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County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF MANAGEMENT AND BUDGET

November 10, 2022

MEMORANDUM

TO: Turkessa Green, County Auditor
Office of Audits and Investigations

THRU: Stanley A. Earley, Director *SAE*
Office of Management and Budget

FROM: Andrea L. Crooms, Director
Department of the Environment

RE: FY 2023 Operating/Program Review Questions – Department of the Environment

In an effort to facilitate an efficient and effective budget review and reporting process, we are submitting a separate request for operational and programmatic information. Please respond to the questions and complete any tables with the applicable data. In some cases, we have populated the tables with available known data. In instances where the tables need to be re-sized or modified to accommodate additional information, please feel free to do so. Please note, some of these questions were previously embedded in the overall first round budget question document. We are working to streamline that process and highlight the agency's operations outside of the routine budget process.

SOLID WASTE MANAGEMENT

GOAL 2 – To provide residential waste recovery
Objective 2.1 – Increase the residential recycling rate

1. Even in consideration of the May 1, 2022, increase in tipping fees at the Landfill to \$70/ton, given the uptick in inflation, with costs for materials, supplies, labor, and benefits increasing for the County, is the Department considering an additional increase in FY 2023?

At this time, no additional increases are being considered.

Wayne K. Curry Administration Building, 1301 McCormick Drive, Largo, MD 20774
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2. Please summarize progress of the enhanced curbside bulky trash pick-up that was implemented by the Department earlier this year. Has this program, to date, met the goals and objectives the Department expected to achieve by its implementation?

Yes. The addition of bulk trash collections via the Curbside Collection Program, has eliminated wait times of up to 6-8 weeks for an appointment for residents; and it has also allotted residents the ability to clear bulk waste from their homes on a weekly basis without the need for an appointment.

3. In March of 2022, Area C of the landfill and ancillary projects was identified as a critical path. Please provide any updates on the progress of these projects.

Currently, Area C is slated to open in January 2025. Additional critical path projects such as various operational lot relocations and the scalehouse upgrades are scheduled to be completed by June 2023.

4. How many 3-1-1 calls has the Department received so far in FY (2023) as it relates to the Solid Waste Management funded activities, and what are the most common issues?

From 2/2022 - 9/2022 – the department received the following reports. The most significant issue regarding 311 is the development team’s failure to produce a product that meets agency needs, use of the new 311 has significantly impeded customer service.

Type of Inquiry	Record Count
General Question: Bulky Trash - General Items, Bags and Boxes	927
Request for Scheduled Pickup- Bulky Trash - Large Appliances (White Goods)	5,008
Request for Scheduled Pickup- Bulky Trash – Tires	860
Complaint: Missed Collection and Other Collection Issues	19,864
Request for On-Premise Collection Assistance for Elderly and Disabled Residents	269
Request for Trash and Recycling Container	5,326
Total	32,254

5. Were there any unanticipated operational or fiscal impact that arose out of the Maryland General Assembly session that were not reported in March 2022?

Climate Solutions Now Act of 2022. bill sets the most ambitious short-term greenhouse gas (GHG) emissions reduction goal in the nation, at 60 percent by 2031, as well as a net-zero emissions target by 2045. Among its many provisions, this legislation creates new energy performance standards that require larger buildings to become all electric, provides resources to finance new clean-energy strategies, and	TBD- Substantial cost increase, TBD- substantial increase in grant funds availability
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<p>establishes zero-emission vehicle requirements for the State fleet while also creating an electric school bus pilot program to include new partnerships between the electric companies and school districts. The law also includes specific definitions of overburdened and underserved communities and requires specific funding be allocated to communities disproportionately affected by climate impacts.</p>	
<p>Community Solar Energy Generating Systems – Exemption from Property Taxes. This bill exempts certain community solar energy projects from personal property taxes and aims to provide greater access to solar energy to low- and moderate-income communities. Examples of eligible community solar projects include projects on rooftops, parking garages, and brownfields. These property tax exemptions are established if a community system provides more than 50 percent of the energy it generates to low- and moderate-income level households at a cost that is at least 20 percent less than the amount charged by the electric company.</p>	<p>TBD- Revenue Loss?</p>
<p>Maryland Energy Administration – Resiliency Hub Grant Program and Fund. Establishing the Resiliency Hub Grant Program serves Maryland’s low-to-moderate income residents by providing clean, reliable, and affordable energy during power outages at no cost to them. Resiliency Hubs use solar photovoltaic and stored battery energy to provide electricity during the outage.</p>	<p>TBD- positive impact/ funds availability</p>
<p>Public Utilities - Electric School Bus Pilot Program. This bill creates an electric school bus pilot program, which establishes a partnership between electric companies and school districts. Electric companies can apply to implement an electric school bus program in a participating school district, which in turn would allow the company to use excess storage from the bus batteries and recover certain costs. This program will help school districts obtain electric school buses and protect the health of our children and communities</p>	<p>TBD- PGCPs</p>
<p>Environment - Permit Applications - Environmental Justice Screening. This legislation requires the applicant for certain types of permits from the Maryland Department of the Environment (MDE) to include the Environmental Justice (EJ) Score for the census tract where the applicant is seeking the permit. The EJ Score, which includes pollution burden, exposure and environmental impacts, sensitive populations, and socioeconomic factors, will be verified by MDE as part of the application process and be included in public notice about the permit application.</p>	<p>Negligible cost, significant positive impact for County as we have a substantial percentage of state’s overburdened population</p>
<p>Environment and Energy - Investment in Overburdened Communities. This bill requires investment in historically disenfranchised communities by allocating at least 40 percent of mitigation funds from select programs to areas that are both overburdened by environmental pollution and low-income. NOTE: <i>bill did not receive a vote, but language from the bill was included in the State Budget for 2022-23.</i></p>	<p>Negligible cost, significant positive impact for County as we have a substantial percentage of state’s overburdened population</p>
<p>Environment - Discharge Permits - Inspections and Administrative Continuations (Zombie Permits). This bill aims to improve Maryland Department of the Environment (MDE) monitoring and enforcement of water discharge permits, including clearing a backlog of expired water pollution control permits. MDE must also report staffing needs to the Governor and General Assembly to avoid future permitting backlogs. This legislation requires MDE to inspect facilities monthly if they are found to be significantly noncompliant. It improves inspection transparency, requiring MDE to maintain a list of noncompliant permit-holders on its website.</p>	<p>Positive impact-reduces local burden.</p>
<p>Conservation Finance Act. This bill expands opportunities for private financing for Maryland’s climate, water quality, and other sustainability, and environmental justice. The Act embeds environmental outcomes into the state procurement code. It defines both green infrastructure and blue infrastructure (such as oyster reefs and seagrass beds), therefore allowing traditional infrastructure financing to be utilized for these services.</p>	<p>TBD- positive impact/ funds availability</p>

<p>George “Walter” Taylor Act (PFAS). This legislation limits the use of hazardous PFAS chemicals in consumer products and fire-fighting foam. These PFAS chemicals are synthetic chemical compounds that can cause immense damage to individuals and the environment due to their toxic and persistent nature.</p>	<p>Positive outcome future abatement cost redux, regulatory burden TBD</p>
<p>Clean Cars- Establishing the Medium-Duty and Heavy-Duty Zero-Emission Vehicle Grant Program for certain vehicles and equipment to be administered by the Maryland Energy Administration; altering, for certain fiscal years, the vehicle excise tax credit for the purchase of certain electric vehicles; decreasing, from \$63,000 to \$50,000, for purposes of the electric vehicle excise tax credit, the limitation on the maximum base purchase price of certain electric vehicles; reducing the vehicle excise tax credit for certain electric drive vehicles; etc.</p>	<p>TBD- positive impact/funds availability</p>
<p>Public Participation Modernization Act- Authorizing the Department of the Environment to hold certain public meetings and hearings regarding certain licensing, permitting, and regulatory responsibilities using teleconference or Internet-based conferencing technology under certain circumstances; requiring that certain hearings regarding sewage sludge permits be held in accordance with provisions of law regarding public participation rather than with the Administrative Procedure Act</p>	<p>Reduction in cost of hosting meeting w/MDE as can be virtual</p>
<p>MEA Efficiency Standards- Altering the application of certain testing, certification, and enforcement requirements for certain efficiency standards; requiring the Maryland Energy Administration to review certain efficiency standards on or before January 1, 2023; prohibiting the sale, offering for sale, and installation of certain products in the State under certain circumstances beginning on a certain date; requiring the Administration to adopt regulations on efficiency standards for certain products on or before January 1, 2023</p>	<p>regulatory burden TBD</p>

- In the Spring of 2022, it was reported that the Resource Recovery Division is working on updating the Resource Recovery Master Plan. Please provide an update on the status of the plan.

The Resource Recovery Master Plan is a living document; and the Division has been making updates to the Plan over the past year. Once all updates are incorporated by the Division, the Plan will be forwarded to the DoE Director for approval and appropriate transmission.

The first draft due to MDE by 6/1/2023, and the final draft is due to MDE by 1/15/2024.

- Please summarize any progress made with ongoing long-term imbalances between expenditures and revenues within the stormwater fund.

The Division continues to review various ways of improving the imbalance between expenditures and revenues.

GOAL 3 – To enhance the quality of life in the natural environment
 Objective 3.1 – Reduce the amount of litter in the County

8. Litter and Illegal Dumping Taskforce – Please highlight the achievements of the taskforce since March 2022.

The Litter and Illegal Dumping Taskforce has not met since March 2022 as per directive of CAO Jackson.

9. Currently, there are 95 solar trash/recycling stations with an additional 30 stations anticipated this fiscal year. Is the tonnage of trash being tracked for these receptacles, if so, what is the amount for FY 2022? Additionally, describe who is responsible for maintenance and what the cost.

Below is the amount of trash and recycling collected in BigBelly's in calendar year 2021 in gallons. Per contract with Community Bridge (DPWT managed), the stations have trash removed on an as needed based per email notification of fullness (notifications are sent at 60, 80, 100% fullness to designated personal). Each time a station requires servicing, the contract is billed \$500.00 however more clarity can be provided by Michael O. Brown of DPWT.

January 1, 2021, to December 31, 2021

Total: 28,498lbs or 14.25 tons

Trash: 16,530 or 8.27 tons

Recycling*: 11,968 or 5.98 tons

10. Please provide the status of the Federal Community Fund Grant for covert and mobile cameras, and for the request for additional dumpsters. Has the Department installed any new cameras for illegal dumping within the past two quarters?

As of June 2022, DoE has submitted required grant documents to the Department of Justice. RFP will be issued when federal funds received.

Objective 3.2 – Increase tree planting in schools and communities

11. Please summarize any expenditures of the Wood Conservation Fund within the past two quarters.

DoE's primary expenditures against the Woodland Conservation Fund is to complete the Tree App (Resilience App) which will allow GIS tracking of trees installed through DoE tree planting programs, tree canopy study for the Climate Action Commission for the drafting of the Climate Action Plan. Additionally, the Woodland Conservation Fund was utilized to plant 186 trees through the Arbor Day Every Day and ReLeaf programs from January of 2022-June of 2022. Starting mid FY 2023,

the Woodland Conservation Fund will be utilized as a match for planting 2,000 native trees sized at 1 ½-2 ½ Cal. via DoE's Urban Tree Grant program. The trees will be planted at no-to low cost in urban, underserved communities as defined in Sec 8-1911 of the Natural Resources Article of the Annotated Code of Maryland.

Woodland Conservation Expenditures

**FY 2022 Quarter Four (April 1, 2022 – June 30, 2022) Actuals
\$62,571.20**

FY 2023 Quarter One (July 1, 2022 – September 30, 2022) Actuals \$0

12. Please provide an update on the expected completion date of the County-wide Forest and Tree Canopy Study?

This preliminary study was completed as part of the work of the Climate Action Commission as part of the drafting of the Prince George's County Climate Action Plan. DoE has met with M-NCPPC Planning staff to identify and implement standardized analysis to rectify ongoing inconsistencies in the measurement of the County's tree canopy. Until M-NCPPC completes its new assessment, DoE staff anticipates initiating an update of its tree canopy assessment. In tandem with environmental justice and equity mapping analysis, DoE will utilize its 2021 Tree Canopy Study to help prioritize tree planting projects based on the existing tree canopy within each 12-digit subwatershed of the County.

STORMWATER MANAGEMENT DIVISION PERFORMANCE

GOAL 1 - To restore the health of County waters and address flooding issues

Objective 1.1 – Increase the total percentage of impervious areas retrofitted with stormwater control

1. Has MDE issued final determination regarding additional compliance and performance metrics beyond the existing permit conditions of 5th Generation NPDES/MS4?

DoE expects MDE to issue the 5th Generation NPDES MS4 Permit by the end of December 2022, we were able to negotiate a relatively modest increase to the requirements when compared to other jurisdictions, however there are still significant additional compliance performance metrics and SMD will need additional staff and funding to meet those requirements.

2. Please provide any progress on the Department being able to access and provide restoration on private property given the requirements of the NPDES/MS-4 permits and WIP III mandates.

DoE has successfully completed numerous projects on private property. An updated procedure and agreement for Temporary Right of Entry and Intent to Convey a Stormwater Management Easement has provided DoE with a quicker response from property owners that they are either willing to sign and participate with the program or decline which allows the project to be dropped and replaced with one that is ready to proceed. Approximately 70 projects have been successfully implemented to date.

However, significant challenges continue and include securing right of entry (ROEs) and permanent easements from individual and/or consecutive property owners which cause significant delays with project implementation schedules, or result in removal of projects from the inventory, both which affect fiscal budgets.

3. Please provide an update on progress within the past two quarters on completion of the 6,105 impervious surface acres, in addition to other performance metrics in meeting the NPDES/MS-4 permits and WIP III mandates.

From July 2022 through the end of the FY 2023 first quarter, DoE has completed three projects which yielded 347.09 ISR and reduced TMDLs Nitrogen by 1194.70 lb./yr., Phosphorous by 358.26 lb./yr., and Suspended solids by 655,524.67 lb./yr.

Current Water Quality Restoration performance will be updated with the 2022 Annual Report and Interim CD report will be published by December 31, 2022.

4. Please provide a summary of the Rain Check Rebate Program from the 4th quarter of FY2022 to YTD, given the Council passed legislation CB-46-2021 updating the program. Has there been an increase in rebates issued and grants processed, as well as installation of smaller scale BMP's? If so, please summarize.

The Rain Check Rebate Program reports are provided on a FY basis. The FY 2022 RCR report will be published by end of October 2022 which will reflect performance metrics.

The Department will publish the rulemaking for the RCR program this autumn. We do not anticipate the level of uptake we hoped for by the end of the FY- as we have had some challenges in identifying a pathway to perform the work as a cost-share, and to adequately issue regulations and enter necessary procurements. By FY 2024, we anticipate being able to deliver the program at the anticipated fully funded level.

5. Has the Department had success with the Federal Infrastructure and Jobs Act, in providing additional funds and resources to expand water quality programs and projects within the County?

DoE SMD has not received grant funding under the Infrastructure Investment and Jobs Act (IIJA), aka Bipartisan Infrastructure Law (BIL). The funding under that act for Stormwater Management is not grant funding, it is additional loans (SRF). The Department is working to secure money for SRF projects in areas with 80%+ burden per MDE EJ screening tool, as these funds can receive principal forgiveness. However, guidance for that funding has not yet become available.

However, DoE SMD was successfully awarded \$22.7 Million under the American Rescue Plan Act (ARPA) for the implementation of 17 projects which must be implemented by December 31, 2024.

**La Dova Way Stream Restoration (Pax o-20)
Barack Obama Elementary School Outfall restoration (Pax O-12)
Liberty Sports Park Stream Restoration
Liberty Sports Park Phase II
Eagle Harbor Stream Restoration
McCarthy Park Stream Restoration (Patuxent SR-21)
Franklin Avenue Storm Drain Improvement
Joslyn Place Storm Drain Improvement
Vista Way Phase II Storm Drain Improvement
Cabin Branch Trib. (O-15, Pax)
500-700 East Tantallon Drive Storm Drain Improvement
3502 -3512 Stonesboro Road Storm Drain Improvement
2216 Tecumseh Street Storm Drain Improvement
5600 Linwood Court Storm Drain Improvement
Rollins Place Storm Drain Improvement
5623 & 5625 Ellerbie Ct Storm Drain Improvement
6301-6303 Capon Street Storm Drain Improvement**

6. Given the above, has the Department specifically targeted applying for funding provided for Historically Underserved Communities to find equity in the portfolio of projects for water quality and what has been the impact?

SMD are typically evaluated based on the watershed impairments and cost/benefit ratios. Project evaluations and determinations also include consideration for Community benefit and underserved areas.

Per the State Environmental Justice screening map, the majority of Prince George's County reflects high socio-economic scores which reflects underserved communities. See link below for additional details.

[MDE EJ Screening Tool \(state.md.us\)](https://state.md.us)

For example, Eagle Harbor a historically underserved community will benefit from a water quality improvement project including stream restoration and flood control improvements resulting in improved stormwater resiliency, property improvements, and Community uplift.

7. Has there been any new progress within the past two quarters in developing or strengthening partners/partnerships to meet the goals and vision of water quality for FY2023?

The Department continues to enhance existing and build additional partnership opportunities with other public agencies and the private sector in DoE's restoration programs. These programs incentivize property owners and non-profit organizations to participate in the County's Clean Water Program and meet NPDES/MS4 restoration goals.

- **Chesapeake Bay Trust (CBT) Rain Check Rebate Program.** Provides incentive rebates for private property owners to offset costs associated with installing stormwater pollution prevention practices on their property.
- **Stormwater Stewardship Grants.** Provides grant opportunities to non-profit organizations for construction of water quality restoration projects, and water quality related public education and outreach campaigns.
 - Funding for these combined programs increased from \$970,000 in FY 2021 to \$2.9M in FY 2022 and FY 2023.
- **MNCPPC Agreement.** DoE continues to administer and operate this agreement with the Commission, in support of Water Quality Restoration CIP projects on Commission property to support NPDES/MS4 Permit Impervious Area Restoration mandates. The original agreement signed in December 2014 was updated and amended in October 2019. To date, a total of 116 water quality site opportunities have been identified and evaluated on MNCPPC's property. SMD submits additional projects annually to MNCPPC under this agreement for consideration as proposed projects. These projects are in various phases of design, under construction, or completed.
- **USACE.** DoE is currently coordinating with USACE for the Construction Phase Partnering Agreement (PPA) for the Anacostia Stream Restoration Project. The goal is to have an executed agreement by the of the calendar year 2022. This project includes stream and water quality restoration efforts in which the County is

participating with the US Army Corps of Engineers (ACOE). This multi-year restoration project is currently entering the design phase and will be ongoing through FY 2027. The project is currently estimated to yield 775 impervious acres restoration credits towards the NPDES/MS4 permit.

- **Clean Water Partnership (CWP).** The CWP continues to implement supporting Water Quality Restoration projects in addition to these projects the CWP meets and exceeds performance metrics for awarding projects to CBSB, Minority Business Enterprises (MBE), local contractors, and County resident hours participation, Prince George's County Public Schools, and Student Enrichment Program. The CWP also continues to implement the Mentor Protégé' program helping local small businesses develop, compete successfully, and be awarded projects within the County and local markets. CWP continues to provide maintenance operations for the accepted water quality BMP inventory through the Master Maintenance Agreement.
 - **Metropolitan Council of Governments (COG).** DoE continues to maintain beneficial working partnerships with COG in the Anacostia Watershed through the Anacostia Watershed Management Committee and the Anacostia Watershed Steering Committee as well as multiple technical support committees.
 - **Maryland Municipal Stormwater Association (MAMSA).** DoE continues to participate as members coordinating on water resource planning, policy, and NPDES MS4 permit developments and related matters with MDE and other MS4 Permit holders.
8. Please provide an update on the second expanded program area of Clean Water Partners/Public-Private Partnership (CWP/P3) that includes 1,475 additional impervious surface areas.

FY 2022 was the first year of Phase 3 of the Clean Water Partnership. The CWP continues to implement supporting Water Quality Restoration projects to meet the Impervious Surface restoration (ISR), requirement of the 4th Generation NPDS MS4 permit. In addition to these projects the CWP meets and exceeds performance metrics for awarding projects to CBSB, MBE, local contractors, and County resident hours participation, Prince George's County Public Schools, and Student Enrichment Program. The CWP also continues to implement the Mentor Protégé' program helping local small businesses develop, compete successfully, and be awarded projects within the County and local markets. CWP continues to provide maintenance operations for the accepted water quality BMP inventory through the Master Maintenance Agreement.

9. To what extent has the Department promoted the regional climate action website, ClimatePartners.org, to the public? Please provide any available data on how many county residents have viewed and utilized this website?

As part of ongoing work to promote climate action, DoE helped support the creation of the DMV Climate Partners website, climatepartners.org, as a platform to educate area leaders and residents about local, regional, national, and international efforts underway to fight climate change and spur further action. DMV Climate Partners also highlights climate accomplishments and connects people to valuable resources. It also continues to serve as a central depository of local, state, and regional climate action plans, as well as basic climate change information. Since the website's launch on Earth Day in 2021, the site has registered 5,559 users with over 19,405 page views. Prince George's County landing page was the most viewed local partner page with 512 views and 236 registered users.

10. Please provide an updated summary of the Storm Drain Improvements for the Towns of Cheverly, North Brentwood, and Riverdale Park.

Cheverly. SMD completed the "Joslyn Place Storm Drain Improvement Project" in the Town of Cheverly in July 2022.

Brentwood. A Municipal Storm Drain Acceptance Program (MSDAP) project is in progress with the Town of North Brentwood. Sustainability Division (SD) is managing this project which will result in storm drain improvements for homes along Wallace and Windom Roads to reduce residential flooding.

Riverdale Park. In September 2022, SD completed a MSDAP project for a storm drainage improvement along Longfellow Street in Riverdale Park MD. As-built plans are in progress.

11. Please provide an update on the GIS Floodplain Study services. How has the Department promoted this service to the public, and what benefit(s) would a property owner receive in having a GIS Floodplain Service performed on their property? Please provide how much revenue this service has generated within the past two quarters.

DoE resumed floodplain study services on December 13, 2021. The County's Department of Environment (DoE) stopped performing these studies for two years while a new set of tools and methodologies were developed. DoE promotes this service to the public through DPIE who advises permit applicants of this service and via the DoE website. At the request of a private property owner or engineering consultant who represents an owner, DoE performs hydrologic (stormwater runoff) and hydraulic (waterway channel conveyance) modeling for a fee which significantly is lower than fee which a consulting firm would assess for similar services. Model results inform the extent of floodplain area.

Property owners submit DoE-performed floodplain studies to DPIE to satisfy permit conditions. Over the past two (2) quarters (April 1 – September 30), DoE has collected \$26,565 in fees for flood study services.

12. Has the Henson Creek Watershed Flood re-study been completed? If so, please provide a summary of the results of this study. Please explain any reasoning this project was prioritized over other DoE-SD programs given the noted shortfalls in the budget.

The study has been completed and draft report submitted. The results of the study show that the peak discharges along many of the reaches of the Henson Creek and its major tributaries are higher than previously shown and the resultant water elevations (flood height) are also higher. More than 50% of the reaches have higher elevations with several areas showing increases. Study results indicate that additional structures would fall within floodplain. The increases in the discharges are due to the use of new precipitation data, updated land-use data, and updated storage modeling at major roadway structures. Due to funding limits, there were no mitigation projects investigated under this study.

Grant opportunities are being explored for funding to support flood mitigation planning. Of note, DoE has pursued funding through Department of Defense Office of Local Defense Community Cooperation (OLDCC) Community Resilience Grant in partnership with Joint Base Andrews. Part of JBA is in the Henson Creek Watershed. The grant project would include a task for storm drain system assessment. Successful grant outcome will result in the identification of potential green infrastructure and gray storm drain improvements to help alleviate demands on the existing storm drain infrastructure and prioritize opportunities to protect key routes and community centers of importance to JBA and Prince George's County. DoE initiated this flood re-study in response to a County Council request for a County-wide flood assessment and mapping study. DoE chose to start this re-study effort by securing consultant support for analyses of the Henson Creek Watershed which is a mid-size watershed that has experienced significant land development since the County completed its 1986 comprehensive flood study for this watershed. DoE intentionally selected a mid-size watershed as it would inform of potential issues and costs associated with future studies for larger watersheds. Also, as with other developed watersheds, 311 data revealed numerous drainage complaints in this watershed.

13. Please provide an update on the HMA Program administered through MEMA. Were any of the Flood Control and Drainage Improvement Projects that the Department applied for successful through the grant process?

DoE applied for the Hazard Mitigation Grant Program (HMGP) for the following projects listed below. At this time final approval and award for the projects is pending final determination through MEMA.

- **Snow Hill Manor Park Stream Restoration Project (BRIC)**
- **Fort Washington Flood Risk Mitigation, Stormwater Management, Stream Restoration and MS4 Compliance Project (Tantallon)**
- **75th Avenue Drainage Improvement Project**
- **Updating Flood Warning SOP**

14. Please provide an update on the SD grants applied for through the FEMA Hazardous Mitigation Grant Program and the Chesapeake Bay Trust Urban Trees Grant Program, as well as grants under the American Rescue Program for Watershed Studies & Resource Drain Improvement Project.

FEMA HAZARDOUS MITIGATION GRANT PROGRAM

FEMA Hazard Mitigation Grant Program provides funding for DoE’s FY’23 task order which supports the 5-year update to the County’s Hazard Mitigation Plan. Approximately, \$50,800 federal funding was awarded. County will contribute approximately \$53,000 to task order

ARPA Projects- SD

SD is finalizing the scope of work for each of the below planned watershed studies. ARP funding will be applied to watershed studies.

WATERSHED	Partners/Consultants
Western Branch	Tetra Tech, Dewberry and WSP
Oxon Run	US Army Corps of Engineers
Piscataway Creek	US Army Corps of Engineers
Wells Run	US Army Corps of Engineers
Guilford Run	US Army Corps of Engineers

CHESAPEAKE BAY TRUST URBAN TREES GRANT PROGRAM

DoE was awarded \$300K in support of its Urban Tree Grant program. Through this grant, DoE will install 2,000 native trees. DoE participation through this grant will

facilitate enhanced partnerships between the County, municipalities, and NGOs. This grant will also enable DoE to pilot and track new engagement ideas and processes to help refine the County's Rain Check Rebate and Tree ReLEAF programs. Low to no cost tree installation will be offered to residents and businesses in equity areas. Long-term, DoE also views this grant as a significant opportunity to build local small business capacity to both grow and install trees as well as support local NGO capacity to engage communities in tree planting.

AMERICAN RESCUE PROGRAM FOR WATERSHED STUDIES & RESOURCE DRAIN IMPROVEMENT PROJECT

- SD is overseeing design and construction services for Wallace and Windom Road storm drainage improvement project.
- SD is partnering with DPW&T to construct under-drain projects to address drainage issues across the County. SD continues to identify project sites through investigation and assessment of drainage issues received through PGC311.
- DoE/SMD is managing the following (SD recommended) storm drain improvement projects:
 - 500-700 East Tantallon Drive Storm Drain Improvement
 - 3502 -3512 Stonesboro Road Storm Drain Improvement
 - 2216 Tecumseh Street Storm Drain Improvement
 - 5600 Linwood Court Storm Drain Improvement
 - Rollins Place Storm Drain Improvement
 - 5623 & 5625 Ellerbie Ct Storm Drain Improvement
 - 6301-6303 Capon Street Storm Drain Improvement

15. Please provide an update on the SD's Identified Mechanism for expanded tree canopy programs initiated by the State, and the Residential Resilience Responsibilities in respect to CB-46-2021.

DoE's Rain Check Rebate Regulations have been significantly revised to promote and encourage the use of Rain Check Rebate practices as a mechanism to build residential climate resilience. In compliment to the new regulations, DoE's Stewardship Grant program has also been reworked to support a concept of empowering local non-profits to identify and pursue tree planting and climate resilient projects in tandem with a larger CIP project within the same community. This will pilot a "blitz" approach to leveraging small to medium scaled projects with larger projects for greater impact to overcome a community-wide drainage or flooding problem. Additionally, the Stewardship Grant Program would request proposals to stand-up a Climate Action Academy to engage communities to take climate action and pilot a Tree Conservation & Preservation track to provide low to no cost specimen tree maintenance services in equity areas as part of an effort to preserve urban tree canopy.

16. Please briefly summarize the progress on maintenance and construction projects related to stormwater management funds for each Councilmanic District.

This data is typically summarized and provided to County Council as part of the annual budget submissions. The FY 2023 CIP submittal by Councilmanic District was submitted with FY 2023 budget review cycle.

17. Please discuss any proposed fee increases the Department has planned for FY 2023.

The Department has no proposed fee increases for the Stormwater fund in FY 2023.

18. Please summarize any progress made with ongoing long-term imbalances between expenditures and revenues within the stormwater fund.

Conversations continue between the Department of the Environment and the Office of Management and Budget to address projected long-term imbalances between expenditures and revenues within the stormwater enterprise fund. For example, the Department has provided several long-range analyses showing projected revenues and expenditures within the Stormwater fund.

Objective 1.2 – To decrease the percentage of structures identified at risk of flooding

19. In consideration of the M-NCPPC Agreement, please summarize any progress made by the Commission with water quality restoration and CIP projects on Commission property. Does SMD believe the Commission is making sufficient progress in meeting or exceeding its obligations in accord with the October 2019 agreement?

DoE continues to administer and operate this agreement, with the Commission, in support of Water Quality Restoration CIP projects on Commission property and to support NPDES/MS4 Permit Impervious Area Restoration mandates. The original agreement signed in December 2014 was updated and amended in October 2019. To date, a total of 116 site opportunities have been identified and evaluated on MNCPPC's property for water quality projects yielding 1,701.5 ISR credits. SMD submits additional projects annually to MNCPPC under this agreement for consideration as proposed projects. These projects are in various phases of design, under construction, or completed.

20. Please update the progress on the USACOE August 2021 Design Agreement. Kindly elaborate on the projected status of the 700 impervious acres restoration credits upon project completion.

The Design Agreement was finalized and signed on August 2, 2021, and design work has been initiated under this agreement. The construction phase Project Partnering Agreement (PPA) is currently being processed by the USACE and County. The goal is to have the PPA executed by the end 2022. The 775 ISR is strictly an estimate based on final design solutions, successful acquisition of private property easements, project implementation and MDE final acceptance of BMP metrics and performance.

21. Has the Department had any progress, or have a strategy to increase success of residents and businesses offering easements provided for overall increased water quality for the greater community? If so, please summarize.

Typical challenges include securing right of entry (ROEs) and permanent easements from individual and/or consecutive property owners which cause significant delays with project implementation schedules, or result in removal of projects from the inventory, both which affect fiscal budgets.

In addition, an updated procedure and agreement for Temporary Right of Entry and Intent to Convey a Stormwater Management Easement has provided DoE with a quicker response from property owners that they are either willing to sign and participate with the program or decline which allows the project to be dropped and replaced with one that is ready to proceed.

SMD is looking into establishing and funding a dedicated resource for Real Estate services either as a full-time or as a consultant-based staff Augmentation, task order to assist CIP and CWP with securing and negotiating easements or land acquisition when necessary. However, it is worth noting that challenges outside of the County's control may still be a factor in the implementation success, such as the willingness of private property to participate in a project and equitable negotiations.

22. Please provide a summary of the 3-1-1 calls within the past two quarters for water quality funded activities. Please provide a list of the three most common concerns called in.

DOE - Water Quality Concerns to Date	
As of 2022-09-30 08:02:13 Pacific Standard Time/PST • Generated by Freda Campbell	
Filtered By	
Date Field: Opened Date equals Custom (2/14/2022 to null)	
Show: All service requests	
Units: Hours	
Subject contains flooding	
Service Request Owner contains DOE	
Subject ↑	Record Count
DOE - Flooding and Water Run-Off Issues	342
Total	342

23. Can the Department identify any impacts on the SMD that the past (2022) General Assembly will have in terms of FY 2023 or FY 2024, budget or administrative-wise?

SB 227/HB295 in 2021 introduced new Stormwater Resiliency (A-Storm Report) that enabled MDE to create the new A-Storm program. MDE will work with local jurisdictions, the Maryland Departments of Emergency Management, Planning (MDP), Natural Resources (DNR), and MDOT along with other state agencies, to gather existing flood event data. MDE is utilizing this law to increase expectations for ‘stable conveyance’ under the NPDES – which will increase regulatory compliance costs.

24. As of the past two quarters, has the participation levels in the tree planting projects and volunteer clean-ups increased to near pre-COVID levels (prior to March 2020)? Please detail and discuss the Department’s strategy to increase participation levels, assuming they are still significantly lower than what they were in FY 2019?

Members of the community continue to utilize COVID as a reason to not participate in DoE programs. In addition, the lack of staff funding for DoE programs hampers the programs’ effectiveness. When the function of climate action was placed on the

Department in 2019, no additional staff were provided, and staff roles were changed to meet Council directives.

TREE PLANTING PROJECTS

Currently only one DoE staff member is assigned to support DoE Sustainability's tree planning projects. Given limited staff capacity to reach a County with almost 1 million residents, DoE takes a very targeted approach to increasing tree planting participation and engagement projects. Most events in the first two quarters were "train the trainers" education for volunteers. Some events were in person, but most were virtual. In April, the first in-person school Arbor Day since the start of the pandemic was celebrated. Taken together, these events reached approximately 513 participants.

Tree program staff will continue to engage "trusted voices of communities" to focus outreach and identify community scaled tree planting projects. By directly engaging mayors, town administrators, local non-profits, HOAs, churches, businesses, and other community leaders, DoE will seek to educate decision makers on how to best leverage DoE's tree planting opportunities for their own stakeholders. One trusted voice in a community can become the catalyst to initiate multiple engagement opportunities by utilizing their existing relationships versus a county staff member "cold calling" on a local community to find tree planting and engagement opportunities. Additionally, the County's Master Gardener program (over 150 active master gardeners within the county) will be leveraged as trusted voices of the community to identify planting and engagement opportunities in support of building residential resilience through nature-based solutions (conservation landscaping, tree plantings, rain check rebate practices.)

VOLUNTEER CLEANUPS

Volunteer Cleanup levels are lower than pre-COVID levels. Low participation may be attributed to concern for risk of contracting the virus while interacting with a group of volunteers. DoE has resumed our Comprehensive Community Cleanup Program following a temporary hold on this program in response to limitations on public engagement during the pandemic. DoE staff reminds participating communities that DoE offers supplies and equipment to support volunteer community cleanups. The Volunteer Community Cleanup Program is advertised on the DoE website.

25. Given the Climate Action Plan (CR-32-2022) has been passed, please provide a summary of the Department's initial initiatives on this resolution, especially given the comprehensive scope of what it covers.

Additional staff is needed to fully implement these programs.

CLIMATE RESILIENCY

Sustainability staff is supporting the work of both Climate Action Implementation Task Force and the Resident Advisory Group.

- **Tree Conservation programs and support of the Master Gardener program will intertwine how tree plantings and conservation landscaping can also address food desert and local food production.**
- **DoE Rain Check rebates will now allow edible non-native plants that are not classified as invasive as eligible for conservation landscaping practices and tree plantings.**
- **As mentioned in answer to question #7, DoE's Stewardship Grant will pilot a "blitz" approach to leveraging small to medium scaled projects with larger projects for greater impact to overcome a community-wide drainage or flooding problem.**
- **Additionally, Stewardship Grant will request proposals to stand-up a Climate Action Academy to engage communities to take climate action and pilot a Tree Conservation & Preservation track to provide low to no cost specimen tree maintenance services in equity areas as part of an effort to preserve urban tree canopy which is essential to combating urban heat island impacts and localized flooding.**
- **The Sustainable Energy Program is identifying funding streams to broaden energy programs and to message available programs to residents (note: program was moved to DoE with no funding for staffing).**

26. Given that DoE is the County agent for complying with federally mandated water improvement goals, and DPW&T plays a role in implementation, please provide an update on the Department's progress in complying with these goals. List all locations where technology has been implemented in FY 2022 and those under consideration in FY 2023, including details related to the water quality program storm water management techniques to be deployed.

- a. CIP Project Impact
- b. Water Quality Restoration Projects
- c. Operational Activities and Maintenance Facilities
- d. Stormwater Management Obligations

In response to the first part of the question, provide an update on the Department's compliance progress with the NPDES MS4 Permit. Compliance progress is reported annually through the NPDES MS4 Permit Annual report. We are currently working on the report and will furnish the report by December 31, 2022.

In response to the second part of the question on deployment of technology benefitting (sub parts a.–d. above) and compliance with the NPDES MS4 permit mandates, DoE successfully developed and implemented the GIS Enterprise application. This provides a central data repository and reporting mechanism for multiple County Agencies

(DPW&T, DPIE, DoE). This application provides the platform for the County to track and report performance and production to the State (MDE) to comply with the NPDES MS4 Permit.

GENERAL AND GRANT FUNDED

GOAL 4 - To provide animal management and adoption services to ensure the safety and welfare of animals.

Objective 4.1 – Increase the placement of animals as a percentage of intakes into forever homes and other facilities

1. Is the department still experiencing a high number of vacancies with animal caretaker positions?

Yes, we are.

- a. How is the Department handling the staffing shortage?

DoE is contractually hiring temporary staff using CMT vendor. Specifically- animal care attendants and administrative support staff have been hired.

- b. What has been the amount of overtime in this Division in the past two quarters, as compared to the two quarters prior to that?

The amounts are similar:

FY23 Q1 = \$42,576

FY22 Q4 = \$45,385

FY23 Q1 + FY22 Q4 = \$87,961

FY22 Q3 = \$30,302

FY22 Q2 = \$62,512

FY22 Q3+ FY22 Q2 = \$92,814

2. Please summarize the current program of the adoptions and redemptions appointment system

Customers are required to schedule an appointment to adopt animals, however, as compared to during COVID, now a customer can see several animals, instead of just one identified on the website- this allows the ‘browsing’ of animals. This allows staff to prepare animals for interactions and ready them for required surgeries to fast track the adoption.

- **Animals are being spayed/neutered as soon as they are available for adoption/fostering/etc. making the process of moving animals out of the shelter faster/more efficient.**
- **In addition, numerous community events with ‘same day’ adoptions are being held- allowing members of the public to meet and adopt an animal the same day. For instance, this past Saturday- 4 animals were adopted at our “Green Summit”**
- **Additional grant funds have been secured to offset the cost of spay/neuter/adoption/tags for individuals and families with limited income**
- **Fast tracking animal adoption increase the number of placements in all streams (forever homes, rescues, fosters and transfers to other facilities).**

a. How is the Department measuring success utilizing the system?

Success is measured based on the number of animals adopted, compared to the number of animals euthanized, as well as the number of days an animal spends in the facility.

b. Please discuss whether its use led to a continual increase in placement of animals?

Not enough time in program to provide accurate data.

c. Please discuss if the Department plans to implement a hybrid of walk-ins/appointment system in the future.

As of September 11, 2022, ASD reopened its’ doors to the general public. As such, adoptions, return to owners and rescues have increased and euthanasia’s have decreased, however, complete data is not yet available.

3. Please provide an update on the effects of the Spay-a-Day Keeps the Litter Away Grant Program.

Allocated slots for FY 23 will be fulfilled by Dec. 2022 (See stats: Maryland Dept. Of Agriculture Grants)

- **FY21-640 Grant completed, and final report sent to MDA in June. Grant was for \$24,310.00 to complete 258 pet spay/neuter surgeries.**
- **FY22-7019 Grant we are working under now for \$15,109.20 to complete 150 pet spay/neuter surgeries by December 2022. – Surgeries are being scheduled- Currently there we have approximately 100 applications and are waiting for the funds to be released. The division estimated that about 150 surgeries will be completed by December 31st.**

- **FY23-8020 Feral Cat-Focused grant just awarded for \$18,109.51 to spay/neuter 240 feral cats, beginning in January. The funds are for a targeted zip code area with the highest number of cat complaints. We are working with the TNR group in the area and others. The division plans on contacting the municipalities to promote this initiative.**
- a. Has the public use of this program increased in the past two quarters compared to the two quarters prior to that?

TBD, data collection ongoing.

4. Please describe any efforts ASD has employed to look for opportunities for new partnerships to facilitate spay and neuter services, vaccinations, foster and adoption of animals, and relocation of illegal Pit Bulls?

ASD recently met with Pet Smart Charities of Arizona to establish a partnership to provide said services and rescue animals from the facility. This weekend, Oct. 8, 2022, ten animals are scheduled for rescue.

ASD is partnering with Best Friends who have supplied experts to advise DoE on best practices, as well as volunteers to assist with the systemic understaffing of the facility.

5. Please summarize the progress, if any, that the Department has made with OHRM in facilitating more expedient hiring of staff positions where there have been chronic shortages.

DoE has worked hard over the last several months to staff up our own internal Human Resources Office. Now that we are almost fully staffed, we have begun assigning tasks to ensure greater internal efficiencies. The Department is in the process of creating a tracker to better identify delays in processing (internal and external) so process changes can continue to be implemented to improve the time to fill. We are constantly working with our colleagues in the Office of Human Resources Management to ensure timely service level agreements for portions of the process that are out of our control.

In addition, our Human Resources Officer, and Associate Director for Strategic Services, along with our director, meet with the Director of OHRM quarterly to review any concerns that may arise. The entire DoE Human Resources Office staff meet with the HR Community (all HR representatives from various County agencies) on a regular basis to discuss HR related concerns and process changes.

6. Please share and summarize any ASD data from FY2022 or FY2023 YTD 311 calls. Please list the three most common concerns that have come in through these calls.

311 is not utilized for ASD. ASD must staff its own call center.

For FY 2022, the most common complaints investigated and statistic for FY22 are stray and vicious animals- (1,968); investigative complaints (749), illegal dogs (who residents, largely incorrectly, believe are “pit bulls”) (296) and cruelty investigations (521). In FY23, 3,987 feral cat complaints were received, as compared to 5,334 in FY22 a 25% reduction. This is due in part to the partnership with the TNR Cat Rescue Groups mitigating the issues between complainants and feeders.

7. Have the Animal Control Officers been able to acquire their required continual education credits without a greater fiscal impact or commitment on the County’s part and what has been the result?

Continue education credits have not been obtained due to service request demands. The Division is severely underfunded and understaffed, even when at full compliment.

8. Are there requirements from the State that has challenged the Department, either fiscally or administratively and what has been the impact?

The state DNR has failed to provide sufficient support for wildlife complaints causing a cost to the County to deal with deer and other wildlife issues, the State legislature’s failure to again enact a state-wide ban on breed specific legislation (BSL) means that significant funds continue to be spent to investigate the County’s flawed BSL.

9. Given the uptick in inflation for costs of materials, supplies, and salaries/benefits, what if any fees have the Department raised in FY 2023, or plan to raise any fees in FY2024 and by how much?

Spay and Neuter and veterinary services have increase nationally. The Spay and Neuter contract was increased by 15% to accommodate for the increase in surgical supplies and veterinary services. Also, ASD continue to have a high turnover in staff, and this is due in part to the demand’s veterinary services nationally. Accordingly, many residents adopted animals during COVID and are relinquishing them now that they have returned to work, increasing the number animals’ intakes, animal care and shortage of staff nationally. The County may have to raise the cost of spay/neuter services if costs increase further and alternative funds cannot be identified.

10. Please describe what if any of the Department's efforts to track data on some of the new definitions set forth in the revised Animal Control Ordinance, such as "unlawful restraint of dogs". If so, can that data be provided?

This has not been possible due to under-funding and under-staffing. SOPs are under review; however, the process is slow due to under-funding and under-staffing.

11. Please provide an update on investigations, enforcement, and citations of "animal fighting" given the revised Animal Control Ordinance?

Animal Services Division (ASD) has not had any dog fighting calls in FY23.

12. Please provide an update on the Department's inspections of "animal holding facilities"?

When an animal holding facility is due for a new or renewal permit, the lead officer conducts an inspection and will determine disposition and issues the permit accordingly.

13. Please provide any insight on the review of administrative regulations, standard operating procedures, and forms regarding licensing and permitting of exotic animals?

ASD has zero permit holders under the exotic animal status. Again, ASD SOPs are under review.