

BALTIMORE COUNTY  
FISCAL YEAR 2014 RECOMMENDED BUDGET

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND SUSTAINABILITY (042)**

<b>BUDGET SUMMARY</b>
\$ in Thousands

PROPOSED CHANGE	GENERAL	SPECIAL	TOTAL	% Change Prior Year
FY 2013 - 2014 Change	\$ 160.2	\$ 2,418.2	\$ 2,578.4	45.5%
<b>Recommended Reduction</b>	<b>-</b>	<b>-</b>	<b>-</b>	
 BUDGET TRENDS				
FY 2012 Actual	\$ 5,759.0	\$ 641.9 <sup>(1)</sup>	\$ 6,400.9	
FY 2013 Approp.	4,952.4	719.3	5,671.7	-11.4%
FY 2014 Request	5,112.6	3,137.5	8,250.1	45.5%
<b>Recommended</b>	<b>\$ 5,112.6</b>	<b>\$ 3,137.5</b>	<b>\$ 8,250.1</b>	<b>45.5%</b>

<sup>(1)</sup> Reflects audited expenditures of \$63,380 greater than the amount reflected in the Executive's Budget documents.

<b>PERSONNEL</b>
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PROPOSED CHANGE	GENERAL		SPECIAL	
	FULL-TIME	PART-TIME	FULL-TIME	PART-TIME
FY 2013 - 2014 Change	0	0	15	3
<b>Recommended Reduction</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
 BUDGET TRENDS				
FY 2012 Actual	78	5	0	6
FY 2013 Approp.	69	4	0	6
FY 2014 Request	69	4	15	9
<b>Recommended</b>	<b>69</b>	<b>4</b>	<b>15</b>	<b>9</b>
 VACANCY DATA				
Total positions vacant as of April 26, 2013*	1	2	0	0

\* Provided by the Office of Budget & Finance

For further information contact: Office of the County Auditor

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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**BUDGET SUMMARY:**

The proposed FY 2014 budget for the Department of Environmental Protection and Sustainability (EPS) totals \$8.3 million, an increase of \$2.6 million, or 45.5%, from the FY 2013 budget. The General Fund portion of the budget increases by \$161 thousand, or 3.2%, due primarily to personnel costs. The Special Fund portion of the budget increases by \$2.4 million, or 336.3%, due to personnel and contractor costs associated with administering the newly created Stormwater Remediation Program in FY 2014. **See Exhibit 1 for additional detail.**

<b>Exhibit 1</b>			
<b>FY 2014 Proposed Budget (\$ in 000's)</b>			
<b>How Much it Grows:</b>	<u>General Fund</u>	<u>Special Fund</u>	<u>Total</u>
2013 Appropriation	\$ 4,952	\$ 719	\$ 5,671
2014 Request	<u>5,113</u>	<u>3,137</u>	<u>8,250</u>
\$ Increase	\$ 161	\$ 2,418	\$ 2,579
% Increase	3.2%	336.3%	45.5%
<b>Where it Goes:</b>			
General Fund:			
Personnel Expenses:			
Increments and other salary adjustments.....			\$117
Turnover (3.3% to 3.0%).....			12
Overtime.....			(3)
Operating Expenses:			
Service Contracts.....			14
Motor Pool-Trucks .....			9
Professional Services.....			5
Waste Disposal.....			3
Educational Assistance.....			3
Other Changes.....			1
Special Funds:			
Stormwater Remediation Program:			
Personnel Expenses:			
18 positions (15 full-time and 3 part-time).....			978
Other personnel-related expenses.....			339
Operating Expenses:			
Professional Services .....			1,240
Stormwater Management Facilities Inspection Program.....			(11)
Community Reforestation Program.....			(128)
Total.....			2,579

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**SUMMARY OF RECOMMENDED BUDGET REDUCTIONS**

No recommended reductions.

**SIGNIFICANT PROGRAM/POLICY INITIATIVES AND/OR CHANGES:**

1. Stormwater Remediation \$23.4 million  
Pursuant to a state mandate (House Bill 987), on April 15, 2013, the Council approved Bill 20-13, which authorizes the assessment of a stormwater remediation fee for owners of properties within the County that have impervious surfaces. Fees are effective July 1, 2013 and are charged as follows: single-family detached (\$39), single-family attached (\$21), non-residential, institutional (\$20 per ERU (equivalent residential unit = 2,000 square feet of impervious surface)), and non-residential, non-institutional (\$69 per ERU). Fees collected are to be deposited into the Stormwater Management Fund and cannot revert or be transferred to the County's General Fund.

The Department advised that the fees will expand existing programs and accelerate the pace of restoration to achieve the Environmental Protection Agency's Total Maximum Daily Load (TMDL) limits on nitrogen, phosphorous, and sediment runoff into the Chesapeake Bay by 2017 (interim target) and 2025 (final target) as outlined in the County's Phase II Watershed Implementation Plan (WIP), which was published in July 2012. The fees will assist the County in meeting the requirements of the NPDES-MS4 (National Pollutant Discharge Elimination System - Municipal Separate Storm Sewer System) permit, which is expected to be renewed in FY 2014 and will include watershed planning, monitoring, and inspection and maintenance of the stormwater infrastructure (see issue 2 for further discussion).

The Department estimates operational and consolidated public improvement funding of \$23.4 million will be required to meet the TMDL and NPDES-MS4 requirements.<sup>1</sup> This funding will be split between 6 capital projects and 1 General Fund program (see Exhibit A) and will include:

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<sup>1</sup> An additional \$10 million of Metropolitan District Capital Funds have been identified for water quality improvement projects to meet a total funding requirement of \$33.4 million.

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restoration projects (stream restoration, stormwater retrofits, shoreline erosion control, urban canopy tree planting, and reforestation; street sweeping; storm drain cleaning; watershed planning; education and outreach; and infrastructure maintenance).

<u>Exhibit A</u>	FY 2014 Total Stormwater Fee	% FY 2014 Total Stormwater Fee
<b>Capital - Waterway Improvement Fund</b>		
Stormwater - Restoration and Retrofit	\$ 5,377,450	22.98%
Stormwater - Planning and Monitoring	371,472	1.59%
Stormwater - Sustainability	666,700	2.85%
<b>Capital - Storm Drains</b>		
Stormwater - MS-4 Requirements	6,000,000	25.64%
Stormwater - TMDL Reduction	5,427,362	23.19%
<b>Capital - Streets and Highways</b>		
Stormwater - Street Sweeping	3,000,000	12.82%
	20,842,984	
<b>General - Stormwater Remediation Program</b>		
Stormwater Remediation Program	2,557,566	10.93%
 Total Stormwater Fee	\$ 23,400,550	

The proposed FY 2014 budget includes funding for 18 positions (3 full-time Natural Resource Specialist III, 12 full-time Natural Resource Specialist II, and 3 part-time Engineering Associate III). The Department advised that 2 of the 3 Natural Resource Specialist IIIs will manage teams of natural resource specialists and engineers responsible for project management of capital funds to be used for stormwater remediation, including stormwater restoration, shoreline stabilization, stormwater facility retrofits and conversions, and other water quality projects while the third Natural Resource Specialist III will manage the supervisory functions of implementing and planning the County's WIP and ensuring reporting requirements to the Maryland Department of the Environment (MDE) are met. Eleven of the twelve Natural Resource Specialist IIs will be managing on-call consultants who will be performing engineering and construction for stormwater remediation projects to address the requirements identified in the WIP. The twelfth Natural Resource Specialist II will be providing educational and community outreach as required

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by state law. The 3 Engineering Associates will supplement two existing inspectors (and their supervisor) and will be responsible for inspecting each of the County's 1,785 private stormwater facilities every three years (and if time permits, some public stormwater facilities) as required by state law and the NPDES-MS4 permit.

The Department also advised that it will use on-call contractors to inspect the County's 1,158 publicly-owned stormwater facilities (\$540,000) as required by the NPDES-MS4 permit and to supplement the Reforestation Program (\$700,000).

***The Department should be prepared to discuss:***

- ***The number of impervious acres that can be restored using FY 2014 funding and how that amount relates to the permit's 20% requirement;***
- ***Any foreseen challenges with hiring the necessary staff, securing the necessary contracts, and otherwise implementing the projects funded by the stormwater remediation fee; and***
- ***Its plan for meeting interim and final deadlines and updating the Council on important related issues.***

### **OTHER ISSUES:**

#### **2. Clean Water Act Compliance Costs**

In March 2012, Maryland submitted its final Phase II WIP to the EPA, which outlined the local jurisdictions' plans for meeting the EPA's TMDL targets. Following that submission, the County was provided three months to continue to develop new or enhance its local strategies, until it submitted its Phase II WIP to the MDE in July 2012, which was subsequently incorporated into MDE's October 2012 Final Maryland Phase II WIP.

The Department advised that the first two-year interim milestones for FY 2012 and FY 2013 noted in the WIP were not and could not be achieved because the TMDL milestones were identified late in 2012 and sufficient funding was unavailable. As previously noted, the

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Department also advised that it expects it can achieve the interim 2017 and 2025 final targets with the establishment of the stormwater remediation fee.

Furthermore, the County expects to receive the NPDES-MS4 permit in early FY 2014 from MDE and when reissued, the permit will require the County to develop TMDL implementation plans for each of its 27 EPA-approved TMDLs and future TMDLs for local tributaries and reservoirs within one year of receiving EPA approval. The Department advised that it is currently unable to estimate whether additional funding will be required to cover the cost of compliance with the NPDES-MS4 permit because the Department has yet to develop implementation plans for the currently EPA-approved TMDLs or the future TMDLs that will need to be approved. The Department advised that there are civil and criminal penalties outlined in the NPDES-MS4 permit for noncompliance and the EPA could potentially withhold grant funding if the County does not make adequate progress toward meeting the requirements of the permit.

### ***The Department should be prepared to discuss:***

- ***A timeframe for developing the 27 EPA-approved TMDL implementation plans in order to provide an estimated cost; and***
- ***Its plans to update the Council on important related issues, especially as they concern potential increases in stormwater remediation fees.***

### 3. Current Watershed Restoration Projects

The Department advised that it is currently working on 22 stream restoration projects, 14 water quality retrofit projects, and 1 shoreline enhancement project. Additionally, the Department has identified the following upcoming projects: White Marsh Run, Lower Minebank, Lower Gunpowder, Scotts Level Branch, Roland Run, Herring Run, and Towson Run Stream Restorations. Included in the proposed FY 2014 capital budget is \$16.4 million for watershed restoration projects, consisting of: \$7.2 million in State aid, \$6.4 million in stormwater remediation fees, \$1.3 million in General Obligation Bonds, \$1.1 million in stormwater waiver fees, and \$400,000 in reforestation fees (fees collected from developers in lieu of mitigation on certain project sites). The FY 2014 capital budget will be allocated to the following projects:

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Loch Raven (\$600,000), Bird River (\$1 million), Lower Gunpowder Falls (\$2.5 million), Middle River (\$100,000), Patapsco (\$300,000), Gwynn Falls (\$1.8 million), Jones Falls (\$275,000), Back River (\$900,000), and \$8.9 million to be spent throughout the rest of the County.

In order to plan its watershed restoration projects, the Department creates Small Watershed Action Plans (SWAPs) in cooperation with community stakeholders. These SWAPs develop and implement practices that will improve water quality in watersheds throughout the County. The Department advised that two SWAPs were completed in FY 2013 - Bear Creek/Old Road Bay and Northeastern Jones Falls for a total cost of \$149,000 (\$35,000 grant funded). Five more SWAPs are planned to be completed in FY 2014, including Middle Gwynns Falls, Northeastern Loch Raven Reservoir, Bird River, Scotts Level Branch, and Southeastern Loch Raven Reservoir for a total cost of \$515,000 (\$30,000 grant funded). The Department also plans to initiate three more SWAPs in FY 2014, including Rural Jones Falls, Urban Lower Gunpowder Falls, and Little Falls, at a total cost of \$303,000.

Furthermore, to supplement the Department's efforts, on April 1, 2013 the Council approved an \$88,100 grant to Back River Restoration Committee, Inc. to clean, maintain, and repair a trash boom on the Back River, which will contribute to the County Executive's goal of a trash-free Back River by 2020. Throughout FY 2013, the County also provided \$240,000 in grant funding to various watershed associations for restoration projects, plantings, and citizen education and outreach.

***The Department should be prepared to discuss:***

- ***The status of current stream restoration, water quality retrofit, and shoreline enhancement projects;***
- ***How it prioritizes its watershed restoration projects; and***
- ***How funding from the stormwater remediation fee will impact plans for future projects.***

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### 4. Forestation

On April 25, 2013, the County Executive unveiled goals to enhance tree cover in all areas of the County, specifically targeting sensitive watershed areas and locations determined to have a tree canopy deficiency. The goals, which will improve water quality (helping to achieve TMDL milestones and the requirements of the NPDES-MS4 permit) and forest sustainability, are to achieve and maintain a 50% tree canopy Countywide and within the three drinking water reservoirs (Loch Raven, Pretty Boy, and Liberty) and a 40% tree coverage within the more populated areas inside the Urban Rural Demarcation Line by 2025.

The Department advised that its forest sustainability initiatives include the recent planting of 957 trees at various County government buildings to improve air/water quality and shade in order to reduce energy consumption (grants from the Energy Efficiency and Conservation Block Grant were used - see issue 5 for further discussion), the Big Tree Sale where the County sells large native shade trees grown in its nurseries to residents, and the review and approval of planting plans submitted by citizen environmental organizations. The Department also conducts forest health assessments and prepares forest management plans. To this end, on December 3, 2012, the Council approved Bill 70-12 for a supplemental appropriation of \$25,000 in state funds to the Environmental Management Capital Project to fund one forest health assessment and the preparation of multiple individual forest management plans for forest landowners in northern Baltimore County to help improve the health of local streams, rivers, and the Chesapeake Bay.

#### ***The Department should be prepared to discuss:***

- ***How it identifies areas with tree canopy deficiencies;***
- ***How costs to maintain an increased number of trees at government buildings will be covered; and***
- ***The estimated cost and net proceeds received from the most recent Big Tree Sale.***

### 5. Energy Efficiency

In FY 2010 and FY 2011, the Council appropriated a total of \$7.4 million in federal stimulus funds to the Energy Efficiency and Conservation Block Grant program. The County is using this

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funding to complete a variety of projects focused on increasing energy efficiency throughout the County prior to the grant's expiration. The original expiration of the grant was December 21, 2012, but the grantor permitted recipients to file a 6-month extension to June 20, 2013. The completed projects, including costs are as follows:

- \$600,000 for the replacement of outdated energy systems in County government buildings (e.g., senior centers, police stations) that do not integrate with digital controls;
- \$540,000 for the performance of energy audits on 14 County government buildings and 9 local businesses.
  - The Department estimates total potential annual savings of \$1.8 million assuming the County and businesses make each of the \$27.7 million suggested energy conservation measures.
    - During 2012 and 2013, the County proceeded with three projects; two at the County Office Building (replacement of boilers and elevators) with a total cost of \$1.2 million and potential annual savings of \$54,000; and one at the Historic Courthouse (replacement of a chiller) with a total cost of \$145,000 and potential annual savings of \$10,000;
- \$500,000 for tree plantings at County-owned buildings, including schools, in order to reduce energy usage;
- \$225,000 for a "Green Teams" contract with Regional Manufacturing Institute (RMI), who worked with local manufacturing firms to create energy conservation strategies and awareness;
- \$150,000 for relighting of the Towson parking garages managed by the Baltimore County Revenue Authority;
- \$100,000 grant to the University of Maryland, Baltimore County for window replacement and other energy upgrades to the Clean Energy Incubator Center;
- \$15,000 for the purchase of green cleaning supplies for use at various Baltimore County locations; and
- \$7,000 for a contract with EnerNoc Energy Services to set-up an online database for tracking County utility bills.

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The Department also estimates a total cost of \$4.9 million to redesign and retrofit 18 government buildings and 4 public rental units based on the energy audits. To date, 16 of the government buildings have been retrofitted, the 4 public rental units are complete, and the Department expects the 2 remaining government building retrofits to be completed by June 2013. Several planned programs or projects were eliminated in favor of redirecting funding to energy retrofits for the government buildings. These programs/projects include:

- Development of energy conservation elements for the Youth Job Corps program;
- Loans for businesses receiving energy audits to help them implement the recommended energy conservation improvements;
- Development of a “green neighborhoods” community-based energy conservation initiative; and
- The use of photocells and other energy efficient options for outdoor lighting in public spaces around government buildings.

The Department advised that it also spent approximately \$330,000 on administrative costs (e.g., supplies, printing, bid costs, etc.) necessary to perform the above projects. As of April 2013, the Department has expended \$7.36 million of the \$7.4 million Energy Efficiency and Conservation Block Grant funding and plans to expend the remaining funds by June 2013.

### ***The Department should be prepared to discuss:***

- ***Specific planned projects resulting from the energy audits, the extent to which the FY 2014 budget incorporates funding for such improvements, and the anticipated savings due to such improvements;***
- ***Challenges experienced with spending grant funds; and***
- ***Whether it is actively pursuing additional energy efficiency grants.***

### 6. Information Technology Initiative

The Department has worked with the Office of Information Technology (OIT) to identify technology initiatives to improve its operations and services. The Chesapeake Bay Critical Area GIS Mapping Database at a cost of \$196,591, is a large-scale, enterprise geo-database that is

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“legally authoritative,” compiled from original source material for the Chesapeake Bay Critical Area Program and includes mapped boundaries for the Chesapeake Bay Critical Area and land use categories, buffer management areas, and tidal wetlands. The goal of this project is to replace antiquated paper maps in addition to improving the accuracy and efficiency of responding to Critical Area issues, resulting in an estimated annual savings of \$102,360. The Department advised that two public meetings were held in 2012 to solicit citizen feedback, and that this initiative is nearly complete with plans to present the finalized maps to the Council for adoption in summer 2013.

***The Department should be prepared to discuss:***

- ***Feedback received from citizens at the two public meetings; and***
- ***Any additional technology projects it is considering.***

7. Land Preservation

The Department advised that since 1981, it has preserved approximately 62,000 acres of agricultural and rural land, or 78% of the 80,000-acre goal stated in the 2020 Master Plan. While progress has slowed in the past 3 years due primarily to state funding reductions, 602 acres were preserved across all programs in FY 2012. Recent acquisitions in FY 2013 include 7 easements (588 acres for \$4.7 million) using County funds (i.e., General Funds (PAYGO) and General Obligation Bonds).

The Department further advised that it plans to make another four offers during the spring/summer of FY 2013. The total acreage for these locations is 178 and is estimated to cost \$633,313.

***The Administration should be prepared to discuss:***

- ***Whether there are any significant projects that have been placed on hold and why; and***
- ***How land preservation goals are weighed against other goals and priorities (e.g. roads, etc.).***

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APPROPRIATION DETAIL					
	FY 2012	FY 2013	FY 2014	NET CHANGE	
	ACTUAL	APPROP	REQUEST	AMOUNT	%
<u>General Fund</u>					
4201 Administration & Oper.	\$5,758,999	\$4,952,413	\$5,112,590	\$ 160,177	3.2%
<u>Special Fund</u>					
4203 Stormwater Remediation Program	-	-	\$2,557,566	\$2,557,566	NA
424226 Growing Home Campaign	\$27,087	-	-	-	NA
421321 Community Reforestation Program	346,263	417,075	288,660	(128,415)	-30.8%
421322 SWM Facilities Inspection Program	268,531	302,179	291,322	(10,857)	-3.6%
Special Fund Total	\$641,881 <sup>(A)</sup>	\$719,254	\$3,137,548	2,418,294	336.2%
Total All Funds	<u>\$ 6,400,880</u>	<u>\$ 5,671,667</u>	<u>\$ 8,250,138</u>	<u>\$ 2,578,471</u>	<u>45.5%</u>

<sup>(A)</sup> Reflects audited expenditures of \$63,380 greater than the amount reflected in the Executive's Budget documents.

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PERSONNEL DETAIL									
	FY 2012 ACTUAL		FY 2013 APPROP		FY 2014 REQUEST		NET CHANGE		
	FULL	PART	FULL	PART	FULL	PART	FULL	PART	
<u>General Fund</u>									
4201 Administration & Oper.	78	5	69	4	69	4	0	0	
<u>Special Fund</u>									
4203 Stormwater Remediation Program	0	0	0	0	15	3	15	3	
424226 Growing Home Campaign	0	0	0	0	0	0	0	0	
421321 Community Reforestation Program	0	4	0	4	0	4	0	0	
421322 SWM Facilities Inspection Program	<u>0</u>	<u>2</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>0</u>	
Special Fund Total	<u>0</u>	<u>6</u>	<u>0</u>	<u>6</u>	<u>15</u>	<u>9</u>	<u>15</u>	<u>3</u>	
Total All Funds	<u>78</u>	<u>11</u>	<u>69</u>	<u>10</u>	<u>84</u>	<u>13</u>	<u>15</u>	<u>3</u>	