



FY09 PERFORMANCE PLAN District Department of the Environment

MISSION

Protect and enhance human health and the environment through preservation, conservation, restoration, education, enforcement and energy efficient practices to improve the quality of life in the District of Columbia and build a world-class green city.

SUMMARY OF SERVICES

The District Department of the Environment is the lead agency for creating, promulgating and enforcing District of Columbia environmental standards. The Department also provides certification, review and technical analysis services to both the District government and District residents through inspections, training programs and permitting processes. It includes the following major offices:

- **Office of Energy (EO):** Administers the District's major utility assistance program, which provides financial assistance to low-income utility customers. In addition, EO helps District residents and businesses conserve energy by implementing energy efficient practices.
- **Office of Environmental Protection (OEP):** Works to reduce contaminants in District land, water and homes by certifying facilities and professional service providers, reviewing plans, issuing permits and recommending new policy directions. Specific programs within OEP include Lead Prevention, Air Quality, Pesticides and Underground Storage Tanks.
- **Natural Resources Administration (NRA):** Protects the District's rivers, streams and wildlife through site review and permit issuance functions. NRA also oversees the District's stormwater policy, which seeks to reduce polluted run-off and monitors the quality of District water bodies.
- **Office of Policy and Sustainability (OPS):** Develops innovative policy and programming solutions to address environmental challenges and increase sustainability in the District. OPS also provides businesses with green technical/resource assistance and implements the District's Green Building Act.

OBJECTIVE 1: Establish and continuously maintain regulations that protect and improve the environment for District residents.

INITIATIVE 1.1: Identify, by the end of fiscal year 2009, all DDOE-related regulations that must be created or revised.

DDOE is charged with developing and enforcing environmental regulations on a wide array of issues that are critical to District residents. These regulations lay out clear requirements and are often the implementing mechanism for legislation passed by the Council. To that end, it is critical that the agency moves forward efficiently and effectively on regulations that support broader environmental goals. As a first step, DDOE will review all current regulations in order to determine which could be revised in order to strengthen the District's ability to statutorily achieve its environmental goals.

INITIATIVE 1.2: DDOE will finalize amended stormwater regulations by the end of fiscal year 2009.

In order to meet its commitments under the Municipal Separate Storm Sewer System to permit and restore the health of local water bodies, DDOE will propose and finalize amended stormwater regulations in FY09. These regulations will facilitate and encourage the use of low impact design principles as a means of reducing stormwater runoff. They will also strengthen the District's ability to effectively manage soil erosion and sediment control.



INITIATIVE 1.3: DDOE will develop regulations to implement its voluntary clean-up program.

Voluntary clean-up regulations are a critical first-step in restoring contaminated properties to productive use throughout the District. DDOE plans to draft regulations that will clearly define a process by which property owners can initiate clean-ups of contaminated property on a voluntary basis, as well as the clean-up standards that must be met for those properties. The draft form of these regulations will be available by July 2009.

OBJECTIVE 2: Educate District Residents and Businesses about Environmentally Friendly and Energy Efficient Practices and Requirements and Encourage District-wide Environmental and Sustainability Goals.

INITIATIVE 2.1: Increase accessibility of agency information and scope of outreach and education programs by reaching 50 percent of District residents.

In order to support the agency's mission, DDOE's communication activities serve two main purposes: (1) to educate the general public about ways that they can contribute to environmental sustainability and (2) to increase awareness among all regulated entities of the District's requirements. Increased awareness of requirements aims to help regulated constituencies avoid costly delays and enforcement actions. By August 31, 2009, DDOE will redesign its entire portfolio of outreach and education materials to make sure that they: a) reflect current District laws, regulations and policies; b) are more understandable to the general public and in compliance with Language Access Act guidelines and c) are downloadable from the agency website to save natural resources and printing costs. In addition, through its general outreach and education efforts, DDOE will reach 50 percent of District residents in FY09 to promote messages that encourage environmental protection and stewardship. The total outreach and education funding budgeted is \$3.6 million.

INITIATIVE 2.2: Improve outreach to regulated entities in the development community by increasing participation in pre-development meetings.

DDOE will devise and staff a comprehensive program to educate the development community as to existing and new regulatory requirements and provide compliance support to meet these requirements. This program will be in place by the end of FY09. Pursuant to Initiative 2.1, new educational materials will be developed and organized by audience, rather than by DDOE program area, in order to explain the entire portfolio of relevant regulations to businesses and developers. DDOE will expand availability of pre-development meetings that were first offered in FY08, so that environmental concerns and regulations are clearly presented early in the development process. In FY09, DDOE will expand participation in DDOE-specific pre-development meetings and participate in multi-agency pre-development meetings hosted by DDOT and OP. DDOE will publicize availability and promote voluntary private sector participation in pre-development meetings.

INITIATIVE 2.3: Expand programs that provide environmental education and opportunities to District youth.

Encouraging environmental stewardship among District youth is critical to ensuring that natural resources are protected in future generations. To this end, DDOE will work in the classroom and in the field in order to expose youth to environmental issues and careers. In FY 09, DDOE will: a) coordinate with the Office of the State Superintendent of Education (OSSE) to enhance the environmental education classroom experience for primary and secondary school students, especially through the use of environmental and energy efficiency curriculum materials; b) provide 6,000 students a "Meaningful Watershed Education Experience" which are hands-on environmental learning experiences about the Anacostia, Potomac and Chesapeake Bay



watersheds that integrate field studies with multidisciplinary classroom activities and instruction and c) expand the Mayor's Green Summer Job Corps by June 2009, which links paid entry-level fieldwork with educational instruction in order to familiarize youth with green-collar job opportunities. The total estimated cost of these efforts is between \$750,000 and \$1 million.

INITIATIVE 2.4: Create a GreenDC Sustainability Agenda by spring 2009.

DDOE will create a GreenDC Sustainability Agenda. The plan will lay out a vigorous vision to address environmental issues by setting measureable goals and targets for the DC government and its businesses, institutions, and residents. The agenda will benefit the District by better organizing current sustainability efforts and determining the critical next steps towards making the District the world's greenest city. DDOE will spend up to \$150,000 on this effort. In addition, the GreenDC agenda will incorporate the District's climate action strategy. Therefore, in FY09, DDOE, in partnership with the Office of Planning, will complete its carbon footprint analysis and continue formulating strategies to reduce greenhouse gas emissions and protect District residents from the harmful impacts of climate change. The FY09 budget allocates \$100,000 for the development of climate change prevention strategies.

INITIATIVE 2.5: Provide technical assistance to agencies, businesses and residents to promote development of high performance buildings.

In FY09, DDOE will assist DCRA and OPM with Green Building Act implementation and with cross-agency compliance. DDOE will develop and implement building energy management strategies that measure and improve energy performance through benchmarking, reporting, and retrofitting. Specifically in FY09, DDOE will train agency staff to understand and enforce high performance building standards. The first of these trainings will take place in winter 2009. High performance buildings provide long-term cost savings for residents due to decreased energy and resource consumption, less air pollution emissions, and a lower burden on the District's infrastructure. The agency will spend up to \$725,000 in FY09 funds in order to further the development of high performance buildings.

INITIATIVE 2.6: Implement a service awards program for Low Impact Design installations.

Low Impact Design (LID) is a method of developing or redeveloping property to maximize rain water retention and infiltration opportunities on-site to reduce pollution from runoff into the District's streams and waterways. As a part of this effort, DDOE will increase the use of LID including green roofs, raingardens, and pervious pavement throughout the city by funding demonstration projects and subsidizing LID installations. DDOE will test a program to issue service awards, rather than cash grants, which will result in DDOE contractors implementing LID practices on public and private property. DDOE will install three of these demonstration sites in FY09 with the cooperation of community based organizations. The service award project expects to spend up to \$300,000.

INITIATIVE 2.7: Complete implementation elements of the Clean and Affordable Energy Act by February 2009.

As part of its responsibilities under the Clean and Affordable Energy Act of 2008, DDOE will establish by February 2009 a Sustainable Energy Utility Advisory Board to provide advice, comments and recommendations to DDOE and the Council. In addition, by January 2009, DDOE will determine the brand name for provision of energy efficiency and renewable energy services in the District of Columbia and establish and maintain a website for the brand. Finally, DDOE will establish a renewable energy generation systems rebate program in the District of Columbia, also by January 2009. These initial steps will pave the way for the operation of the



Sustainable Energy Utility called for in the legislation, and increase the ability of DC residents to use alternative energy and energy efficient practices.

OBJECTIVE 3: Enrich, Restore and Protect the Environmental Quality of the District’s Natural Resources.

INITIATIVE 3.1: Install measures to reduce trash in the Anacostia River.

Mayor Fenty has launched a special effort to restore the Anacostia River under the District’s Anacostia 2032 Plan, and has charged DDOE with overseeing this endeavor. This project requires the cooperation of multiple city agencies. DDOE is already administering this program by maintaining and updating the Anacostia watershed plan to make the Anacostia River swimmable and fishable by 2032 and coordinating the efforts of other District agencies. In FY09, DDOE will install and test several technologies to keep trash out of the Anacostia River. Specifically, DDOE will install up to 40 storm drain inserts and storm drain inlet screens in coordination with community based organizations and will test a floating in stream trash collection device. The total cost of these projects is \$200,000.

INITIATIVE 3.2: Expand the RiverSmart Homes program to 80 homes.

In FY09, DDOE will expand the pilot of its RiverSmart Homes program in the Pope Branch Watershed to help property owners reduce stormwater pollution through property improvements. RiverSmart Homes provides competitive grants that fund innovative landscape features, which contribute to improving river health and filtering runoff pollutants. DDOE intends to install these practices on 80 properties. This initiative is budgeted at \$200,000 in FY09.

INITIATIVE 3.3: Complete 50 percent of the stream restoration of the Watts Branch tributary.

In FY09, DDOE will restore 10,032 linear feet of Watts Branch, a tributary to the Anacostia River. This is a project that has been in assessment and design phase for the past couple of years. DDOE will commit approximately \$4.2 million to the project from grant sources and capital funds. This transformation will be documented and the public will be kept up to speed on its progress through the Green DC website.

INITIATIVE 3.4: Begin design of stream restoration of Pope Branch.

DDOE will also initiate the design phase of Pope Branch stream restoration project, a 4,752 linear foot stream restoration project in the Southeast part of the District. This design phase will be completed by the end of FY09. DDOE has committed \$750,000 to the Pope Branch project. This project will improve water quality and habitat in the stream corridor. This transformation will be documented and the public will be kept up to speed on its progress through the Green DC website.

OBJECTIVE 4: Enforce the District’s environmental regulations by increasing the use of enforcement mechanisms and creating incentives for compliance.

INITIATIVE 4.1: Implement a program to collect unpaid civil infractions fines and penalties.

DDOE uses the civil infractions process to issue over a hundred notices of infraction or “tickets” for environmental violations each year. Many of these tickets have been adjudicated by the Office of Administrative Hearings (OAH) and fine and penalty judgments have been ordered. However, sometimes the respondents do not pay the judgments. OAH does not handle collections of overdue judgments. DDOE’s Office of Enforcement and Environmental Justice is developing a program to collect the revenues from the unpaid judgments so as to strengthen the



agency's enforcement efforts. In FY09, DDOE expects to collect \$50,000 in previously unpaid judgments.

INITIATIVE 4.2: Improve the efficiency of the lead case management process.

DDOE is launching an inclusive effort to reduce lead exposure through expanded inspections, abatement, proactive prevention, and enhanced legislation. In October of FY 2009, the lead poisoning prevention, inspection and enforcement programs, previously divided between DDOE and DOH, will be consolidated at DDOE. This consolidation will help streamline the process of addressing and preventing lead poisoning and improve the tracking of lead-affected properties and cases. Specifically, DDOE will reduce the time it takes to notify property owners of any required abatement action once a report of a lead-poisoned child has been received. Benefits to District residents include protecting the health of District children, as well as a long-term reduction in special education costs and gains in productivity. The agency plans to spend up to \$550,000 in FY09 to consolidate, expand and improve the District's lead response program.



PROPOSED KEY PERFORMANCE INDICATORS

Measure	FY07 Actual	FY08 Target	FY08 YE Actual	FY09 Projection	FY10 Projection	FY11 Projection
Objective 1						
% of needed regulatory revisions completed	N/A	N/A	N/A	Baseline	TBD	TBD
Objective 2						
# of applicable development projects conducting pre-plan meetings with DDOE		Baseline	142	140	145	150
# of students receiving a “Meaningful Watershed Education Experience”	5,865	5,000	3,006	5,000	6,000	7500
% of construction plans approved that contain low impact designs	25% (est.)	50%	15%	20%	30%	40%
Service Awards for Innovative LID Demonstration Program (Public & Private Properties)	N/A	N/A	0	3 sites	3 sites	5 sites
% of District residents reached by DDOE Outreach and Education Programs	N/A	N/A	NA	Baseline Year Target 50%	TBD	TBD
Objective 3						
Participants in the RiverSmart Homes program	N/A	8 homes (pilot phase)	8	80 homes (pilot phase)	120 homes (pilot phase)	200
# of trash reducing technologies installed in the Anacostia River Watershed?	N/A	N/A	N/A	40	60*	60*
Linear feet of improved stream habitat or restored stream.	N/A	0	N/A	14,784	3,960	TBD
Objective 4						
% of adjudicated fines and penalties collected	N/A	N/A	N/A	Baseline	TBD	TBD
% of EBL-case and other properties with identified hazards that receive an Order to Abate within 15 days of being assessed.	N/A	N/A	N/A	Baseline	TBD	TBD

* Dependent upon grant funding