Licensure/Occupational Health & Safety Training	3,150	(Note B)
Office Supplies (including paper)	3,000	
Copier Leases	3,000	
Office Furniture	2,500	
Uniforms & Shoes (Union Required)	1,800	
Advertising - Jobs	500	
Other - Boards/Commissions/Committee Expenditures	200	
Metropolitan Area Travel	100	
TOTAL OPERATING EXPENSE	\$ 792,514	
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 Environmental Health Specialist License, Hazwoper (Hazardous Waste Operations and Emergency Response) Certification, and Visible Emissions Certification.		



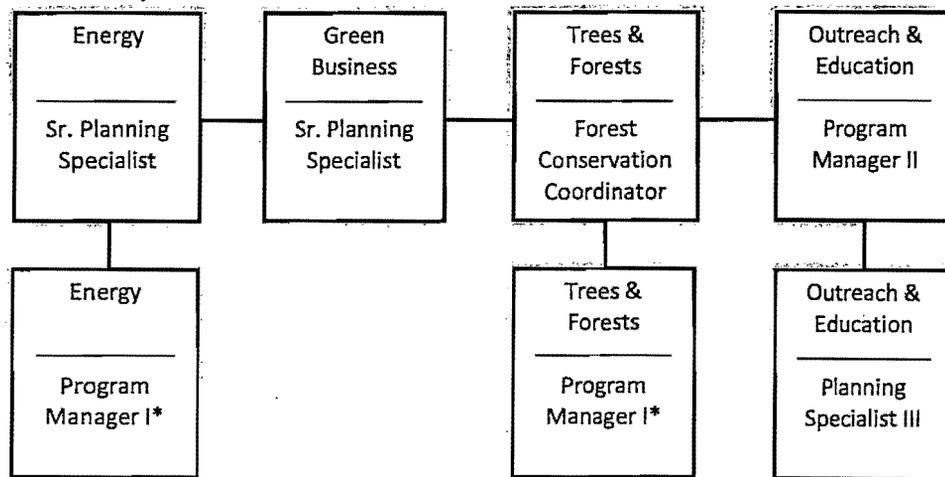
OFFICE OF SUSTAINABILITY ACTIVITIES

The Office of Sustainability was very active during 2015. Two new staff members were added to the Office, which is part of DEP’s Division of Environmental Policy & Compliance. Major programs related to commercial energy efficiency and trees were launched in 2015, and the groundwork was laid for expansion of these programs, and the addition of new initiatives, in 2016.

Office Structure

During 2015, the duties of the Office were being carried out through the positions shown in Figure 1.

Figure 2-1
Staffing of the Office of Sustainability



* New position in 2015

As noted in the 2015 Annual Report, although there are distinct initiatives in the energy, green business, and tree and forest program areas, every effort is made to connect these programs to one another, as well as to other programs within the Department of Environmental Protection (e.g., stormwater management, solid waste management and recycling, etc.) that are outside the purview of the Office but are integral to creating a more sustainable community.

Individuals and businesses interested in reducing energy costs, for example, may be receptive to other activities that reduce their environmental footprint. The Office’s outreach and education programs endeavor to make these connections wherever possible.

The remainder of this section summarizes the activities of the Office of Sustainability during 2015.

Costs for Gypsy Moth Suppression Program

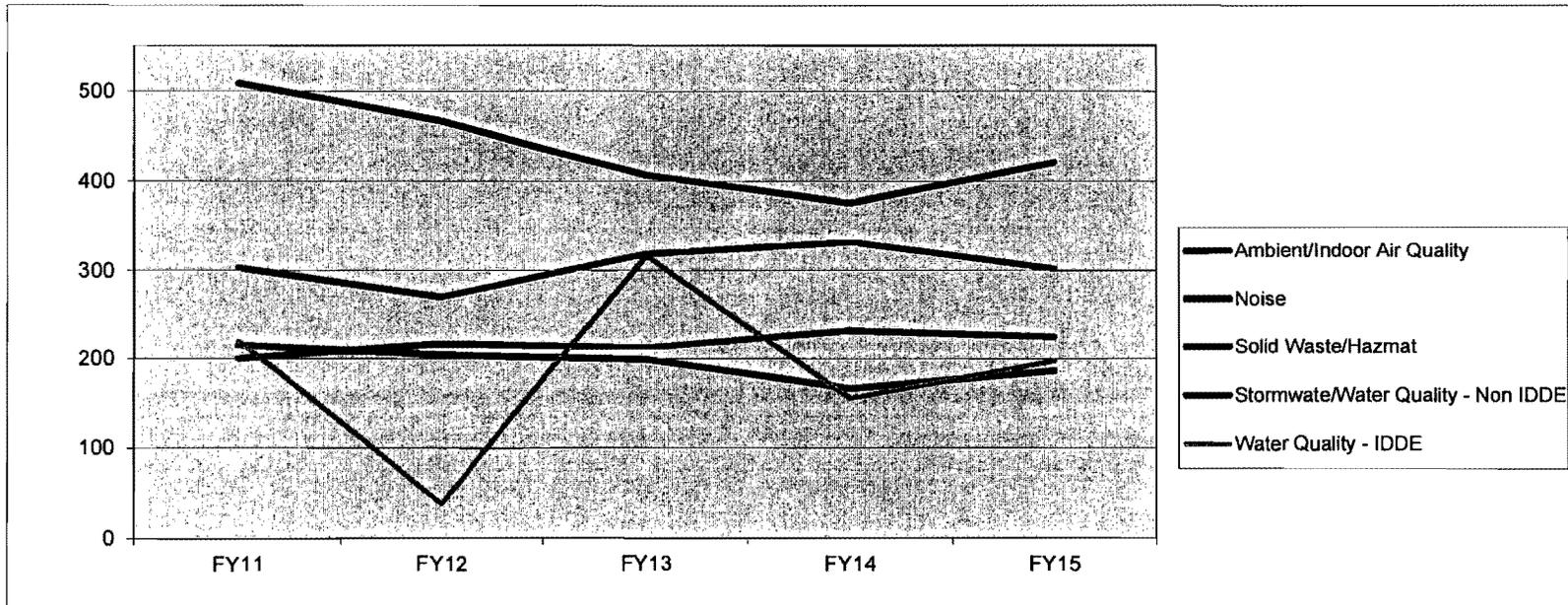
Item	FY11 Actual	FY12 Actual	FY13 Actual	FY14 Actual	FY15 Actual	FY16 Request	FY16 Actual
Gypsy Moth Survey							
Number of plots in Montgomery County	700	574	502	562	697	700	626
Cost to MDA (50% of Total)	\$15,420	\$6,930	\$ 7,530	\$7,065	\$7,875	\$15,000	\$6,900
Cost to County (50% of Total)	\$15,420	\$6,930	\$ 7,530	\$7,065	\$7,875	\$15,000	\$6,900
Total Survey Costs	\$30,840	\$13,860	\$ 15,060	\$14,130	\$15,750	\$30,000	\$13,800
Total Acreage Sprayed							
Sprayed by MDA	0	0	0	0	0	0	0
Sprayed by County	0	0	0	0	0	0	0
Total Acreage Sprayed	0	0	0	0	0	0	0
Costs for MDA Spraying							
Cost to MDA and Feds (70% of Total)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Cost to County (30% of Total)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Costs for MDA Spraying	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Costs for County Spraying							
Cost to County (100% of Total)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Costs for County Outreach							
Total Costs for County Outreach	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost of Gypsy Moth Program for MCG							
Cost to MDA	\$15,420	\$6,930	\$7,530	\$7,065	\$7,875	\$15,000	\$6,900
Cost to County	\$15,420	\$6,930	\$7,530	\$7,065	\$7,875	\$15,000	\$6,900
	\$30,840	\$13,860	\$15,060	\$14,130	\$15,750	\$30,000	\$13,800

**Compliance Cases
FY11 - FY15**

Type	Fund	FY11	FY12	FY13	FY14	FY15	Total	FY11	FY12	FY13	FY14	FY15	Total
Ambient Air	GF	123	133	132	112	131	631	7.6%	9.4%	8.0%	7.5%	8.6%	9.4%
Indoor Air	GF	92	71	67	54	55	339	5.6%	5.0%	4.1%	3.6%	3.6%	5.1%
Noise	GF	303	270	319	333	302	1,527	18.6%	19.1%	19.5%	22.2%	19.8%	22.8%
Solid Waste	SW	474	448	377	352	387	2,038	29.1%	31.8%	23.0%	23.5%	25.3%	30.5%
Hazmat	SW	35	19	30	24	35	143	2.1%	1.3%	1.8%	1.6%	2.3%	2.1%
Stormwater	WQ	103	118	104	125	131	581	6.3%	8.4%	6.3%	8.4%	8.6%	8.7%
Water Quality - Non IDDE	WQ	97	99	108	107	94	505	6.0%	7.0%	6.6%	7.1%	6.2%	7.5%
Water Quality - IDDE	WQ	220	38	317	155	197	927	13.5%	2.7%	19.3%	10.4%	12.9%	13.9%
PIA	GF	182	214	186	235	195	1,012	11.2%	15.2%	11.3%	15.7%	12.8%	15.1%
Total		1,629	1,410	1,640	1,497	1,527	6,691	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

The following consolidated case categories are displayed graphically below:

Consolidated Case Types	Fund	FY11	FY12	FY13	FY14	FY15	Total	FY11	FY12	FY13	FY14	FY15	Total
Ambient/Indoor Air Quality	GF	215	204	199	166	186	903	13.2%	14.5%	12.1%	11.1%	12.2%	13.5%
Noise	GF	303	270	319	333	302	1,181	18.6%	19.1%	19.5%	22.2%	19.8%	17.7%
Solid Waste/Hazmat	SW	509	467	407	376	422	1,829	31.2%	33.1%	24.8%	25.1%	27.6%	27.3%
Stormwater/Water Quality - Non IDDE	WQ	200	217	212	232	225	871	12.3%	15.4%	12.9%	15.5%	14.7%	13.0%
Water Quality - IDDE	WQ	220	38	317	155	197	681	13.5%	2.7%	19.3%	10.4%	12.9%	10.2%
Total		1,447	1,196	1,454	1,262	1,332	5,465	88.8%	84.8%	88.7%	84.3%	87.2%	81.7%



Montgomery County, Maryland				
Water Quality Protection Fund (WQPF)				
WQPF Analysis of Budget Changes by Program FY16-17				
	FY16	FY17	Increase (Decrease)	Notes
Department of Environmental Protection				
PERSONNEL COSTS	\$ 5,462,141	\$ 5,464,444	\$ 2,303	Miscellaneous personnel compensation adjustments (life insurance, retirement, etc.); Also includes annualization of two FY16 positions: Program Manager I - SWM Facility Inspection/Maintenance and Planning Specialist III - Water & Sewer Planning
OPERATING COSTS				
SWM Facility Inspection Services	1,968,350	2,067,230	98,880	Increase for new Stormwater Facility Inspection & Maintenance Tracking System
SWF Maintenance	4,359,470	5,349,470	990,000	Increase due to new & newly transferred stormwater facilities
Low-Impact Development: Residential	324,060	321,495	(2,565)	
Water Restoration Grant Program for Non-Profits	350,000	350,000	-	
Targeted Streetsweeping	231,160	231,160	-	
Watershed Monitoring (Stream Gauges)	497,520	497,520	-	
BMP Monitoring in Special Protection Areas	177,000	265,000	88,000	Increased costs associated with the required monitoring of the BMP facilities in the County's Special Protection Areas
Misc. Stream Restoration Maintenance	160,020	177,454	17,434	Increase due to OBI's from Stream Valley Improvements CIP
Water Quality Planning & Monitoring	19,560	19,560	-	
MS4 Outreach and Education Programs	130,000	205,000	75,000	Increased budget related to two outreach programs: Anti-Littering Campaign (new) (\$50K) and continuation of the Pet Waste Program (\$25K) which are part of the Public Outreach and Stewardship Work Plan (POSWP) required by the County's federally mandated MS4 permit.
Grants for SHA Roads	447,000	-	(447,000)	Eliminate Homeowner Association Roads Credit due to the impact of Senate Bill 863.
Office of Sustainability - Tree Program	66,700	66,700	-	
Professional Services to support Bill 34-2	178,200	-	(178,200)	Re-allocation of budget to meet current program needs
Professional GIS Services	45,760	-	(45,760)	Re-allocation of budget to meet current program needs
Professional Services for MS4 Support (Drainage Area Delineation)	-	223,960	223,960	Re-allocation of budget to meet current program needs
SWM Database	62,880	79,320	16,440	Increase in the INFOR EAM annual support and maintenance contract fees
Contractual Administrative Support for MS4	21,250	21,250	-	
Lease Space for 255 Rockville Pike	643,837	658,460	14,623	Increased cost of existing space and security costs

5

Montgomery County, Maryland				
Water Quality Protection Fund (WQPF)				
WQPF Analysis of Budget Changes by Program FY16-17				
	FY16	FY17	Increase (Decrease)	Notes
General Operating Expenses (Phones, Supplies, etc)	101,346	92,431	(8,915)	
Motor Pool	219,138	239,266	20,128	FY17 motor pool adjustment provided by OMB
Capital Outlay	-	-	-	
Department of Finance				
Personnel Costs - Costs related to Bag Tax Collection	113,283	113,195	(88)	
Personnel Costs - Costs related to collection of WQPC	228,260	566,774	338,514	Increased budget due to an increase in the Finance Chargeback for Property Tax Billing from \$1 per account to \$2.70 per account.
Operating Costs - Costs related to collection of WQPC	43,770	185,419	141,649	
Department of Economic Development				
Personnel Costs - for Soil Conservation District	217,198	207,502	(9,696)	Miscellaneous personnel compensation adjustments
Operating Costs - for Soil Conservation District	109,344	115,549	6,205	Adjustment to partially offset decrease in PC chargeback from DED
Department of Transportation				
Personnel Costs - Storm Drain Maintenance	2,305,193	2,267,656	(37,537)	Miscellaneous personnel compensation adjustments
Operating Costs - Storm Drain Maintenance	1,341,205	1,747,982	406,777	Increased DOT chargeback to reflect historical cost of program
Operating Costs - Streetsweeping	350,000	350,000	-	
M-NCPPC				
M-NCPPC Water Quality Activities - Parks	2,739,782	2,817,413	77,631	Increase requested by MNCPPC
M-NCPPC Water Quality Activities - Planning	360,400	369,900	9,500	Increase requested by MNCPPC
	-	210,000	210,000	MOUs with Cities of Gaithersburg, Takoma Park and Rockville to defray the municipalities cost of providing stormwater control services to the County-owned property.
Stormwater Management Payments to Municipalities				
Subtotal - WQPF Operating Budget	23,273,827	25,281,110	2,007,283	
WQPF Cash Transferred to CIP				
DEP Capital Improvements Projects	11,250,000	7,696,000	(3,554,000)	
DOT Capital Improvements Projects	2,676,000	290,000	(2,386,000)	Beginning in FY16, DOT Storm Drain CIP projects (non-planning) will be funded with WQPC Bonds
Subtotal - WQPF Cash Transferred to CIP	13,926,000	7,986,000	(5,940,000)	
Total Use of WQPF Resources	\$ 37,199,827	\$ 33,267,110	\$ (3,932,717)	

Montgomery County, Maryland					
Water Quality Protection Fund (WQPF)					
WQPF Analysis of Budget Changes by Program FY16-17					
		FY16	FY17	Increase (Decrease)	Notes
	Transfer to Debt Service Fund	\$ 3,020,250	\$ 6,367,900	\$ 3,347,650	Required debt service costs for for WQPC Bonds Series 2012 & 2016

Department of Environmental Protection
 Summary of FY17 Changes to the WQPF

\$643,000	Operating Budget Impacts of Stormwater Management CIP Projects.	Provides for Operating Budget Impacts (OBI's) for completed CIP projects as indicated in the FY17-22 CE Recommended Capital Improvements Program.
480,163	Charges from the Dept of Finance for Property Tax Billing	Increase in the chargeback from the Department of Finance for the inclusion of the WQPC on the property tax bills from \$1 to \$2.70 per bill.
406,777	Charges from the Dept of Transportation for storm drains maintenance	DOT requested an increase in the storm drain maintenance chargeback to reflect the historical cost of the program.
362,000	Maintenance of New and Newly Transferred Stormwater Facilities	To provide for the mandatory maintenance of new stormwater management facilities and existing stormwater management facilities that transfer into the County's maintenance program.
210,000	Municipal Stormwater Fees	MOUs with Cities of Gaithersburg, Takoma Park and Rockville to defray the municipalities cost of providing stormwater control services to the County-owned property.
98,880	Stormwater Facility Inspection and Maintenance Tracking System	Provides funding for the IT services and maintenance support of an on-line inspection interface that is linked to the WQPC, as well as provide critical support to the inspection and maintenance databases and GIS data.
88,000	Post-Construction Monitoring of Best Management Practices (BMP) facilities within Special Protection Areas (SPA's)	To reflect estimated costs associated with the required monitoring of the BMP facilities in the County's Special Protection Areas (SPAs).
87,131	M-NCPPC Parks Dept SWMF Maintenance Program	To provide for the increase requested by M-NCPPC to cover staffing and other costs for the Parks department to meet the NPDES requirements.
75,000	Outreach and Education for MS4-related programs	Provides funding for a new Anti-Littering Campaign and the expansion of the Pet Waste Program.
16,440	Software licenses for InforEAM System	Increase in the INFOR EAM annual support and maintenance contract fees
(\$447,000)	Homeowner Association Roads Credit Phased Implementation	Reflects the removal of the Homeowner Association Roads Credit program due to the impact of Senate Bill 863.

CARRYOUT BAG TAX - MONTGOMERY COUNTY, MD

COLLECTION MONTH	AMOUNT (\$)	CUMULATIVE AMOUNT (\$)	NUMBER OF BAGS	CUMULATIVE NUMBER	REGISTERED RETAILERS
Jan-16	194,781	9,862,962	4,869,534	246,550,088	1,278
Dec-15	267,275	9,668,181	6,681,868	241,680,554	1,274
Nov-15	202,890	9,400,906	5,072,251	234,998,686	1,270
Oct-15	232,432	9,198,016	5,810,794	229,926,435	1,262
Sep-15	194,305	8,965,584	4,857,615	224,115,641	1,262
Aug-15	210,287	8,771,279	5,257,176	219,258,026	1,258
Jul-15	194,477	8,560,992	4,861,927	214,000,850	1,253
Jun-15	208,036	8,366,515	5,200,907	209,138,923	1,251
May-15	202,749	8,158,479	5,068,727	203,938,016	1,249
Apr-15	182,452	7,955,730	4,561,306	198,869,289	1,244
Mar-15	203,494	7,773,278	5,087,351	194,307,983	1,236
Feb-15	200,416	7,569,784	5,010,418	189,220,632	1,231
Jan-15	200,918	7,369,368	5,022,930	184,210,214	1,228
Dec-14	264,976	7,168,450	6,624,411	179,187,284	1,224
Nov-14	200,275	6,903,474	5,006,886	172,562,873	1,217
Oct-14	234,177	6,703,199	5,855,944	167,555,987	1,210
Sep-14	199,286	6,469,022	4,958,193	161,700,043	1,202
Aug-14	210,782	6,269,736	5,269,627	156,741,850	1,191
Jul-14	192,245	6,058,954	4,806,133	151,472,223	1,188
Jun-14	200,851	5,866,709	5,019,585	146,666,090	1,185
May-14	195,170	5,665,858	4,879,250	141,646,505	1,175
Apr-14	180,477	5,470,688	4,511,925	136,767,255	1,168
Mar-14	196,878	5,290,211	4,921,944	132,255,330	1,165
Feb-14	181,601	5,093,333	4,540,034	127,333,386	1,160
Jan-14	198,629	4,911,732	4,965,737	122,793,352	1,149
Dec-13	253,646	4,713,103	6,341,153	117,827,615	1,141
Nov-13	197,733	4,459,457	4,943,337	111,486,462	1,136
Oct-13	230,424	4,261,724	5,760,612	106,543,125	1,131
Sep-13	189,683	4,031,300	4,742,076	100,782,513	1,121
Aug-13	198,135	3,841,617	4,953,366	96,040,437	1,119
Jul-13	190,884	3,643,482	4,772,108	91,087,071	1,108
Jun-13	194,820	3,452,598	4,870,489	86,314,963	1,100
May-13	185,391	3,257,778	4,634,769	81,444,474	1,088
Apr-13	188,642	3,072,387	4,716,045	76,809,705	1,070
Mar-13	198,525	2,883,745	4,963,121	72,093,660	1,058
Feb-13	178,704	2,685,220	4,467,597	67,130,539	1,044
Jan-13	194,325	2,506,516	4,858,125	62,662,942	1,032
Dec-12	251,210	2,312,191	6,280,256	57,804,817	1,011
Nov-12	189,073	2,060,981	4,726,818	51,524,561	979
Oct-12	238,753	1,871,908	5,968,827	46,797,743	954
Sep-12	191,964	1,633,155	4,799,107	40,828,916	942
Aug-12	190,660	1,441,191	4,766,505	36,029,809	928
Jul-12	184,843	1,250,531	4,621,087	31,263,304	910
Jun-12	197,587	1,065,688	4,939,678	26,642,217	891
May-12	181,195	868,101	4,529,868	21,702,539	851
Apr-12	175,626	686,906	4,390,652	17,172,671	803
Mar-12	175,224	511,280	4,380,605	12,782,019	746
Feb-12	171,758	336,056	4,293,952	8,401,414	666
Jan-12	164,298		4,107,462		548

Revenue
1,496,447 7/15-1/16
2,565,338 annualized for FY16

retailer increase
1,253 Jul-15
1,278 Jan-16
25 2.0%

SOURCE:

Montgomery County Department of Finance, Division of Treasury

NOTE:

Collections are received in the subsequent month. For example, April 2013 collections which represent carryout bags distributed that month are received in the month of May 2013. Also, for some smaller retailers, payment may represent a reporting period that covers several months.

Monthly data may be revised as new information is received (data above shows the latest information). In some cases, retailers make corrections in subsequent month pertaining to a prior period(s).

Amounts are shown rounded to whole dollars.

Retailers may file as corporate entity (i.e., not by store location), may file using consolidated return (i.e., multiple store locations in the County), and may file from out-of-state. Therefore, the County does not have data on collections or number of bags by store location.

TO: Montgomery County Council
FROM: Safe Grow Montgomery (testimony given by Jennifer Quinn)
RE: FY2017 Operating Budget - Support Funds to Implement Bill 52-14
DATE: April 6, 2016

My name is Jennifer Quinn. I am testifying on behalf of Safe Grow Montgomery, the coalition of over 50 organizations and businesses that supported the Healthy Lawns Act passed last October by this Council.

We request funding for the implementation of the new lawn pesticide law for the Department of Environmental Protection (DEP) and the Parks Department. The law goes into effect for County property this July, and for private property at the start of 2018.

The law mandates an outreach and education campaign with specific components, such as multiple language translations, informational mailers, PSAs, posters, brochures, internet and web-based resources. The Executive-recommended budget includes funds to hire an employee to coordinate the implementation of the Healthy Lawns Act, but not additional funds to cover the required components of the outreach and education campaign.

The cost of the proposed new hire (\$50,119) constitutes only a fraction of a percent of the Department's recommended FY2017 budget (.18%) and less than 7% of the recommended increase in the category of Environmental Policy & Compliance.

As you know, the goal of the Healthy Lawns Act is to reduce the non-essential use of, and exposure to toxic lawn pesticides. If implemented well, the law will protect many children, adults and pets from repeated toxic exposures and will reduce the amount of pesticides that end up in the streams that feed our drinking water supply.

The law's effectiveness is dependent on community outreach and education about the law itself and about pesticide-free methods of lawn care, in addition to processes to administer the law, and signage for posting by retailers and eventually by property owners.

A thorough implementation by the DEP in the early years of the Healthy Lawns Act will result in better compliance and lower future costs related to education and outreach, but that requires designated funds in the FY2017 budget to cover education and outreach.

The Executive-recommended budget includes an increase of 3.2% for the Parks Department Operating Budget, but it does not appear that any funds are specifically designated to implement components of the Pesticide-free Parks program (even measures the Parks Department suggested by letter and testimony it should undertake). But the Parks Department's ability to fully implement the County's pesticide reduction policy and the Pesticide-free Parks program is subject to appropriations.

We urge the County Council to empower the Department of Environmental Protection and the Parks Department in order to achieve this Council's intent in passing the Healthy Lawns Act. Please help translate your responsive and protective legislation into real change on the ground by ensuring the inclusion of, and approval of designated funds. This will be money well spent, protecting children, yielding healthier communities, cleaner water and new green business opportunities in Montgomery County.