

DNEP responses to budget questions asked by Environmental Matters Committee, April 17, 2014 meeting.

1a. Comparing the current fiscal year's budget and the proposed budget, what is different?

The DNEP budget is proposed to be decreased by \$120,743. This decrease eliminates funding for two out of five environmental positions, the Chief of Environmental Programs and the Environmental Program Coordinator. In addition, funding has been reduced in a few other areas. These include a \$39,158 reduction due to the retirement of the plans reviewer, with a new employee starting a lower salary. Savings are also proposed by cutting \$3500 each from the maintenance accounts for street trees and the unsafe structures. The new phone contract will save the department \$7,000 per year and \$100 will be reduced from the supplies account.

1b. What is the significance of those differences?

Eliminating position of Environmental Program Coordinator: Compliance with the Federal Clean Water Act sections pertaining to wastewater pretreatment and storm water (NPDES) will continue to be required. This position is currently filled with a contract employee working on the wastewater pretreatment administrative aspect only. The NPDES compliance is currently undertaken by the Chief of Environmental Programs as part of the EPA Chesapeake Bay nutrient reduction program. Shifting these responsibilities to other staff with their own full time responsibilities will negatively impact these programs. Further information on the responsibilities of this position was provided to Finance Committee.

Eliminating position of Chief of Environmental Programs: Compliance with multiple City, State and Federal regulations will continue to be required. Given the breadth of services provided by this position it is not possible that any other staff person with their own full time responsibilities could accommodate all of the program responsibilities. Spreading program responsibilities to multiple staff would negatively impact the quality of services attendant to these programs. Further information on the responsibilities and some background on the accomplishments of the position were provided to the Finance Committee.

The reduction of \$3500 each from both the tree and unsafe structure accounts will have little impact on these budgets overall. The other reductions (new plan reviewer, new phone contract, \$100 less in supplies) have no operational impact.

2. We've discussed some policies or initiatives are not getting advanced. With the proposed budget, which policies or initiatives will not be funded? Which policies and initiatives will be on hold (perhaps energy efficiency), and which will get worse (perhaps tree canopy).

The major initiatives or programs that will be impacted from these changes and will need to be covered by remaining staff to maintain compliance with state and federal requirements:

-Compliance with the Total Maximum Daily Loads, TMDL, stormwater nutrient reduction (Bay Diet) watershed improvement program. This is a regulatory requirement of the Clean Water Act.

-Compliance with the National Pollution Discharge Elimination Program, NPDES, reporting compliance program for point source pollution discharges to water sources. It is anticipated that this program will be combined with the stormwater compliance program when the new permits are issued in the near future. DNEP is responsible for compliance reporting. There will be a need to expand this role to include compliance monitoring, inspections and program development. This is a regulatory requirement of the Clean Water Act.

-Compliance with the requirements of the Wastewater Pretreatment Program. This environmental enforcement program regulates discharges into the sanitary wastewater system. This is a regulatory requirement of the Clean Water Act.

-Support to the Port Warden Board for applications for construction in the tide zone. There are 30-35 application per year. These applications require monitoring for their approval by the Army Corp of Engineers and the Maryland Department of the Environment.

The programs that will be impacted from these changes which come from Annapolis City Code or from city environmental initiatives:

-Reduced environmental inspections for pollution/stormwater issues, solid waste compliance sections of the City Code.

-Reduced reporting related to energy reduction and environmental initiatives. Please note that DNEP does the reporting of these initiatives but not necessarily the funding for changes to buildings, building systems, energy purchases, etc.

-Review times for projects requiring environmental related reviews would be delayed as would be some inspections.

3. What are your recommendations for what funding is needed for this work (wish list time, keeping to the most likely to fund / save)?

DNEP will continue to seek grants wherever possible to stretch the funding we have for stormwater management, tree canopy and other environmental initiatives. We will work with the Mayor and Council to come up with ordinances and policies to encourage the best environmental stewardship on private property.

4. What alternatives do you recommend to get the funding you request?

Increases to fees to help support the services they provide. Some examples include review fee for Forest Conservation Act approval, sediment and erosion control review/inspection fee, re-inspection fee for code violations, possible plan archive fee, fee to cover IPP testing and high strength waste. Other fees may be proposed by the Finance Department.

In future budget years, the Mayor and Council may want to consider collecting the tree replacement and tree assessment fees included in City Code section 14.12.170. These fees were approved in 1980 but have never been collected. The fee allows a property owner to pay for half the cost of a tree planted in front of their property and it requires all property owners to pay a \$.05 per foot of street frontage fee for city tree planting and maintenance.

It future years the city may want to consider stormwater management as a true utility enterprise fund, self supported by a stormwater utility fee.