

UA04A4 – MDE – Water Management Administration

Comments: The fiscal 2009 allowance of \$838,000 is \$88,000 more than the fiscal 2008 appropriation and is \$162,000 less than the \$1,000,000 projected in the 2007 *Capital Improvement Program* (CIP). MDE reports that the Stormwater Pollution Control Program did not receive \$1.0 million in requests for fiscal 2009; therefore, \$163,000 was reprogrammed for the Small Creek and Estuary Restoration Program's fiscal 2009 allowance. In terms of other fiscal 2008 activities, \$250,600 was cancelled for the Maiden's Choice Environmental Restoration Project. MDE reports that the City of Baltimore experienced access easement issues; therefore, the funds have been dedicated to other projects.

The 2008 CIP projects \$1.0 million in funding for fiscal 2010 through 2013. MDE states that the increased level of funding is needed to support jurisdictions seeking to comply with the Tributary Strategies implementation plan to retrofit 40% of untreated developed land (developed pre-1985).

The fiscal 2009 allowance would fund three stormwater management projects – one each in Allegany, Howard, and Montgomery counties – that will address stormwater runoff for 361 drainage acres of land.

As of January 31, 2008, the unexpended balance for fiscal 2008 and prior years is \$1.85 million. These unexpended funds are primarily for 10 projects in the following stages:

- **Administrative Closeout** – two projects are awaiting administrative closeout; \$0.15 million in unexpended funds, which are expected to be expended within one year;
- **Construction Phase** – one project is being constructed; \$0.02 million in unexpended funds, which are expected to be expended as soon as construction and administrative closeout has been completed;
- **Design/Planning Phase** – seven projects are completing design; \$1.38 million in unexpended funds.

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Fund Data

**Prior Program Activity – All Fund Sources
(\$ in Millions)**

	<i>FY 2004</i>	<i>FY 2005</i>	<i>FY 2006</i>	<i>FY 2007</i>	<i>FY 2008*</i>
Encumbrances	\$0.498	\$0.382	\$0.710	\$0.286	\$0.459
Expenditures	\$0.809	\$0.532	\$2.019	\$0.566	\$0.305

As of January 31, 2008.

**Authorization Summary
(\$ in Millions)**

<i>Fiscal Year</i>	<i>Authorization</i>	<i>Funds</i>		<i>Balances</i>	
		<i>Encumbered</i>	<i>Expended</i>	<i>To Be Encumbered</i>	<i>To Be Expended</i>
Prior Years	\$20.387	\$20.387	\$20.322	\$0.000	\$0.065
2004	0.500	0.500	0.473	0.000	0.027
2005	0.500	0.500	0.223	0.000	0.277
2006	0.711	0.711	0.247	0.000	0.464
2007	0.450	0.450	0.188	0.000	0.263
2008	0.750	0.454	0.000	0.296	0.750
Total	\$23.298	\$23.002	\$21.453	\$0.296	\$1.845

As of January 31, 2008.

**Authorization Request
(\$ in Millions)**

<i>Description</i>	<i>2007 Approp.</i>	<i>2008 Approp.</i>	<i>2009 Request</i>	<i>2010 Estimate</i>	<i>2011 Estimate</i>	<i>2012 Estimate</i>	<i>2013 Estimate</i>
GO Bonds	\$0.450	\$0.750	\$0.838	\$1.000	\$1.000	\$1.000	\$1.000

Recommended Actions

Approve.

Fiscal 2009 Proposed Projects

<u>Subdivision</u>	<u>Project Title</u>	<u>Estimated Cost</u>	<u>Prior Auth.</u>	<u>2009 Amount</u>	<u>Future Request</u>	<u>Total State Share (%)</u>	<u>Status</u>
Allegany	Frostburg Stormwater Retrofit	\$250,000	–	\$188,000	–	75.2%	Construction Fiscal 2009
Howard	Brampton Hills Stormwater Retrofit	254,871	–	150,000	–	58.9%	Construction Fiscal 2009
Montgomery	Stoney Creek Stormwater Management Pond Retrofit	2,640,420	–	500,000	–	18.9%	Construction Fiscal 2009
Total		\$3,145,291	–	\$838,000	–		

Fiscal 2008 Project Status

<u>Subdivision</u>	<u>Project Title</u>	<u>Estimated Cost</u>	<u>Prior Auth.</u>	<u>2008 Amount</u>	<u>Future Request</u>	<u>Total State Share (%)</u>	<u>Status</u>
Anne Arundel	Back Creek Nature Park Stormwater Management	\$700,000	180,000	\$320,000	–	71.4%	Construction Fiscal 2008
Anne Arundel	South Down Shores Stormwater Management	630,000	–	410,036	–	65.1%	Construction Fiscal 2008
Baltimore City	Urban Stormwater Management Demonstration Projects	415,000	75,000	25,000	–	24.1%	Construction Fiscal 2008
Statewide	Hurricane Floyd Projects	151,158	–	151,158	–	100.0%	
Total		\$1,896,158	\$255,000	\$906,194			

Note: The Hurricane Floyd projects have either been canceled or completed and closed.

Fiscal 2008 Project Status Changes

<u>Subdivision</u>	<u>Project</u>	<u>Explanation</u>
<i>Increased Funding</i>		
Anne Arundel	South Down Shores	Funding increased as a result of availability of funds originally needed by the Back Creek Nature Center. The original fiscal 2008 request for the South Down Shore project was lower than allowable cost-share of 75 percent. It was based on fiscal 2008 <i>Capital Improvement Program</i> recommended total funding of \$750,000 and funding priorities of projects included in fiscal 2008 request. Once additional funding was approved and cash-flow needs of other projects were addressed, the Maryland Department of the Environment reflected it in updated fiscal 2008 project list.
<i>Decreased Funding</i>		
Anne Arundel	Back Creek Nature Center	Funding decreased due to partial funding provided in fiscal 2007 (the Maryland Department of the Environment used reverted funds from projects that have been either cancelled or completed and closed out. The reverted funds are routinely used for future projects, subject to Board approval.)