

Performance Oversight Questions
District Department of the Environment

A. ORGANIZATION AND OPERATIONS

1. Please provide a complete, up-to-date **organizational chart** for the agency and each division within the agency. Please include an explanation of the roles and responsibilities for each division and subdivision within the agency.

Please see Attachment 1a – Organization Chart

Please see Attachment 1b – Agency Overview

- Please include a list of the employees (name and title) for each subdivision and the number of vacant positions.

Please see Attachment 3 – Schedule A

- Has the agency made any organizational changes in the last year?
If so, please explain.

No.

2. Please list each **new program** implemented by the agency during FY 2014. For each initiative please provide:
 - A description of the initiative.
 - The funding required to implement the initiative.
 - Any documented results of the initiative.

Beekeeping: The passage of the Sustainable DC Amendment Act of 2012 and as amended by the Sustainable DC Omnibus Amendment Act of 2014 established law governing beekeeping in the District. The law and supporting regulations will establish criteria for bee colonies, including but not limited to: registration, allowed numbers, interaction with the public, health, fees, inspections, and enforcement.

Climate Adaptation Planning: A planning effort to analyze the likely impacts of climate change on the District, assess our current state of preparedness and strategize ways to increase our resilience. The program was funded by \$300,000 from the Sustainable DC Innovation Fund. A grant was awarded to a technical advisory team, the program convened an advisory group and held workshop on climate and water for District agencies and partners. A draft plan is in development.

EcoDistricts: Provided continued technical support and consulting services on the planning, implementation and certification of three ecodistricts, An ecodistrict includes district-scaled energy, water, stormwater, waste, and built-environment sustainability solutions that will help to fulfill the Mayor’s Sustainable DC Plan goals. This program was funded in the amount of \$56,000 from the Target Cities program and hosting 2014 EcoDistricts

Conference. The District now has three EcoDistricts receiving technical support from the EcoDistricts organization: St. Elizabeths/Congress Heights (lead: District Government), Downtown (lead: DowntownDC BID), and the SW EcoDistrict (lead: National Capital Planning Commission)

Green Area Ratio (GAR) Plan Review: In FY14, the Department implemented an MOU with the Office of Zoning to review GAR plans submitted to Zoning as part of the Building Permit process. GAR is a new environmental zoning regulation that promotes sustainable development in the District of Columbia and ranks landscape elements based on environmental performance values. The Department is using existing staff to perform the reviews. In FY14, the Department received 14 GAR plans and approved 6. The Department also conducted 11 GAR workshops, targeting developers and architects.

Leadership Council for a Cleaner Anacostia: An expansion on the District's existing remediation efforts in the Anacostia River was to formally convene the Leadership Council for a Cleaner Anacostia River, an advisory group of twenty high ranking officials and environmental leaders with a stake in the ongoing efforts to clean the Anacostia River. This group was convened to better ensure coordination among the necessary parties. Thus far, it has facilitated the rapid permitting of work allowing the Department to gather and test samples faster than expected.

Mobile Application for Water Quality Inspections: In FY14, the Inspection and Enforcement Branch of the Water Quality Division (WQD) implemented a custom mobile inspection application to conduct MS4 facility inspections, MS4 outfall inspections, and investigate illicit discharges within the District's MS4 area. The software application is based on a mobile ARCGIS platform and is run via a rugged handheld touchscreen GPS unit. This program has created an automated database of inspection data and enabled inspectors to track and query specific controls on site, and will allow access to complete inspection records from the field. Currently the software application is fully operational and has been implemented. WQD is working to improve the application, incorporate additional capabilities and repairing system bugs. Additionally, new hardware will be procured to enhance the speed, accessibility, and interface of the application. In FY15, \$20,000 is budgeted to improve the application and acquire new hardware. The software application is fully operational and has been implemented.

RiverSmart Rewards Program: RiverSmart Rewards encourages District property owners and tenants to install systems that retain stormwater runoff, by providing discounts of up to 55% on the District stormwater fee. Eligible Best Management Practices (BMPs) include green roofs, bioretention cells, rainwater harvesting, and permeable pavement. Discounts are calculated based on the total volume of stormwater that a BMP, or

combination of BMPs, retains on site. Customers who are awarded RiverSmart Rewards will automatically be enrolled in the DC Water's Clean Rivers Impervious Area Charge (IAC) Incentive Program, which offers a discount of up to 4% on the IAC.

Smarter DC Challenge: Design and initial rollout of large-scale program to assist businesses and organizations to become more sustainable. Participants receive training from professional consultants and support from a cohort of peers. The program was funded by \$115,000 from the Green Building Fund. Approximately 20 green leaders enrolled to help with outreach and training. The full program is still ramping up so no quantitative results are available.

STAR Communities Certification: STAR Community Rating System is the first national certification program to measure and rate the level of sustainability of an entire community, including economic, environmental, and social factors. Because the District served in the pilot program, no fee was required and we received a small stipend to hire a part-time intern. Other than a significant amount of staff time, no other funding was required. The District received 534 points, a "4- STAR" rating. This was the third highest score in the country and only 66 points shy of a five star rating.

Stormwater Retention Credit Trade: As the first of its kind in the nation, this program was finalized in FY13, but approved its first credit trade in FY14 (A trade of 11,013 SRCs, valued at \$25,000). Property owners apply to the Department to certify green infrastructure that reduces stormwater runoff as Stormwater Retention Credits (SRCs). Owners may then trade their SRCs in an open market to others who use them to meet regulatory requirements for retaining stormwater. The revenue incentivizes property owners to build infrastructure that protects our waterways. In addition to providing compliance flexibility for regulated development, SRC trading decreases stormwater runoff entering District waterbodies and provides other sustainability benefits, such as reducing the urban heat island effect and providing green jobs.

Sustainable DC Ambassador Program: After an initial pilot over summer 2013, 45 residents representing communities from all eight wards were selected and trained on the importance and benefits of sustainability as well as Sustainable DC itself. 45 ambassadors (and staff) talked with 8,028 people at 132 events

Sustainable DC Healthcare Sector Pledge: The third sustainability pledge to help institutions operate more sustainably (e.g., reduce their energy and water usage, and better manage their waste). In addition to previous pledges for universities and diplomatic institutions, this pledge focused on hospitals and clinics. 21 hospitals and clinics have signed on and are currently meeting quarterly to share best practices and receive training.

Sustainable DC Task Forces: Ten interagency task forces met over the course of FY14 to develop strategies for implementing difficult, long-term actions in the Sustainable DC Plan. The ten task force reports containing a total of 131 recommendations were released: <http://www.sustainabledc.org/sdc-task-force-reports-released/>

3. Please provide a complete, up-to-date **position listing** for your agency, which includes the following information for each position:
- Title of position.
 - Name of employee or statement that the position is vacant, unfunded, or proposed.
 - Date employee began in position.
 - Salary and fringe benefits, including the specific grade, series, and step of position.
 - Job status (continuing/term/temporary/contract).
- Please list this information by program and activity*

Please see Attachment 3 – Schedule A

4. Does the agency conduct annual **performance evaluations** of all of its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?

The Department has an ongoing commitment to encourage employee development, promote fairness, and support the District's strategic goals and objectives. This is accomplished through Performance Management. Performance Management is processed and documented through “e-Performance.”

Performance Management, through the e-Performance system focuses on planning and communicating employee expectations at the beginning of the rating period. Managers/Supervisors and employees can cooperatively set goals and individual development plans, so expectations can be communicated. The Individual Development Plan (IDP) is a development tool that identifies training and learning activities that will help the employee enhance knowledge, skills, and abilities to perform work duties and prepare for career advancement.

Managers are committed to providing continuous feedback to staff throughout the performance period through one-on-one communications and mid-year progress discussions. Other benefits of the e-Performance system include, being totally paperless, narrative justification for ratings, rating categories, and the flexibility for Agencies to develop their own job specific competencies. The review period is based on the fiscal year beginning October 1st, ending September 30th.

All employees are encouraged to become familiar with the Performance Management (e-Performance) site and navigate through the links in order to gain a better understanding of their role in e-Performance. In addition, all staff and managers are required to take the appropriate training. Managers are trained at least once a year through DCHR's mandatory courses offered by the Workforce Development Administration. In addition, managers were given an Agency specific training in performance management including, but not limited to: writing performance goals, conducting effective evaluations and ratings, regular performance monitoring and reviews, and performance improvement plans (PIP).

There is a close alignment between an Agency's goals and an individual employee's goals developed at the beginning of the review period. At the end of the fiscal year the City Administrator will evaluate the performance of Agencies. The performance of an Agency's employees should mirror an Agency's overall performance.

Every employee contributes to the success or failure of our Agency. If one employee allows his or her performance to slip, then we all suffer. We expect all employees to perform to the highest level possible. Poor job performance can lead to discipline, up to and including termination.

Please also see Attachment 4a – Performance Improvement Plan
Please also see Attachment 4b – E-DPM Transmittal Number 195

5. Please list all **employees detailed** to or from your agency, if any. Please provide the reason for the detail, the detailed employee's date of detail, and the detailed employee's projected date of return.

Olayinka Kolawoke is detailed from the Department's Energy Administration to the US Department of Energy's Energy Star Technology Office. Mr. Kolawoke has a background in both electrical engineering as well as economics combined with experience in the industry. His combination of experience is well suited for addressing the complex challenges facing the growing solar industry. He will provide input and guidance which is critical to the initiating and growing activities related to commercial scale solar deployment. Also, his role is to provide insight into opportunities and barriers that affect multi-unit housing, commercial customers, utilities and local jurisdictions. The detail started July 23, 2014 and will expire on July 24, 2015.

6. Please provide the Committee with:
 - a) A list of all employees who receive cellphones, personal digital assistants, or similar communications devices at agency expense.

Please see Attachment 6a – Mobile Device List

- b) A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned.

Please see Attachment 6b – Vehicle List

- c) A list of employee bonuses or special award pay granted in FY 2014 and FY 2015, to date.

FY2014 – William Fesson \$25,000 (Retirement Award)

FY2015 – Clifford Jarmon \$25,000 (Retirement Award)

- d) A list of travel expenses, arranged by employee.

Please see Attachment 6d1 – FY14 Travel

Please see Attachment 6d2 – FY15 YTD Travel

- e) A list of the total overtime and worker's compensation payments paid in FY 2014 and FY 2015, to date.

Please see Attachment 6e – OT/Worker's Comp

7. Please identify all **electronic databases** maintained by your agency, including the following:

- A detailed description of the information tracked within each system.
- The age of the system and any discussion of substantial upgrades that have been made or are planned to the system.
- Whether the public can be granted access to all or part of each system.

Please see Attachment 7 – Database List

Please see also Question 29

8. What has the agency done in the past year to make the activities of the agency more **transparent** to the public? In addition, please identify ways in which the activities of the agency and information retained by the agency could be made more transparent.

The Department relies on several methods to regularly convey transparency:

Public Postings:

- All notices, rulemakings, and official communications from the Department are properly noticed in the *DC Register*
- Posting public notices and updated regulations on the Department website
- Posting press releases on the Department website
- Posting regularly on social media networks including Twitter, Facebook, and YouTube

Targeted Communications:

- Regularly updating program content on the Department website

- Performing list serve blasts to promote program activities
- Creating Guidance Documents for the regulated community
- Issuing Press Releases
- Publish Agency Newsletter *Foliage*

Outreach:

- Attending and hosting stakeholder meetings
- Conducting environmental school assemblies for elementary, secondary, and high school students
- Conducting community outreach events for residential, businesses, and faith based institutions
- Conducting paid advertising campaigns, pending budget availability
- Conducting trainings on technical regulatory matters
- Convening Stakeholder Advisory Groups
- Hosting Agency hearings on regulations that are open for public comment

New methods to improve transparency include:

- Development of an expansion to the 311 mobile application to help residents request enforcement for environmental violations. The app allows the general public to raise awareness of violations, including uploading photos and a description. The app assigns a tracking number which allows tracking and follow up. The app accepts tips regarding the District bag law, construction sites, and engine idling.
- The Department added its Twitter feed to its homepage, and continued to increase its use of social media.

The Department is currently developing a new communication strategy which would include an enhancement of current outreach efforts and more robust and innovative outreach activities such as monthly podcasts, outreach partnerships with our sister agencies and creation of short informational videos to post on our website and YouTube.

9. How does the agency solicit **feedback** from customers? Please describe.

- What is the nature of comments received? Please describe.
- How has the agency changed its practices as a result of such feedback?

The Department solicits public comments on all proposed rulemakings and some permits, such as air quality. The Department's responses to the comments are posted on our website. For rulemakings that garner the interest of several interest groups, we convene meetings with relevant stakeholders to gather their input on the content of regulations in the DC Register. Recent examples include the regulations on lead, pesticides, and the voluntary cleanup program. For comments on rulemakings, the nature of the comments depends on the nature and extent of the rules being proposed. Based upon the comments to rulemakings, we will evaluate the comments

and make any necessary changes to the proposed rules. If changes are made, the rules will be published for a second round of public comment.

Program operations that have a high degree of customer facing interaction, such as the Low Income Home Energy Assistance Program provide an evaluation document to all applicants advising them on how they can direct complaints and questions to the Department. All comments or complaints get a response.

The Department relies on its social media and web presence participation to reach District residents; FY14 metrics:

Twitter: 273 tweets; 4019 followers

Facebook: 57 posts;

YouTube: 28 new posts; 14,597 views to date

The Department website: 158,214 visits

In addition to our web presence, the Department responds to complaints from email, website, phone, in person, or US mail. We have recently expanded to include questions and tips from the 311 website and mobile app.

The Department proactively identifies and targets its key customers, permittees, and stakeholders when soliciting feedback via direct meetings with stakeholder groups, solicitation of comments through electronic and print media as well as US postal service mailings. The Department conducts public hearings on proposed regulations and responds to Freedom of Information Act requests. The Low-Income Energy Assistance Program and the Weatherization Assistance Program also hold annual public hearings in preparation for their annual State Plan.

The Department solicits feedback from District residents and businesses through program specific surveys that are completed by program participants, as well as through in-person conversations with residents during post-installation inspections of completed projects. Customers who participate in Utility Discount Programs are asked to complete a survey to indicate how they heard about the program, whether sufficient information was provided about the program, and the method of outreach that would be most effective to inform residents about the programs. The results of these surveys are filed monthly with the Public Service Commission (PSC) and are electronically available to the public via the PSC's website under Formal Case 813. Feedback received from the surveys is used to establish funding allocations for the various outreach and advertising mediums. For example, the Utility Discount Program has increased its television advertising as a result of the feedback received from surveys completed by program participants.

The Department has begun a comprehensive evaluation of our communications strategy. This review will provide guidance and direction for branding, outreach, and communication goals for the future. As this evaluation began the Department conducted a survey and multiple focus groups. Our efforts will culminate in a Communications Strategy.

The Sustainable DC Plan was developed with extensive stakeholder feedback. In FY15, Sustainable DC will be expanding its ambassador program and focusing its resources on populations that haven't been as engaged in sustainability as others. Specifically, programs are being developed to better reach out to residents of Wards 7 and 8, people of color, and residents with limited English proficiency.

Please see also the response to Question 25.

10. How was the agency tried to reduce agency **energy use** in FY 2014?
 Our leased office space has been frequently upgraded until it is now a LEED Platinum building. The Department has been a driving force behind these upgrades. Unfortunately, we were unable to have solar panels installed at this space because of building zoning limitations.

11. Please complete the following chart about the residency of **new hires**:

Number of Employees Hired in FY 2014 and FY 2015, to date

<i>Position Type</i>	<i>Total Number</i>	<i>Number who are District Residents</i>
Continuing	FY14:1; FY15:2; Total 3	FY14:0 FY15:2 Total 2
Term	FY14:28; FY15 9 Total 37	FY14:16; FY15:2 Total 18
Temporary	FY14: 56; FY15:0 Total 56	FY14: 24; FY15:0 Total 24
Contract	FY14: 10 FY15:7 Total 17	FY14:4 FY15:4 Total 8

B. BUDGET AND FINANCE

12. Please provide a chart showing your agency's **approved budget and actual spending**, by division, for FY 2014 and FY 2015, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures.

Please see Attachment 12a – FY14 Budget and Spending

Please see Attachment 12b – FY15 YTD Budget and Spending

13. Please list any **reprogrammings**, in, out, or within, related to FY 2014 or FY 2015 funds. For each reprogramming, please list the total amount of

the reprogramming, the original purposes for which the funds were dedicated, and the reprogrammed use of funds.

Please see Attachment 13a – FY14 Reprogrammings

Please see Attachment 13b – FY15 YTD Reprogrammings

14. Please provide a complete accounting for all **intra-District transfers** received by or transferred from the agency during FY 2014 or FY 2015, to date.

Please see Attachment 14a – FY14 Intra-District

Please see Attachment 14b – FY15 YTD Intra-District

15. Please identify any **special purpose revenue accounts** maintained by, used by, or available for use by your agency during FY 2014 or FY 2015, to date. For each account, please list the following:

- The revenue source name and code.
- The source of funding.
- A description of the program that generates the funds.
- The amount of funds generated by each source or program in FY 2014 and FY 2015, to date.
- Expenditures of funds, including the purpose of each expenditure, for FY 2014 and FY 2015, to date.

Please see Attachment 15 – Special Purpose Revenue Accounts

16. Please provide a list of all projects for which your agency currently has **capital funds** available. Please include the following:

- A description of each project, including any projects to replace aging infrastructure (e.g., water mains and pipes).
- The amount of capital funds available for each project.
- A status report on each project, including a timeframe for completion.
- Planned remaining spending on the project.

Please see Attachment 16 – Capital Projects

17. Please provide a complete accounting of all **federal grants** received for FY 2014 and FY 2015, to date.

Please see Attachment 17a – FY14 Federal Grants

Please see Attachment 17b – FY15 YTD Federal Grants

18. Please list each contract, procurement, lease, and grant (“**contract**”) awarded, entered into, extended and option years exercised, by your

agency during FY 2014 and FY 2015, to date. For each contract, please provide the following information, where applicable:

- The name of the contracting party.
- The nature of the contract, including the end product or service.
- The dollar amount of the contract, including budgeted amount and actually spent.
- The term of the contract.
- Whether the contract was competitively bid or not.
- The name of the agency's contract monitor and the results of any monitoring activity.
- Funding source.

Please see Attachment 18(a) – FY14 Contracts

Please see Attachment 18(a) – FY15 YTD Contracts

19. Please provide the details of any **surplus** in the agency's budget for FY 2014, including:

- Total amount of the surplus.
- All projects and/or initiatives that contributed to the surplus.

The total surplus in the Department's budget for FY14 was \$9.4 million.

Special Purpose Revenues: Of the total surplus, \$8.6 million was in special purpose revenue funds, including:

- \$4.1 million in the Storm Water fund because of vacancies, unexpended grant funds, and unexpended contract funds that were not used before the end of the fiscal year.
- \$900k in the Anacostia River Clean-Up fund because some grants were partially executed and carried over to FY15, and scope development for restoration projects were not advanced sufficiently to issue contracts.
- \$740k in the Brownfield Remediation/Clean Land Fund because more work was accomplished with capital funds.
- \$600k in the Renewable Energy Development Fund because lower revenues would not support spending all the budget authority.
- \$570k is the surplus in FY 14 activity in the SETF due to savings from consultants performing research and analyses, the financial audit and the SEU Advisory Board, and PS vacancy savings. (The \$1.2 million overall surplus for this fund results from an additional \$631k of accrued but unspent FY13 funds for DCSEU performance benchmark incentives and invoices, which affects the FY14 balance).
- \$330k in the Pesticide Registration Fund because two purchase orders were shifted to FY15. One for a software package related to IPM which had to be resubmitted and the other for a training site that could not be completed by the end of FY14.
- \$236k in the Storm Water Permitting Fees Fund due to vacancies.
- \$229k in the Soil Erosion and Sediment Control Fund due to vacancies.

- \$111k in the Air Quality Title V Permit Fees Fund because revenues received in FY14 were lower than budgeted.
- \$100k in the four Utility Discount funds because budget authority can be spent only on a reimbursement basis. Costs incurred and reimbursed were slightly less than budgeted.

Intra-District Funds: There was a \$363k surplus primarily due to under-spending related to an MOU with DCRA using Green Building funds. The Department had planned to use a portion of these funds to fill two vacancies and to fund a competitive grant whereby the grantee would help to improve data quality for the city’s energy and water benchmarking program. The grant award and the hires were not finalized until near the end of the fiscal year; however, the work is continuing in FY15 under a continuing MOU with DCRA.

Federal Grants: There were small surpluses totaling \$143k in various grants because grant deliverables were accomplished with slightly less funding.

Local: There was a Local surplus of 1.6 percent due primarily to vacancies.

C. **LAWS, AUDITS, AND STUDIES**

20. Please identify any **legislative requirements** that the agency lacks sufficient resources to properly implement.

The Department is not aware of any underfunded initiatives, but we will proactively communicate any needs as they arise.

21. Please identify any statutory or regulatory **impediments** to your agency’s operations.

The Department is not aware of any other statutory or regulatory impediments, but we will proactively communicate any needs as they arise.

22. Please list all **regulations** for which the agency is responsible for oversight or implementation. Please list by chapter and subject heading, including the date of the most recent revision.

Please see Attachment 22 – Regulations List

23. Please explain the impact on your agency of any **federal legislation or regulations** adopted during FY 2014 that significantly affect agency operations.

The US Environmental Protection Agency recently proposed a series of carbon emission reduction targets for each of the 50 states via power plant emission targets. The District does not have any regulated power plants in our borders; therefore, we are not directly impacted by this rule. However, interstate air transport and air quality are important issues to our residents. The Department submitted comments on this rule. One of the potential solutions for the states is an emissions savings trading system, if this system is adopted; the District will attempt to sell its emissions reductions into this marketplace.

Please also see Attachment 23 – Comments on the Clean Air Rule

24. Please provide a list of all **MOUs** in place during FY 2014.

Please see Attachment 24 – MOU List

25. Please provide a list of all studies, research papers, and analyses (“**studies**”) the agency requested, prepared, or contracted for during FY 2014. Please state the status and purpose of each study.

Please see Attachment 25 – Studies

26. Please list and describe any ongoing **investigations**, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY 2014 or FY 2015, to date.

The DC Auditor completed an audit of the District’s Anacostia River Clean Up and Protection Fund (Bag Law) in October 2014.

The Office of Inspector General for the US Department of Energy conducted an audit on the American Recovery and Reinvestment Act, Energy Efficiency and Conservation Block Grant (EECBG) Programs during FY13. The Department received about \$9.6 million in December 2009, to implement various energy efficiency programs and initiatives. The audit began in February 2013 and a final report was issued in November 2013.

27. Please identify all **recommendations** identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on what actions have been taken to address these recommendations.

The DC Auditor found many areas of the Department's implementation of the Bag Law were strong. However, ODCA did have the following recommendations:

1. The Department should strengthen its system to monitor and document that the Fund's expenditures are meeting the Anacostia River Act's priorities in order, on an annual basis.
2. The Department should establish written Standard Operating Procedures for the Program's revenue and expenditure processes, and grant management process.
3. The Department should establish complete MOUs or signed agreements with its partner agencies.
4. The DMV should immediately comply with legal requirements to transfer Anacostia River license plate renewal fees into the fund and clarify the requirement to ensure consistent, timely transfers.
5. The Department should strengthen its strategic planning process to detail the Program's interagency collaborations, goals and objectives, strategies and resources, and program evaluation.

The EECBG audit resulted in no material findings but provided the following recommendations:

1. Evaluate the selection process for future awards and those with remaining funding to ensure Federal regulations governing working with former employees are addressed and established evaluation criteria is implemented effectively.

Action: DC Law as implemented in the 2014 Update of the Ethics Manual changed the rules such that all DC employees are subject to a one year cooling off period with their former agency. The Department revised its Request for Applications (RFA) format and procedure to specify the evaluation criteria for FY 14. In addition, all grant programs must collect conflict of interest declarations from evaluation and selection panel members. With regard to working with former employees, the District of Columbia's Ethics Manual, published in 2012 and updated in 2014, substantially restricts all former employees from working with their former agencies.

2. Complete and implement written policies and procedures relating to program management and advanced funds.

Action: The Department developed and submitted a draft of the new Standard Operating Procedures Manual governing the Administration and Oversight of Energy Efficiency Programs to US DOE.

3. Evaluate monitoring processes to ensure performance and overcharging issues are documented and addressed formally.
Action: The new Standard Operating Procedures Manual outlines various steps program staff must follow to ensure subgrantees' and subcontractors' performance and overcharging issues are documented and addressed formally.

4. Provide training to personnel on fraud, waste, and abuse, and the suspension and debarment process.
Action: The District's mandatory ethics training for all employees provides some training on fraud, waste and abuse. The Department is working with DC OIG to provide additional waste, fraud, and abuse trainings to program the entire staff.

5. Establish procedures to notify US DOE of potential fraud, waste, abuse and mismanagement.
Action: The Department is currently revising its policy regarding appropriate notification of potential fraud, waste, abuse and mismanagement of federal and District governments funded programs. I have no knowledge of this.

6. Resolve the questioned costs identified in our report.
Action: This issue has been resolved and clarified.

D. PROGRAM-SPECIFIC QUESTIONS

28. How many environmental complaints did DDOE receive from the public in FY 2014? Please break these down by topic, including air quality, idling, bag bill, illegal discharge into District stormwater sewers or waterways, pesticide and fertilizer application, complaints related to lead paint violations, and any other significant categories in which the agency receives complaints.
- What methods are available to the public to submit complaints for each of these categories?

Please see Question 9

Please also see Attachment 28 – Ask the Director and Mayor's Correspondence

- What progress has DDOE made in working with the Office of Unified Communications to use the 311 platform for environmental violations?

The Department has included three subject areas to calibrate the consequent change in complaint receipts from the 311's Mobile App and Website (Engine Idling; Bag Law Reports; and Construction Site Environmental Concerns). OUC is migrating our three complaint types from a Motorola platform to

Sales Force, which is expected to result in better operations, greater efficiencies, and easier use by constituents.

- How many complaints in each category resulted in issuance of a written warning, notice of infraction, or notice of violation by DDOE?

Program	Total # Complaints	Total # NOVs	Total # NOIs
Air Quality	335	8	84
Hazardous Waste	18	40	6
LHHD	86	118	0
Pesticides	4	0	0
Stormwater Management	6	165	45
UST/LUST	4	12	23
Water Quality	78	2	3
Watershed Protection	138	97	37
TOTAL	669	442	198

29. In last year's budget, the Committee allocated \$1.5 million for DDOE to integrate its various inspection, compliance, and enforcement databases into a single system. What progress has been made on this database to date? When does DDOE expect it to be complete?

Since the start of FY15, the Department has held planning and organization meetings with the Office of the Chief Technology Officer (OCTO) to refine the project scope and timeline, and on-board resources for the Inspection, Compliance and Enforcement (ICE) database. A Project Manager and Business Analyst were hired through OCTO's IT Staff Augmentation (ITSA) program. The Project Manager and Business Analyst will work with OCTO to develop requirements, and oversee all project activities. We are currently working with our contractors to assess the current database environment and associated business and technical implications of moving to a consolidated environment. Once the assessment and requirements gathering is complete, a recommendation will be made to determine the timeline to completion, and appropriate software and hardware needed to support the recommended environment.

30. Please provide an update on the PACE program. How many projects were completed in FY 2014 and FY 2015, to date? How many PACE projects are anticipated in FY 2015? How can DDOE make the program more attractive to potential participants?

The PACE Administrator was unable to close any PACE projects FY 14 or to date in FY 15. However, in January 2015, two (2) PACE projects went into underwriting. Additionally, a third PACE project received initial lender consent and is in the closing process. It is anticipated that five (5) PACE projects will close in FY 15. Once these projects close we look forward to announcing them.

To reach more potential participants, the PACE Administrator recently launched a strategic marketing effort to project developers and building managers to educate them on PACE's value and how to participate in the program. In February 2015, PACE will launch an aggressive marketing effort targeting contractors by using training workshops and marketing events to solicit participation.

31. DDOE oversees the District's contract with the DC Sustainable Energy Utility (SEU), and receives 10% of the contract's value for administration:

- How did DDOE use its oversight responsibilities to help the SEU achieve its statutory goals in 2014?
- Please identify the goals that the SEU met and did not meet in 2014. For any goals not met, please identify any barriers to the achievement of those goals and potential ways DDOE can help address those issues.

As Contract Administrator of the DCSEU contract, the Energy Administration of the Department provides operational oversight on a broad range of DCSEU programs and activities that are conducted by various staff. The Energy Administration uses the allocated ten percent (10%) of the DCSEU's contract value to support a dedicated and experienced contract management team to provide robust monitoring and verification of DCSEU programs. On a day-to-day basis, two senior staff from the Department's Energy Administration is intimately involved with the administration and execution of the DCSEU contract.

Additional staff are involved in reviewing monthly and quarterly reports submitted by the DCSEU, reviewing program designs, implementation protocols, marketing material, and budgets, approving monthly invoices, conducting random site visits to verify installation of energy retrofits and renewable energy systems, engaging the Contracting Officer to resolve contractual issues, and ensuring that the DCSEU is in compliance with District laws and regulations.

In addition to the daily oversight duties performed by the staff from the Energy Administration, regular DCSEU oversight support is also provided by the Department's Office of the General Counsel, and the Office of the Chief Financial Officer. Staff from all three divisions work in partnership with the DCSEU on a biweekly basis (and as issues arise), to provide advice on various planning and operational issues that are raised by the DCSEU. The Department and the DCSEU have developed a collaborative working relationship with the mutual objective of maximizing performance and meeting or exceeding the goals.

The Department also uses a portion of the allocated contract administration funds to provide other administrative activities, such as supplies for DCSEU Advisory Board meetings, as well as IT hardware and software acquisition.

In FY14, staff provided daily supervision of an independent Financial Auditing firm retained to conduct a financial audit of all Sustainable Energy Trust Funds paid to the DCSEU during FY 2013, including an examination of DCSEU's compliance with the stated financial requirements of the contract. Staff provided advice and supervision to the independent Evaluation, Measurement, and Verification (EM&V) Contractor to establish rigorous EM&V protocols for the DCSEU. The Department also reviewed and provided constructive comments and edits to the annual EM&V reports to ensure that the DCSEU's reported energy savings and progress toward each of the performance benchmarks were accurately verified.

FY14 marked the first time that the DCSEU has been able to report meeting and exceeding the minimum requirement for five of six performance benchmarks, and other spending-related metrics. However, we have not yet confirmed these results through EM&V. The DCSEU did not achieve the minimum performance requirement for the benchmark related to the increase in renewable energy generating capacity due to an overspending on non-renewable energy measures such as weatherization and roof replacements for solar customers.

In FY15, the Department and the DCSEU will proactively work with other providers of energy-related services such as the Department of Housing and Community Development and the District Housing Authority to leverage financial resources to offset the costs of roof replacements that are essential to the proper installation and functioning of renewable energy systems on low-income homes. This should assist the DCSEU in meeting their renewable energy goal. The Department has also agreed to strategically coordinate the efforts of its federally funded Weatherization Assistance Program to help identify and install energy efficiency measures in the homes of low-income solar customers participating in the Solar Advantage Plus Program that is jointly administered by the Department and the DCSEU.

Please see also Attachment 31 – Progress Against Benchmarks

32. Please update the Committee on the status of each of the Sustainable DC Innovation Challenge projects it awarded in early 2013 and early 2014, highlighting any canceled projects or changes to project descriptions. Please include the total amount of funding that was awarded to each project and any changes to funding amounts or sources.

All FY14 Innovation Challenge projects are moving forward, with the project scopes and budgets being refined and interagency MOUs either executed or in process. The FY14 grants include the following:

- **Outdoor Classrooms:** OSSE was awarded \$330,000 to build outdoor classroom to support environmental and health education with hands-on examples of renewable energy, stormwater management, native-species planting, nutrition and urban agriculture. The Department and OSSE have signed the MOU. A design kick off meeting is scheduled for March 2015, with plans to construct two classroom locations.
- **Aquaponics Farming:** UDC was awarded \$519,500 to establish and operate at least three aquaponic demonstration projects to breed fish and serve as a base for job-skills and entrepreneurship training for low-skilled and semi-skilled District residents. The MOU is executed and UDC is implementing the project.
- **Native Plant Nursery:** UDC received \$121,500 to construct a native plant nursery to grow plants for habitat restoration following invasive plant management. The site will also serve as a host facility for education, outreach, and local green-jobs training. The MOU is executed and UDC is implementing the project.
- **Demonstration Kitchen:** UDC was also awarded \$280,000 to establish a business-incubator kitchen for food and nutrition education and job-skills and entrepreneurship training. This project includes a food truck to ensure healthy food reaches neighborhoods citywide. The MOU is executed and UDC is implementing the project.
- **Oxon Run Green Infrastructure:** DDOT was awarded \$400,000 to install rain gardens and other low-impact development features to reduce stormwater pollution from streets surrounding Oxon Run Park. These permanent stormwater-management facilities complement DDOT's ongoing work to improve recreational trails along Oxon Run.
- **Cooperative Greenhouses:** DPR was awarded \$200,000 to rebuild (in coordination with DGS) two long-neglected DPR greenhouses in Wards 4 and 7 so that the community can have access to healthy food. The facilities will include publicly available greenhouse space and seedling production, cooperative management programming with non-profit organizations, and training opportunities (particularly for youth). DPR plans to begin restoration in spring 2015.
- **Water Saving Splash Pad:** DPR was also awarded \$492,000 to install (in coordination with DGS) a new "splash park" that will

capture rain water for reuse in the water feature and for irrigation of adjacent playing fields.

33. The Sustainable DC Plan includes a goal of using 75% of the District's landscape to capture rainwater through the increased use of green roofs and green infrastructures.

- What percentage of the District's landscape currently captures rainwater? Please describe the methodology used to calculate this number.

We estimate 58.6% of the District captures some amount of stormwater runoff. This metric includes 56.6 % of the District's land that is permeable and approximately 2% of the District's impermeable cover which drains into stormwater management practices that capture runoff. The Department uses GIS to track the land cover throughout the District in an effort to quantify the impacts from stormwater runoff. In addition to tracking land cover conditions, the Department uses a database to track and account for the installation of stormwater management practices.

- How have DDOE programs increased this percentage in FY 2014 and FY 2015, to date? Please describe any initiatives implemented jointly with other agencies.

The Department finalized new stormwater rules that became effective in 2014 that require regulated projects to install runoff reducing green infrastructure (GI). Under these regulations, we expect the area of land managed by GI to increase significantly in the coming years as regulated projects typically redevelop approximately 15 mil square feet or 1% of the District per year. In addition, the Department will continue to use funds to retrofit public lands in collaboration with the District Department of Transportation (DDOT) and the Department of General Services (DGS) through MOUs and interagency funding. Further, the Department works with non-profit partners to provide GI subsidies (including the RiverSmart Homes, RiverSmart Schools, and RiverSmart Communities programs). Finally, the Department incentivizes the voluntary installation of GI through the RiverSmart Rewards program and the Stormwater Retention Credit Trading Program.

- How does DDOE track its performance and progress toward its goal of 75%?

The Department uses an existing database to track and account for the installation and maintenance of stormwater management practices that include both green infrastructure (e.g. green roofs, bioretention, and permeable pavements) and traditional practices (e.g. sand filters and water quality catch basins). The database also captures new stormwater practices that are submitted through the permitting process and following field verification, will capture previously installed stormwater management

practices. This data will be compiled on an on-going basis and will be used to track progress towards meeting this goal and the District's federal stormwater permit compliance.

34. Please provide an update on DDOE's progress toward completing the Anacostia River Hazardous Material Remediation, including a timeline outlining expected dates for completion of the Remedial Investigation and Feasibility Study and any major milestones that must be met along the way.

The following project status provided updates by categorizing project tasks into three categories: 1) Task Completed; 2) Tasks On-going and 3) Tasks initiated and projected for completion:

Category	Status
Task Completed	Create Project Planning Documents Obtain Permits Obtain Utility Clearance Complete Bathymetric Survey Phase I Field Investigations (total 336 samples taken of various types)
Task Ongoing	Laboratory Analysis Data Validation Reporting
Tasks Initiated with an Estimated Completion Window	MOU for fish and sediment sampling (March 2015) PRP location sampling scope finalized (March 2015) Permitting for PRP location sampling (March 2015) Field Investigations (March 2015 - June 2015) Laboratory Analysis (August 2015) Data Validation (September 2015) Draft RI Report (December 2015) FWS Report (December 2015)

35. How is DDOE implementing and enforcing the Pesticide Education and Control Act of 2012?

The Department has hired a full time integrated pest management (IPM) specialist. The IPM specialist is conducting a thorough review of the existing IPM policies, best practices, and requirements before providing additional recommendations. He is also conducting research on ground-level practices by pesticide operators.

The Department has conducted several surveys and interviews to identify which District-owned, District-occupied, or child-occupied facilities are currently implementing IPM measures and procedures such as: pest application and planning policies, pest inspection, pest sighting documentation, non-chemical measures, or alternative pest management strategies. The Department continues to schedule and conduct announced and unannounced compliance inspections.

- Has the agency created lists of non-essential and restricted use pesticides as required by the act?

The Department is preparing to finalize pesticide regulations that classify as “District restricted-use” all pesticides identified by the U.S. Environmental Protection Agency as restricted use under Section 3(d) of the Federal Insecticide, Fungicide and Rodenticide Act. The Department has reserved sections in the regulations to classify additional pesticides as District restricted-use and non-essential.

- Please update the Committee on the status of the integrated pest management educational courses required by the act.

The Department has drafted integrated pest management (IPM) course materials and will add the information to the Pesticide Applicator Certification and Training Examinations. A draft packet of assistance and outreach materials is also under development.

Outreach to Pest Control Operators (PCO) was conducted through inspector-led presentations on the proposed draft regulations at various continuing education recertification classes. These presentations included information on the proposed regulations and the sites affected. Outreach was conducted with the PCO for DCPS through an informal conference discussing the draft regulations. Additionally, the Department conducted inspections at three DCPS schools with two PCOs to observe any IPM techniques used and to begin initial assessment of IPM used at DCPS sites. The Department also conducted a survey of Child Development Centers and Child Development Homes via internet and mail to obtain information about current pest control and IPM programs at those sites.

36. How is DDOE implementing and enforcing Title II, Subtitle A of the Sustainable DC Act of 2012, the “Anacostia River Clean Up and Protection Fertilizer Act of 2012”?

Implementation of the Act has relied heavily on primarily education and outreach to targeted audiences. The Department has incorporated a flyer on fertilizer as part of RiverSmart programs to homes and schools. Nutrient management lessons are also included in workshops for RiverSmart installers.

37. How does DDOE enforce its regulations requiring contractors performing demolition or renovation on buildings built prior to 1978 to have lead safety certifications or licenses, and to implement lead-safe work practices that protect the public and the environment from lead paint dust? How does DDOE work with DCRA to ensure DCRA requires the proper certification or license before issuing a permit and to ensure that DDOE knows which projects it should monitor for enforcement of lead-safe work practices requirements?

The Department responds to complaints concerning unsafe work practices during demolition or renovation activities. When an inspector arrives on site, he/she verifies whether the contractor is in compliance with lead-safe work practices requirements. If not, the inspector issues a Cease and Desist Order that stops work until the appropriate lead safety measures are taken.

The Department also has applicable permit requirements. If the inspector determines that a Lead-Safe permit is required at a particular work site where demolition or renovation activities are occurring, the inspector is also able to issue a Notice of Violation and require the contractor to obtain a permit before continuing work. Finally, the Department refers appropriate cases involving renovation or demolition work to EPA for follow up enforcement.

We are also working with our sister agency, DCRA to improve the process by which they issue demolition and renovation related permits that involve residential housing or a child-occupied facility.

38. Please list the three biggest threats to the environmental health of the District and explain the dangers posed by each.

- Please also explain how DDOE worked to address the threats it identified last year.

Last year the Department identified childhood lead poisoning, contaminated sediments in the Anacostia River, and greenhouse gas as the three largest threats to the environmental health of the District, these threats continue to be a priority for FY15. Below is a description of the nature of the threat and an explanation of the actions taken to address them in FY14.

Childhood Lead Poisoning: During FY14, the Department's Childhood Lead Poisoning Prevention Program applied for and received a new 3-year grant by the US Centers for Disease Control and Prevention, focused on increasing the number of children in the District that are screened for lead exposure. While 16,100 children were screened for lead in FY14, representing an increase of roughly 800 children over FY13, a variety of screening gaps still exist, both among certain hard-to-reach populations and in specific census tracts where less than 50% of children under six years of age have

been screened. An example of the successful grant-funded approach, is a partnership with the Ethiopian Community Center that will enable the Department to reach thousands of Amharic-speaking residents of the District and should result in a significant increase in the screening rate in that community. A second component consists of grant-funded outreach to the District's pediatricians by the Mid-Atlantic Center for Children's Health and the Environment. The goal of this initiative is to ensure pediatricians are informed of their legal duty to screen all District children, twice by age two. These efforts are enhanced by two new data-sharing partnerships the lead program brokered, one with the Department of Health Care Finance, the other with DC Public Schools, both formalized through a Memorandum of Understanding. These partnerships enable the Department to identify children who lack blood lead tests and to follow up to ensure they are screened.

The Department's FY14 lead enforcement efforts were bolstered by the issuance in August 2014 of a Schedule of Fines, allowing the Department for the first time to issue civil penalties for violations of the District's lead laws. During FY14, lead enforcement staff launched a new initiative consisting of audits of landlord and property manager files, to ensure they contain documentation of compliance with the District's lead disclosure requirements and provisions requiring the distribution of a Tenant Rights form. At the same time, lead enforcement staff increased efforts to ensure the Department-certified cadre of lead professionals provide District residents with a standard of care that reflects full compliance with the District's regulatory requirements.

Anacostia River Sediments: Please see Question 39.

Greenhouse Gas Emissions: A major element of the Sustainable DC Plan is the commitment to reduce greenhouse gas emissions by 50 percent by 2032, relative to a 2006 baseline. Numerous actions throughout the SDC Plan are focused on reducing emissions from energy and water use, transportation, and waste. The plan also outlines actions to assess the risks and prepare for impacts of climate change. Major progress in FY 14 included the adoption of new energy and green construction codes that will cut energy and water use in new and rehabilitated buildings and continued implementation of the city's energy benchmarking program for private buildings. The Department of General Services and DC Water have issued requests for proposals for large renewable energy purchases that could provide more than 60 MW of clean energy. DC Water also continued construction of an anaerobic digester that is expected to begin generating renewable energy from sewage waste in FY15. The development of the moveDC plan provided a roadmap for expanding bicycling, transit, and walking which will reduce emissions from the transportation sector. Finally, the Department began work on a citywide adaptation plan that will provide

local data on climate impacts including future heat waves, extreme rain events, and rising sea levels. The plan will assess the District's vulnerability to these impacts and identify strategies to reduce risks and adapt.

The Department is currently updating the District's GHG emissions inventory. The last update, released in December 2012 indicated that the city is making progress. Over the five-year period from 2006-2011, GHG emissions community wide dropped 12.5 percent and emissions from government operations dropped 23 percent. Preliminary data collected for 2012 and 2013 shows that emissions have continued to fall.

39. Please list DDOE's three biggest priorities for FY 2015 and explain the intended impact of each.

- Please also explain the actions that DDOE took in pursuit of the priorities DDOE identified last year.

For FY15, the Department will continue to focus on last year's priorities; and will pivot efforts to include an enhanced focus on:

1. Developing Sustainable and Resilient Buildings – proper development of our built environment through a dynamic approach to energy production and use, our Green Building code, and Stormwater Management requirements, will allow us to develop buildings and neighborhoods that are not just environmentally neutral, but positive contributors in power, healthy living, and resource management.
2. Cultivating a Healthier Natural and Built Environment – through developing actionable standards for ameliorating exposure to lead hazards and targeted elimination of indoor and outdoor health hazards we can ensure that all District buildings, public housing units, and public spaces are healthy, particularly those occupied by vulnerable populations.
3. Accelerated Revitalization of our Waterways – Revitalization of the Anacostia River remains a priority for this agency. We will also continue to focus on stream restoration for the various tributaries in the District and use these restoration projects as anchors for further exposure to the natural environment.

Last year, the Department identified continued implementation of the Sustainable DC Plan, Restoration of the Anacostia River, and bringing the SEU to maturation as the top three priorities of the Agency. The agency has done the following in pursuit of those priorities.

1. Implementation of the Sustainable DC Plan – 83% of Sustainable DC actions are now underway and 6% are complete. In FY14, 73% of actions were in agency performance plans. To help develop

strategies for implementing more difficult, long-term actions, ten task forces made up of staff from 25 District Government agencies and community partners met throughout FY2014 to develop recommendations. \$3.2 million dollars in competitive grants was made available through the Sustainable DC Innovation Challenge for District agencies to pilot creative new programs supporting the plan. Additionally, the Sustainable DC Omnibus Amendment Act of 2014 contained seven subtitles that helped remove barriers and launch new programs supporting actions in the Sustainable DC Plan. Of particular note are new transit benefits and a ban on polystyrene in food businesses. To encourage progress in the private sector, a fourth sector-specific sustainability pledge was added to existing pledges for higher education, businesses, and diplomatic institutions: one focused on hospitals and clinics. Members of the pledges meet quarterly to share best practices and receive training on being more resource efficient and operating more sustainably. To engage residents, 45 volunteer ambassadors were recruited across all eight wards and trained to talk about sustainability to their friends and neighbors at community events. In total, Sustainable DC staff and volunteers talked with over 8,000 people at 132 events. To further engage the community, monthly volunteer opportunities supporting sustainability are organized and a newsletter is sent out to a listserv of 4,000.

2. Restoration of the Anacostia River –

The Department pursued the restoration of the Anacostia River in five key ways. We implemented the District's revised stormwater regulations, established a Stormwater Retention Credit (SRC) trading program, developed a consolidated strategy to reduce pollution from stormwater runoff, began the process of sediment remediation, and increased outreach and coordination with Prince George's and Montgomery County.

Stormwater Regulations: The Department successfully implemented our Stormwater Management and Sediment and Erosion Control Regulations as required by the District's MS4 Permit.

Stormwater Retention Credit Trading: An established credit market is a tool that will provide significant benefits beyond the stormwater management regulations for the restoration of the Anacostia River and other waterbodies. An established SRC market can take advantage of more cost-effective opportunities for installing and maintaining stormwater GI than the Department would be able to generate on its own.

Stormwater Runoff Consolidated Strategy: In FY14 the Department made substantial progress in the development of a consolidated Total Daily Maximum Load (TMDL) implementation plan that will include a strategy and schedule for reducing pollution from stormwater runoff. Once completed, the TMDL implementation plan will become a valuable tool in tracking

progress and directing District resources towards the restoration of our waterways.

Sediment Remediation: Legacy toxins in the Anacostia's sediment bed are a major source of pollution, both to the quality of the water and as a source of pollution to the species that inhabit the river. In FY14, the Department began fieldwork on the remedial investigation and feasibility study of the sediments in the Anacostia River. Approximately 334 samples of various types were taken for the river, and are currently being analyzed. The sediments are an on-going source of contaminants and need to be characterized and remediated before the Anacostia can be returned to a "fishable and swimmable" river. This work will assist with identifying the contaminants that are present in the sediment and allow a determination of proper clean-up methods. This is a multi-year project.

Outreach and Coordination: Because nearly 82 percent of the Anacostia watershed lies in either Montgomery or Prince George's counties, the Department continues to build and maintain partnerships with his counterparts in these jurisdictions, with the understanding that our neighbors are essential partners to restore the Anacostia. Through the Metropolitan Washington Council of Governments (COG) Anacostia Watershed Restoration Partnership (AWRP), the District, Maryland, Prince George's County, and Montgomery County are working toward restoration of the Anacostia River. The Department chairs the partnership's Management Committee and is fully engaged in its steering committee. In addition to the AWRP, the Department also participates in the Chesapeake Bay Program (CBP) and the Interstate Commission on the Potomac River Basin (ICPRB) to facilitate interstate cooperation for the health of District waterbodies. CBP is a regional partnership between the District, VA, MD, DE, PA, WV, NJ, NY, EPA, and the Chesapeake Bay Commission on a series of commitments that guide Bay restoration and protection efforts. The District has been a leader in this effort. The District continues work on Bay restoration through its Watershed Implementation Plan and the process to update the Bay Agreement. ICPRB is a regional partnership between the District, MD, PA, VA, WV, and the federal government to protect the Potomac River and improve the quality of life in the watershed with a focus on cleanup, drinking water, and water utilities. The Deputy Director for the Natural Resources Administration serves as a member. The Commission works through a strategic plan and coordinates through quarterly meetings.

Please see also Question 34

3. SEU Maturation – Please see Question 31