

U00A
Department of the Environment

Operating Budget Data

(\$ in Thousands)

| | <u>FY 17</u> <u>Actual</u> | <u>FY 18</u> <u>Working</u> | <u>FY 19</u> <u>Allowance</u> | <u>FY 18-19</u> <u>Change</u> | <u>% Change</u> <u>Prior Year</u> |
|-----------------------------------|---|--|--|--|--|
| General Fund | \$29,702 | \$28,696 | \$29,916 | \$1,220 | 4.2% |
| Adjustments | 0 | -328 | 201 | 529 | |
| Adjusted General Fund | \$29,702 | \$28,368 | \$30,117 | \$1,749 | 6.2% |
| Special Fund | 82,762 | 99,011 | 100,804 | 1,793 | 1.8% |
| Adjustments | 0 | -561 | 296 | 857 | |
| Adjusted Special Fund | \$82,762 | \$98,450 | \$101,099 | \$2,650 | 2.7% |
| Federal Fund | 30,184 | 31,585 | 32,528 | 942 | 3.0% |
| Adjustments | 0 | -301 | 174 | 475 | |
| Adjusted Federal Fund | \$30,184 | \$31,284 | \$32,702 | \$1,417 | 4.5% |
| Reimbursable Fund | 3,990 | 7,027 | 3,990 | -3,038 | -43.2% |
| Adjustments | 0 | 0 | 27 | 27 | |
| Adjusted Reimbursable Fund | \$3,990 | \$7,027 | \$4,016 | -\$3,011 | -42.8% |
| Adjusted Grand Total | \$146,638 | \$165,129 | \$167,934 | \$2,805 | 1.7% |

Note: FY 18 Working includes targeted reversions, deficiencies, and across-the-board reductions. FY 19 Allowance includes contingent reductions and cost-of-living adjustments.

- The overall adjusted change in the Maryland Department of the Environment (MDE) fiscal 2019 budget is an increase of \$2.8 million, or 1.7%.
- The single largest change in the budget is a \$6.0 million increase in special funds for implementing Chapters 366 and 367 of 2017 (Clean Water Commerce Act), which expands the authorized uses of the Bay Restoration Fund to include the purchase of cost-effective nitrogen, phosphorus, or sediment load reductions in support of the State's efforts to restore the health of the Chesapeake Bay.

Note: Numbers may not sum to total due to rounding.

For further information contact: Andrew D. Gray

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Personnel Data

| | <u>FY 17 Actual</u> | <u>FY 18 Working</u> | <u>FY 19 Allowance</u> | <u>FY 18-19 Change</u> |
|------------------------|--------------------------------|---------------------------------|-----------------------------------|-----------------------------------|
| Regular Positions | 894.00 | 893.00 | 893.00 | 0.00 |
| Contractual FTEs | <u>37.44</u> | <u>49.50</u> | <u>48.50</u> | <u>-1.00</u> |
| Total Personnel | 931.44 | 942.50 | 941.50 | -1.00 |

Vacancy Data: Regular Positions

| | | |
|---|-------|-------|
| Turnover and Necessary Vacancies, Excluding New Positions | 58.05 | 6.50% |
| Positions and Percentage Vacant as of 12/31/17 | 87.00 | 9.74% |

- Between the fiscal 2017 actual and the fiscal 2019 allowance, MDE's positions decrease by 1.0 due to a position being transferred to the Department of Budget and Management's Personnel Services Division for payroll services.
- As of December 31, 2017, MDE has 87.0 vacant positions, of which 15.0 positions have been vacant for more than a year.
- MDE contractual full-time equivalents decrease by 1.0 in the fiscal 2019 allowance due to planned operational needs.
- The MDE turnover rate decreased from 6.58% in the fiscal 2018 working appropriation to 6.5% in the fiscal 2019 allowance, requiring 58.05 positions to be vacant. MDE should be able to meet this requirement, as it has 87.0 vacancies as of December 31, 2017.

Analysis in Brief

Major Trends

Public Information Act Requests Issued within 30 Days Increase: The percent of Public Information Act (PIA) requests issued within 30 days decreased from 85% in fiscal 2015 to 73% in fiscal 2016 and then increased to 88% in fiscal 2017. As a result, MDE met the objective of 75% in fiscal 2017. The investment of time in a new web-based system allowed MDE to process requests faster and more efficiently, thus boosting the percent of PIA requests issued within 30 days and reducing the use of carrier mail.

Maryland on Track for Calendar 2020 Greenhouse Gas Emissions Reduction Goal for Power Plants: Maryland is on track to meet the calendar 2020 goal for the reduction of power plant greenhouse gas emissions but will need more reductions to meet the calendar 2030 goal.

Radiation Machine Compliance Increases Due to a Methodology Change: The percent of inspected radiation machines in initial compliance increased from 81% in fiscal 2016 to 89% in fiscal 2017. This reflects the first time that the goal of 80% has been exceeded by a wide margin over the time period shown. However, the increase between fiscal 2016 and 2017 is attributable to a methodology change in how MDE classified veterinary facility registrations.

Issues

Volkswagen Emissions Settlements Progressing: Volkswagen (VW) was caught using illegal “defeat devices” to delude vehicle emissions inspections. As a result, Maryland stands to gain under the VW emissions settlement. There are three main lawsuits: a consumer fraud case which generated \$12.0 million for the General Fund in fiscal 2018; a civil action case that generates \$22.0 million for the General Fund in fiscal 2019; and a multistate consumer protection settlement that will provide for \$75.7 million to be allocated under a mitigation plan that MDE will file. **The Department of Legislative Services (DLS) recommends that MDE comment on when the civil action settlement discussions are anticipated to be completed and the plan for the \$75.7 million from the multistate consumer protection settlement.**

Hurricane Environmental Lessons Sought: Within a short period of time, Hurricane Harvey, Hurricane Irma, and Hurricane Maria showed the challenges that large storms pose to infrastructure in the United States, and in particular, the environmental challenges. For Maryland, the storms raise questions about the State’s exposure related to dam safety, hazardous waste site toxins, floodplain concerns, and drinking water vulnerability. **DLS recommends that MDE comment on the State’s preparedness as it relates to large storms that may pose challenges related to dam safety, hazardous waste site toxins, floodplain concerns, and drinking water vulnerability.**

Executive Branch Staffing Shortfall: Since fiscal 2002, the Executive Branch has abolished nearly 8,000 regular positions. Over the past two years, DLS has analyzed agency staffing needs based on

laws, regulations, caseload guidelines, agency staffing studies, and other documentation. MDE is one of the agencies in which chronic understaffing was determined. The primary evidence for understaffing in MDE is a 2007 staffing study conducted by MDE that demonstrated a need for 342 additional positions to comply with minimum mandated regulations. After adjusting for the estimated 47 positions needed to comply with the former regulations, it is estimated that MDE requires at least another 295 positions to comply with workload mandates. **DLS recommends that MDE comment on whether its current position complement is aligned with its needs and whether reclassification of existing filled or vacant positions would allow it to achieve its mission.**

Operating Budget Recommended Actions

1. Adopt narrative on a Clean Water Commerce Act spending plan.
2. Adopt narrative on a Volkswagen settlement spending plan.

Updates

New Combined Water and Science Administration Created: As of July 1, 2017, MDE integrated the Science Services Administration with the Water Management Administration. The result was the elimination of the stand-alone Science Services Administration and the creation of the new Water and Science Administration. A budget amendment transferred \$250,774 internally as part of the reorganization. As part of this reorganization, the Land Management Administration was renamed the Land and Materials Administration and the Air and Radiation Management Administration was renamed the Air and Radiation Administration.

Maryland Sues the U.S. Environmental Protection Agency Over Upwind State Air Quality: Maryland filed a petition with the U.S. Environmental Protection Agency (EPA) under Section 126 of the federal Clean Air Act on November 16, 2016, to require 36 power plants in five upwind states – Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia – to reduce pollution substantially by running their installed air pollution controls to reduce emissions. EPA published a rule in the Federal Register on January 3, 2017, extending the time for ruling on the petition to July 15, 2017. Maryland sued EPA on September 27, 2017, in the U.S. District Court for Maryland over EPA’s failure to act within the extended deadline. EPA has requested that the U.S District Court for Maryland grant another extension to December 31, 2018, to respond to the petition. On February 6, 2018, Maryland requested that the court deny EPA’s request.

Oil Workgroup Report Status: Chapter 325 of 2014 (Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund) required the Oil Workgroup to submit a report by December 31, 2016. MDE notes that the workgroup has been disbanded because Chapter 390 of 2017 (Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund) was enacted addressing the oil fee.

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Lead Paint Risk Reduction Status: Lead paint risk reduction is an ongoing concern. Last year's analysis listed a number of lead poisoning prevention issues. In terms of an update, MDE notes that it has implemented processes to ensure that properties related to its January 2015 lead paint audit findings have risk reduction certificates where required, filed a civil case against a private inspector and American Homeowner Service LLC in Prince George's County Circuit Court in order to address rental property certification fraud, worked on the lead rental certification and accreditation information database, and hired a new manager for the Lead Poisoning Prevention Program.

Information Technology Quarterly Reports: The fiscal 2018 budget bill restricted \$500,000 in general fund appropriations in MDE's Coordinating Offices (U00A10.01) made for the purpose of general operating expenses until MDE submitted quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The January 1, 2018 quarterly report reflects the status of the Environmental Permit Tracking System Modernization project, the Lead Rental Certification and Accreditation project, and two non-major information technology projects: Healthy Homes and Lead Poisoning Surveillance System and Ambient Water Quality Monitoring System.

Compliance and Enforcement Position Quarterly Reports: The fiscal 2018 budget bill restricted \$200,000 in general fund appropriations in each of the Maryland Department of Agriculture and MDE budgets for filling vacant compliance and enforcement positions and further restricted the funding until the submission of quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The January 1, 2018 quarterly report indicated that MDE used the EPA's Enforcement and Compliance History Online website and found that it performs as well as or better than the national average on many measures. However, MDE did not provide any specific supporting information.

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Department of the Environment

Operating Budget Analysis

Program Description

The Maryland Department of the Environment (MDE) was created in 1987 to protect and restore the quality of the State's land, air, and water resources and safeguard citizens from health risks associated with pollution. It is responsible for planning, monitoring, controlling, and regulating air, solid, and hazardous wastes; radiation, sewage sludge, sediment, and stormwater; toxicities, sewage treatment and water supply facilities; and environmental disease control programs. The department is structured into six major administrative units; the Science Services Administration has been integrated with the Water Management Administration to create the Water and Science Administration.

- ***Office of the Secretary:*** This office provides direction and establishes State environmental policies to be implemented by the operating units.
- ***Operational Services Administration:*** This administration provides general administrative and fiscal services to the department.
- ***Water and Science Administration (formerly the separate Water Management Administration and Science Services Administration):*** This administration administers the State's water pollution control and drinking water protection activities, implements Total Maximum Daily Loads (TMDL) for pollutants in impaired waterways, regulates industrial/municipal wastewater and stormwater discharge, develops and promulgates water quality standards, provides technical support and analysis for TMDLs, monitors shellfish, develops environmental and public health risk assessments, implements nonpoint source pollution programs, and develops and issues fish advisories.
- ***Land and Materials Administration (formerly Land Management Administration):*** This administration ensures that all types of hazardous and nonhazardous solid wastes are managed in a manner that protects public health and the environment. It regulates solid waste management facilities, scrap tire recycling facilities, above-ground and below-ground petroleum storage facilities, petroleum distribution, hazardous waste transportation, mining, and both concentrated animal feeding operations and Maryland animal feeding operations. In addition, this administration coordinates lead poisoning prevention efforts.
- ***Air and Radiation Administration (formerly Air and Radiation Management Administration):*** This administration ensures that air quality and radiation levels in Maryland sustain public health, safety, and the environment. It operates an air-monitoring network, licenses asbestos removal contractors, provides oversight of the Vehicle Emissions Inspection Program, and monitors radiation use. Climate change initiatives are a relatively new component of its operations.

- **Coordinating Offices:** This office manages budget matters, the Water Quality and Drinking Water Revolving Loan funds and other water pollution control program capital projects, and Board of Public Works (BPW) activities; coordinates public information and outreach; provides hazardous chemical and oil spill emergency response services; provides legal advice; and information technology (IT) services.

MDE has five goals that are consistent with efforts to protect and preserve Maryland's natural resources. Goal 5 is a new goal added since last year's analysis. The goals are as follows.

- **Goal 1:** Provide excellent customer service and community outreach.
- **Goal 2:** Manage air quality and emissions for maximum protection of human health and the environment.
- **Goal 3:** Reduce Maryland citizens' exposure to hazards.
- **Goal 4:** Protect water resources and ensure safe and adequate supplies of drinking water.
- **Goal 5:** Support and track sustainable materials management and waste reduction.

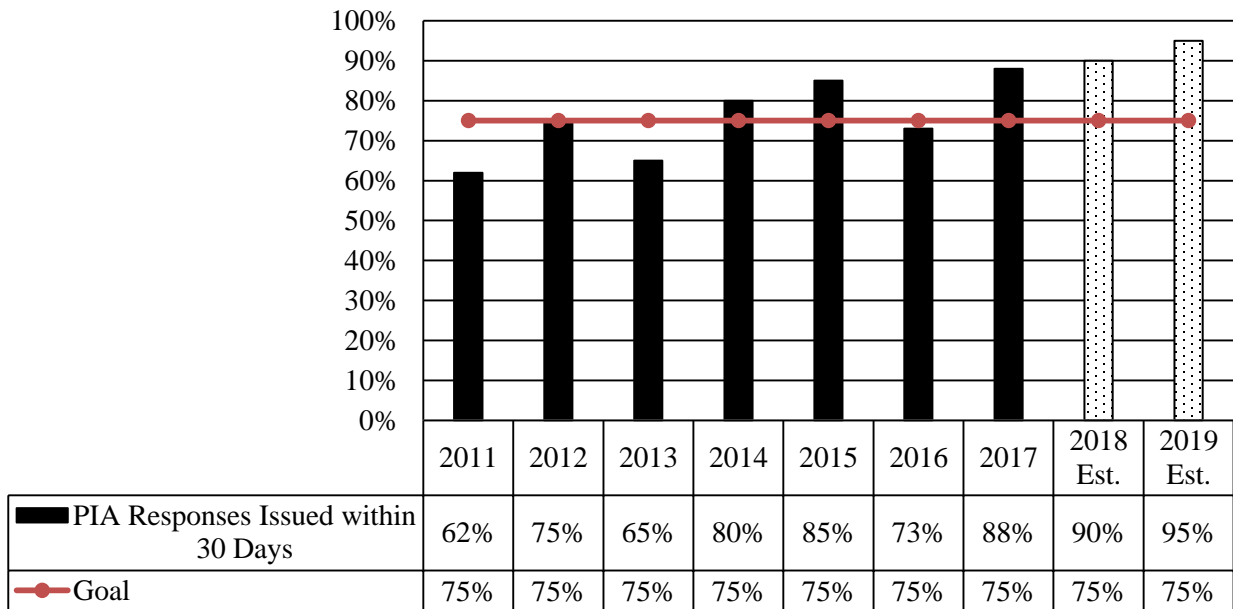
Performance Analysis: Managing for Results

The MDE Managing for Results (MFR) measures show (1) the percent of Public Information Act (PIA) requests issued within 30 days increased between fiscal 2016 and 2017; (2) Maryland is on track to meet a calendar 2020 greenhouse gas (GHG) emissions reduction goal for power plants; and (3) radiation machine compliance increased between fiscal 2016 and 2017 due to a methodology change for registering veterinary facilities.

1. Public Information Act Requests Issued within 30 Days Increase

MDE's first goal is to provide excellent customer service and community outreach. Under this goal is the objective to respond to 75% of PIA requests within 30 days of receipt. As shown in **Exhibit 1**, the percent of PIA requests issued within 30 days decreased from 85% in fiscal 2015 to 73% in fiscal 2016 and then increased to 88% in fiscal 2017. As a result, MDE met the objective of 75% in fiscal 2017. MDE notes that the decrease in fiscal 2016 was perhaps due to the focus placed on a new web-based PIA request database and the training of approximately 50 employees on the use of the new system, which may have taken away from day-to-day operations. However, the investment of time was well spent because the new web-based system allowed more MDE employees to access it. The employees accessing the system increased from 1 coordinator and 4 liaisons to 1 coordinator, 4 liaisons, and 35 file custodians. As a result, the new database allowed MDE to process requests faster and more efficiently thus boosting the percent of PIA requests issued within 30 days and reducing the use of carrier mail.

Exhibit 1
PIA Requests Issued Within 30 Days
Fiscal 2011-2019 Est.



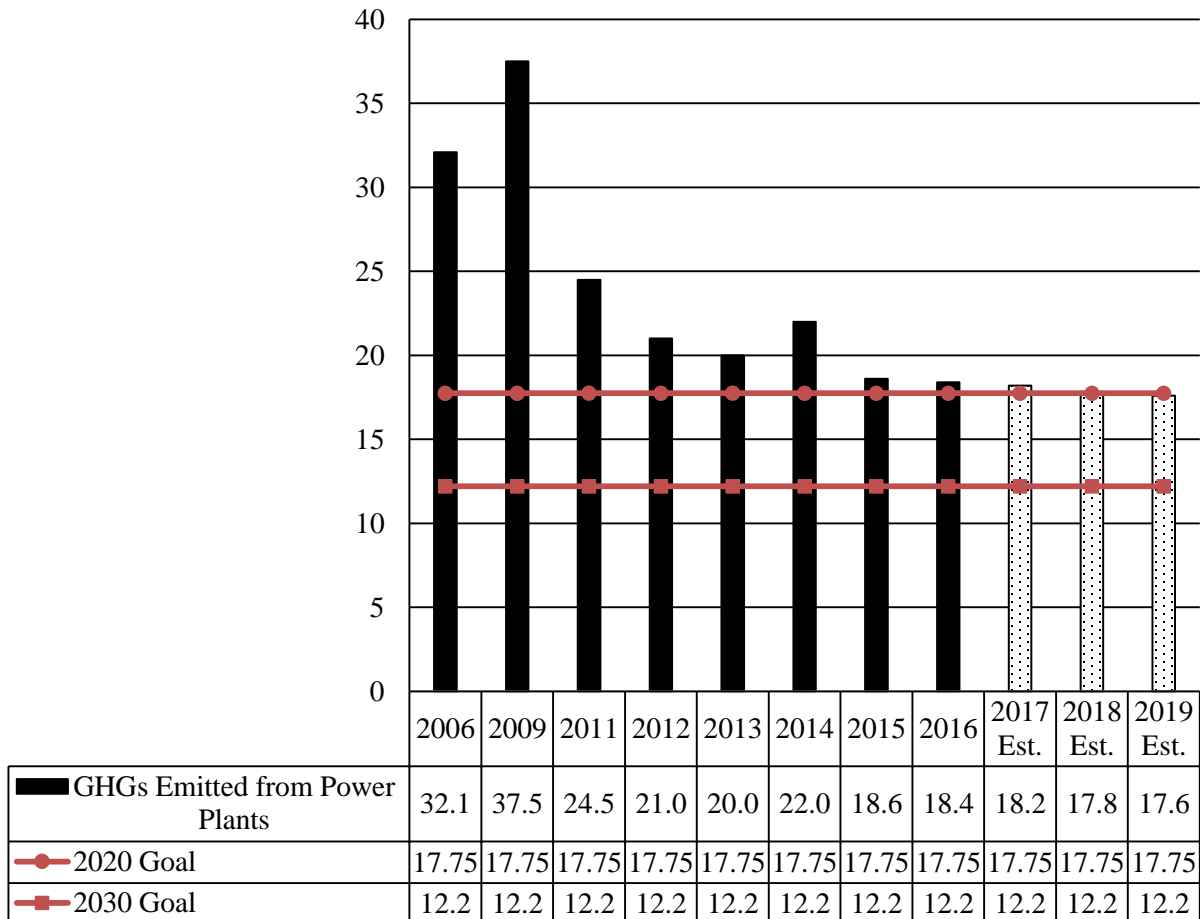
PIA: Public Information Act

Source: Department of Budget and Management

2. Maryland on Track for Calendar 2020 Greenhouse Gas Emissions Reduction Goal for Power Plants

MDE's second goal is to manage air quality and emissions for maximum protection of human health and the environment. The objective associated with this goal is to reduce GHG emissions; the MFR measure is the GHG emissions from power plants. MDE notes that there are two goals for GHG emissions from power plants and that they relate to agreements as part of Maryland's involvement in the Regional Greenhouse Gas Initiative (RGGI), the cooperative effort among nine states to reduce carbon dioxide (CO₂) emissions from the power sector. MDE notes that the first goal effectively reduces Maryland's CO₂ budget for power plants from 37.5 million tons in calendar 2009 to approximately 17.75 million tons in calendar 2020. The second goal, which is part of the latest agreement among the RGGI states but has not been adopted in regulation, would reduce Maryland's CO₂ budget for power plants by an additional 30% to 12.2 million tons by calendar 2030. As can be seen in **Exhibit 2**, Maryland is on track to meet the calendar 2020 goal but will need more reductions to meet the calendar 2030 goal.

Exhibit 2
GHG Emissions from Power Plants
Calendar 2006-2019 Est.
(Million Tons Per Year)



GHG: greenhouse gas

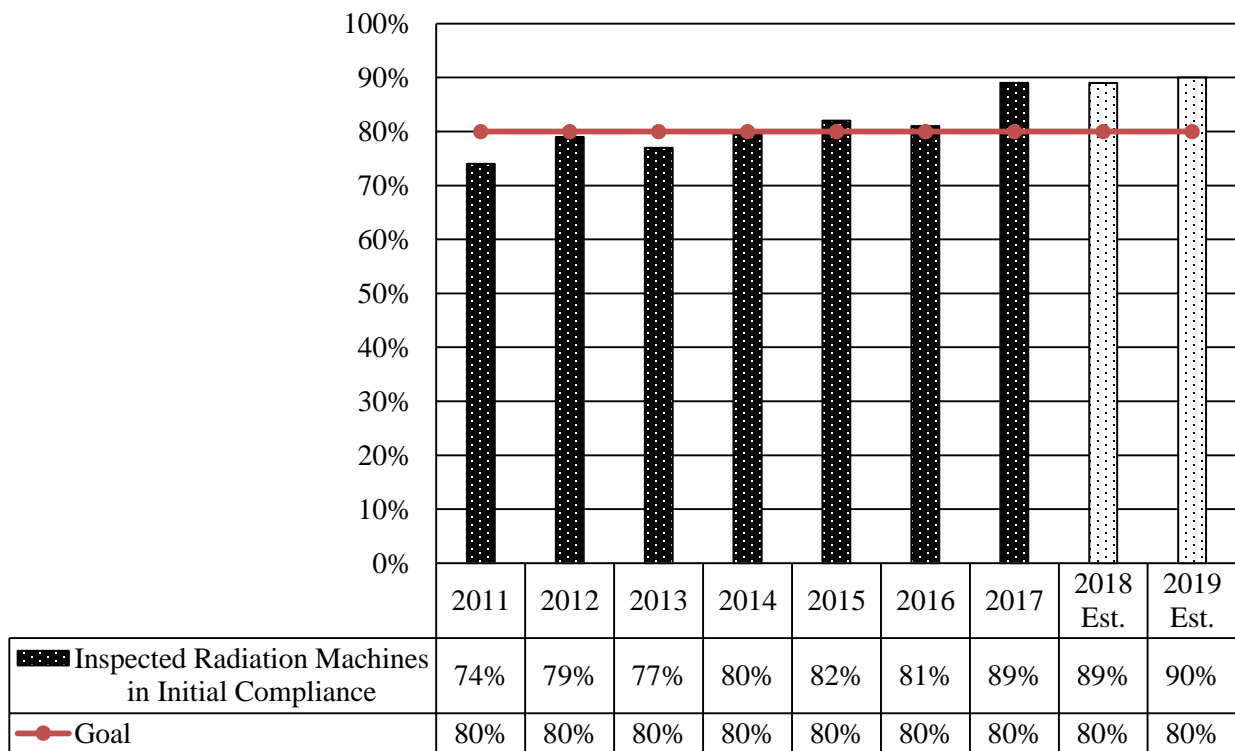
Source: Department of Budget and Management; Maryland Department of the Environment

Overall, there are two pieces of legislation guiding Maryland’s GHG goals. Chapters 171 and 172 of 2009 (Greenhouse Gas Emissions Reduction Act) required the State to develop plans, adopt regulations, and implement programs to reduce GHG emissions by 25% from 2006 levels by 2020. Chapter 11 of 2016 (Greenhouse Gas Emissions Reduction Act – Reauthorization) repealed the termination date of the current requirement to reduce GHG emissions by 25% from 2006 levels by 2020 and required the State to develop plans, adopt regulations, and implement programs to reduce GHG emissions by 40% from 2006 levels by 2030.

3. Radiation Machine Compliance Increases Due to a Methodology Change

MDE's third goal is to reduce Maryland citizens' exposure to hazards. The accompanying objective is to improve the initial significant compliance rate at radiation machine facilities to at least 80%. As can be seen in **Exhibit 3**, the percent of inspected radiation machines in initial compliance increased from 81% in fiscal 2016 to 89% in fiscal 2017. This reflects the first time that the goal of 80% has been exceeded by a wide margin over the time period shown. However, the increase between fiscal 2016 and 2017 is attributable to a methodology change in how MDE classified veterinary facility registrations. Before a fiscal 2017 fee decrease, MDE considered an entire veterinary facility to be in noncompliance if either its dental or nondental x-ray machine components were in noncompliance. After the fee decrease, MDE classified the dental and nondental x-ray machine components of veterinary facilities as two different registered facilities. Since x-ray machine noncompliance occurs mainly on the nondental x-ray side of the business, by regulating the two components separately, the overall compliance rate increased.

Exhibit 3
Inspected Radiation Machines in Initial Compliance
Fiscal 2011-2019 Est.



Source: Department of Budget and Management

Fiscal 2018 Actions

MDE's fiscal 2018 budget is affected by the September 6, 2017 BPW cost containment actions and an across-the-board employee and retiree health insurance reduction.

Cost Containment

The MDE general fund appropriation decreases by \$757,000 due to cost containment allocated through the September 6, 2017 BPW reductions for funding in the Water and Science Administration based on the use of available special fund balance to backfill the reduction.

Across-the-board Employee and Retiree Health Insurance Reduction

The budget bill includes an across-the-board reduction for employee and retiree health insurance in fiscal 2018 to reflect a surplus balance in the fund. MDE's share of this reduction is \$328,246 in general funds, \$561,129 in special funds, and \$301,183 in federal funds, for a total of \$1,190,558.

Budget Reconciliation and Financing Act

The Budget Reconciliation and Financing Act (BRFA) of 2018 includes a provision that authorizes, for fiscal 2018 and 2019 only, the Maryland Clean Air Fund to retain a balance of \$6 million. Currently, balances over \$2 million revert to the General Fund per Environment Article Section 2-107(c)(4). MDE notes that this provision allows it to retain penalty revenues expected from the State Volkswagen (VW) settlement related to air-emission defeat devices that will be used for operational expenditures. The two-year nature of the provision is intended to cover the uncertainty about the timing of the settlement.

Proposed Budget

The MDE fiscal 2019 adjusted allowance increases by \$2.8 million, or 1.7%, relative to the fiscal 2018 adjusted working appropriation, as shown in **Exhibit 4**. The changes by fund reflect an increase of \$1.7 million in general funds, an increase of \$2.7 million in special funds, an increase of \$1.4 million in federal funds, and a decrease of \$3 million in reimbursable funds. The largest change is a \$6 million increase in special funds for implementing Chapters 366 and 367 of 2017 (Clean Water Commerce Act), which expands the authorized uses of the Bay Restoration Fund to include the purchase of cost-effective nitrogen, phosphorus, or sediment load reductions in support of the State's efforts to restore the health of the Chesapeake Bay. Changes in personnel funding are discussed first and then other changes.

Exhibit 4
Proposed Budget
Department of the Environment
(\$ in Thousands)

| How Much It Grows: | <u>General</u> <u>Fund</u> | <u>Special</u> <u>Fund</u> | <u>Federal</u> <u>Fund</u> | <u>Reimb.</u> <u>Fund</u> | <u>Total</u> |
|---|---------------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|---------------------|
| Fiscal 2017 Actual | \$29,702 | \$82,762 | \$30,184 | \$3,990 | \$146,638 |
| Fiscal 2018 Working Appropriation | 28,368 | 98,450 | 31,284 | 7,027 | 165,129 |
| Fiscal 2019 Allowance | <u>30,117</u> | <u>101,099</u> | <u>32,702</u> | <u>4,016</u> | <u>167,934</u> |
| Fiscal 2018-2019 Amount Change | \$1,749 | \$2,650 | \$1,417 | -\$3,011 | \$2,805 |
| Fiscal 2018-2019 Percent Change | 6.2% | 2.7% | 4.5% | -42.8% | 1.7% |
| Where It Goes: | | | | | |
| Personnel Expenses | | | | | |
| Employee and retiree health insurance..... | | | | | \$1,391 |
| General salary increase..... | | | | | 697 |
| Regular salaries | | | | | 292 |
| Other fringe benefit adjustments | | | | | -59 |
| Workers' compensation premium assessment | | | | | -162 |
| Other Changes | | | | | |
| Environmental Policy | | | | | |
| Bay Restoration Fund funding for Clean Water Commerce Act | | | | | 6,000 |
| Lead Poisoning Prevention Program data entry backlog | | | | | 192 |
| Water supply laboratory work and data collection..... | | | | | -103 |
| Acid mine drainage materials and supplies in Mining Program | | | | | -116 |
| Lead Rental Certification and Accreditation system..... | | | | | -159 |
| Online Lead Rental Registry system | | | | | -200 |
| Air Quality Planning contracts..... | | | | | -200 |
| Scrap tire stockpile cleanups..... | | | | | -367 |
| Mobile Sources Control special projects..... | | | | | -390 |
| Environmental Permit Tracking System Modernization Project..... | | | | | -2,680 |
| Routine Operations | | | | | |
| Electricity – utilities budgeted at fiscal 2017 level | | | | | -58 |
| Contractual full-time equivalents | | | | | -69 |
| Mining program equipment service contract reduction | | | | | -75 |
| Statewide controlled objects..... | | | | | -88 |
| Vehicle purchases..... | | | | | -93 |
| One-time computer upgrades in Land and Materials Administration | | | | | -118 |
| Information technology maintenance contracts in Coordinating Offices..... | | | | | -165 |
| Application software maintenance | | | | | -584 |
| Other..... | | | | | -81 |
| Total | | | | | \$2,805 |

Note: Numbers may not sum to total due to rounding.

Personnel

Changes by Category

MDE's overall personnel expenditures increase by \$2,158,961 in the fiscal 2019 adjusted allowance. The personnel changes are as follows.

- ***Employee and Retiree Health Insurance Including One-time Reduction:*** Employee and retiree health insurance costs increase by \$1,390,558, which reflects an increase of \$1,190,558 for a one-time fiscal 2018 reduction in health insurance and an increase of \$200,000 for fiscal 2019 health insurance.
- ***General Salary Increase:*** The fiscal 2019 allowance includes funds for a 2% general salary increase for all State employees, effective January 1, 2019. These funds are budgeted in the Department of Budget and Management's statewide program and will be distributed to agencies during the fiscal year. MDE's share of the general salary increase is \$201,133 in general funds, \$295,500 in special funds, \$173,833 in federal funds, and \$26,762 in reimbursable funds, for a total of \$697,228. In addition, employees will receive another 0.5% increase and a \$500 bonus effective April 1, 2019, if actual fiscal 2018 general fund revenues exceed the December 2017 estimate by \$75 million. These funds have not been budgeted. The Administration will need to process a deficiency appropriation if revenues are \$75 million more than projected.
- ***Regular Salaries:*** There is an increase of \$292,294 for regular salaries.

Other Changes

Overall, the nonpersonnel portion of the MDE fiscal 2019 adjusted allowance increases by \$645,861. The areas of change may be broadly categorized as environmental policy and routine operations. Larger changes include:

Environmental Policy

- ***Bay Restoration Fund Funding for Clean Water Commerce Act:*** There is an increase of \$6,000,000 in special funds for implementing Chapters 366 and 367 (Clean Water Commerce Act) that expands the authorized uses of the Bay Restoration Fund to include the purchase of cost-effective nitrogen, phosphorus, or sediment load reductions in support of the State's efforts to restore the health of the Chesapeake Bay. The regulations associated with the Clean Water Commerce Act were published on February 2, 2018, and the Joint Committee on Administrative, Executive, and Legislative Review has jurisdiction over the regulations through March 19, 2018. MDE could publish the regulations on March 30, 2018, for adoption on April 9, 2018.

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- ***Online Lead Rental Registry System:*** There is a decrease of \$200,000 in special funds for the Online Lead Rental Registry system. This reflects a reduction of \$250,000 for a maintenance contract, which is offset partially by an increase of \$50,000 for scanning services for lead registrations.
- ***Air Quality Planning Contracts:*** Contract funding for Air Quality Planning program projects is reduced by \$200,000 (\$250,000 reimbursable fund decrease and \$50,000 special fund increase). This reflects the reduction of \$350,000 for various climate change programs, which is offset partially by an increase of \$150,000 for economic research by Towson University's Regional Economic Studies Institute in support of the pending draft Greenhouse Gas Reduction Act plan due by December 31, 2018, as required by Chapter 11 of 2016.
- ***Scrap Tire Stockpile Cleanups:*** The fiscal 2019 allowance reflects a \$367,000 special fund reduction in funding for scrap tire stockpile cleanups. The major changes are a reduction of \$1,100,000 for the Boehm/Crownsville project, which is offset partially by increases of \$373,000 for the new Mt. Airy project, \$300,000 for the new Elkton project, and \$60,000 for the ongoing Garner/Brandywine project.
- ***Mobile Sources Control Special Projects:*** Funding decreases by \$390,000 (\$350,000 in special funds and \$40,000 in reimbursable funds) in the Mobile Sources Control program for electric vehicle promotion programs funded by the Strategic Energy Investment Fund and Maryland Clean Cars Program modeling funded by the Maryland Department of Transportation.
- ***Environmental Permit Tracking System Modernization Project:*** There is a decrease of \$2,679,726 in reimbursable funds that were transferred from the Department of Information Technology's (DoIT) Major Information Technology Development Project Fund (MITDPF) to MDE's MITDPF for implementing the Environmental Permit Tracking System Modernization Project through the use of .Net technologies but are not included in MDE's fiscal 2019 allowance. If funding remains unexpended in fiscal 2018, then it will be brought in via budget amendment in fiscal 2019.

Routine Operations

- ***Application Software Maintenance:*** The funding for maintenance for application software decreases by \$583,541 (a \$733,541 special fund decrease and a \$150,000 federal fund increase). The primary change is a reduction of \$390,000 for SharePoint Content Management System maintenance and support related to web project components in Coordinating Offices – Information Systems and Technology.

Issues

1. Volkswagen Emissions Settlements Progressing

Volkswagen (VW) was caught using illegal “defeat devices” to delude vehicle emissions inspections. As a result, Maryland stands to gain under the VW emissions settlement. There are three main lawsuits as follows.

- ***Consumer Fraud:*** The consumer fraud case reflected the recognition of \$12 million in the General Fund in the fiscal 2018 budget to help balance the State’s budget.
- ***Civil Action:*** A more recent civil action lodged by Maryland seeks penalties for violating Maryland’s air pollution control requirements and is still in progress with settlement discussions continuing. While there is no firm time table for when both parties will reach a settlement, the State is recognizing \$22 million in the General Fund in the fiscal 2019 budget, once again to balance the State’s budget. The penalty fee revenue typically would be received in MDE’s Maryland Clean Air Fund. As noted previously in this analysis, the BRFA of 2018 includes a provision that authorizes, for fiscal 2018 and 2019 only, the Maryland Clean Air Fund to retain a balance of \$6 million instead of the current statutory cap of \$2 million. If adopted, this provision would allow the fund to retain more of the anticipated penalty revenue and thus allow for the funding of improvements to Maryland’s air monitoring network and the upgrade of laboratory equipment.
- ***Multistate Consumer Protection Settlement:*** Maryland is eligible to receive \$75.7 million under a December 2016 Consent Decree between the U.S. Environmental Protection Agency (EPA) and VW. Since December 2016, Maryland has notified the court that it will be a beneficiary under the settlement agreement and that MDE will be the lead agency. A draft plan that will outline how Maryland intends to use the settlement funds remains under development; Maryland may submit a plan anytime within the next 10 years and then will be able to request funding 30 days after the submission of the mitigation plan. The money will be held by Wilmington Trusts, the trustee, and the funding likely will go directly to the entities doing the approved work instead of flowing directly through MDE. However, other State agencies could be doing the work, so the funding would show up as special funds in their budgets.

The Department of Legislative Services (DLS) recommends that MDE comment on when the civil action settlement discussions are anticipated to be completed and on the plan for the \$75.7 million from the multistate consumer protection settlement.

2. Hurricane Environmental Lessons Sought

Within a short period of time, Hurricane Harvey, Hurricane Irma, and Hurricane Maria showed the challenges that large storms pose to infrastructure in the United States, and in particular, the

environmental challenges posed. For Maryland, the storms raise questions about the State's exposure related to dam safety, hazardous waste site toxins, floodplain concerns, and drinking water vulnerability. **DLS recommends that MDE comment on the State's preparedness as it relates to large storms that may pose challenges related to dam safety, hazardous waste site toxins, floodplain concerns, and drinking water vulnerability.**

3. Executive Branch Staffing Shortfall

Since fiscal 2002, the Executive Branch has abolished nearly 8,000 regular positions. Over the past two years, DLS has analyzed agency staffing needs based on laws, regulations, caseload guidelines, agency staffing studies, and other documentation. MDE is one of the agencies in which chronic understaffing was determined.

The primary evidence for understaffing in MDE is a 2007 staffing study conducted by MDE that demonstrated a need for 342 additional positions to comply with minimum mandated regulations. MDE cited this staffing shortfall in its response to a 2011 fiscal/compliance audit that showed that it had failed to conduct certain inspections as required by regulation. In 2017, the Administration repealed the regulations related to at least one component of this deficiency, the requirement that MDE inspect every active construction site for compliance with erosion and sediment control plans an average of once every two weeks. After adjusting for the estimated 47 positions needed to comply with the former regulations, it is estimated that MDE requires at least another 295 positions to comply with workload mandates. MDE confirmed that the staff need identified in the 2007 study was still valid but could not provide detail on the specific positions needed. **DLS recommends that MDE comment on whether its current position complement is aligned with its needs and whether reclassification of existing filled or vacant positions would allow it to achieve its mission.**

Operating Budget Recommended Actions

1. Adopt the following narrative:

Clean Water Commerce Act Spending Plan: The committees are concerned that there is \$6 million in the Maryland Department of the Environment's (MDE) fiscal 2019 allowance for the Clean Water Commerce Act without a detailed spending plan being available. Therefore, the committees request that MDE provide a report with the fiscal 2020 budget submission detailing the spending plan for the Clean Water Commerce Act for the fiscal 2018 actual, the fiscal 2019 working appropriation, and the fiscal 2020 allowance.

| Information Request | Author | Due Date |
|--|---------------|-------------------------------------|
| Clean Water Commerce Act spending plan | MDE | Fiscal 2020 State budget submission |

2. Adopt the following narrative:

Volkswagen Settlement Spending Plan: The committees are concerned that there is a substantial amount of funding available to the State from the various Volkswagen (VW) settlements without a clear spending plan for the revenues. Therefore, the committees request that the Maryland Department of the Environment (MDE), in collaboration with the Department of Budget and Management (DBM), provide a report with the fiscal 2020 budget submission detailing the description, timing, and funding associated with each of the VW settlements and a spending plan for the revenues for the fiscal 2018 actual, the fiscal 2019 working appropriation, and the fiscal 2020 allowance.

| Information Request | Authors | Due Date |
|-----------------------------|----------------|-------------------------------------|
| VW Settlement spending plan | MDE DBM | Fiscal 2020 State budget submission |

Updates

1. New Combined Water and Science Administration Created

As of July 1, 2017, MDE integrated the Science Services Administration with the Water Management Administration. The result was the elimination of the stand-alone Science Services Administration and the creation of the new Water and Science Administration. A budget amendment transferred \$250,774 internally as part of the reorganization. As part of this reorganization, the Land Management Administration was renamed the Land and Materials Administration and the Air and Radiation Management Administration was renamed the Air and Radiation Administration. The internal transfer of regular positions in fiscal 2018 are shown in **Exhibit 5**.

Exhibit 5 MDE Interagency Regular Position Transfers Fiscal 2018

| <u>Unit</u> | <u>Interagency Transfers</u> |
|-------------------------------------|-------------------------------------|
| Operational Services Administration | -1.0 |
| Water and Science Administration | 71.5 |
| Science Services Administration | -75.5 |
| Land and Materials Administration | 2.0 |
| Air and Radiation Administration | 1.0 |
| Coordinating Offices | 2.0 |
| Total | 0.0 |

MDE: Maryland Department of the Environment

Source: Department of Budget and Management

2. Maryland Sues the U.S. Environmental Protection Agency Over Upwind State Air Quality

Maryland filed a petition with EPA under Section 126 of the federal Clean Air Act on November 16, 2016, to require 36 power plants in five upwind states – Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia – to reduce pollution substantially by running their installed air pollution controls to reduce emissions. This is described as the “good neighbor provision” of the Clean Air Act, which requires states to include measures in their state air quality plans if their exported air pollution “contributes significantly” to another state’s nonattainment problem. EPA published a rule in the Federal Register on January 3, 2017, extending the time for ruling on the petition to July 15, 2017. Maryland sued the EPA on September 27, 2017, in the U.S. District Court over the EPA’s failure to act within the extended deadline. EPA has requested that the U.S District Court for Maryland grant another extension to December 31, 2018, to respond to the petition. On February 6, 2018, Maryland requested that the court deny EPA’s request.

3. Oil Workgroup Report Status

Chapter 325 of 2014 (Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund) required the Oil Workgroup to submit a report by December 31, 2016. MDE notes that the workgroup has been disbanded because Chapter 390 of 2017 (Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund) was enacted addressing the oil fee.

4. Lead Paint Risk Reduction Status

Lead paint risk reduction is an ongoing concern. Last year's analysis listed a number of lead poisoning prevention issues, including the January 2015 lead paint audit findings, the lack of progress on lead databases (online lead rental registry enhancements project and lead rental certification and accreditation information system), the impact of the universal testing regulations on MDE, a rental property certification fraud joint investigation with EPA, and the use of private inspectors for lead paint inspections as opposed to MDE employees given the potential for rental property certification fraud. The status of lead related activities is as follows.

- ***January 2015 Lead Paint Audit Findings:*** MDE had two lead paint audit findings in its January 2015 audit: (1) procedures were not sufficient to ensure that properties with lead paint that were constructed before 1950 were registered and that fees were paid (repeat audit finding); and (2) MDE did not have a process to ensure that owners who have registered properties affected by lead paint had a required inspection certificate. MDE notes that it has implemented processes to ensure that the properties have risk reduction certificates where required: it randomly selects 10 properties registered each month and checks to see whether the properties have a valid certificate on file, if required, and now reviews each account where the property owner has received and disputes a Notice of Violation for failure to renew the registration, in order to ensure valid certificates are in place.
- ***Rental Property Certification Fraud Joint Investigation:*** On January 28, 2016, MDE announced that it had opened a joint investigation with EPA and the Maryland Department of Health to determine whether a private inspector fraudulently certified rental properties as being lead free. MDE notes that it conducted an investigation of the certificates issued by the private inspector between 2010 and 2014. As a result of this investigation, MDE issued 117 Invalid (Lead) Certificate Letters for units in which lead was found despite having been certified as lead free. The letters require property owners to obtain new, valid lead certificates, or provide updated information verifying that the property is no longer a regulated rental unit. Of the 117 letters, 77 have been resolved (66%), and the remaining 40 letters have been referred to the Office of the Attorney General (OAG) for additional follow up, which is taking place currently. In addition, MDE filed a civil case against the private inspector and American Homeowner Service LLC in Prince George's County Circuit Court. A pre-trial conference is scheduled for May 2, 2018.

- **Lead Databases:** MDE has been working on an online lead rental registry enhancement project and lead rental certification and accreditation information. In the past, MDE has noted that the online lead rental registry enhancement project may have been combined with the lead rental certification and accreditation information database. In terms of the lead rental certification and accreditation information database, MDE notes that a Task Order Request for Proposals (TORFP) is being prepared by Towson University. Once the TORFP has been completed and issued, it is anticipated that the bidding and selection will be completed by late summer. Allowing for 1.5 to 2 years for development, MDE estimates that the lead rental certification and accreditation database should be completed by July 2020 with individual components most likely to be available for use before then.
- **New Program Manager:** MDE has hired a new manager for the Lead Poisoning Prevention Program who previously worked at the Green and Healthy Homes Initiative in Baltimore City.

5. Information Technology Quarterly Reports

The fiscal 2018 budget bill restricted \$500,000 in general fund appropriations in MDE's Coordinating Offices (U00A10.01) made for the purpose of general operating expenses until MDE submitted quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The reports were required to discuss all IT project activities undertaken by MDE, including a listing of all IT development projects, a description of the actions undertaken in that quarter, an assessment of timeliness of the project with respect to the project schedule, a description of costs incurred in that quarter, and an assessment of the cost of the project with respect to estimated project costs. The first, second, and third quarter reports have been submitted.

Background

The General Assembly was concerned that MDE had not provided adequate information to the budget committees and DoIT about Major Information Technology Development Projects. In particular, DoIT's fiscal 2018 allowance included \$1,440,000 in general funds for MDE's Permit Tracking System Modernization Major IT Project. It was determined that this funding was not needed for the Permit Tracking System Modernization project, but MDE indicated that it would like to use the funding for the Lead Rental Certification and Accreditation project instead. The Administration submitted Supplemental Budget No. 1, which included \$500,000 in general funds in DoIT's MITDPF for the Lead Rental Certification and Accreditation project including \$50,000 for oversight. In addition, Supplemental Budget No. 1 included \$550,000 in special funds in MDE's Coordinating Offices – MITDP's budget for the Lead Rental Certification and Accreditation project, a total of \$1,050,000 for fiscal 2018. The General Assembly cut the funding for the Permit Tracking System Modernization project and restricted the \$500,000 in general funds in DoIT's MITDPF in order to confirm that the Lead Rental Certification and Accreditation project is being evaluated and approved by DoIT as an MITDP. This funding was released per the submission of the required Information Technology Project Request (ITPR) for the Lead Rental Certification and Accreditation project and the posting of the ITPR on the Information Technology Advisory Council website. In addition, the General Assembly required the submission of the IT status reports.

Report Summary

The first quarterly report was submitted on June 30, 2017, and was updated by the reports submitted on September 19, 2017, and January 30, 2018. A summary of the projects noted in the reports follow.

- ***Environmental Permit Tracking System Modernization:*** The Environmental Permit Tracking System Modernization project modernizes the capture of departmental permit data by updating the existing PowerBuilder user interface with web-based technologies such as .Net. MDE released the Consulting and Technology Services (CATS+) TORFP for implementation in December 2016; received contractor proposals on March 10, 2017; completed an evaluation of the technical proposals in early June 2017; completed oral presentations from the top five ranked contractors at the end of June 2017; and completed a contract award recommendation that is under review by MDE's OAG. MDE sent a contract award recommendation to DoIT for approval and received approval for the contract award to International Software Systems, Inc. on October 27, 2017. Subsequently, a notice to proceed was issued to International Software Systems, Inc. on November 20, 2017, and a project kickoff meeting was held on December 5, 2017. Once again, in terms of timeliness of the project, MDE notes that it will develop a project schedule as part of the startup activities and that timeliness will be measured relative to that schedule. MDE notes that the total project cost has increased from \$3.34 million to \$3.93 million. The contract award amount for International Software Systems, Inc. was \$3.1 million, of which \$1.8 million is for the three-year base contract and \$1.3 million is for two one-year renewal options.
- ***Lead Rental Certification and Accreditation Project:*** The Lead Rental Certification and Accreditation Project will convert and migrate a collection of lead paint compliance activity legacy systems and databases to a new system. This will be done in order to consolidate information about property certificates issued to property owners, accreditation of third-party inspectors, and enforcement actions taken against property owners, third-party inspectors, and other entities; integrate with the existing Online Lead Rental Registry; and accept fee payments online. At this point, a System and Functional Requirements Document has been developed, and the fiscal 2019 ITPR has been completed. In terms of timeliness, a CATS+ TORFP for implementation is being developed for review and approval with a first draft anticipated in early January 2018. A contract award for implementation is now anticipated in early calendar 2018 instead of fall 2018, as reported in the first quarterly report. It is unclear whether this change in schedule is supported by the available progress to date, but MDE indicates that this is its IT group's current plan. Once the contract award is made, a schedule will be developed and timeliness can be assessed. No funds were expended in fiscal 2017, while \$1,050,000 is appropriated in fiscal 2018. An additional \$1,740,000 is planned for fiscal 2019 for a total project cost of \$2.79 million. MDE will be able to make a cost comparison of the estimate to actual costs upon contract award.

Non-Major IT Projects

The July 26, 2017 BPW agenda reflected an additional IT project not included in the second quarterly report. In response to additional guidance from the budget committees requesting information on this project, MDE reported on its non-MITDPF projects in the third quarterly report. These two projects are as follows.

- ***Healthy Homes and Lead Poisoning Surveillance System:*** The Healthy Homes and Lead Poisoning Surveillance System is intended to replace the Systemic Tracking of Elevated Lead Levels and Remediation system – the current legacy tracking system. The Healthy Homes and Lead Poisoning Surveillance System is a commercial off-the-shelf system provided free of charge by the Centers for Disease Control and Prevention. MDE is testing the system within the Lead Poisoning Prevention Program using internal IT resources and is planning for an early calendar 2018 migration from the old system to the new one.
- ***Ambient Water Quality Monitoring System:*** The Ambient Water Quality Monitoring System is a sole-source project. The project had an initial contract approval date of January 28, 2015; the contractor is Gold Systems, Inc. of Salt Lake City, Utah; and the contract is for \$442,000 (MDE indicates a \$444,800 contract amount) of which \$163,000 remains. The intent of the project is to establish a web service to allow applications, such as both the desktop and online versions of Geographic Information System, to access the Ambient Water Quality Monitoring System data. All but goals 4 and 6 of the six goals have been completed, and the final goals are anticipated to be completed by the end of August 2018. The project's original contract was for March 5, 2015, to September 30, 2017, but was granted a one-year no-cost extension from October 1, 2017, to September 30, 2018, as part of the BPW item.

6. Compliance and Enforcement Position Quarterly Reports

The fiscal 2018 operating budget bill restricted \$200,000 in general fund appropriations in each of the Maryland Department of Agriculture (MDA) and MDE budgets for filling vacant compliance and enforcement positions and further restricted the funding until the submission of quarterly reports on July 1, 2017; October 1, 2017; January 1, 2018; and April 1, 2018. The reports were requested to include an evaluation of the adequacy of Maryland's current authorized compliance and enforcement positions; a comparison of the size, roles, and responsibilities of the departments' compliance and enforcement positions to neighboring or similar states; a list of all inspection activities in certain programs; and staffing and funding levels for fiscal 2018 and 2019.

Background

The 2016 *Joint Chairmen's Report* included the request for a similar report on compliance and enforcement inspections and positions for Chesapeake Bay restoration. The submitted report was not responsive to the request because the agencies were unable to evaluate the requested information in the context of Chesapeake Bay restoration.

Report Requirements

The fiscal 2018 budget bill language related to the quarterly reports required the following:

- (1) an evaluation of the adequacy of Maryland’s current authorized compliance and enforcement positions in the departments. In completing the assessment, the departments should:
 - (a) provide information on the delegation of authority to other entities; and
 - (b) assess the impact of the role that technology has played on compliance and enforcement responsibilities;
- (2) a comparison of the size, roles, and responsibilities of the departments’ compliance and enforcement positions to neighboring or similar states;
- (3) a list of all inspection activities conducted by MDE’s Water Management Administration, Land Management Administration, Air and Radiation Management Administration, and MDA’s Office of Resource Conservation; and
- (4) the number of:
 - (a) regular positions and contractual full-time equivalents associated with the inspections, including the number of vacancies for the fiscal 2011 through 2017 actuals; and
 - (b) the fiscal 2018 current and fiscal 2019 estimated appropriations.

Report Summary

The report summary is as follows (**Appendix 3** contains exhibits on positions, vacancies, and inspections for MDE).

- ***Evaluation of Maryland’s Compliance and Enforcement Positions:*** MDE notes that it targets inspection and compliance workloads to the areas of highest risk of public health – areas with multiple permits or particularly sensitive locations – and that it responds to citizen complaints and self-monitoring and report submission failures. Erosion and sediment control inspection and enforcement authority is delegated to the following: cities – Aberdeen, Annapolis, Baltimore, Bel Air, Bowie, Gaithersburg, Greenbelt, Rockville, and Laurel; counties – Anne Arundel, Baltimore, Calvert, Carroll, Charles, Dorchester, Frederick, Harford, Howard, Kent, Montgomery, Prince George’s, and Worcester; and an institution – the Washington Suburban Sanitary Commission. MDE also uses certified third-party inspectors as an initial level of oversight for regulated facilities in the Radiological Health Program, Oil Control Program, and Lead Poisoning Prevention Program. In terms of technology, the Tools for Environmental Management and Protection Organizations (TEMPO) software has improved

the ability to track inspections, and the Permit Modernization Project update for TEMPO is anticipated to aid compliance activities.

- **October Update:** MDE notes that it has agreements with Caroline, Cecil, Queen Anne's, and Worcester counties for supplemental inspections and monitoring of sewage sludge utilization.
- **January Update:** No additional information.
- **Comparison to Other States:** MDE noted that it has contacted the Environmental Council of States, EPA, and neighboring states – Delaware, Pennsylvania, and Virginia – about a comparison of compliance activities and requests more time to research and compile the requested information.
 - **October Update:** MDE notes that it has found environmental compliance activity data for Connecticut and New Jersey but that comparisons are challenging because of differences in program responsibilities, scope, and definitions. For instance, other states do not prepare comprehensive annual enforcement reports as Maryland does. While interstate comparisons are difficult, it appears that the EPA Enforcement and Compliance History Online website provides an opportunity to compare MDE's work in the air, drinking water, hazardous waste, and clean water policy areas to other states and the nation as a whole – <https://echo.epa.gov/trends/comparative-maps-dashboards/state-air-dashboard>.
 - **January Update:** For the January update, MDE was requested to compare MDE's work in the air, drinking water, hazardous waste, and clean water policy areas to other states and the nation as a whole using data from EPA's Enforcement and Compliance History Online website. MDE responded that the EPA data indicates that it performs as well as or better than the national average on many measures, but MDE did not provide any specific supporting information. MDE noted that wetlands, radiation, and lead poisoning prevention are not part of EPA's Enforcement and Compliance History Online website's reporting.
- **Inspection Activities:** MDE has three media administrations: the Air and Radiation Management Administration with 6 inspection activities, the Land Management Administration with 15 inspection activities, and the Water Management Administration with 11 inspection activities (incorrectly stated as 13 in the letter for the first quarterly report). The substantive changes in inspections over the fiscal 2011 to 2017 estimated time period (final fiscal 2017 data was expected for the October 2017 report) include the following: (1) the Water Management Administration increases for Discharges – Surface Water and decreases for Water Supply Program – Community and Non-transient Non-community Water Systems, Water Supply Program – Transient Non-community Water Systems, Stormwater Management and Erosion and Sediment Control for Construction Activity, and Water Supply Program – Water Appropriation Permits; (2) the Land Management Administration increases for Lead Poisoning

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Prevention, Mining – Non-coal, and Animal Feeding Operations and decreases for Oil Control – Underground Storage Tank Systems, Oil Control – Pollution Remediation Activities, and Scrap Tires; and (3) the Air and Radiation Management Administration increases for Radiation Machines, and decreases for Asbestos.

- **October Update:** The names of MDE’s three media administrations have changed as follows: the Air and Radiation Administration (formerly Air and Radiation Management Administration), the Land and Materials Administration (formerly Land Management Administration), and the Water and Science Administration (formerly Water Management Administration). The updated substantive changes in inspections over the fiscal 2011 to 2017 estimated time period include the following: (1) the Water and Science Administration increases for the Water Supply Program – Community and Non-transient Non-community Water Systems, and the Water Supply Program – Transient Non-community Water Systems, which previously reflected decreases; (2) the Land and Materials Administration increases for Animal Feeding Operations are moderated; and (3) the Air and Radiation Administration had no major changes.
- **January Update:** For fiscal 2017, the measure for discharges – pretreatment (industrial) in the Water and Science Administration decreased from 29 to 25.
- **Positions and Funding:** As shown in Appendix 3, the number of inspectors for the three administrations has been relatively flat or even declining through fiscal 2016 and only had substantial increases in fiscal 2017. The number of vacancies has increased in recent years. MDE notes that the fiscal 2018 appropriation is \$35 million across the administrations responsible for enforcement but that this funding is not exclusive to enforcement personnel; fiscal 2019 funding is not available at this time.
- **October Update:** The fiscal 2017 estimate is now the fiscal 2017 draft actual, and fiscal 2018 estimates have been added for inspectors and vacancies. The changes are as follows: Air and Radiation Administration – the fiscal 2017 number of inspectors has decreased from 43 to 39, the fiscal 2017 number of vacancies has decreased from 4 to 2, and the fiscal 2018 estimate for inspectors is 39; Land and Materials Administration – the fiscal 2017 number of inspectors has decreased from 86 to 74, the fiscal 2017 number of vacancies has decreased from 10 to 5, and the fiscal 2018 estimate for inspectors is 72; and Water and Science Administration – the fiscal 2017 number of inspectors has decreased from 51 to 47, the fiscal 2017 number of vacancies has increased from 3 to 4, and the fiscal 2018 estimate for inspectors is 47. It is unclear why there has been a decrease in inspector positions between the fiscal 2017 estimate and the fiscal 2017 draft actual in all three administrations.
- **January Update:** No additional information.

Appendix 1
Current and Prior Year Budgets
Maryland Department of the Environment
(\$ in Thousands)

| | <u>General Fund</u> | <u>Special Fund</u> | <u>Federal Fund</u> | <u>Reimb. Fund</u> | <u>Total</u> |
|----------------------------------|--------------------------------|--------------------------------|--------------------------------|-------------------------------|---------------------|
| Fiscal 2017 | | | | | |
| Legislative Appropriation | \$31,814 | \$88,519 | \$33,452 | \$4,046 | \$157,831 |
| Deficiency Appropriation | 0 | 0 | 0 | 0 | 0 |
| Cost Containment | 0 | 0 | 0 | 0 | 0 |
| Budget Amendments | -1,305 | 644 | 354 | 2,827 | 2,520 |
| Reversions and Cancellations | -807 | -6,401 | -3,622 | -2,884 | -13,713 |
| Actual Expenditures | \$29,702 | \$82,762 | \$30,184 | \$3,990 | \$146,638 |
| Fiscal 2018 | | | | | |
| Legislative Appropriation | \$29,453 | \$99,011 | \$31,585 | \$3,898 | \$163,947 |
| Cost Containment | -757 | 0 | 0 | 0 | -757 |
| Budget Amendments | 0 | 0 | 0 | 3,130 | 3,130 |
| Working Appropriation | \$28,696 | \$99,011 | \$31,585 | \$7,027 | \$166,320 |

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. Numbers may not sum to total due to rounding.

Fiscal 2017

The Maryland Department of the Environment (MDE) general fund appropriation decreased by \$2,111,996. The changes are as follows.

- **Budget Amendments:** A net decrease of \$1,305,340 due to budget amendments that transfer funding to the Department of Information Technology (DoIT) from the Water Management Administration and Coordinating Offices related to 18 full-time equivalents transferred in August 2016 for the Information Technology Enterprise Initiative as authorized by Section 21 of the fiscal 2017 budget bill (\$1,599,631), which is offset partially by an increase in the appropriation for allocating the fiscal 2017 increment funding as authorized in the fiscal 2017 budget bill (\$294,291).
- **Reversions:** A decrease of \$806,656 due to reversions in the Water Management Administration as part of a targeted reversion (\$803,798) and other programs as part of appropriations not being needed (\$2,858).

The MDE special fund appropriation decreased by a net of \$5,756,460. The changes are as follows.

- **Budget Amendments:** An increase of \$644,186 due to a budget amendment that allocated fiscal 2017 increment funding as authorized in the fiscal 2017 budget bill.
- **Cancellations:** A decrease of \$6,400,646 as a result of cancellations in the Coordinating Offices – Bay Restoration Fund Debt Service due to debt service payments being less than the appropriation (\$2,569,003), the Water Management Administration due to the full appropriation not being needed (\$1,551,679), the Air and Radiation Management Administration due to the appropriation being greater than available revenue from the Clean Air Fund and vacancies (\$1,139,806), the Land Management Administration due to the appropriation being in excess of available revenue (\$750,454), the Coordinating Offices due to the appropriation not being needed for bond counsel and other purposes (\$322,796), and other programs (\$66,908).

The MDE federal fund appropriation decreased by \$3,267,925. The changes are as follows.

- **Budget Amendments:** An increase of \$354,132 due to a budget amendment that allocated fiscal 2017 increment funding as authorized in the fiscal 2017 budget bill.
- **Cancellations:** A decrease of \$3,622,057 as a result of cancellations in the Land Management Administration (\$2,211,952), the Coordinating Offices due to the appropriation being in excess of available revenue (\$502,953), the Operational Services Administration due to the appropriation being in excess of available revenue (\$434,225), the Science Services Administration due to lower than anticipated expenditures (\$334,185), and other programs (\$138,742).

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The MDE reimbursable fund appropriation decreased by \$56,581. The changes are as follows.

- ***Budget Amendments:*** An increase of \$2,827,226 due to budget amendments that provide funding transferred from DoIT's Major Information Technology Development Project Fund (MITDPF) for the Environmental Permit Tracking System Modernization Project through the use of .Net technologies (\$2,646,028), and transferred from the Maryland Energy Administration to MDE's Operational Services Administration for costs related to the move and rent incurred during fiscal 2017 (\$181,198).
- ***Cancellations:*** A decrease of \$2,883,807 due to cancellations in Coordinating Offices – Major Information Technology Development Projects due to the Environmental Permit Tracking System Modernization Projecting being delayed to fiscal 2018 (\$2,646,028), the Water Management Administration due to the appropriation being in excess of available revenue (\$148,077), and other programs (\$89,702).

Fiscal 2018

The MDE general fund appropriation decreases by \$757,000 due to cost containment. The cost containment was allocated through the September 6, 2017 Board of Public Works reductions for funding in the Water and Science Administration based on the use of available special fund balance to backfill the reduction.

The MDE reimbursable fund appropriation has increased by \$3,129,726 due to budget amendments that transfer funding from DoIT's MITDPF to MDE's MITDPF for implementing the Environmental Permit Tracking System Modernization Project through the use of .Net technologies (\$2,679,726). There is also the transfer of funding from DoIT's MITDPF to MDE's MITDPF for the Lead Rental Certification and Accreditation Major Information Technology Project that will be integrated with the existing Online Lead Rental Registry and an eCommerce functionality for accepting fee payments online (\$450,000).

Appendix 2
Major Information Technology Projects
Maryland Department of the Environment
Environmental Permit Tracking System Modernization Project

| | | | | | | | | |
|--|--|----------------|----------------|---|----------------|--|----------------------------|--------------|
| Project Status | Implementation. | | | New/Ongoing Project: | | Ongoing. | | |
| Project Description: | The Environmental Permit Tracking System Modernization project is intended to modernize how the Maryland Department of the Environment (MDE) captures permit data by transferring the existing system from a legacy PowerBuilder user interface to .Net technologies. The project will also support the Web Revamp Project by making ePermitting and eCommerce available to citizens and businesses. | | | | | | | |
| Project Business Goals: | The project will reduce the level of effort required to enter data in the MDE centralized permit tracking system and ensure that the technologies that support the mission are cost effective and sustainable. | | | | | | | |
| Estimated Total Project Cost: | \$3,930,000. | | | Estimated Planning Project Cost: | | \$3,340,000. | | |
| Project Start Date: | The project began in February 2013 with the development of the Task Order Request for Proposals. | | | Projected Completion Date: | | Permit modernization go live on July 18, 2017, as of the fiscal 2018 analysis. No new information. | | |
| Schedule Status: | According to MDE’s January 2018 quarterly information technology report, MDE sent a contract award recommendation to the Department of Information Technology (DoIT) for approval and received approval for the contract award to International Software Systems, Inc. on October 27, 2017. Subsequently, a notice to proceed was issued to International Software Systems, Inc. on November 20, 2017, and a project kickoff meeting was held on December 5, 2017. | | | | | | | |
| Cost Status: | The overall cost has increased from \$3.34 million to \$3.93 million. MDE’s actual encumbrances and expenditures are as follows: fiscal 2014 – \$41,722, fiscal 2015 – \$452,250, fiscal 2016 – \$0, and fiscal 2017 – \$0 (despite a \$2,646,028 appropriation). There is \$2,679,726 budgeted for fiscal 2018. Therefore a total of \$3,173,698 has been either encumbered, expended, or budgeted in MDE’s budget. Some amount of additional funding is budgeted in DoIT for project oversight. While there is no fiscal 2019 funding budgeted, the updated Information Technology Project Request shows \$550,000 in fiscal 2019. However, the Governor’s Budget Highlights reflects the \$550,000 in fiscal 2020 and so that is what is reflected below. | | | | | | | |
| Scope Status: | The scope is now at the implementation stage. An updated scope of elements does not appear to be available. The eCommerce component may have been dropped. | | | | | | | |
| Project Management Oversight Status: | DoIT has approved the information technology request. | | | | | | | |
| Identifiable Risks: | Funding is the only medium-level risk. MDE notes that the technology is proven but that it is new to MDE. | | | | | | | |
| Additional Comments: | Fiscal 2017 funding was not used and the overall project cost has increased. The meaning of the fiscal 2018 funding is unclear. | | | | | | | |
| Fiscal Year Funding (\$ in Thousands) | Prior Years | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | Balance to Complete | Total |
| Personnel Services | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| Professional and Outside Services | 3.3 | 0.0 | 0.6 | 0.0 | 0.0 | 0.0 | 0.0 | 3.9 |
| Other Expenditures | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Total Funding | \$3.3 | \$0.0 | \$0.6 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$3.9 |

Maryland Department of the Environment Lead Rental Certification and Accreditation

| | | | | | | | | |
|--|--|----------------|----------------|---|----------------|---|----------------------------|--------------|
| Project Status | Implementation. | | | New/Ongoing Project: | | New. | | |
| Project Description: | The Lead Rental Certification and Accreditation Project will convert and migrate a collection of lead paint compliance activity legacy systems and databases to a new system. This will be done in order to consolidate information about property certificates issued to property owners, accreditation of third-party inspectors, and enforcement actions taken against property owners, third-party inspectors, and other entities; integrate with the existing Online Lead Rental Registry; and accept fee payments online. | | | | | | | |
| Project Business Goals: | The project will reduce staff time by minimizing data entry, allow for the tracking of various fees, and generally increase efficiency in the Lead Poisoning Prevention Program. | | | | | | | |
| Estimated Total Project Cost: | n/a. | | | Estimated Planning Project Cost: | | \$2,790,000. | | |
| Project Start Date: | It is not clear when the project started. | | | Projected Completion Date: | | It is not clear when the project will be completed. | | |
| Schedule Status: | A System and Functional Requirements Document has been developed and the fiscal 2019 Information Technology Request has been completed. In terms of timeliness, a Consulting and Technical Services Task Order Request for Proposals for implementation is being developed for review and approval with a first draft anticipated in early January 2018. A contract award for implementation is now anticipated in early calendar 2018 instead of fall 2018. Once the contract award is made, a schedule will be developed and timeliness can be assessed. | | | | | | | |
| Cost Status: | No funds were expended in fiscal 2017, while \$1,050,000 is appropriated in fiscal 2018, and an additional \$1,740,000 is planned for fiscal 2019 for a total project cost of \$2.79 million. | | | | | | | |
| Scope Status: | The scope does not appear to have changed. | | | | | | | |
| Project Management Oversight Status: | The Department of Information Technology has approved the information technology request. | | | | | | | |
| Identifiable Risks: | All of the risk levels are low. | | | | | | | |
| Additional Comments: | | | | | | | | |
| Fiscal Year Funding (\$ in Thousands) | Prior Years | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | Balance to Complete | Total |
| Personnel Services | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| Professional and Outside Services | 1.1 | 1.8 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 2.8 |
| Other Expenditures | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Total Funding | \$1.1 | \$1.8 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$2.8 |

Appendix 3
Water and Science Administration
Fiscal 2011-2018 Est.

| | <u>2011</u> | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>Actual 2017</u> | <u>Est. 2018</u> | <u>% Change 2011-2017</u> | <u>Change 2011-2017</u> |
|--|-------------|-------------|-------------|-------------|-------------|-------------|------------------------|----------------------|-------------------------------|-----------------------------|
| Inspectors | 48 | 47 | 45 | 44 | 43 | 41 | 47 | 47 | -2% | -1 |
| Vacancies | 4 | 2 | 3 | 6 | 9 | 14 | 4 | n/a | 0% | 0 |
| Water Supply Program – Community and Nontransient Noncommunity Water Systems | 26,349 | 27,024 | 27,575 | 25,241 | 17,554 | 18,657 | 53,921 | 18,500 | 105% | 27,572 |
| Discharges – Surface Water | 1,937 | 11,968 | 10,802 | 9,275 | 12,948 | 11,748 | 12,278 | 11,700 | 534% | 10,341 |
| Water Supply Program – Transient Noncommunity Water Systems | 11,795 | 12,030 | 13,105 | 12,595 | 8,084 | 9,097 | 15,316 | 9,000 | 30% | 3,521 |
| Stormwater Management and Erosion and Sediment Control for Construction Activity | 4,320 | 3,795 | 3,456 | 2,814 | 2,641 | 2,591 | 2,969 | 2,600 | -31% | -1,351 |
| Wetlands and Waterways – Nontidal and Floodplain | 1,858 | 2,004 | 1,914 | 1,806 | 2,232 | 1,830 | 2,273 | 1,900 | 22% | 415 |
| Discharges – Groundwater | 1,235 | 1,569 | 1,206 | 1,281 | 1,611 | 1,618 | 1,595 | 1,600 | 29% | 360 |
| Wetlands and Waterways – Tidal | 1,309 | 1,104 | 791 | 713 | 558 | 553 | 533 | 550 | -59% | -776 |
| Waterway Construction – Dam Safety | 608 | 216 | 280 | 251 | 162 | 309 | 313 | 250 | -49% | -295 |
| Water Supply Program – Drinking Water Laboratory Certification | 129 | 130 | 150 | 119 | 144 | 132 | 122 | 130 | -5% | -7 |
| Discharges – Pretreatment (industrial) | 39 | 37 | 25 | 24 | 26 | 29 | 25 | 25 | -36% | -14 |
| Water Supply Program – Water Appropriation Permits | 292 | 290 | 452 | 40 | 5 | 5 | 72 | 5 | -75% | -220 |

Note: The fiscal 2017 draft actual has changed to the fiscal 2017 actual. For fiscal 2017, the measure for discharges – pretreatment (industrial) has decreased from 29 to 25.

Source: Maryland Department of the Environment

Land Materials Administration
Fiscal 2011-2018 Est.

| | <u>2011</u> | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>Actual</u> <u>2017</u> | <u>Est.</u> <u>2018</u> | <u>% Change</u> <u>2011-2017</u> | <u>Change</u> <u>2011-2017</u> |
|---|-------------|-------------|-------------|-------------|-------------|-------------|------------------------------|----------------------------|-------------------------------------|-----------------------------------|
| Inspectors | 66 | 69 | 68 | 69 | 73 | 72 | 74 | 72 | 12% | 8 |
| Vacancies | 2 | 9 | 7 | 11 | 10 | 7 | 5 | n/a | 150% | 3 |
| Lead Poisoning Prevention | 36,750 | 29,520 | 26,087 | 30,574 | 92,627 | 59,280 | 57,694 | 60,000 | 57% | 20,944 |
| Oil Control – Underground Storage Tank Systems | 5,236 | 5,645 | 5,378 | 5,091 | 3,928 | 3,719 | 4,262 | 3,800 | -19% | -974 |
| Oil Control – Pollution Remediation Activities | 8,121 | 7,773 | 5,059 | 4,440 | 4,221 | 3,428 | 2,942 | 3,500 | -64% | -5,179 |
| Scrap Tires | 3,781 | 1,352 | 2,397 | 4,222 | 6,116 | 2,516 | 2,058 | 3,000 | -46% | -1,723 |
| Mining – Noncoal | 857 | 811 | 1,927 | 1,689 | 2,425 | 2,639 | 1,899 | 2,500 | 122% | 1,042 |
| Animal Feeding Operations | 916 | 469 | 946 | 793 | 1,858 | 2,363 | 1,067 | 2,300 | 16% | 151 |
| Refuse Disposal | 1,241 | 1,210 | 1,370 | 1,328 | 1,493 | 1,370 | 1,325 | 1,350 | 7% | 84 |
| Sewage Sludge Utilization | 1,763 | 1,973 | 1,861 | 1,932 | 1,768 | 1,098 | 1,819 | 1,100 | 3% | 56 |
| Mining – Coal | 1,099 | 1,107 | 1,048 | 1,092 | 1,161 | 1,079 | 1,026 | 1,080 | -7% | -73 |
| Oil Control – Aboveground Facilities | 638 | 917 | 826 | 811 | 657 | 586 | 524 | 600 | -18% | -114 |
| Hazardous Waste | 426 | 580 | 580 | 564 | 594 | 364 | 211 | 375 | -50% | -215 |
| Electronics Recycling (Fiscal 2015 Start) | 0 | 0 | 0 | 0 | 360 | 353 | 453 | 350 | N/A | 453 |
| Natural Wood Waste Recycling | 196 | 186 | 144 | 149 | 186 | 201 | 198 | 200 | 1% | 2 |
| Mercury Switch Recovery (Fiscal 2015 Start) | 0 | 0 | 0 | 0 | 220 | 167 | 0 | 0 | N/A | 0 |
| Oil and Gas Exploration and Production | 11 | 37 | 40 | 20 | 19 | 28 | 32 | 20 | 191% | 21 |

Note: The fiscal 2017 draft actual has changed to the fiscal 2017 actual.

Source: Maryland Department of the Environment

Air and Radiation Management Administration Positions and Inspections
Fiscal 2011-2018 Est.

| | <u>2011</u> | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>2017 Actual</u> | <u>2018 Est.</u> | <u>% Change 2011-2017</u> | <u>Change 2011-2017</u> |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------------|------------------|-------------------------------|-----------------------------|
| Inspectors | 48 | 48 | 48 | 40 | 41 | 39 | 39 | 39 | -19% | -9 |
| Vacancies | 3 | 2 | 2 | 1 | 2 | 3 | 2 | n/a | -33% | -1 |
| Radiation Machines | 4,664 | 3,467 | 4,683 | 13,522 | 13,925 | 17,621 | 18,482 | 14,000 | 296% | 13,818 |
| High-impact Facilities | 2,513 | 2,394 | 2,572 | 2,334 | 2,347 | 2,488 | 2,741 | 2,420 | 9% | 228 |
| Low-impact Facilities | 2,299 | 2,740 | 2,898 | 2,577 | 2,511 | 2,144 | 2,478 | 2,300 | 8% | 179 |
| Complaints | 236 | 264 | 224 | 212 | 208 | 220 | 209 | 220 | -11% | -27 |
| Asbestos | 828 | 893 | 481 | 337 | 134 | 190 | 468 | 150 | -43% | -360 |
| Radioactive Materials | 173 | 113 | 166 | 184 | 190 | 123 | 155 | 120 | -10% | -18 |

Note: The fiscal 2017 draft actual has changed to the fiscal 2017 actual.

Source: Maryland Department of the Environment

Appendix 4
Object/Fund Difference Report
Department of the Environment

| <u>Object/Fund</u> | <u>FY 17 Actual</u> | <u>FY 18 Working Appropriation</u> | <u>FY 19 Allowance</u> | <u>FY 18 - FY 19 Amount Change</u> | <u>Percent Change</u> |
|---|-------------------------|--|----------------------------|--|---------------------------|
| Positions | | | | | |
| 01 Regular | 894.00 | 893.00 | 893.00 | 0.00 | 0% |
| 02 Contractual | 37.44 | 49.50 | 48.50 | -1.00 | -2.0% |
| Total Positions | 931.44 | 942.50 | 941.50 | -1.00 | -0.1% |
| Objects | | | | | |
| 01 Salaries and Wages | \$ 86,065,588 | \$ 84,443,561 | \$ 84,714,736 | \$ 271,175 | 0.3% |
| 02 Technical and Spec. Fees | 1,736,764 | 2,045,931 | 1,976,851 | -69,080 | -3.4% |
| 03 Communication | 791,283 | 808,323 | 808,828 | 505 | 0.1% |
| 04 Travel | 277,184 | 60,950 | 87,996 | 27,046 | 44.4% |
| 06 Fuel and Utilities | 376,123 | 424,974 | 369,303 | -55,671 | -13.1% |
| 07 Motor Vehicles | 1,198,613 | 1,130,260 | 1,031,319 | -98,941 | -8.8% |
| 08 Contractual Services | 13,676,746 | 23,786,897 | 18,608,902 | -5,177,995 | -21.8% |
| 09 Supplies and Materials | 959,714 | 1,106,171 | 928,808 | -177,363 | -16.0% |
| 10 Equipment – Replacement | 331,003 | 930,864 | 847,789 | -83,075 | -8.9% |
| 11 Equipment – Additional | 94,808 | 154,950 | 65,570 | -89,380 | -57.7% |
| 12 Grants, Subsidies, and Contributions | 12,573,499 | 13,255,926 | 19,252,081 | 5,996,155 | 45.2% |
| 13 Fixed Charges | 5,125,733 | 5,170,779 | 5,544,439 | 373,660 | 7.2% |
| 14 Land and Structures | 23,430,997 | 33,000,000 | 33,000,000 | 0 | 0% |
| Total Objects | \$ 146,638,055 | \$ 166,319,586 | \$ 167,236,622 | \$ 917,036 | 0.6% |
| Funds | | | | | |
| 01 General Fund | \$ 29,702,190 | \$ 28,696,086 | \$ 29,915,623 | \$ 1,219,537 | 4.2% |
| 03 Special Fund | 82,762,128 | 99,010,670 | 100,803,678 | 1,793,008 | 1.8% |
| 05 Federal Fund | 30,183,930 | 31,585,373 | 32,527,764 | 942,391 | 3.0% |
| 09 Reimbursable Fund | 3,989,807 | 7,027,457 | 3,989,557 | -3,037,900 | -43.2% |
| Total Funds | \$ 146,638,055 | \$ 166,319,586 | \$ 167,236,622 | \$ 917,036 | 0.6% |

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. The fiscal 2019 allowance does not include contingent reductions or cost-of-living adjustments.

**Appendix 5
Fiscal Summary
Department of the Environment**

| <u>Program/Unit</u> | <u>FY 17 Actual</u> | <u>FY 18 Wrk Approp</u> | <u>FY 19 Allowance</u> | <u>Change</u> | <u>FY 18 - FY 19 % Change</u> |
|--|--------------------------------|------------------------------------|-----------------------------------|----------------------|--|
| 01 Office of the Secretary | \$ 2,255,752 | \$ 2,375,667 | \$ 2,303,784 | -\$ 71,883 | -3.0% |
| 02 Operational Services Administration | 9,953,404 | 9,241,797 | 9,410,415 | 168,618 | 1.8% |
| 04 Water and Science Administration | 44,529,703 | 42,238,779 | 42,577,869 | 339,090 | 0.8% |
| 06 Land and Materials Administration | 27,976,400 | 32,692,495 | 31,897,468 | -795,027 | -2.4% |
| 07 Air and Radiation Administration | 19,363,860 | 20,507,254 | 19,466,488 | -1,040,766 | -5.1% |
| 10 Coordinating Offices | 42,558,936 | 59,263,594 | 61,580,598 | 2,317,004 | 3.9% |
| Total Expenditures | \$ 146,638,055 | \$ 166,319,586 | \$ 167,236,622 | \$ 917,036 | 0.6% |
| General Fund | \$ 29,702,190 | \$ 28,696,086 | \$ 29,915,623 | \$ 1,219,537 | 4.2% |
| Special Fund | 82,762,128 | 99,010,670 | 100,803,678 | 1,793,008 | 1.8% |
| Federal Fund | 30,183,930 | 31,585,373 | 32,527,764 | 942,391 | 3.0% |
| Total Appropriations | \$ 142,648,248 | \$ 159,292,129 | \$ 163,247,065 | \$ 3,954,936 | 2.5% |
| Reimbursable Fund | \$ 3,989,807 | \$ 7,027,457 | \$ 3,989,557 | -\$ 3,037,900 | -43.2% |
| Total Funds | \$ 146,638,055 | \$ 166,319,586 | \$ 167,236,622 | \$ 917,036 | 0.6% |

Note: The fiscal 2018 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. The fiscal 2019 allowance does not include contingent reductions or cost-of-living adjustments.