

COMMITTEE ON
TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

FISCAL YEAR 2021 COMMITTEE BUDGET REPORT

To: Members of the Council of the District of Columbia
FROM: Councilmember Mary M. Cheh
Chairperson, Committee on Transportation & the Environment
DATE: June 25, 2020
SUBJECT: DRAFT Report and recommendations of the Committee on Transportation & the Environment on the Fiscal Year 2021 budget for agencies under its purview

The Committee on Transportation & the Environment (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year (“FY”) 2021 for the agencies under its jurisdiction, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on several sections in the Fiscal Year 2021 Budget Support Act of 2020, as proposed by the Mayor, and proposes several of its own subtitles.

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SUMMARY

A. EXECUTIVE SUMMARY

This Report of the Committee on Transportation and the Environment on the Fiscal Year 2021 Proposed Budget for the agencies within its jurisdiction was developed after several months of hearings, testimony, meetings, and other forms of public engagement. The Report reflects the Committee's commitment to ensuring that the District reaches its goals of providing safe, reliable, and equitable transportation options; creating and maintaining high quality infrastructure; investing in sustainability and protecting the environment; protecting the health and well-being of residents through access to recreation spaces and healthy food; investing in public health and education; creating economic mobility; supporting economic development and small businesses; and protecting consumers. These investments are briefly described below.

Creates Safe and High-Quality Transportation and Infrastructure

- Accepts from the Committee on Judiciary and Public Safety **\$423,000 over four years to fund the Transportation Benefits Equity Amendment Act**, which ensures that employees who walk, bike, or take transit to get to work receive an equal incentive as those who drive
- Commits over **\$30,000,000 to the 11th Street Bridge Park project to transform the aged, unused span of the 11th Street Bridge into a signature, elevated park** in the District
- Preserves **\$117,434,000 for the K Street Transitway over the Capital Improvement Plan, which will improve bus speeds, reliability, and efficiency** in the District's downtown area
- Maintains **\$17,849,000 for the Bus Priority and Efficiency Initiative over the Capital Improvement Plan, which supports improvements such as painted bus lanes and bus lane enforcement cameras, to help prioritize bus travel and improve accessibility to bus stops** in the District.
- Provides **\$539,000 to fund the preliminary design study for the Arizona Avenue connection to the Capital Crescent Trail**

Ensures Environmental Sustainability

- Provides through a transfer to the Committee on Education **\$283,000 for Environmental Literacy grants** to support organizations that provide environmental education programs to District elementary schools
- Provides through a transfer to the Committee of the Whole **\$100,000 over four years to the Metropolitan Washington Council of Governments to improve the regional food and agriculture system**
- Provides **\$528,000 over four years to fully fund the Urban Farming Land Lease Amendment Act**, which allows the Office of Urban Agriculture to issue grants to urban farmers in the District for infrastructure and operating support, and to perform soil testing for the land lease program

- Provides **\$100,000 for a study evaluating the feasibility of the District's withdrawal from the PJM capacity market**, in response to a Federal Energy Regulatory Commission decision that may affect the District's access to and the affordability of energy procured from renewable energy resources

Supports Meaningful Improvements to Nutrition, Food Access, and Education for Children

- Provides through a transfer to the Committee on Education **\$3,376,000 over four years to restore funds for school breakfast reimbursements**, which increases subsidies to improve the quality of and access to school meals
- Provides through a transfer to the Committee on Education **\$844,400 to restore cuts to the Healthy Tots program**, which subsidizes healthy meals served at District childcare facilities
- Provides through a transfer to the Committee on Health **\$75,000 to increase access to the federal Supplemental Nutrition program for Women, Infants, and Children** through outreach activities
- Provides through a transfer to the Committee on Education **\$440,000 to support Healthy Schools Act wellness grants**
- Provides through a transfer to the Committee on Education **\$1,920,000 over four years to permanently increase the Healthy Schools Act Fund**, to provide adequate ongoing funding to sustain Healthy Schools Act initiatives
- Provides through a transfer to the Committee on Education **\$100,000 for the State Board of Education to expand its education policy research**

Invests in Animal Welfare Initiatives

- Provides through a transfer to the Committee on Health **\$500,000 to support the District's animal rescue and control efforts** by supplementing the District's Animal Care and Control agency contract
- Accepts from the Committee on Judiciary and Public Safety **\$374,000 over four years to fund an investigator at DOEE to implement the Ivory and Horn Trafficking Prohibition Act**, which protects against the District's financial participation in the trade of ivory and horns, resulting in the inhumane killing of endangered species
- Provides **\$200,000 for a grant to support wildlife rehabilitation services**

Improves Quality of Life for Seniors

- Provides through a transfer to the Committee on Housing and Neighborhood Revitalization **\$215,000 for senior financial intervention services** for adults 60 years and older with memory loss and other cognitive impairments
- Provides through a transfer to the Committee on Housing and Neighborhood Revitalization **\$200,000 for senior center programming**, with a focus on serving seniors who speak a language other than English

Improves Equity and Economic Mobility

- Provides through a transfer to the Committee on Government Operations **\$800,000 over four years to protect against source of income discrimination in housing**, which disproportionately affects recipients of housing vouchers

Supports Economic Development and Small Businesses

- Provides through a transfer to the Committee on Business and Economic Development **\$200,000 to foster retail investment and improve economic vitality through a new Main Streets program in the Chevy Chase neighborhood**
- Provides through a transfer to the Committee of the Whole **\$150,000 to improve economic development opportunities** through a Small Area Plan in the Chevy Chase neighborhood

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B. OPERATING BUDGET SUMMARY TABLE

Department of Public Works					
Local Funds	150,885,088	149,397,982	(1,729,000)	147,668,982	-2.13%
Special Purpose Revenue Funds	9,191,464	12,173,249	1,229,000	13,402,249	45.81%
Intra-District	27,770,128	29,054,775	0	29,054,775	4.63%
GROSS FUNDS	187,846,680	190,626,006	(500,000)	190,126,006	1.21%
District Department of Transportation					
Local Funds	111,862,584	110,624,695	100,000	110,724,695	-1.02%
Special Purpose Revenue Funds	26,653,450	18,813,000	0	18,813,000	-29.42%
Federal Funds	14,882,982	17,211,996	0	17,211,996	15.65%
GROSS FUNDS	153,399,016	146,649,692	100,000	146,749,692	-4.33%
Department of Motor Vehicles					
Local Funds	34,776,349	37,592,378	(50,000)	37,542,378	7.95%
Special Purpose Revenue Funds	9,955,114	10,172,574	0	10,172,574	2.18%
Intra-District	618,040	600,000	0	600,000	-2.92%
GROSS FUNDS	45,349,503	48,364,953	(50,000)	48,314,953	6.54%
District Department of the Environment					
Local Funds	35,350,498	22,917,739	539,600	23,457,339	-33.64%
Special Purpose Revenue Funds	122,345,899	82,808,762	0	82,808,762	-32.32%
Federal Funds	35,332,638	31,469,855	0	31,469,855	-10.93%
Intra-District	2,584,957	2,623,850	0	2,623,850	1.50%
Private Grant Fund	3,810,751	2,292,291	0	2,292,291	-39.85%
GROSS FUNDS	199,424,743	142,112,497	539,600	142,652,097	-28.47%
Deputy Mayor for Operations and Infrastructure					
Local Funds	1,303,632	1,297,578	0	1,297,578	-0.46%
GROSS FUNDS	1,303,632	1,297,578	0	1,297,578	-0.46%
Green Finance Authority					
Enterprise and Other Funds	614,523,000	642,663,000	0	642,663,000	4.58%
Highway Transportation Fund					
Dedicated Taxes	26,298,000	24,642,000	0	24,642,000	-6.30%
Special Purpose Revenue Funds	0	5,000,000	0	5,000,000	N/A
GROSS FUNDS	26,298,000	29,642,000	0	29,642,000	12.72%
DC Water					
Enterprise and Other Funds	614,523,000	642,663,000	0	642,663,000	4.58%
GROSS FUNDS	614,523,000	642,663,000	0	642,663,000	4.58%
Washington Aqueduct					
Enterprise and Other Funds	68,712,123	73,139,198	0	73,139,198	6.44%
GROSS FUNDS	68,712,123	73,139,198	0	73,139,198	6.44%

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Net Committee Action					
Local Funds	334,178,151	321,830,373	(1,139,400)	320,690,973	-4.04%
Dedicated Taxes	26,298,000	24,642,000	0	24,642,000	-6.30%
Special Purpose Revenue Funds	168,145,927	128,967,585	1,229,000	130,196,585	-22.57%
Enterprise and Other Funds	1,297,758,123	1,358,465,198	0	1,358,465,198	4.68%
Federal Funds	50,215,621	48,681,852	0	48,681,852	-3.05%
Intra-District	30,973,125	32,278,626	0	32,278,626	4.21%
Private Grant Fund	3,810,751	2,292,291	0	2,292,291	-39.85%
GROSS FUNDS	1,911,379,697	1,917,157,924	89,600	1,917,247,524	0.31%

C. FULL-TIME EQUIVALENT SUMMARY TABLE

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Department of Public Works					
Local Funds	1,291.0	1,293.0	0.0	1,293.0	0.15%
Special Purpose Revenue Funds	29.0	29.0	0.0	29.0	0.00%
Intra-District	159.0	157.0	0.0	157.0	-1.26%
GROSS FUNDS	1,479.0	1,479.0	0.0	1,479.0	0.00%
District Department of Transportation					
Local Funds	592.4	592.4	1.0	593.4	0.17%
Special Purpose Revenue Funds	12.0	12.0	0.0	12.0	0.00%
Federal Funds	20.0	20.0	0.0	20.0	0.00%
GROSS FUNDS	624.4	624.4	1.0	625.4	0.16%
Department of Motor Vehicles					
Local Funds	230.0	230.0	0.0	230.0	0.00%
Special Purpose Revenue Funds	39.0	39.0	0.0	39.0	0.00%
GROSS FUNDS	269.0	269.0	0.0	269.0	0.00%
District Department of the Environment					
Local Funds	128.0	128.3	2.0	130.3	1.81%
Special Purpose Revenue Funds	195.1	199.5	0.0	199.5	2.28%
Federal Funds	106.8	104.7	0.0	104.7	-1.92%
Intra-District	15.1	14.2	0.0	14.2	-5.65%
Private Grant Fund	3.2	3.8	0.0	3.8	19.50%
GROSS FUNDS	448.0	450.5	2.0	452.5	1.00%
Deputy Mayor for Operations and Infrastructure					
Local Funds	8.0	8.0	0.0	8.0	0.00%
GROSS FUNDS	8.0	8.0	0.0	8.0	0.00%
Green Finance Authority					
Enterprise and Other Funds	0.0	12.0	0.0	12.0	N/A
Net Committee Action					
Local Funds	2,249.4	2,251.7	3.0	2,254.7	0.24%
Special Purpose Revenue Funds	275.1	279.5	0.0	279.5	1.62%
Enterprise and Other Funds	0.0	12.0	0.0	12.0	N/A
Federal Funds	126.8	124.7	0.0	124.7	-1.62%
Intra-District	174.1	171.2	0.0	171.2	-1.64%
Private Grant Fund	3.2	3.8	0.0	3.8	19.50%
GROSS FUNDS	2,828.4	2,842.9	3.0	2,845.9	0.62%

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D. OPERATING & CAPITAL BUDGET LEDGERS

OPERATING LEDGER

RECCURING FUNDS		
Description	FY 2021 CHANGES	
	Local	FTEs
Department of Public Works		
Vacancy Savings	\$500,000	0.0
Waste Disposal Fees BSA	\$1,229,000	0.0
District Department of Transportation		
A23-305, Transportation Benefits Equity	(\$100,000)	(1.0)
Department of Motor Vehicles		
Vacancy Savings	\$50,000	0.0
Parking Reciprocity Fee Update Amendment BSA	\$61,000	0.0
Tag Transfer Fee Update Amendment BSA	\$31,000	0.0
Department of Energy & Environment		
Vacancy Savings	\$50,000	0.0
Urban Agriculture Funding BSA	\$132,000	1.0
L23-0080, Urban Farming Land Lease	(\$132,000)	(1.0)
Wildlife Rehabilitation Grant (Competitive Grants BSA)	(\$200,000)	0.0
A23-302, Ivory and Horn Trafficking Prohibition	(\$93,000)	(1.0)
Outside Agencies		
Transfer in from Judiciary Committee	\$193,000	2.0
COW/MWCOG: COG Regional Food Systems Program	(\$25,000)	0.0
Ed/OSSE: Healthy Schools Fund Restoration BSA (School Breakfast Subsidies)	(\$844,000)	0.0
Ed/OSSE: Healthy Schools Fund Restoration BSA (Permanent Increase)	(\$480,000)	0.0
Gov Ops/OHR: Contract for Source of Income Testers	(\$200,000)	0.0
Recurring Balance	\$172,000.00	0.00

ONE-TIME FUNDS	
Description	FY 2021 CHANGES
	Local
Department of Energy & Environment	
CRIAC Relief Fund sweep	\$3,000,000
Urban Agriculture Grants	(\$64,600)
Capacity Market Withdrawal Feasibility Study BSA	(\$100,000)
Outside Agencies	
BED/DSLBD: Chevy Chase Main Street	(\$200,000)
COW/OP: Chevy Chase Small Area Plan	(\$150,000)
Ed/OSSE: Restore Healthy Tots	(\$844,400)
Ed/OSSE: HSA Fund, Environ. Literacy Program Grants	(\$283,000)
Ed/OSSE: HSA Fund, Other Grants	(\$440,000)
Ed/SBOE: Research Projects	(\$100,000)
Health/DOH: WIC Outreach Plan	(\$75,000)
Health/DOH: Animal Shelter Contract	(\$500,000)
Housing/DACL: Senior Financial Intervention Services	(\$215,000)
Housing/DACL: Senior Center Programming	(\$200,000)
One-Time Balance	(\$172,000)

CAPITAL LEDGER

DEPARTMENT OF TRANSPORTATION (KAO)									
Project No	Project Title	Available Allotments	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Total
ED0D5C	11TH STREET BRIDGE PARK	0.00	0.00	0.00	0.00	0.00	15,343,000.00	15,000,000.00	30,343,000.00
LMS05C	I-66/ROCK CREEK PARKWAY BYPASS STUDY	(539,000.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NEW10C	CAPITAL CRESCENT CONNECT @ ARIZONA AVE	539,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
KAO Total		0.00	0.00	0.00	0.00	0.00	15,343,000.00	15,000,000.00	30,343,000.00

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E. COMMITTEE TRANSFERS

Transfers In						
Sending Committee	Amount	FTEs	Receiving Agency	Program/Activity/Comp Obj	Purpose	Funding Type
Judiciary	\$75,610	1.0	DOEE	2000/2080/0125	B23-34, Ivory and Horn Trafficking Prohibition Act	Recurring
	\$17,390	0.0	DOEE	2000/2080/0147		Recurring
	\$100,000	1.0	DDOT	PSDV/PSYS	B23-148, Transportation Benefits Equity Amendment Act	Recurring
TOTAL	\$193,000	2.0				

Transfers Out						
Receiving Committee	Amount	FTEs	Receiving Agency	Program/Activity/Comp Obj	Purpose	Funding Type
Business & Economic Development	\$200,000	0.0	DSLBD	4000/4030	Chevy Chase Main Street	One-time
Education	\$100,000	0.0	SBOE	SB00/SB01	Education Research Projects	One-time
	\$844,000	0.0	OSSE	E500/E504	School Breakfast Subsidies	Recurring
	\$844,400	0.0	OSSE	E500/E504	Restore Healthy Tots Funding	One-time
	\$283,000	0.0	OSSE	E500/E504	Environmental Literacy Program Grants	One-time
	\$440,000	0.0	OSSE	E500/E504	Other Healthy Schools Act Grants	One-time
	\$480,000	0.0	OSSE	E500/E504	Permanently Increase Healthy Schools Act Fund	Recurring
Government Operations	\$200,000	0.0	OHR	2000/2050	Contract for Source of Income Testers	Recurring
Health	\$75,000	0.0	DOH	8500/8513	WIC Outreach Plan	One-time
	\$500,000	0.0	DOH	4500, 4515	Animal Shelter Contract	One-time
Housing & Neighborhood Rev.	\$215,000	0.0	DACL	9400/9475/0506	Senior Financial Intervention Services	One-time
	\$200,000	0.0	DACL	9400/9440/0506	Senior Center Programming	One-time
COW	\$25,000	0.0	MWCOCG	N/A	COG Regional Food Systems Program	Recurring
	\$150,000	0.0	OP	3000/3010	Chevy Chase Small Area Plan	One-time
TOTAL	\$4,556,400	0.0				

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F. REVENUE ADJUSTMENT & FUNDING OF LEGISLATION

REVENUE ADJUSTMENT

Revenue Adjustments			
Fund Type	FY 2021 Amount	Use	BSA Subtitle
100	\$61,000	Revenue raised pursuant to subtitle	Parking Reciprocity Fee Update
100	\$31,000	Revenue raised pursuant to subtitle	Tag Transfer Fee Update
6040	\$1,229,000	Revenue raised pursuant to subtitle	Waste Disposal Fees
100	\$132,000	L23-80	Urban Agriculture Funding

FUNDING OF LEGISLATION

Budget Support Act Subtitle Funding				
Subtitle	Agency	Program	FY 2021 Amount	FTEs
Capacity Market Withdrawal Feasibility Study	DOEE	6060	\$100,000	0.0
Competitive Grants	DOEE	2030	\$200,000	0.0
Healthy Schools Fund Restoration	OSSE	E504	\$1,324,000	0.0

Funding of Bills Previously Passed Subject to Appropriation					
Law #	Section	Agency	Activity/Comp Obj	FY 2021 Amount	FTEs
A23-302	Section 6	DOEE	2080	\$93,000	1.0
A23-305	Section 3	DDOT	PSDV/PSYS	\$100,000	1.0
L23-80	Section 5	DOEE	1090	\$132,000	1.0

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G. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS

DEPARTMENT OF PUBLIC WORKS

Operating Budget Recommendations

The Committee recommends the following changes to the FY 2021 operating budget as proposed by the Mayor:

1. Move 5.0 FTEs and associated personal funds from Parking Regulations Enforcement (5010) to Towing (5020) (pg. 27)
2. Increase the (6082) Solid Waste Disposal Fee Fund budget in (6040) by \$1,229,000 in FY 2021 and 4,562,000 over the financial plan, and reduce the local funds budget in (6040) by the same amount (pg. 28)
3. Recognize \$500,000 in recurring funds in vacancy savings (pg. 28)

Capital Budget Recommendations

The Committee recommends adoption of the Mayor's proposed FY 2021 – FY 2026 capital budget.

Policy Recommendations

The Committee recommends the following policy changes:

1. Implement Residential Curbside Composting Program (pg. 31)
2. Ensure Sufficient Transfer Station Capacity (pg. 32)
3. Terminate or Revise Settlement Agreements with Private Waste Management Companies (pg. 32)
4. Enforce solid waste reporting and registration requirements (pg. 33)
5. Move Forward with Improvements to District's Glass Recycling Program and Regional Glass Recycling Infrastructure (pg. 33)
6. Move Forward with a Save-As-You-Throw Study (pg. 34)

DISTRICT DEPARTMENT OF TRANSPORTATION

Operating Budget Recommendations

The Committee recommends the following changes to the FY 2021 operating budget as proposed by the Mayor:

1. Accept \$100,000 in recurring funds from the Committee on Judiciary and Public Safety, and increases (PSYS) Systems Planning Branch within (PSDV) Planning and Sustainability by \$100,000 and one FTE in FY 2021 and \$423,000 over the financial plan to implement the Transportation Benefits Equity Amendment Act (pg. 38)

Capital Budget Recommendations

The Committee recommends the following changes to the FY 2021 capital budget as proposed by the Mayor:

1. Sweep \$539,000 from the (LMS05C) I-66 Rock Creek Parkway/Bypass Study (pg. 50)
2. Increase (ED0D5) 11th Street Bridge Park by \$15,343,000 in FY 2025, \$15,000,000 in FY 2026 (pg. 51)
3. Increase (LMSAF) Safety and Mobility by \$539,000 in FY 2021 (pg. 52)

Policy Recommendations

The Committee recommends the following policy changes:

1. Implement the Public Space Enforcement Amendment Act of 2014 (pg. 53)
2. Create a data sharing partnership with the Department of Health (pg. 53)
3. Expand the Dockless Vehicle Education Campaign (pg. 54)

DEPARTMENT OF MOTOR VEHICLES

Operating Budget Recommendations

The Committee recommends approving the FY 2021 operating budget for the Department of Motor Vehicles as proposed by the Mayor.

Capital Budget Recommendations

The Committee recommends approving the FY 2021 capital budget for the Department of Motor Vehicles as proposed by the Mayor.

Policy Recommendations

The Committee has no policy recommendations for the Department of Motor Vehicles.

DEPARTMENT OF ENERGY AND THE ENVIRONMENT

Operating Budget Recommendations

The Committee recommends the following changes to the FY 2021 operating budget as proposed by the Mayor:

1. Increase (2030) Fisheries and Wildlife by \$200,000 in recurring local funds to support the Wildlife Rehabilitation grant established in the Committee's recommendations for the Budget Support Act (pg. 64)
2. Recognize \$50,000 in recurring funds in vacancy savings (pg. 66)

3. Reduce (6070) CRIAC Relief Fund by \$3,000,000 in FY 2020 in one-time, local funds (pg. 67)
4. Increase (1090) Performance Management by \$132,000 in recurring funds and 1.0 FTE by allocating \$75,548 in FY 2021 and \$303,467 over the financial plan for the FTE. Of the remaining funds, \$3,000 is to go toward soil testing and the balance is to go to grants. Additionally, provide \$64,600 in one-time funds for grants in FY 2021 (pg. 68)
5. Increase CSG 50 in (6060) Policy and Compliance by \$100,000 in FY 2021 in one-time, local funds to conduct a study evaluating the feasibility of the District's withdrawal from the PJM capacity market (pg. 68-70)
6. Accept \$93,000 in FY 2021, \$93,261 in FY 2022, \$93,526 in FY 2023, and \$93,794 in FY 2024 from the Committee on Judiciary and Public Safety, and increase (2080) Watershed Protection in Comptroller Object 125 by \$75,610 in FY 2021 and \$302,440 across the financial plan, and in Comptroller Object 147 by \$17,390 in FY 2021 and \$71,141 across the financial plan, to fund an investigator at DOEE to implement the Ivory and Horn Trafficking Prohibition Act of 2020. (pg. 70)

Capital Budget Recommendations

The Committee recommends approving the FY 2021 capital budget as proposed by the Mayor.

Policy Recommendations

The Committee recommends the following policy changes:

1. Assess, coordinate, and track sustainability energy project investment programs and initiatives (pg. 71-72)

GREEN FINANCE AUTHORITY

Operating Budget Recommendations

The Committee recommends approving the FY 2021 operating budget for the Green Finance Authority as proposed by the Mayor.

Capital Budget Recommendations

The Green Finance Authority has no FY 2021 – FY 2026 capital budget.

Policy Recommendations

The Committee has no policy recommendations for the Green Finance Authority.

DEPUTY MAYOR FOR OPERATIONS & INFRASTRUCTURE

Operating Budget Recommendations

The Committee recommends approving the FY 2021 operating budget for the Deputy Mayor for Operations & Infrastructure as proposed by the Mayor.

Capital Budget Recommendations

The Deputy Mayor for Operations & Infrastructure has no FY 2021 – FY 2026 capital budget.

Policy Recommendations

The Committee recommends the following policy changes:

1. Create a central database where transit and transportation data could be housed and analyzed (pg. 75)

HIGHWAY TRANSPORTATION FUND - TRANSFERS

Operating Budget Recommendations

The Committee recommends approving the FY 2021 operating budget for the Highway Transportation Fund – Transfers account as proposed by the Mayor.

Capital Budget Recommendations

The Highway Transportation Fund – Transfers account has no FY 2021 – FY 2026 capital budget.

Policy Recommendations

The Committee has no policy recommendations for the Highway Transportation Fund – Transfers account.

DC WATER

Operating Budget Recommendations

The Committee recommends approving the FY 2021 operating budget as proposed by the Mayor.

Capital Budget Recommendations

DC Water has no FY 2021 – FY 2026 capital budget.

Policy Recommendations

The Committee recommends the following policy changes:

1. Enhance consumer protection and transparency (pg. 82-83)
2. Report on the effect of the Public health emergency on the Clean Rivers Project (pg. 83-84)

WASHINGTON AQUEDUCT

Operating Budget Recommendations

The Committee recommends approving the FY 2021 operating budget for the Washington Aqueduct as proposed by the Mayor.

Capital Budget Recommendations

The Washington Aqueduct has no FY 2021 – FY 2026 capital budget.

Policy Recommendations

The Committee has no policy recommendations for the Washington Aqueduct.

INTER-COMMITTEE TRANSFERS

Committee on Business and Economic Development

1. Transfer \$200,000 in one-time local funds to the Department of Small and Local Business Development for a seed grant for the Main Streets Program on Connecticut Avenue in the area of Chevy Chase (pg. 87)

Committee on Education

1. Transfer \$100,000 in one-time local funds to the State Board of Education to engage in education research projects (pg. 87)
2. Transfer \$844,000 in recurring local funds to the Office of the State Superintendent of Education (“OSSE”) to restore cuts in the Mayor’s proposed budget to school breakfast subsidies (pg. 87)
3. Transfer \$844,400 in one-time local funds to OSSE to restore a cut to Healthy Tots, which subsidizes healthy meals served at childcare facilities (pg. 87)
4. Transfer \$283,000 in one-time local funds to OSSE for Environmental Literacy grants to support organizations that provide environmental education programs to District elementary schools (pg. 88)
5. Transfer \$440,000 in one-time local funds to OSSE to support grants established by the Healthy Schools Act, including grants for physical activity, nutrition education, and school gardens (pg. 88)

6. Transfer \$480,000 in recurring local funds to OSSE to increase the annual amount of sales tax revenue dedicated to the Healthy Schools Fund (pg. 88)

Committee on Government Operations

1. Transfer \$200,000 in one-time local funds to the Office of Human Rights to award a contract for housing testing for discrimination based on source of income (pg. 88)

Committee on Health

1. Transfer \$75,000 in one-time local funds to DC Health to conduct targeted outreach to WIC-eligible families not enrolled in WIC (pg. 88)
2. Transfer \$500,000 in one-time local funds to DC Health to supplement the animal care and control contract (pg. 89)

Committee on Housing and Neighborhood Revitalization

1. Transfer \$215,000 in one-time local funds to the Department of Aging and Community Living (“DACL”) for senior financial intervention services (pg. 89)
2. Transfer \$200,000 in one-time local funds to DACL to support programming at a senior center that provides comprehensive health and social services to senior adults living in isolation or within a family context, with a focus on serving seniors who speak a language other than English (pg. 89)

Committee of the Whole

1. Transfer \$25,000 in recurring local funds to the Metropolitan Washington Council of Governments (“MWCOG”) to support the Regional Food Systems Program’s efforts to expand MWCOG’s work on the food and agriculture system (pg. 89)
2. Transfer \$150,000 in one-time local funds to the Office of Planning for a Chevy Chase Small Area Plan (pg. 89)

AGENCY FISCAL YEAR 2021 BUDGET RECOMMENDATIONS

A. INTRODUCTION

The Committee on Transportation & the Environment is responsible for matters relating to environmental protection regulations and policies; highways, bridges, traffic, vehicles, and other transportation issues; maintenance of public spaces; recycling and waste management; and water supply and wastewater treatment. The following agencies are within the jurisdiction of the Committee:

- Department of Public Works
- District Department of Transportation
- Department of Motor Vehicles
- Department of Energy and the Environment
- Green Finance Authority
- Deputy Mayor for Operations & Infrastructure
- District of Columbia Water and Sewer Authority

The Committee also oversees the Highway Transportation Fund – Transfers account, the Washington Aqueduct, the District of Columbia Bicycle Advisory Council, and the District of Columbia Pedestrian Advisory Council.

The Committee is chaired by Mary M. Cheh. The other members of the Committee are Councilmembers Charles Allen, Kenyan McDuffie, and Brandon T. Todd.

On March 11, 2020, and in response to the global COVID-19 pandemic, Mayor Bowser declared a public health emergency in the District of Columbia, which included a stay-at-home order for non-essential personnel. The public health emergency had a significant effect of the District’s revenues for FY 2020 and anticipated revenues for FY 2021; as a result, the Mayor delayed transmittal of the proposed FY 2021 budget to the Council until May 18, 2020, nearly two months later than initially planned. In addition, for the first time in the body’s history, the Council held virtual, rather than in-person, hearings on the budget.

To ensure that all budget oversight hearings could be broadcast live, the Council was unable to schedule concurrent budget hearings. This, combined with a shortened timeline for the Council’s review of the Mayor’s budget proposal, meant that committees had a limited window of time to hold budget hearings as compared to previous years. As a result, the Committee made several changes to its budget hearing protocols as compared to previous years.

The Committee held budget oversight hearings on the proposed budgets for the agencies under its purview on the following dates:

May 21, 2020	Department of Public Works
May 21, 2020	Department of Energy and the Environment

June 3, 2020
June 3, 2020

Department of Motor Vehicles
District Department of Transportation

The Committee did not hold budget hearings on DC Water or the Washington Aqueduct because the Council does not control those agencies' budgets. The District Department of Transportation controls funds for the District of Columbia Bicycle Advisory Council, the District of Columbia Pedestrian Advisory Council, and the Highway Trust Fund – Transfers account, and those agencies' budgets were considered during the Committee's hearing on the District Department of Transportation. Due to the limited time the Committee was afforded for budget hearings, the Committee did not hold hearings on the Office of the Deputy Mayor for Operations and Infrastructure or the Green Finance Authority.

Due to the unusual circumstances surrounding the FY 2021 budget and the aforementioned scheduling constraints, the Committee did not accept live public testimony for agencies under its jurisdiction. The public was invited to submit written testimony to the Committee in two ways: by leaving voicemail testimony at a committee-specific Google voice number, which was transcribed and included as part of the hearing record, or by emailing written testimony to the Committee Clerk. Copies of witness lists and testimony received for each agency are included in this report as Attachments A, B, C, D, E, F, G, and H. The Hearing Records for each of these hearings are on file with the Council Secretary. A video recording of the hearings can be viewed at the Council's website (dccouncil.us) or obtained through the Office of Cable Television (viewed online at oct.dc.gov).

The Committee has attached a copy of the legislative language for all recommended Budget Support Act subtitles as Attachment I.

B. DEPARTMENT OF PUBLIC WORKS (KT)

FY 2021 Operating Budget, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	150,885,088	149,397,982	-1,729,000	147,668,982	-2.1%
Intra-District Funds	27,770,128	29,054,775	0	29,054,775	4.6%
Special Purpose Revenue Funds	9,191,464	12,173,249	1,229,000	13,402,249	45.8%
GROSS FUNDS	187,846,680	190,626,006	(500,000)	190,126,006	1.2%

FY 2021 Full-Time Equivalents, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	1,291.0	1,293.0	0.0	1,293.0	0.2%
Intra-District Funds	159.0	157.0	0.0	157.0	-1.3%
Special Purpose Revenue Funds	29.0	29.0	0.0	29.0	0.0%
GROSS FTES	1,479.0	1,479.0	0.0	1,479.0	0.0%

FY 2021 Operating Budget, By CSG (Gross Funds)

Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
11 - Regular Pay - Cont Full Time	84,002,896	85,800,844	(372,978)	85,427,866	1.7%
12 - Regular Pay - Other	4,712,145	3,815,002	-19,140	3,795,862	-19.4%
13 - Additional Gross Pay	3,265,103	3,174,779	0	3,174,779	-2.8%
14 - Fringe Benefits - Curr Personnel	26,879,817	24,722,249	(107,882)	24,614,367	-8.4%
15 - Overtime Pay	6,205,778	6,205,778	0	6,205,778	0.0%
Personal Services (PS)	125,065,739	123,718,653	(500,000)	123,218,653	-1.5%
20 - Supplies and Materials	8,690,497	7,732,933	0	7,732,933	-11.0%
31 - Telephone, Telegraph, Telegram, Etc.	197,450	273,416	0	273,416	38.5%
40 - Other Services and Charges	27,189,978	28,761,622	0	28,761,622	5.8%
41 - Contractual Services - Other	21,954,247	24,537,384	0	24,537,384	11.8%
70 - Equipment & Equipment Rental	4,748,770	5,601,999	0	5,601,999	18.0%
Nonpersonal Services (NPS)	62,780,942	66,907,354	0	66,907,354	6.6%
GROSS FUNDS	187,846,680	190,626,006	(500,000)	190,126,006	1.2%

FY 2021 Operating Budget, By Program (Gross Funds)

Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	Agency Management	30,426,780	30,347,426	0	30,347,426	-0.3%
100F	Agency Financial Operations	4,873,908	4,666,735	0	4,666,735	-4.3%
2000	Snow Removal Program	10,276,064	8,650,000	0	8,650,000	-15.8%
4000	Fleet Management	23,952,517	24,887,912	0	24,887,912	3.9%
5000	Parking Enforcement Management	33,718,707	34,441,093	0	34,441,093	2.1%
6000	Solid Waste Management	84,598,704	87,632,841	0	87,632,841	3.6%
GROSS FUNDS		187,846,680	190,626,006	0	190,626,006	1.5%

AGENCY OVERVIEW

The mission of the Department of Public Works (“DPW”) is to provide the highest quality sanitation, parking enforcement, and fleet-management services that are both ecologically sound and cost-effective. DPW executes its mission through the work of the following six divisions: the **Snow Removal Program**, which ensures the District is safe to navigate after the end of a snow storm and resumes normal government services and commerce in an efficient, environmentally sustainable, and safe manner; **Fleet Management**, which supports all city services by procuring and maintaining more than 3,000 vehicles, excluding those used by the Metropolitan Police Department, the Fire and Emergency Medical Services Department, the Department of Corrections, and DC Public Schools, and by fueling all 6,000 District government vehicles, including school buses, fire and trash trucks, and street sweepers; **Parking Enforcement Management**, which provides on-street parking enforcement services, including ticketing, towing, booting, removal of abandoned and dangerous vehicles, and auction of impounded vehicles; **Solid Waste Management**, which performs a number of daily operations, including trash, recycling, bulk collections, sanitation education and enforcement, graffiti removal, public litter-can service, fall leaf collection, snow and ice removal, and street and alley cleaning; **Agency Management**, which provides administrative support and the required tools for the Agency to achieve operational and programmatic results; and **Agency Financial Operations**, which provides comprehensive and efficient financial management services to, and on behalf of, District agencies so that the financial integrity of the District of Columbia is maintained.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor’s proposed FY 2021 Operating Budget for DPW is \$190,626,006, which represents a 1.7% increase from the FY 2020 approved budget of \$187,423,616. This funding supports 1,479.0 Full-Time Equivalents (FTEs), no change from the FY 2020 approved level. These numbers remain substantially the same as FY 2020 due to the Executive’s efforts to keep budgets steady to make up for lost revenue caused by the public health emergency. Significant changes in the proposed budget are discussed below.

FTE Realignments

As noted above, the overall number of FTEs at DPW remains constant from FY 2020 approved levels; however, the proposed budget seeks to realign a small number of FTEs between Agency programs and CSGs.

Most significantly, the proposed budget moves 10.0 FTEs out of (1040) Information Technology and into the program offices: 2.0 FTEs to the Solid Waste Management Administration (“SWMA”) and 8.0 FTEs to the Parking Enforcement Management Administration (“PEMA”). The Committee notes that though the budget tables for PEMA only include 7.0 FTEs from Information Technology; the Agency has confirmed that this is an error in the table. By moving these FTEs, DPW has rolled back an earlier decision to budget for all agency information technology personnel in the Agency Management Program. The Agency believes, and the Committee agrees, that realigning these FTEs back to their administrations

will allow the IT specialists to work more seamlessly with the divisions they provide services to, and provide greater transparency regarding the work being done by these FTEs.

The budget also proposes moving 5.0 FTEs from Towing (5020) to Parking Regulations Enforcement (5010) within PEMA. In response to the Committee's questions about this change, the Agency shared that this realignment was made in error. **Therefore, the Committee moves 5.0 FTEs and associated personal funds from Parking Regulations Enforcement (5010) to Towing (5020).** These positions are: 00099893, 00099894, 00099895, 00099896, and 00099897.

The proposed budget adds 2.0 FTEs to (1090) Performance Management. One of these FTEs is a realignment from (2020) Strategic Planning and Performance Management that creates a new position of Chief Security and Safety Administrator to report directly to the Director. The other FTE is a Clean City Program Analyst position; this is an existing and filled position that was erroneously not included in the Agency's FY 2020 budget.

Finally, DPW's budget includes \$1,000,000 in cuts to "Regular Pay – Other" (CSG 12), a 20% decrease from FY 2020. This reduction is the result of moving 24.0 FTEs from temporary status to permanent status. DPW moved these FTEs from term to permanent based on the needs and operations of the Agency.

Decrease in Snow Removal Budget

The Mayor's proposed FY 2021 budget decreases the budget for the Snow Removal Program by \$1,203,000. Specifically, the budget decreases (2030) Snow Removal by \$68,000, (2040) Road Treatment by \$146,000, (2050) Equipment Rental by \$449,000, and (2060) Contract Plows by \$540,000.

The proposed decreases in the Snow Removal Program in FY 2021 follow an increase to this Program that was made in the FY 2020 budget to better align the budget with expenditures in prior fiscal years. Previously, the Committee has noted its wariness about cutting the Snow Removal budget to levels below actual expenditures for prior years, as underfunding the Snow Removal Program requires the District to dip into its Contingency Cash Reserve to cover these costs. This year, however, there are a number of factors that make these cuts appropriate. First, the District experienced very mild weather during the FY 2020 winter. Because of the light snowfall, the salt domes are still full, which means the Agency will need to budget less for salt and beet juice in FY 2021. The light winter also allowed the Agency to spend less of its FY 2020 budget for Contract Plows, and the Agency assures the Committee that the budget remains adequate to cover pre-season contracts to ensure that the District does not pay inordinate contract fees in the event of a major snow event. Finally, the Agency was able to reduce its equipment rental budget due to an influx of new and updated equipment provided by the equipment replacement plan. The Committee believes that the budget proposed for this Program will be sufficient to meet need.

Increase to Solid Waste Disposal Contractual Services Budget

The most substantial increase in the Mayor's proposed FY 2021 budget for DPW is in contractual services at (6040) Sanitation Disposal within SWMA. This Activity would be

increased by \$3,794,000 from the FY 2020 approved level. This includes a \$973,699 increase in local funds, \$242,339 from the Clean City Fund, and \$2,578,000 from the Solid Waste Disposal Fee Special Purpose Revenue Fund. The aforementioned increase from the Solid Waste Disposal Fee Special Purpose Revenue Fund is covered by a \$10 increase in tipping fees at the District's transfer facilities, which DPW implemented in the fall of 2019 to better align its rates with the region and to reduce the gap between the tipping fees and the actual costs of disposal to the District. The Agency stated during budget oversight that this increase in tipping fees has not had an effect on demand, and that the transfer stations continue to see increases in overall tonnage. In addition, even at the higher rate, the tipping fee charge by the District is still lower than other facilities in the region.

Overall, the increase in contractual services at Sanitation Disposal follows a similarly large increase in FY 2020. These increases are driven by the increased cost of hauling solid waste and recycling, both due to increased rates and an increase in the amount of tonnage, likely due to the District's growing population.

To address this increase in disposal costs, the Committee has proposed to include a subtitle in the Budget Support Act that would increase the tipping fees by another \$10/ton; a full discussion of that subtitle may be found on page 111 of this report. This fee increase will help cover the Sanitation Disposal budget through the Solid Waste Disposal Fee Special Purpose Revenue Fund, and free up local funds for other purposes. **Therefore, the Committee recommends increasing the (6082) Solid Waste Disposal Fee Fund budget in (6040) by \$1,229,000 in FY 2021 and 4,562,000 over the financial plan, and reducing the local funds budget in (6040) by the same amount.**

Public Space Cleaning

The proposed budget includes a \$882,000 reduction at (6020) Public Space Cleaning. This decrease is due to increased departmental vacancy savings and a reduction in trash receptacle purchases. The number of trash receptacles is being reduced due to budget constraints. However, the Agency informed the Committee that it has a sufficient number of trash receptacles for public use.

Vacancies

The Council budget office engaged in an extensive review of vacancy savings across the government. Through the extensive work of that office, **the Committee will recognize \$500,000 in recurring funds in vacancy savings.**

CAPITAL BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 – FY 2026 capital budget request for DPW is \$122,472,000. This represents a 2.3% increase over the FY 2020 – FY 2025 CIP. This increase is largely due to the proposed modernization of the Benning Road Transfer Station and investments in fleet vehicle replacements. These projects and others are discussed in further detail below.

Transfer Station Improvements

The Mayor's proposed FY 2021 – FY 2026 capital budget continues to make needed investments in the District's waste transfer facilities. These investments include new funding in FY 2021 for the Fort Totten Transfer Station project and a total re-envisioning of the Benning Road Transfer Station project. The Committee supports both projects, which are discussed in further detail below.

Fort Totten Transfer Station

The Fort Totten Transfer Station is currently undergoing significant renovations, including replacement of the tipping floor and improvements to stormwater pollution prevention structures. This project was originally anticipated to be completed in summer of 2020, with a \$877,000 balance from the FY 2020 CIP. Now that DPW intends to raze and rebuild the Benning Road Transfer Station (discussed below), DPW has increased the project's funding by an additional \$4,100,000 in FY 2021 to make additional enhancements to the Fort Totten Transfer Station to increase operational capacity at the site while Benning Road is being demolished and rebuilt. These enhancements will also include improvements to household hazardous waste material processing, leaf processing, and resident drop-off.

Benning Road Transfer Station

The FY 2020 CIP included \$2,900,000 in FY 2020 to make facility repairs to the Benning Road Transfer Station. This project has been replaced in the FY 2021 CIP with a much more ambitious project that would demolish the existing facility and build a state-of-the-art transfer station. The Committee highly supports this project as an opportunity to make safety investments, increase the facility's tipping floor capacity, address stormwater management issues, and further the District's waste diversion goals through infrastructure improvements.

The Benning Road facility is in serious disrepair and has long represented a missed opportunity for the District. The transfer station is on the site of a former incinerator and much of the site is unusable in its current condition. The proposed modernization would activate valuable District property. After renovations are complete, the tipping floor would increase from 35,000 square feet to 90,000 square feet to allow more room to process waste and recyclable materials. This will help reduce the amount of recycling that is lost due to contamination with trash. In addition to the increased capacity and space, the renovated facility will further the District's waste diversion goals by providing space for anaerobic digestion of organic material and sorting stations for materials that would otherwise go to a landfill, such as mattresses, textiles, and glass.

The total anticipated cost of the modernization is \$115,000,000. Of this total, the FY 2021 – FY 2026 CIP only includes \$26,686,000 for the modernization project, which would load at the end of the CIP in FY 2026. It is the Committee's understanding that the start of this project was delayed due to budget constraints related to the public health emergency. Subsequent CIP formulations should reflect the total cost of the facility, and accelerate its funding so that the project can begin as soon as possible. In particular, the Committee urges

the Agency to move up design of the modernization project, which will cost approximately \$6,500,000. Unfortunately, the Committee was unable to identify funding for this purpose, but urges the Agency to include anticipated design costs as early as possible in upcoming CIPs.

This project also includes \$2,900,000 in funding in FY 2021 to make short-term capital improvements to the current facility, to help keep the transfer station operational until the demolition and modernization work can begin. It is unfortunate that delays to the modernization will incur these significant maintenance costs; however, these improvements are urgently needed. The Benning Road facility is currently in disrepair to the point of posing a safety hazard to employees. The Office of Risk Management has identified several issues in need of immediate remediation to ensure the health and safety of personnel and users of the facility. In addition, the site risks garnishing up to \$10,000,000 in fines from the Environmental Protection Agency due to significant stormwater management issues. Thus, the Committee believes that this short-term maintenance funding is appropriate, and urges the Agency to move forward with these repairs without delay.

Electrical Vehicle Charging Stations

The FY 2021 – FY 2026 CIP includes \$1,000,000 (out of a total project funding cost of \$1,500,000) for electric vehicle (“EV”) charging stations. This funding will be used to install charging stations to service electric vehicles in the District’s fleet. The transportation sector is the leading source of carbon pollution within the United States, and electrification of the District’s fleet of vehicles is a small but meaningful step toward meeting our greenhouse gas emission goals.

This project is funded at \$500,000 per year in FY 2021 and FY 2022, which will cover the costs to install 50 new EV charging stations per year at District-owned properties, at a cost of \$10,000 per station. The project was previously funded at \$3,000,000 in the FY 2020 – FY 2025 CIP. That total funding was reduced due to budget restrictions resulting from the public health emergency. The Committee is pleased to see that funding is preserved in FY 2021 and FY 2022, but expects that funding for this project in the out years will be reinstated in subsequent budget formulations.

Fleet Vehicle Replacements

The Agency’s Fleet Management Administration (“FMA”) supports critical public safety and sanitation services for the District by procuring and maintaining more than 3,000 vehicles. These vehicles must be kept in good working order and be operational at all times. The condition of the fleet vehicles deteriorates with continued use and mileage, which drives up the costs of maintaining the vehicles and keeping them in service. FMA must regularly replace vehicles to ensure it can meet the service expectations of the District. The Agency uses the Capital Asset Replacement Scheduling System (CARSS) to model all vehicle needs for the District’s fleet. The replacement needs are based on the vehicle’s age, condition, mileage, and other factors.

The Mayor’s proposed FY 2021 – FY 2026 capital budget includes \$86,866,000 to fund fleet vehicle replacement needs identified by CARSS. These replacements are divided

into four capital projects: (FLW01) Fleet Vehicles >\$275K, (FLW02) Fleet Vehicles >\$100K, (FLW03) Fleet Vehicles >\$50k, and (FLW04) Fleet Vehicles <\$50K. The Committee was pleased to see that the funding levels for FY 2021 for all four capital projects are consistent with the CARSS recommendations. Fully funding fleet replacement at the recommended levels avoids unnecessary maintenance costs down the road.

The Committee notes, however, that funding for these projects does not meet the CARSS projections in the out years. For example, (FLW02) Fleet Vehicles >\$100K is significantly underfunded from FY 2022 – FY 2026 compared to the CARSS projections; the FY 2021 – FY 2026 CIP includes only \$56,745,000 in funding for this project, far short of the 89,092,131 recommended by CARSS. The Committee recognizes that the financial pressures wrought by the pandemic necessitated deviation from CARSS in the out years; however, it expects that subsequent budget formulations will match the CARSS recommendations to ensure that the District’s fleet replacement needs are met.

The Committee recommends adoption of the Mayor’s proposed FY 2021 – FY 2026 capital budget.

POLICY RECOMMENDATIONS

The Committee recommends that the Agency adopt the following policy changes:

1. Implement Residential Curbside Composting Program

In 2013, the District established a “Zero Waste” goal of diverting 80% of its waste away from incinerator or landfill by 2032. While laudable, progress on this effort has been slow, and the District continues to lag behind other progressive jurisdictions in its waste diversion efforts. The Committee recognizes that effective waste diversion requires a multifactor approach; however, the Committee believes that diverting organic waste is one of the most important steps the District can take to achieve its Zero Waste goals, as discarded food and yard waste make up as much as 30% of the District’s waste stream. In 2014, the Council passed the Sustainable Solid Waste Management Amendment Act of 2014, which requires that solid waste be separated into three streams: trash, recyclable materials, and compostable materials. This requirement applies to all entities in the District upon the creation of a curbside composting program for the residential waste stream. The Committee urges the Agency to act expeditiously in implementing such a program.

In recent budgets, the CIP included funding for a District-owned composting facility to support a residential curbside composting program. The CIP no longer includes this funding; the Agency explained during oversight that after several years of looking, it has been unable to identify a District site for such a facility, and has decided to shift focus to using organic waste processing capacity in neighboring jurisdictions. The Committee recognizes the significant difficulties in identifying a District site but notes that the Agency could seek a site outside the District. If it will not do so, the Committee supports using and developing regional capacity as an alternative. According to DPW, there is sufficient capacity at organic waste processing facilities in Maryland and Virginia. Not only do these facilities have available capacity, they also have the potential to ultimately lower the District’s waste

management costs; the District currently pays \$82/ton for trash, but would pay as little as \$45/ton for source-separated organic waste.

Given that the regional capacity is currently available, the Committee expects that the Agency will now move forward with curbside composting without further delay. The Committee was pleased to hear during oversight that DPW had plans to pilot a yard waste curbside composting program in April and May of this year, plans that were unfortunately delayed due to the pandemic. The Committee also recognizes that certain budget priorities had to shift due to the public health emergency; however, it was disappointed to see the Agency propose cutting the capital funds for the composting facility without shifting those funds to another part of the budget to support identifying and contracting with an existing composting site in the region. The Committee urges the Agency to prioritize organic waste processing as soon as funding is available. To that end, the Committee asks the Agency to prepare and submit to the Committee, by the end of FY 2021, a plan for implementing residential curbside composting using regional capacity.

2. Ensure Sufficient Transfer Station Capacity

In 2019, the Council passed legislation introduced by the Mayor that would authorize the acquisition, through eminent domain, of a private trash transfer station on W Street NE. This transfer station processes 1,500 tons of waste per day, the same amount as the two District-owned transfer stations combined. The Committee is concerned about the District's ability to manage waste in the event that this private transfer station is shut down, and urges the Agency to work with the Mayor to ensure that there will be sufficient capacity before the transfer station is acquired. Any acquisition decision should include consideration of the current renovations at Fort Totten, as well as the plans to demolish the Benning Road station, which will leave only Fort Totten operational during the rebuilding of that facility. In response to questioning, the Agency assured the Committee that its renovations at Fort Totten and Benning Road will adequately expand the District's capacity, noting that Fort Totten's capacity will be increased from 1,000 tons per day to 1,800 tons per day once renovations are completed.

3. Terminate or Revise Settlement Agreements with Private Waste Management Companies

In 2002, the District shut down private transfer stations that were operated in the District by two waste management companies, Waste Management and BFI/Republic. As part of this arrangement, the District entered into settlement agreements that provided certain benefits to these companies in exchange for closing their facilities. Under these agreements, the companies may transfer waste—meaning they drop off and haul out the same amount of waste—at the District transfer stations for \$8.33/ton. Because the companies drop off and haul out the same amount of waste, the District maintains that this arrangement does not create a true financial loss. However, according to a fee study conducted by the Mayor's Office in 2016, the cost to DPW to transfer waste and recycling through their transfer stations is \$22.62/ton, meaning that these companies pay well below the actual cost of processing the materials. In addition, the settlement agreements expressly

allow the parties to bring in waste generated outside of the District, which adversely affects the District's roads and emissions rates through increased traffic.

DPW has informed the Committee that these settlement agreements will be in effect until 2022. At that point, the District must choose whether to extend the agreements or seek new terms. As this date approaches, the Agency must do a thorough accounting of these contracts and determine whether they continue to make financial and environmental sense for the District. As part of this evaluation, the Agency should consider the original objectives of the settlement agreements and how they may have changed in the ensuing years. For the objectives that remain, the Agency should consider whether there are other policy options that would achieve the same results. The Committee will be monitoring this effort and may consider whether legislative strategies may be appropriate.

4. Enforce solid waste reporting and registration requirements

In 2017, DPW implemented the Solid Waste Collector Registration and Reporting Program, which requires private waste haulers to register with the District and provide certain information on an annual basis. This program is intended to establish greater oversight over the many private haulers currently operating in the District, and to help DPW gather more comprehensive data about the District's waste stream to inform waste diversion efforts.

This Program has been slow to get off the ground, with many haulers not complying with its requirements. During oversight Agency's oversight responses stated that only 60% of haulers have registered under the Program. The Committee acknowledges that this is a significant improvement over last year, when only 24% of haulers registered; however, it is still far short of full compliance with the law. The Committee was pleased to hear during oversight that DPW has been working hard to ramp up outreach with private haulers on the requirements of this program, and that the Agency intends to implement stricter enforcement this year. Last year, DPW issued only 34 warnings and 8 notices of violation for failure to register and report, reaching only a small fraction of the waste haulers not complying with the law.

The Committee believes that robust enforcement of this law is a critical component of the District's waste diversion efforts. The waste diversion rate for private collection properties remains woefully low, and the District will not be able to make progress in this area without more information and oversight. Thus, the Committee strongly supports the Agency's stated intent to apply fines to every solid waste collector that fails to comply going forward, and will be monitoring these efforts during next year's oversight process.

5. Move Forward with Improvements to District's Glass Recycling Program and Regional Glass Recycling Infrastructure

As the Agency is well aware, the District and many other jurisdictions are facing a crisis in glass recycling; due to inadequate recycling infrastructure, most glass separated for recycling in the District is not recycled. After it goes through processing at the Material Recovery Facility ("MRF"), the glass is so contaminated that it cannot be recycled, and is at

best used as “alternative daily cover” at the landfill. Due to this problem, some jurisdictions in the region have abandoned glass in their recycling programs. However, because glass makes up 20% of the District’s recycling, the Committee believes that it is critical to find a way to meaningfully recycle glass. Thus, the Committee was pleased to hear during oversight that DPW has been exploring strategies to increase beneficial use of recycled glass, including options for source-separated drop-off sites, developing MRFs that can process glass for recycling, spurring development of regional glass processing, and increasing demand for glass recycling through post-consumer content requirements.

The Committee recommends that DPW take active steps toward developing source-separated drop-off for glass, as well as an aggregation point or bunker for glass collection. In addition, it recommends that DPW work with the Metropolitan Washington Council of Governments to develop glass cleaning and/or processing capacity in the Washington region.

6. Move Forward with a Save-As-You-Throw Study

In its FY 2018 budget report, the Committee provided \$100,000 to the Office of Waste Diversion to implement a “Save As You Throw” (“SAYT”) Pilot Program, which would provide incentives for residents to recycle, compost, or reduce their solid waste. SAYT and similar programs have enabled thousands of jurisdictions around the country to achieve lasting decreases in solid waste production. The recently published Sustainable DC 2.0 plan includes studying the feasibility of a SAYT-type program as one of its recommended short-term actions.

In August 2019, DPW released a solicitation for the design of a SAYT-type program. The Solicitation asks that the Contractor consider a wide range of variable rate pricing models and factor in their performance in jurisdictions comparable to the District. DPW’s goal for this study will be to understand what the most effective SAYT program would be to accelerate waste diversion in a manner supported by District residents and that achieves greater financial sustainability for the District’s solid waste management. Responses to the request for proposal were received on September 26, 2019. The feasibility study contract has not been awarded due to budget constraints resulting from the public health emergency. As the Committee noted in its FY 2020 budget report, it is frustrated with the lack of progress on SAYT and that DPW has pursued a design study rather than an actual pilot. Given that this is the route chosen, however, the Committee urges the Agency to move forward with the design solicitation so that it can assess the District’s options for variable pricing models for waste and recycling.

C. DISTRICT DEPARTMENT OF TRANSPORTATION (KA)

FY 2021 Operating Budget, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	111,862,584	110,624,695	100,000	110,724,695	-1.0%
Federal Grant Funds	14,882,982	17,211,996	0	17,211,996	15.6%
Special Purpose Revenue Funds	26,653,450	18,813,000	0	18,813,000	-29.4%
GROSS FUNDS	153,399,016	146,649,692	100,000	146,749,692	-4.3%

FY 2021 Full-Time Equivalents, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	591.0	591.0	1.00	592.0	0.2%
Federal Grant Funds	20.0	20.0	0.0	20.0	0.0%
Special Purpose Revenue Funds	12.0	12.0	0.0	12.0	0.0%
GROSS FTES	623.0	623.0	0.0	624.0	0.2%

FY 2021 Operating Budget, By CSG (Gross Funds)

Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
11 - Regular Pay - Cont Full Time	36,122,373	36,119,745	78282	36,198,027	0.2%
12 - Regular Pay - Other	4,212,408	3,797,192	0	3,797,192	-9.9%
13 - Additional Gross Pay	365,000	365,000	0	365,000	0.0%
14 - Fringe Benefits - Curr Personnel	10,861,522	11,079,840	21718	11,101,558	2.2%
15 - Overtime Pay	755,000	755,000	0	755,000	0.0%
Personal Services (PS)	52,316,303	52,116,776	100,000	52,216,776	-0.2%
20 - Supplies and Materials	1,247,183	1,204,831	0	1,204,831	-3.4%
30 - Energy, Comm. and Bldg Rentals	7,277,430	6,702,430	0	6,702,430	-7.9%
31 - Telephone, Telegraph, Telegram, Etc.	150,000	150,000	0	150,000	0.0%
40 - Other Services and Charges	8,942,149	6,219,672	0	6,219,672	-30.4%
41 - Contractual Services - Other	76,969,580	73,185,245	0	73,185,245	-4.9%
50 - Subsidies and Transfers	5,963,634	6,788,000	0	6,788,000	13.8%
70 - Equipment & Equipment Rental	532,737	282,737	0	282,737	-46.9%
Nonpersonal Services (NPS)	101,082,713	94,532,916	0	94,532,916	-6.5%
GROSS FUNDS	153,399,016	146,649,692	100,000	146,749,692	-4.3%

FY 2021 Operating Budget, By Program (Gross Funds)

Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
AA00	Administrative Administration	4,333,382	4,475,133	0	4,475,133	3.3%
EA00	External Affairs Administration	4,632,697	3,168,545	0	3,168,545	-31.6%
OA00	Operations Administration	56,591,300	53,758,691	0	53,758,691	-5.0%
OD00	Office of the Director	9,373,107	7,313,916	0	7,313,916	-22.0%
PA00	Performance Administration	6,635,195	6,401,322	0	6,401,322	-3.5%
PD00	Project Delivery Administration	71,833,334	71,532,085	100000	71,632,085	-0.3%
GROSS FUNDS		153,399,016	146,649,692	100000	146,749,692	-4.3%

AGENCY OVERVIEW

The mission of the District Department of Transportation (DDOT) is to enhance the quality of life for District residents and visitors by ensuring that people, goods, and information move efficiently and safely, with minimal adverse impact on residents and the environment. In turn, the Agency maintains critical transportation infrastructure such as streets, sidewalks, traffic signals, bridges, and streetlights. DDOT also plans, designs, and implements improvements to this infrastructure to allow people to access services more easily and more safely. In addition, DDOT:

- Manages on-street parking;
- Plants and cares for street trees;
- Manages transportation systems such as DC Circulator, DC Streetcar and Capital Bikeshare;
- Designs and implements transportation infrastructure changes; and
- Manages public space for vendors, sidewalk cafes, and other uses.

DDOT's responsibilities affect the quality of our public space, how we choose to get around, the strength of our local and regional economy, and the safety of our residents and visitors.

DDOT executes its mission through the work of the following five divisions: **Project Delivery Administration**, which is responsible for multimodal infrastructure project planning, design and construction, transit delivery, and traffic engineering and safety; **Operations Administration**, which maintains the District's transportation infrastructure assets, such as streets, alleys, sidewalks, and trees, manages traffic operations and provides vehicle and pedestrian safety control, manages public space and parking regulations, and conducts snow removal operations; **Administrative Administration**, which manages the operating and capital budgets, coordinates with the Office of the Chief Financial Officer and the Chief Procurement Officer, and manages human resources and workforce development; **Performance Administration**, which tracks and reports performance metrics, manages facilities, fleet, and information technology resources, and provides customer service; and **External Affairs Administration**, which provides enhanced community engagement and outreach to District residents, and coordinates communication and messaging to the public, media, and other stakeholders. In addition, the **Office of the Director** is responsible for the oversight and management of the department.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 Operating Budget for DDOT is \$146,649,692, which represents a 0% change from the FY 2020 approved budget of \$146,657,822. This funding supports 624.4 Full-Time Equivalents (FTEs), a 0% change from the FY 2020 approved level of 624.4 FTEs. These numbers remain essentially the same as the previous year due to the Executive's efforts to keep steady or reduce budgets to make up for lost revenue caused by the public health emergency.

Additional Funds for Circulator Contract

The Agency's proposed FY 2021 budget increases funding in the Circulator Program within the Project Delivery Administration by \$6,542,000 in order to account for updates to the contract with the Circulator operator, RAPT-DEV. The increased funds will be located in the (TDDV) Transit Delivery Division.

Last year, DDOT and the Office of Contracting and Procurement ("OCP") entered into contract amendment negotiations with RAPT-DEV. From these negotiations, it was determined that the original terms of the contract between RAPT-DEV and DDOT did not adequately capture the costs of operating the Circulator system, specifically its routes and frequencies. According to DDOT's pre-hearing responses, without additional resources, DDOT would have to eliminate the Eastern Market-L'Enfant Plaza Route, increase headways to more than twenty minutes systemwide, and lay-off approximately 80 contract employees. The need for this budget enhancement is underscored by expected declines in special purpose revenues for Circulator; specifically, farebox and payments from the National Park Service to support the Mall Route. The OCFO projected a decrease in \$2,100,000 in revenue to the Circulator from these funds for two reasons: first, the Executive made the Circulator free during the duration of the public health emergency in order to facilitate rear-door boarding, to better allow bus operators to maintain proper social distancing; second, the contract between the National Park Service ("NPS") and DDOT that provides payment to DDOT for operation of the National Mall Circulator route does not require NPS to make payments while the National Mall Circulator route is not operating—such as during the public health emergency. In addition, the NPS contract is set to expire in December 2020, and a future contract in the same amount is not guaranteed. Both of these changes have had a significant effect on revenue collected for the Circulator during FY 2020.

The Committee is pleased to see DDOT investing in improvements to Circulator. The Committee has heard numerous complaints from Circulator bus operators, supervisors, and union officials, that the contract has never included sufficient funding to meet the program's needs. Many of the complaints received by the Committee noted that the contractor has had to cut corners to make a profit, and that the burden of those cut corners often fell on bus operators and supervisors. Examples include requiring all employees to work significant overtime, and providing few breaks for drivers. The Committee hopes that this additional funding allows RAPT-DEV to improve its service while creating a safer, more desirable, and better-functioning workplace for Circulator employees.

Streetlight Electrical Cost Savings

The proposed budget decreases funding in the (MTV) Maintenance Division within the Operations Administration by \$2,670,000 to reflect energy savings and shifting of funds between agency divisions. First, the Division's budget includes costs for streetlights and traffic signals. The Agency proposes reducing its budget by \$1,000,000 to reflect prior-year spending. The reduction in electrical energy costs is primarily due to the ongoing conversion to LED streetlights. Second, \$1,650,000 in the Division's budget was transferred to the federal grant/indirect budget. DDOT worked with the OCFO who projected additional budget authority in the federal grant/indirect budget in FY 2021 which can accommodate additional

electrical energy costs that are already paid from this source. The Committee is especially pleased to see the Agency has been able to capture cost reductions stemming from the conversion to LED streetlights. The Committee anticipates that the agency will be able to recognize additional savings in future years as they continue to update streetlights with LED bulbs. LED conversion is not only more cost-effective, but this transition will help the District reduce its greenhouse gas emissions by reducing the amount of energy required to operate these lights.

Decrease in Funding for the Office of the Director

The Mayor's proposed budget includes a decrease of \$1,935,000 for the Office of the Director, stemming from an anticipated decline in revenue in the Enterprise Fund. The Enterprise Fund is a special purpose revenue fund funded from public space revenue permits issued by DDOT; these include public inconvenience permit fees and car-sharing permit fees. The amounts in the Enterprise Fund are then used to fund various initiatives within the Office of the Director. In FY 2020, the funds have been used to cover the costs of intra-district transfers to other agencies for services provided (such as mandatory drug and alcohol testing for safety sensitive positions), IT investments, such as DDOT's online permitting system, and to enhance operating contracts like parking meter asset management. The Agency has told the Committee that the Office of the Director will be able to spread out this decrease in funding across multiple programs, so as to cause little to no disruption to agency operations.

Transportation Benefits Equity Amendment Act of 2020

In April 2020, the Council passed the Transportation Benefits Equity Amendment Act of 2020. This legislation amends the Sustainable DC Omnibus Act of 2014 to require covered employers that offer parking benefits to offer employees a Clean-Air Transportation Fringe Benefit in an amount equal to the market value of the parking benefit, and to provide as additional compensation to the employee the difference between the amount of the Clean-Air Transportation Benefit that the employee actually uses and the market value of the parking benefit offered. The legislation also permits an employer the alternatives of paying a Clean Air Compliance fee of \$100 per month for each employee who is offered parking benefits, or successfully implementing a transportation demand management plan that would reduce the number of commuter trips employees make by car. The purpose of this legislation is to ensure that employees who walk, bike, or take transit to get to work receive an equal incentive as those who drive.

The Committee believes that implementation of this legislation will encourage employees to shift toward more sustainable methods of commuting. Ideally, these changes will also significantly decrease the amount of congestion in the District. The fiscal impact of the bill is \$100,000 in FY 2021 and \$423,000 over the four-year financial plan. The Committee worked with the Council Budget Office to reassess the fiscal impact, and determined that a staffer at \$100,000 recurring could complete this work, slightly reducing costs. **The Committee accepts \$100,000 in recurring funds from the Committee on Judiciary and Public Safety, and increases (PSYS) Systems Planning Branch within (PSDV) Planning and Sustainability by \$100,000 and one FTE in FY 2021 and \$423,000 over the financial plan to implement the Act.**

Performance Parking Zone Modernization

DDOT is currently unable to manage the Performance Parking Pilot Zones as intended by the Performance Parking Pilot Zone Act of 2008 due to outdated fiscal caps and limits in the original statute. The current statute does not give DDOT an explicit means to set temporary special parking rates in performance parking zones for events other than those taking place in Nationals Park or Capital One Arena. The current statute also sets a limit on the amount that the Mayor may increase curbside parking fees in the zones in a given month, and sets a cap on the maximum hourly rate the Mayor may set in these zones. These caps have never been adjusted for inflation, and severely hamper DDOT's ability to make the zones operate as intended.

In order to fix the issues that limit the effectiveness of the Performance Parking Pilot Zone Act, the Committee is including a subtitle that would do that following: allow the Mayor to set temporary parking rates in a performance parking zone for a set duration of time when anticipating a special event; eliminate the limit of the amount the Mayor may increase curbside parking fees during any one month period; raise the limit on the amount the Mayor may increase parking fees in a performance parking zone over a three month period; remove the cap on the maximum hourly rate the Mayor may set in a performance parking zone; allow the Mayor to adjust parking rates in performance parking zones in real time based on demand; and require the Mayor to publish data on curbside usage on a public website. The subtitle is discussed on page 106.

ATE Reporting Requirements

The Automated Traffic Enforcement ("ATE") program is administered by DDOT with the stated purpose of increasing traffic safety. However, there is virtually no transparency in the process of how ATE locations are selected. Residents have reported to the Committee their impression that the program seems primarily focused on raising revenue for the District, rather than safety. As part of shifting administration of the program from MPD to DDOT, it is the Committee's understanding that the Agency plans to relocate certain cameras, and potentially increase the number of cameras in future fiscal years, increasing the importance of transparency in the program.

The Committee believes it would be prudent for DDOT to report financial information from ATE citations to the public semi-annually. This change will allow District residents to clearly see how the program is being administered, the monetary totals of citations the District issues from the program, and the reasoning behind decisions made about where cameras are placed.

Therefore, the Committee is including a subtitle that would amend the Fiscal Year 1997 Budget Support Act of 1996 to require DDOT, in consultation with the DMV, to report semi-annually on the top locations by value of tickets issued for ATE, the breakdown of the jurisdictions where those receiving ATE citations have their vehicle registered, where new cameras have been added in the last six months and the reasons those locations were chosen, and the amount of ATE citations issued. This subtitle is discussed at page 105.

Public Space Maintenance Expansion

Currently, District law allows Business Improvement Districts (“BIDs”) to enter into agreements with District agencies to improve public space. The law explicitly enumerates sidewalks and streets as what can be improved by BIDs via agreement with a District agency. For some time BIDs have asked for this law to be clarified as they want it to be clear that they can enter into agreements with agencies other than the District Department of Transportation, such as the Department of General Services and the Department of Parks and Recreation. Therefore, the Committee is including a subtitle that clarifies that BIDs can enter into agreements to improve more public space than just what is managed by DDOT.

The subtitle amends An Act Making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved August 7, 1894 (28 Stat. 247; D.C Official Code § 9-401.06(c)(1)) to expand what BIDs can enter into agreements with District government agencies to improve. This subtitle is discussed at page 107.

CAPITAL BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor’s proposed FY 2021 – FY 2026 capital budget request for DDOT is \$1,388,113,530. This represents a decrease of \$415,155,000 in allotments from the FY 2020 – FY 2025 approved level. The Mayor’s proposed local capital budget request includes an allotment of \$297,212,880 in FY 2021.

Alleys, Sidewalks, and Local Street Paving

In FY 2021, the proposed capital budget includes \$26,514,000 for alley rehabilitation, reconstruction, and maintenance for the District’s 350 linear miles of alley assets; \$20,000,000 for sidewalk rehabilitation, reconstruction, and maintenance for the District’s 1,495 miles of sidewalk assets; and \$5,000,000 per ward for local street preservation, maintenance, and repair for the District’s 580 local roadway miles. The Agency plans to eliminate all alleys and sidewalks in “poor” condition by 2024, and nearly all local streets in “poor” condition by 2026.

DDOT spent \$22,200,000 resurfacing and improving 21.7 miles of alleys in FY 2019. The condition of the District’s alleys breaks down as follows: Excellent (60%); Good (14%); Fair (10%); and Poor (16%).

DDOT spent \$20,300,000 resurfacing and improving 31.51 miles of sidewalk in FY 2019. The condition of the District’s sidewalks breaks down as follows: Excellent (59%); Good (30%); Fair (11%); and Poor (<1%).

DDOT spent \$57,800,000 resurfacing and improving 84.14 miles of local streets in FY 2019. The condition of the District’s local streets breaks down as follows: Excellent (35%); Good (21%); Fair (23%); and Poor (21%).

In FY 2019, DDOT made tremendous progress in resurfacing local streets, alleys, and sidewalks. In all three categories, DDOT resurfaced significantly more than the year prior. Most notably, DDOT resurfaced over 84 miles of local streets in FY 2019 as compared to just over 19 miles in FY 2018. The Committee is pleased with the progress DDOT has made in improving the District's alleys, sidewalks, and local streets. For both alleys and sidewalks, DDOT is on pace to meet its goal of eliminating in poor condition by FY 2024, if not sooner.

Despite a great year of street resurfacing, however, DDOT has struggled to meet its goals for local streets. For FY 2018 and 2019, DDOT set a goal of eliminating all local streets in poor condition by 2024. For FY 2020, DDOT revised this goal, instead aiming to eliminate "nearly" all streets in poor condition, and by 2025. This year, DDOT has again revised its goal: now, the Agency seeks to eliminate "nearly" all streets in poor condition, but by 2026. Last year, the Agency explained that it was forced to delay its plans because it lost forty-five full paving days to rain in 2018. This year, despite record paving numbers, DDOT has failed to provide the Committee with an explanation for why it has revised its resurfacing goals once again. The Committee fears that this may be a moving target, and one that DDOT will never actually achieve. The agency has told the Committee that this is not the case; nevertheless, the Committee intends to ask for more regular updates on the progress of local street paving in FY 2021.

In past budget reports, the Committee has stressed the importance of a transparent paving schedule. Two years ago, DDOT began sending out weekly updates on its upcoming paving schedule and using its PaveDC website to map where the Agency has completed paving, has an ongoing paving project, and intends to pave. However, in the year following the website's launch, residents had alerted the Committee to regular errors on the PaveDC website, which sometimes showed inaccurate or outdated data. Publishing the paving schedule is only useful if it is correct, as inaccurate or outdated information directly hampers residents' ability to identify and track when their street will be repaved and upcoming street closures. Last year, the Committee urged DDOT to improve the accuracy of the PaveDC website, and to expand the website to include utility work, where possible. The Committee is pleased to see that the Agency took this advice and appears to have worked to improve the accuracy of the PaveDC website. Residents speaking to the Committee about resurfacing issues have been largely complimentary of the website and the Agency's management of its content. The Committee hopes that the Agency will continue this good work in FY 2021.

Routine Maintenance Projects

As in past years, the proposed capital budget includes a subset of projects related to routine maintenance of District-owned infrastructure. These projects include bridge upkeep and the funding of restoration materials. As noted in the Committee's FY 2020 budget report, the Committee encourages the Agency to normalize funding for these routine maintenance projects, including steady funding in the out-years. Prior to last year, it often fell to the Committee to normalize these funding levels, looking at average annual spending, recent-year trends, specific spend plans provided by the Agency, encumbrances and pre-encumbrances, reprogrammings, and Agency responses to the Committee's questions. This year, as well as in FY 2020, the Agency proactively normalized funding for these

maintenance projects in its budget proposal. The Committee supports this work by the Agency.

Streetscapes and Beautification

The Agency's proposed capital budget allocates \$25,393,000 in FY 2021 for projects with a primary focus on streetscape improvements. These improvements include vehicular, pedestrian, and bicycle safety improvements and beautification efforts such as green space, lighting, and signage. This year, because of limited funding, the Mayor proposed decreasing FY 2021 funding by nearly \$26,000,000; however, that funding would be restored in the out-years, with an increase of \$42,000,000 in FY 2024 and \$25,000,000 in FY 2025. The projects funded in FY 2021 include \$10,000,000 for phase I of Southern Avenue's streetscape project; \$11,393,000 for Florida Ave NE from 2nd Street to H Street NE; and \$4,000,000 for Ward Eight Streetscapes, such as the Martin Luther King, Jr., Avenue SE project.

The proposed capital budget allocates \$11,393,000 toward the redevelopment of Florida Avenue NE from 2nd Street NE to H Street NE. This project is a top priority for DDOT and the Committee as it will create separate lanes for cyclists, pedestrians, and motor vehicles on a stretch of road that has proven extremely dangerous to vulnerable road users and is often the location of accidents from reckless drivers. The final design and reconstruction of Florida Avenue from 2nd to H Street NE Project is an essential part of the District reaching its Vision Zero goals. The final design stage was given Notice to Proceed in May 2019, and is expected to take approximately 16 months to complete; during this time, DDOT will hold additional community meetings to present the design to the community and provide updates on progress of the project. Following finalization of the design, the project will begin construction procurement, and is projected to break ground in Spring 2021. The Committee supports this important investment in safety and mobility on a road that serves as one of the major entryways to the District.

This master project also covers the major streetscape and drainage work to be done along Connecticut Avenue, NW in Cleveland Park. That project will occur over two phases. The first phase—the installation of increased drainage capacity under Connecticut Avenue—is already fully funded. Final design for Phase I has been completed and construction solicitation is anticipated to occur this summer. Designs for Phase II—construction to address stormwater management needs in the Cleveland Park catchment area upstream of Connecticut Avenue and drainage improvement work needed downstream of Connecticut Ave to Rock Creek—will flow from the work being done on Phase I, and begin once construction begins on Phase I in fall 2020. The delivery of Phase II is critical to the success of Phase I. DDOT has told the Committee that it has sufficient funding to advance Phase II through the design process, and has \$15,000,000 allocated in FY 2024 for construction. DDOT is unable to say at this time if the full cost of construction will need to be revisited in subsequent CIPs.

The proposed capital budget does not allocate additional funding to the Tenley Plaza project, which currently has an allotment balance of \$1,000,000. In 2013, the Washington Area Metropolitan Transit Authority ("WMATA"), in coordination with DDOT, began a study of

the Tenleytown-AU Metrorail station with the goal of enhancing public space, improving pedestrian and bicycle safety, upgrading transit user waiting areas and amenities, providing adequate space for bus operations and layovers, and improving the alignment of nearby intersections to decrease the number of auto-pedestrian conflicts. Over a three-year period, WMATA developed a number of alternative plans for this work. In December 2016, WMATA issued the Tenleytown-AU station Access Study - Phase II, which lays out recommendations on how reconstructions could be done. Last year, DDOT stated that it was currently scoping the next phase of design and conducting environmental compliance for the project. DDOT also stated that it was planning to enter into additional discussions with WMATA regarding the ownership of the Fort Drive right-of-way. This year, however, DDOT has changed these plans. Although the Agency does not intend to abandon this project, it is no longer considering completing this work as one, large project, but multiple, smaller projects and improvements; DDOT believes that this approach will allow the Agency to complete this work in less time. The Committee is closely following this project and looks forward to hearing about DDOT's new proposals; however, the Committee wants to underscore the need for improvements to the Tenley Plaza for the Agency, and its expectation that this project will see additional funding in future budget formulations.

The proposed capital budget does not allocate any additional funding toward the Van Ness Commercial Corridor and LID project beyond the \$1,400,000 in its allotment balance. This project is a collaborative effort between ANC 3F, the Van Ness Main Street, and the Office of Planning to develop a Commercial Action Strategy and Green Infrastructure Plan for the commercial corridor that would mitigate the flooding episodes common in Van Ness, primarily by constructing green infrastructure along the streetscape. A study on the project specifically proposed permeable paving, planting zones for trees and ground level plantings, and infiltration areas. Investing the funds necessary to implement the solutions outlined in the study and the Office of Planning's proposals will help activate the Van Ness area and ultimately increase tax revenue. The project is currently in solicitation for a planning and preliminary design consultant, with responses due at the end of June 2020. Once the consultant receives notice-to-proceed, it is anticipated that the project will take twelve months to complete. According to DDOT, the design process needs to be further along before the Agency can determine the estimated construction costs, and incorporate those amounts into future CIP formulations. The Committee supports this project and encourages DDOT to work quickly to identify—and fund—the full cost of this project.

Capital Bikeshare

The proposed budget allocates \$2,217,000 in FY 2021, \$2,217,000 in FY 2022, and \$1,000,000 in each of the remaining out-years to support the maintenance, operations, and expansion of the Capital Bikeshare Program. The District currently operates 305 Capital Bikeshare stations and over 2,500 bicycles. This project will fund DDOT's efforts to add additional new stations to the system in FY 2021, with a specific focus on Wards 3, 7, and 8, and to begin replacing bicycles in the fleet that have reached the end of their useful lives. The Committee believes Capital Bikeshare is an essential sustainable mode of transportation for the more than 20,000 District residents who use it regularly. The Committee is supportive of Capital Bikeshare expansion and the efforts to replace outdated units in the fleet. However, the Committee has concerns that \$1,000,000 a year in the out-

years is not enough to both expand the program and maintain the bicycle fleet. In fact, in the Capital Bikeshare Development Plan (discussed in greater detail below), DDOT estimates it will need to spend \$1,000,000 a year just to replace bikes that have reached the end of their useful lives, leaving no funds to expand the program. DDOT nevertheless maintains that it believes \$1,000,000 will be enough to make a noticeable difference to cover both costs; however, when economic forecasts improve, the Agency has said that it will look to add funding to the Capital Bikeshare Capital project.

The Agency has exhausted the expansion guidelines of the Capital Bikeshare Development Plan and, just last month, released the 2020 Capital Bikeshare Development Plan (“the 2020 Plan”). The 2020 plan is an essential tool, as it will serve as a roadmap for DDOT to expand Capital Bikeshare in light of new transportation technology in the District, such as dockless bicycles and scooters. The updated 2020 Plan also analyzes how Capital Bikeshare could expand its service to include electric-powered bikes and a dockless platform. The 2020 Plan also assesses the Program’s membership-based subscription model, in light of the “a la carte” fares used by ride-hailing apps, scooters, and dockless bikes. A copy of the 2020 Plan can be found at <https://www.capitalbikeshare.com/blog/capital-bikeshare-development-plan>.

Circulator

The proposed capital budget allocates \$6,485,000 in FY 2021 and \$7,370,000 over the CIP to replace aging Circulator buses, improve District bus stops, acquire a bus garage location, and build the infrastructure necessary for a new Circulator route in Ward 7. This funding, however, does not tell the whole story, as the budget also includes an allotment balance of \$25,000,000 in the (CIRBGC) Circulator Bus Garage Project for the Circulator bus garage location acquisition; the Agency anticipates spending those funds in FY 2021. In addition, there is approximately \$30,000,000 remaining from another capital project, (CIR14C) Circulator Buses, to be spend on adding new Circulator buses and expanding the service to Ward 7. DDOT has stated that is has enough funding to acquire the land for the new bus garage, but that it likely does not have enough to build the entire garage. The Executive will need to revisit this in subsequent CIP formulation.

DDOT updates the DC Circulator Transit Development Plan (“TDP”) every three years to identify areas for future growth in the Circulator bus system. The 2020 TDP Update kicked off in November 2019 and is planned to conclude no later than December 2020. The TDP Update is focused on an overall system evaluation and will include community outreach to help the Agency assess options for a new Ward 7 route. Any recommended changes to the system would be subject to a public hearing, separate from any other community engagement, before DDOT would begin implementation.

The Committee is supportive of the Agency’s plan to use these funds to expand the Circulator to Ward 7 and encourages DDOT to include within the TDP plans to expand the Circulator system even more broadly. The Circulator is an essential transportation option for many District residents, with between 300,000 and 550,000 users a month, depending on the time of year and whether a fare is being collected. However, where the District aims to grow this user base, a primary hurdle is the reach of Circulator system itself. Many residents

have appealed to the Committee for expansion of the Circulator to areas near their homes and workplaces. Although the Committee supports the Agency’s focus in this year’s budget on the Ward 7 route expansion, the Committee strongly encourages DDOT to seriously explore in the TDP how else it can expand the Circulator, once the Ward 7 expansion and bus garage acquisition are complete—noting that the Agency estimates that there is not current capacity for additional route expansions until the new garage comes online, as their current facilities are already over capacity for housing and maintaining buses. Given the three-year cycle for updates to the TDP, it is essential that DDOT start exploring these other options now, with the caveat that implementation would need to follow the completion of existing plans. The Committee looks forward to reviewing the TDP, once completed, and urges DDOT to move quickly to complete the Circulator bus garage, so as to facilitate further additional expansion of the system.

K Street Transitway

The proposed capital budget allocates \$434,000 in FY 2021, \$66,150,000 in FY 2022, and \$50,850,000 in FY 2023 to fund the K Street Transitway Project. Last year, the Mayor announced her intention to fund updated studies of the project and its construction over the next six years, with an anticipated closeout of December 2025. However, the Council’s modifications to the FY 2020 budget included shifting the project back a year in the CIP. As a result, during FY 2020, DDOT continued to update its designs for the project with reprogrammed funding. The proposed budget this year shifts the project’s timeline up to the match Mayor’s original proposed timeline. The capital project encompasses planning, design, and construction of the transitway.



The K Street Transitway will be a dedicated transitway for buses on a reconfigured K Street, NW between 12th Street and 21st Street, NW to have two center-running dedicated

transit lanes, two lanes in each direction for general traffic, and one lane in each direction built as a protected bike lane. The configuration of the transitway will be built as to not exclude potential future expansion of Streetcar to Georgetown via K Street. The east-west corridor between Union Station and Georgetown includes some of the most highly developed, heavily traveled areas in the District. However, existing transit operations face problems of congestion, low speeds, and insufficient capacity. Transit improvements are needed to support existing and future land uses and enhance connectivity of major destinations. The project will improve bus speeds, reliability, and efficiency in the District's downtown area. DDOT reached 30% design for the project in Spring 2020, and anticipates the project will reach final design in Spring 2021. The most recent projections estimate buses will travel through the area 30%-60% faster than under the current configuration. In addition, DDOT has confirmed that it plans to replace every tree removed during the project. Construction will likely conclude in late 2024 or 2025. The Committee views the project as essential to speed up transit travel times, especially during rush hour, and make bus service more desirable for residents and commuters in and around the downtown area. In addition, the project can prove to be a model for future transit projects in the District that accommodate and protect all users of the roadway. The Committee strongly supports the K Street Transitway project, and the accelerated timeline as proposed by the Mayor.

Streetcar

The proposed capital budget allocates \$36,843,000 in FY 2021 and \$45,463,000 in FY 2022 to fund the 1.9 mile Streetcar extension from Oklahoma Avenue to Benning Road. This project, which was previously designated as a subproject under the Streetcar Master Capital Project (discussed below), is now its own capital project; however, this capital project will utilize over \$44,000,000 in available balances from the (SA394C) Streetcar – Benning Extension Capital Project. As part of the Benning Road extension, the project's proposed budget will fund design, civil engineering oversight, and project management. As in previous years, the proposed budget does not allocate any funding to the expansion of the Streetcar line beyond the current system and the plans for the Benning Road extension. Although no funds are proposed for a Georgetown streetcar extension, as noted above, the K Street Transitway project will be designed so as to not foreclose the potential for a future expansion of the Streetcar to Georgetown.

Streetcar is a heavily used transit option for District residents and visitors. For the month of August 2019, the existing Streetcar line had ridership of nearly 90,000 riders, with an average of 3,000 riders a day during the workweek. In past years, monthly ridership numbers have risen to 115,000 during the summer.

The Benning Road extension is an important and welcome addition to Streetcar. Due to high ridership among buses and traffic congestion along the streetcar corridor, average bus speeds during peak hours are as low as 3.5 miles per hour. This additional surface transit capacity will improve access for underserved transit markets and has the potential to significantly decrease the amount of time required to travel through the corridor by removing cars and bringing the number of bus riders to a more manageable amount. The Committee supports the funding to extend Streetcar to Benning Road.

In addition to the Streetcar Benning Road extension capital project, the proposed budget also includes the Streetcar Master capital project, which includes \$4,358,000 in FY 2021 and \$29,748,000 over the six-year CIP. This project funds different aspects of Streetcar and the Benning Road extension, including, but not limited to: environmental analysis, design, land acquisition, and construction of a new storage and maintenance facility; streetscape improvements along the Streetcar corridor for multimodal transportation, including bicycle and pedestrian infrastructure; and procurement of additional streetcars. This capital project fund underwent significant cuts in this year's budget due to the limited funding available and funding being moved to the separate Benning Road Extension Capital Project. Although the Committee believes the project is sufficiently funded for FY 2021, the Committee urges the Executive to restore funding in the outyears as the District's economic situation improves.

Safety and Mobility

The proposed capital budget allocates \$13,826,000 in FY 2021 and \$57,578,000 over the six-year CIP for projects that will improve the safety and efficiency of the District's transportation system. Most of these projects are pedestrian and cyclist-focused, and should support the District's Vision Zero goals. Subprojects in this master capital project include the Alabama Ave SE safety improvements, design and construction of new trails, and Vision Zero safety improvements.

The Committee supports investments in these capital projects, which will enhance the safety of the District's most vulnerable road users; however, the Committee was concerned to see limited investment in these projects after FY 2021: from \$11,397,000 in FY 2022 to a low of \$7,680,000 in FY 2023. Although DDOT has assured the Committee that there is sufficient funding to complete 20 miles of protected bike lanes by 2022, the Agency must be prepared to meet those goals and expand upon them across the CIP. As was noted in the Committee's FY 2020 budget report, given the District's ambitious Vision Zero goals, funding for this project should increase each year, not decrease. The Committee is unable to identify funds to enhance these projects as part of this CIP; however, it strongly urges DDOT to increase its investment in the Safety and Mobility Capital project in future budget formulations.

In response to the public health emergency, in June 2020 the Council passed the Connected Transportation Network Emergency Act of 2020 (B23-772). This legislation requires DDOT to create and publish within 28 days a report detailing a network of road modifications including protected bike lanes, extended sidewalks, and road closures to through traffic that form a network for pedestrians and cyclists to commute through the District. With the public health emergency requiring social distancing, this legislation is intended to ensure those choosing to commute in social distancing compliant manners, other than by car, can do so in a safe environment. The legislation also requires DDOT to implement 20 miles of the plan by September 1st 2020, and an additional 5 miles by November 1st 2020. The modifications must remain in effect for at least 270 days or until the Mayor has determined that the District has reached Phase Four of her ReOpen DC Advisory Group Recommendations, whichever comes later. As of the time of this report's publishing, the legislation is still under Mayoral Review, with a response due by July 7, 2020.

The Eastern Downtown Protected Bike Lane study was completed three years ago. Since February 2017, both options for the bike lane—both 6th and 9th Street—have been at 30% design. This community has been waiting for over three years for DDOT to choose between these two options and move forward with finalizing design, and, of course, implementation of these improvements. To date, however, the Executive has refused to make a decision so the project can proceed, and has failed to offer any explanation for this substantial delay. The Committee has been routinely told that the project is still being looked at. Once again, the Committee urges DDOT to make a decision and proceed with the project. Last year, the Committee allocated \$300,000 from the Safety and Mobility Capital Project to fund the completion of the design for whichever street DDOT decides to build the protected bike lane. That funding is still available for DDOT to complete the design.

H Street Bridge

DDOT has been planning the H Street Bridge capital project since 2016. To date, over \$6,000,000 has been spent on the project, and it is at nearly 30% design. According to DDOT, a draft RFQ is prepared and ready to be sent out. Due to this year's budget constraints, the Mayor's proposed FY 2021 budget eliminates all funding for the H Street Bridge Capital Project until FY 2025. In addition, although the project is projected to cost over \$200,000,000 in total, the 6-year CIP only allocates \$35,735,000 for this project. The bridge, which spans over 1st Street, NE, WMATA tracks, Amtrak tracks, and 2nd Street, NE at Union Station, is an essential component to improved multi-modal offerings and economic development in the area. The completed bridge will enable Amtrak to increase its capabilities, incorporate the Streetcar line, and provide for future development at Union Station.

As part of the project, the bridge deck needs to be replaced and the H Street Bridge piers moved, so that the Union Station tracks may be realigned as called for in the Washington Union Station Expansion Project. The project was included in the Transportation Improvements Plan ("TIP"), adopted in March 2020, with \$211,000,000 (FY 2020-2024) in planned local funding. DDOT was on schedule for a full replacement of the H Street Bridge until the delay caused by these proposed budget cuts. National Environmental Policy Act and preliminary design work was to be completed in the fourth quarter of 2020. A design-build RFQ was to be issued in the 2nd quarter of 2021, a contract was to be awarded in the 2nd quarter of 2022, and the project was to be completed in 2027.

The Executive now proposes to fund the project with \$35,700,000 in Paygo capital funds in FY 2025 and 2026. This funding is, at best, a symbolic gesture, given that these amounts are less than a fifth of total funding needed to complete the project, and the proposed funding loads outside of the District's financial planning period. Indeed, the Committee is concerned that Amtrak might not get the funding it needs to complete the track realignment necessitating the rebuilding of the bridge. That said, this is an important project that plans for the future of the District and accounts for the certain increase in regional rail passengers. While Amtrak and the federal government drag their feet, it is important that District does what it can to allow for the necessary expansion of capacity at Union Station. And so the Committee is gratified that DDOT has indicated that the project is

not being cancelled, that it remains a priority, and that the agency is evaluating ways to move the project forward.

The question is where money can be found to keep this project moving forward. Current federal funds are insufficient: the Federal Highway Administration has made \$177,000,000 of federal funding available to DDOT in FY 2020, but DDOT's capital budget includes plans that, if the Agency were to fully implement each, would cost \$343,000,000. That is, DDOT's federal obligation plan include more projects than DDOT has funding to complete. This strategy allows DDOT to implement alternative projects should there be an unexpected delay in a different project, or to easily expand their active projects if the Agency receives more federal funding than anticipated. To that end, DDOT noted for the Committee that the Agency could use federal funding for the H Street Bridge project if Congress passes an infrastructure bill. But that eventuality is far from certain. There simply isn't money within the Committee's purview to provide the necessary funds for the project to advance beyond what the Mayor has proposed; however, the Committee hopes that some solution could be generated Council-wide to ensure this critical infrastructure project moves apace.

Bus Priority and Efficiency Initiative

The proposed budget allocates \$5,914,000 in FY 2021 and \$17,849,000 over the six-year CIP to fund a new project, the Bus Priority and Efficiency Initiative. This project supports capital infrastructure improvements to help prioritize bus travel and improve accessibility to bus stops, including for both Circulator and Metrobus. The project's scope includes making the H & I Street bus lanes permanent, completing the 16th Street, NW dedicated bus lanes, and additional improvements for bus transit. These could include adding painted bus lanes through congested segments of a bus corridor, automated bus lane enforcement cameras, intersection improvements, and adjusted signal timing, among other things. It is critical, however, that wherever these lanes be installed, there be rigorous enforcement.

The Committee supports the goal of this new project and hopes to see additional funding in subsequent CIP formulations. As part of this project, the Committee recommends that DDOT locate additional corridors that would be well served by bus lanes. Commuting by bus is often a challenge for District residents, as buses are routinely behind schedule or overpacked, and in many cases face delays due to traffic congestion along their routes. Bus lanes will allow transit riders to reach their destination more efficiently and, in the long-term, should lead to an increase in the number of commuters taking the bus. These changes will not only help alleviate traffic for all commuters, but also reduce the District's carbon footprint by getting more commuters to use transit instead of cars. Just as importantly, investing in bus travel will provide significant benefits to District residents who live in communities not served by Metro trains.

Stormwater and Flood Mitigation

The proposed budget allocates \$9,060,000 in FY 2021 and no additional funds in subsequent fiscal years to the Stormwater and Flood Mitigation capital project. This project funds infrastructure changes necessary to mitigate flooding and control stormwater, which can create serious hazards on roadways. The scope of subprojects include, but are not

limited to: repairing and maintaining culverts, improvements to stormwater pump stations, special flood mitigation infrastructure changes, and emergency roadway repairs. Residents may be familiar with some of the specific neighborhood infrastructure changes this fund pays for, such as raingardens, bioswales, green roofs, and pervious pavement. The Committee fully supports this project, as these measures not only help keep our roadways safe, but reduce the amount of stormwater running into our sewer system, which, during rainstorms and other extreme weather events, can result in combined sewer overflows that release untreated storm and wastewater directly in the District's rivers. The Committee expects additional funding to be added in the outyears to this project in future budget formulations.

Urban Forestry

The proposed budget allocates \$11,846,000 in FY 2021, \$11,861,000 in FY 2022, and \$6,700,000 in each subsequent year in the CIP to the Urban Forestry Capital Project. This reflects a cut in funding of \$5,000,000 in each of year from FY 2023 through FY 2025. This capital project funds activities associated with tree plantings and tree well-being, maintenance of trails, preservation of green infrastructure in the right-of-way, and the majority of the Urban Forestry Administration's labor charges. This fund is critical to the rehabilitation and expansion of the District's urban tree canopy. It is also critical if the District is to reach its tree canopy goal of 40% by 2032. Increasing the District's tree canopy coverage is a significant factor in the larger goal of creating more resilient communities. Urban heat island effect is a well-documented phenomenon in which areas high in heat-absorbent materials such as pavement and concrete and lacking in heat sinks and reflectors (like trees and other vegetation) experience significantly higher temperatures during extreme heat events (days with a high temperature at or above 95° F) than areas with fewer paved surfaces and more canopy coverage. The District experiences roughly 15-20 extreme heat days annually, and will expect to experience 2-3 times more extreme heat days per year by 2075. Extreme heat days pose a significant health risk to elderly residents and residents with existing health conditions such as respiratory illness. Increasing the canopy coverage of the District in areas where coverage is currently lacking will save lives and better equip communities to manage the effects of climate change. In increasing that canopy, the Agency should also aim to remedy the inequitable distribution of the canopy across the District, which compounds the aforementioned heat island effect in communities east of the Anacostia River. The Agency has stated that this fund will need to be revisited in subsequent CIP formulations. The Committee agrees and urges the Agency to restore these cuts in future budgets.

The Committee recommends adoption of the Mayor's proposed FY 2021 - FY 2026 capital budget, with the following changes:

1. *Sweep \$539,000 from the (LMS05C) I-66 Rock Creek Parkway/Bypass Study*

During the FY 2019 budget formulation process, the Committee allocated \$539,000 for DDOT to conduct a study of alternative traffic patterns around I-66, Rock Creek and Potomac Parkway, and the Kennedy Center to be implemented during large events when Rock Creek and Potomac Parkway, between Virginia Ave and Peters Point, is closed to

vehicles. The Agency has not conducted the study and has stated that it does not have plans in the immediate future to conduct the study as originally conceived. In a year when funding in the budget is very tight, the Committee believes it imprudent to allow the money to sit unused for another year. Therefore, the Committee sweeps \$539,000 from the (LMS05C) I-66 Rock Creek Parkway/Bypass Study capital project.

2. *Increase (ED0D5) 11th Street Bridge Park by \$15,343,000 in FY 2025, and \$15,000,000 in FY 2026*

The FY 2021 proposed capital budget allocates no funding to the 11th Street Bridge Park. The project description lists \$18,662,000 in FY 2021 and \$19,747,000 in FY 2022; however, these figures are misleading, as those are amounts raised by the project's nonprofit, Ward 8-based Building Bridges Across the River ("Building Bridges"), from private donations and do not represent any monetary investment from the District. In reality, the Executive cut the approximately \$25,000,000 in funding for the project that the Committee had included in last year's CIP. The Committee is disappointed to see the Executive remove funding for this project, given the significant benefits the bridge park will provide for District residents. During the budget hearing process, DDOT stated that it was in full support of the project and hopes the Executive will be able to provide additional funding in future CIP formulations.

The 11th Street Bridge Park will be the District's first elevated public park. Located on the piers of the old 11th Street Bridge spanning the Anacostia River and linking Anacostia with Navy Yard, the Bridge Park will be a new venue for healthy recreation, environmental education, and the arts. The Bridge Park draws on an extensive community outreach and consultative process, anchored by more than 1,000 meetings. Pre-construction began in 2016. Preliminary plans include bike and pedestrian trails, outdoor performance spaces, play areas, gardens, and a dock to launch boats and kayaks. Allocated funds for the project, however, will not be awarded or disbursed to any entity for construction until at least 50% of the total projected project construction costs have been raised by private donors. To date, 11th Street Bridge Park fundraisers have secured \$20,690,000, a little over half of the \$40,687,500 that it is required to raise. In April, Building Bridges received an official letter from the National Capital Planning Commission ("NCPC") approving the 11th Street Bridge Park's preliminary design. NCPC noted that "the park will increase community connectivity and create welcoming and vibrant spaces that enhance the user experience and foster civic and local uses."

In addition to the design and construction of the bridge itself, the project is intended to address immediate needs in the District; Building Bridges has partnered with three other non-profits – Martha's Table, Bread for the City and Far Southeast Family Strengthening Collaborative – to provide food, dry goods & financial assistance for up to 500 Ward 8 families over the summer.



The project currently has \$5,400,000 in available allotments, which it plans to use in FY 2021 in order to continue with design and analyses. Fundraisers have stated the importance to potential donors that the District has allocated significant funding to the project, as potential donors view that as key to the project's success. The Committee supports the bridge park and recommends increasing (EDOD5) 11th Street Bridge Park by \$15,343,000 in FY 2025, and \$15,000,000 in FY 2026, to ensure the District is contributing its share to this important project for the community.

3. Increase (LMSAF) Safety and Mobility by \$539,000 in FY 2021

The proposed FY 2021 budget funds the reconstruction and rehabilitation of the pedestrian bridge and connecting trail at Arizona Avenue, NW. This project is currently in the preliminary design phase. As part of the reconstruction of the pedestrian bridge over Arizona Avenue, a section of the former Trolley corridor will be improved between Galena Place, NW and Nebraska Ave/Sherier Place, NW. This project would also add an accessible connection to the Capital Crescent Trail at Arizona Avenue, NW, and requires the Agency to continue to work with the National Park Service to develop agreements for design, construction, and maintenance of this trail; however, the proposed budget does not include funding for the Arizona Avenue connection to the Capital Crescent Trail. In a decision document released by DDOT in January 2020, the Agency stated that it planned to move forward with both projects. According to DDOT, the preliminary design study of the Arizona Avenue Connection to the Capital Crescent Trail would cost approximately \$500,000. It would be more efficient for DDOT to study and complete these two projects at the same time, and the Committee believes both projects would bring significant benefits to residents of the Palisades. Therefore, the Committee allocates \$539,000 to (LMSAF) Safety and Mobility to fund the preliminary design study for the Arizona Avenue connection to the Capital Crescent Trail.

POLICY RECOMMENDATIONS

The Committee recommends that the Agency adopt the following policy changes:

1. Implement the Public Space Enforcement Amendment Act of 2014

In recent years, the Committee has been frustrated by reports that District contractors regularly perform work in the public space but fail to restore that public space to its previous or proper condition. The Committee has reports of contractors who have failed to restore a bike lane, crosswalk, or roadway after digging it up. Most often, those contractors failing to restore bike lanes and crosswalks are paving contractors hired by DDOT, and those failing to repave a road are contractors hired by DC Water or Washington Gas to undertake utility work. In FY 2020, the Committee funded three public space inspectors to assist in identifying violations; however, even with increased enforcement, the Committee has not seen a significant behavior change. Where the Agency is enforcing violations, but violations have not decreased, it seems that the penalties for violations—here, fines—are not significant enough to change behavior.

DDOT currently derives its authority to fine contractors when failing to restore the public space under the Litter Control Administrative Act of 1985, and fines contractors either \$500 or \$1,000 for each violation; neither fine escalates over time for nonpayment. In 2014, however, the Council passed the Public Space Enforcement Amendment Act of 2014, which requires that DDOT enforce failure to restore the public space offenses under the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 (“the Civil Infractions Act”). The Civil Infractions Act created classes of infractions, ranging from most to least egregious, and provides for fines up to \$16,000 for the most egregious violations. After five years of the Public Space Enforcement Amendment Act of 2014 being in effect, DDOT has yet to implement the Act. The Committee stresses the importance of the 2014 Act and urges DDOT to implement its provisions right away, including an enhancement of fines related to failure to restore public space.

2. Create a Data Sharing Partnership with the Department of Health

A key tenet of Vision Zero is that decision making should be based on data, which requires significant data collection. Data-driven decisions lead to better outcomes. Currently, DDOT collects data on traffic accidents when there is an incident that requires police attention or involves a fatality; however, DDOT does not have access to much, if any, injury data as it relates to non-fatal car crashes. Local doctors have testified before the Committee to note that District hospitals have large amounts of injury data as it relates to car crashes, often including information on whether the injured party was on foot, a bicycle, or a scooter. These hospitals create trauma reports with this data and report that aggregate data to the DC Department of Health (“DOH”). In years past, DOH has released reports on trends it sees in the data, but DOH has not released a report since 2017. Other cities have created partnerships between their departments of transportation and departments of health. DDOT and DOH should follow suit to allow DDOT to have access to this important injury data so that it can make educated Vision Zero decisions and save lives.

3. Expand the Dockless Vehicle Education Campaign

In recent years, DDOT has made great strides in bringing new micromobility options to the District. In 2017, the Agency was able to accommodate third-party operated battery-assisted bicycles in the District, and in 2018, the Agency was able to accommodate third-party operated electric scooters. Electric scooters and battery-assisted bicycles have produced a number of benefits for the District, which include reducing congestion, reducing the District's carbon footprint, and providing visitors to the District with an inexpensive and efficient means to travel around the District. Battery-assisted bicycles and scooters are popular with many of the District's commuters, and the Committee is pleased to see DDOT bring these new modes of transportation to the District.

These new micromobility options, however, do come with some significant costs. Although there is a long-standing bike culture in the District, the same cannot be said about scooters. This technology is relatively new, and the Committee often receives reports of users neglecting to follow safety rules. Many users weave in-and-out of pedestrians on the sidewalk, often at high speeds, may ride while inebriated, and routinely discard scooters in a manner that blocks pedestrian walkways, private driveways, and handicap accessible ramps. Users have also been seen riding with two people on a single scooter, which is unsafe and violates their terms of use. These behaviors not only increase risk to the user, but to the public at large, as well.

In January 2020, DDOT released a video on twitter educating users on the dangers associated with leaving scooters in the middle of the sidewalk, highlighting the effect this behavior has on the District's disabled community. The video is high-quality and puts a face and voice to the residents who have been directly affected by the unsafe behavior by some users of battery-assisted bicycles and scooters. The Committee believes that this video could be a great tool in establishing a safe micromobility culture among these users, and encourages DDOT to expand upon this video to establish a broader education campaign.

D. DEPARTMENT OF MOTOR VEHICLES (KV)

FY 2021 Operating Budget, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	34,776,349	37,592,378	(50,000)	37,542,378	8.0%
Intra-District Funds	618,040	600,000	0	600,000	-2.9%
Special Purpose Revenue Funds	9,955,114	10,172,574	0	10,172,574	2.2%
GROSS FUNDS	45,349,503	48,364,953	(50,000)	48,314,953	6.5%

FY 2021 Full-Time Equivalents, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	230.0	230.0	0.0	230.0	0.0%
Intra-District Funds	0.0	0.0	0.0	0.0	N/A
Special Purpose Revenue Funds	39.0	39.0	0.0	39.0	0.0%
GROSS FTES	269.0	269.0	0.0	269.0	0.0%

FY 2021 Operating Budget, By CSG (Gross Funds)

Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
11 - Regular Pay - Cont Full Time	18,026,245	18,799,000	-39537	18,759,463	4.1%
12 - Regular Pay - Other	215,280	101,584	-245	101,339	-52.9%
13 - Additional Gross Pay	112,308	106,205	0	106,205	-5.4%
14 - Fringe Benefits - Curr Personnel	4,683,827	4,854,910	-10218	4,844,692	3.4%
15 - Overtime Pay	195,000	145,000	0	145,000	-25.6%
Personal Services (PS)	23,232,660	24,006,699	-50000	23,956,699	3.1%
20 - Supplies and Materials	396,146	306,535	0	306,535	-22.6%
30 - Energy, Comm. and Bldg Rentals	257,647	367,074	0	367,074	42.5%
31 - Telephone, Telegraph, Telegram, Etc.	359,956	359,956	0	359,956	0.0%
34 - Security Services	1,608,353	1,638,669	0	1,638,669	1.9%
35 - Occupancy Fixed Costs	845,148	1,002,318	0	1,002,318	18.6%
40 - Other Services and Charges	5,951,862	6,152,330	0	6,152,330	3.4%
41 - Contractual Services - Other	12,515,842	14,087,502	0	14,087,502	12.6%
50 - Subsidies and Transfers	0	0	0	0	N/A
70 - Equipment & Equipment Rental	548,000	443,870	0	443,870	-19.0%
Nonpersonal Services (NPS)	22,482,954	24,358,254	0	24,358,254	8.3%
GROSS FUNDS	45,715,614	48,364,953	-50000	48,314,953	5.7%

FY 2021 Operating Budget, By Program (Gross Funds)						
Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	Agency Management	7,352,545	7,690,257	0	7,690,257	4.6%
100F	Agency Financial Operations	679,245	749,294	0	749,294	10.3%
2000	Adjudication Services Program	12,893,192	16,071,585	0	16,071,585	24.7%
3000	Vehicle Services Program	10,681,414	9,826,212	0	9,826,212	-8.0%
4000	Driver Services Program	9,243,983	9,387,575	0	9,387,575	1.6%
8000	Technology Services Program	4,865,235	4,640,029	0	4,640,029	-4.6%
GROSS FUNDS		45,715,614	48,364,953	0	48,364,953	5.8%

AGENCY OVERVIEW

The mission of the Department of Motor Vehicles (DMV) is to promote the safe operation of motor vehicles and public safety while providing outstanding customer service. The DMV executes its duties through the work of six divisions: **Adjudication Services**, which provides ticket processing, notices, and hearing and hearing support services to residents and non-residents, in order to render legally sound decisions on parking, photo, and moving violations, and to ensure proper processing of violation and penalty payments for those infractions; **Vehicle Services**, which provides certification and inspection services to residents, businesses, and government entities so that they may legally park, drive, and sell their vehicles in the District of Columbia; **Driver Services**, which provides driver certification and identification services to residents to ensure they have the proper credentials to reflect their identity, residence, and driving qualifications so that they may legally operate their vehicles; **Technology Services**, which provides integrated and reliable information systems for all DMV services and complies with District-wide technology standards and requirements; **Agency Management**, which provides for administrative support and the required tools to achieve operational and programmatic results; and **Agency Financial Operations**, which provides comprehensive and efficient financial management services to, and on behalf of, District agencies so that the financial integrity of the District of Columbia is maintained.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 Operating Budget for the DMV is \$48,364,953, which represents an 8% increase from the FY 2020 approved budget of \$44,766,463. This funding supports 269.0 Full-Time Equivalents (FTEs), no change from the FY 2020 approved level of 269.0 FTEs.

Although the changes included in the DMV's proposed FY 2021 operating budget do not represent large programmatic adjustments or a significant change to the Agency's overall budget, the budget did include significant increases and decreases to a number of the Agency's divisions and activities. Most notably: an increase of \$3,211,000 (44%) in (2030) Ticket Processing; a decrease of \$750,000 (25.5%) in (3020) Registrations; and an increase of \$495,000 (198%) in Other Services (CSG 40) within (4000) Driver Services.

Ticket Processing

The proposed FY 2021 budget increases (2030) Ticket Processing within the (2000) Adjudication Services Program by \$3,211,000, a 44% increase over approved FY 2020 levels. These increases are due to an one-time increase of \$3,584,000 for the ticket processing contract, which the Agency offset through \$373,000 of vacancy savings. According to DMV, there was a budget error last year that resulted in this activity being underfunded, and the proposed budget this year corrects that error and “right-sizes” the costs associated with ticket-processing. The DMV also noted that, although the number of citations issued by police officers has decreased in the last few years (from 27,000 in FY 2018 to 23,000 in FY 2019), other types of tickets, such as from parking enforcement, have increased significantly—from 196,000 in FY 2018 to 266,000 in FY 2019; those increases have also contributed to the increased costs within the Ticket Processing activity.

Registrations

The proposed FY 2021 budget decreases (3020) Registrations within the (3000) Vehicle Services Program by \$750,000, a 25.5% decrease from FY 2020 approved levels. This is due to a reduction of \$875,000 in Residential Parking Permit funds. Last year, the Committee raised the cost for Residential Parking Permits from \$35 for all cars registered to an address, to \$50 for the first car, \$75 for the second, \$100 for the third, and \$150 for any additional cars. DMV needed to update its computer system to implement this new cost scheme, and the Committee provided the Agency with one-time funding in the FY 2020 budget to update the system, which will be completed in FY 2020. DMV plans to implement the new fee structure later this summer. The Agency also shared that part of the \$750,000 reduction is due to this activity being affected by \$100,000 of the \$373,000 of vacancy savings (discussed above) shifting from the Non-Personnel Services in activity (2030) Ticket Processing (discussed above) to Personnel Services in activity (3020) Registrations, and a \$25,000 increase in the overtime budget.

Other Services within Driver Services

The proposed FY 2021 budget increases Other Services (CSG 40) within (4000) Driver Services by \$495,000, a 198% increase over approved FY 2020 funding. According to the DMV, this significant increase is due to a \$495,000 intra-district transfer from the Department of Insurance, Securities and Banking to pay for enhancements to the DMV’s insurance verification system. The DMV’s insurance verification system was created in 2009 and has undergone very few updates since that time. For certain insured groups, the system as designed is only able to handle paper documents or manually entered information. This modernization of the system will allow these groups, including high-risk individual insurers, commercial fleet insurers, and small provider insurers, to transmit their data electronically and in real time to the DMV.

Reciprocity Parking Stickers and Tag Transfer Fee

District law allows for certain non-residents to obtain a parking reciprocity sticker and park on District streets with the same privileges as District residents. These non-resident groups include college students, temporary residents, and certain active-duty military

members. In most cases, the cost to obtain a parking reciprocity sticker is very high, as the privilege to park on District streets is valuable. The cost for a college student to obtain a reciprocity sticker is \$338 a year. The cost for a temporary resident to obtain a sticker is \$250 every six months. For some others, however, the cost is much lower. U.S. Senators, Representatives, personal office congressional staffers, the President and Vice President, appointed Executive branch officials, diplomats, or any of their spouses or children, are required to pay only \$50 a year for this sticker. The disparity in pricing for this group versus others seeking parking reciprocity stickers is especially notable given the recent increase to the cost for Residential Parking Permits for District residents. The Committee recommends increasing the fee for parking reciprocity stickers for the individuals listed above to \$100 a year. This fee has not been raised in nearly ten years and raising this fee will better align the cost with the value of parking in the District's valuable public space. Therefore, the Committee recommends increasing the cost of a reciprocity sticker from \$50 to \$100, as reflected in the Parking Reciprocity Fee Update subtitle included in the Committee's recommendations for the Budget Support Act at page 103.

In addition, the Committee notes that the current fee to transfer a tag from one vehicle to another in the District is \$7; that fee has not been increased in 14 years. The Committee recommends increasing that fee to \$12 to keep pace with inflation. The fee covers the costs associated with the DMV transferring vehicle registrations from one tag to another. This is cheaper for District residents who have a previous tag and would like it transferred to a different vehicle. Alternatively, the resident would need to buy a new tag, which costs anywhere from \$36 a year to \$155, depending on the size and weight of the vehicle. Therefore, the Committee recommends increasing the tag transfer fee from \$7 to \$12, as reflected in the Parking Reciprocity Fee Update subtitle included in the Committee's recommendations for the Budget Support Act at page 104.

Vacancies

The Council budget office engaged in an extensive review of vacancy savings across the government. Through the extensive work of that office, the Committee will recognize \$50,000 in recurring funds in vacancy savings from the DMV.

CAPITAL BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 – FY 2026 capital budget request for the Agency is \$11,150,000. This represents a \$5,150,000 increase from the FY 2020 – FY 2025 approved level.

Destiny Replacement Project

The proposed capital budget of \$11,150,000 allocates \$6,450,000 for FY 2021 and \$4,700,000 for FY 2022 for the Agency's Destiny Replacement Project; this project also has an available balance of \$2,900,000. Through this project, DMV plans to create a modernized, state-of-the-art, web-based driver license and motor vehicle information system. The new system will reduce the complexities of maintaining the multitude of

software platforms the Agency currently uses to do this work and improve the efficiency of changes to application software when DMV business rules change. After deployment of the new system, the DMV should be able to recognize a reduction in the cost to maintain this system in future budgets. The Committee agrees that the DMV's current system for driver licenses and motor vehicle information is outdated and in need of immediate upgrades.

After years of very little progress on this project due to complications with the RFP, this year, the DMV has shifted its approach to completing this project. Rather than issue an RFP for an outside contractor, the DMV now plans to update this system through a partnership with Office of the Chief Technology Officer. This will facilitate a step-by-step modernization of the system, rather than a complete overhaul all at once, which the Agency believes will allow them to move forward with the project more efficiently and effectively. The Committee supports this change in approach to the extent that it enables the Agency to move forward with upgrading even a portion of this critically important system in the short-term, given the system has not been updated in nearly 20 years.

Due to the DMV's new approach to this project, limited, but measurable, progress has been made on the project. According to the DMV, this year it has accomplished the following: migrating Destiny to current versions of desktop software, upgrading servers, implementing a configuration management system and process, and upgrading business processes, such as web services. The DMV has also provided the Committee with information on the subprojects it plans to complete in FY 2021; these include designing web pages and developing general services, driver license, and vehicle registration transactions. The Committee is pleased that the Agency is finally making progress on this project, although the Committee anticipates that funding for this project will need to be revisited in subsequent CIP formulations. Although DMV has told the Committee that it believes this project has sufficient funding to undertake a substantial portion of the necessary modernizations, the Agency has also made clear that the full scope of the project will cost much more than is currently budgeted for the project.

E-TIMS System Upgrade Project

The proposed capital budget does not include any funding for upgrades to the DMV's Ticket Processing System (E-TIMS) Upgrade Project; however, the project has \$5,300,000 in its allotment balance. The E-TIMS system is 25 years old and the DMV has been planning on upgrading the system for nearly a decade. According to the DMV, it has been working with business process re-engineering consultants since March 2020 to develop a comprehensive RFI; the DMV spent \$289,000 in FY 2020 to hire these consultants. The remaining \$5,300,000 balance will be used for the contract to upgrade the system, which the Agency intends to award once it has completed its review of vendor proposals. Although the DMV has stated that it believes there is sufficient funding to complete this project, the Committee is skeptical that these amounts will be enough, given that in past years the DMV has indicated this will be a very expensive project. Where this project requires additional funding, the Committee urges DMV to address those shortfalls in the FY 2022 budget, so as to not affect the Agency's ability to move forward with this contract work on schedule.

The DMV has proposed the following timeline for this project: completion of business consultant work by June 30, 2020, to include producing a final RFI; release of the RFI by July 31, 2020, with a response period of 120 days; Agency review of submissions through January 30, 2021; and award of the contract in late March or early April 2021. The Agency anticipates that, with eighteen months for implementation of the new contract, the new system will be in place in the 4th quarter of FY 2022. The Committee is pleased to see the Agency moving forward with a clear timeline for this project, though, with the understanding that timelines are often delayed by unexpected developments or events, requests that DMV keep the Committee updated on its success in meeting these deadlines.

Because the Committee believes in the importance of these two capital projects, the Committee recommends adoption of the Mayor's proposed FY 2021 - FY 2026 capital budget as proposed.

POLICY RECOMMENDATIONS

The Committee offers no policy recommendations for FY 2021.

E. DEPARTMENT OF ENERGY & ENVIRONMENT (KG)

FY 2021 Operating Budget, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	35,350,498	22,917,739	539,600	23,457,339	-33.6%
Federal Grant Funds	35,332,638	31,469,855	0	31,469,855	-10.9%
Intra-District Funds	2,584,957	2,623,850	0	2,623,850	1.5%
Private Grant Funds	3,810,751	2,292,291	0	2,292,291	-39.8%
Special Purpose Revenue Funds	122,345,899	82,808,762	0	82,808,762	-32.3%
GROSS FUNDS	199,424,743	142,112,497	539,600	142,652,097	-28.5%

FY 2021 Full-Time Equivalents, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	128.0	128.3	2.00	130.3	1.8%
Federal Grant Funds	106.8	104.7	0.0	104.7	-1.9%
Intra-District Funds	15.1	14.2	0.0	14.2	-5.6%
Private Grant Funds	3.2	3.8	0.0	3.8	19.5%
Special Purpose Revenue Funds	195.1	199.5	0.0	199.5	2.3%
GROSS FTES	448.0	450.5	2.0	452.5	1.0%

FY 2021 Operating Budget, By CSG (Gross Funds)

Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
11 - Regular Pay - Cont Full Time	24,508,913	24,924,675	107,365	25,032,040	2.1%
12 - Regular Pay - Other	14,450,730	13,433,661	-11,010	13,422,651	-7.1%
13 - Additional Gross Pay	0	582,575	0	582,575	N/A
14 - Fringe Benefits - Curr Personnel	8,973,167	8,907,883	22,193	8,930,076	-0.5%
15 - Overtime Pay	10,000	18,500	0	18,500	85.0%
Personal Services (PS)	47,942,811	47,867,295	118,548	47,985,843	0.1%
20 - Supplies and Materials	813,015	571,697	0	571,697	-29.7%
31 - Telephone, Telegraph, Telegram, Etc.	124,527	129,300	0	129,300	3.8%
40 - Other Services and Charges	26,494,472	7,964,880	103,000	8,067,880	-69.5%
41 - Contractual Services - Other	55,199,541	38,667,428	0	38,667,428	-29.9%
50 - Subsidies and Transfers	65,413,763	46,214,575	318,052	46,532,627	-28.9%
70 - Equipment & Equipment Rental	3,436,616	697,324	0	697,324	-79.7%
Nonpersonal Services (NPS)	151,481,932	94,245,203	421,052	94,666,256	-37.5%
GROSS FUNDS	199,424,743	142,112,497	539,600	142,652,098	-28.5%

FY 2021 Operating Budget, By Program (Gross Funds)						
Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	Agency Management	7,310,977	8,227,239	196,600	8,423,839	15.2%
100F	Agency Financial Operations	1,795,503	1,955,440	0	1,955,440	8.9%
2000	Natural Resources	39,893,211	33,238,780	293,000	33,531,780	-15.9%
3000	Environmental Services	20,550,591	18,339,383	0	18,339,383	-10.8%
5000	Community Relations	1,393,913	1,584,381	0	1,584,381	13.7%
6000	Energy	124,592,568	75,043,059	100,000	75,143,059	-39.7%
7000	Enforcement and Environmental Justice	605,510	611,659	0	611,659	1.0%
8000	Green Economy	1,024,286	1,033,661	0	1,033,661	0.9%
8500	Urban Sustainability	2,258,184	2,078,895	0	2,078,895	-7.9%
GROSS FUNDS		199,424,743	142,112,497	589,600	142,702,097	-28.4%

AGENCY OVERVIEW

The mission of the District Department of Energy and Environment (DOEE) is to improve the quality of life for the residents and natural inhabitants of the nation's capital by protecting and restoring the environment, conserving our natural resources, mitigating pollution, and educating the public on ways to secure a sustainable future. DOEE executes its mission through the work of the following divisions: the **Agency Management**, which provides administrative support and operational management; **Agency Financial Operations**, which provides financial management to DDOE; the **Natural Resources Administration**, which oversees water quality, storm water, and fisheries and wildlife management; the **Environmental Services Administration**, which works to reduce contamination from toxic substances and air pollution; the **Community Relations Administration**, which manages public affairs and community-education programs for DDOE; the **Energy Administration**, which supports District energy users by implementing financial assistance and discount programs, providing energy-saving educational information, and overseeing the DC Sustainable Energy Utility; the **Enforcement and Environmental Justice Administration**, which develops and implements effective practices to support DDOE's enforcement efforts; the **Green Economy Administration**, which encourages green business, green buildings, and green jobs while creating market-based incentives to promote environmental sustainability and economic development; and the **Urban Sustainability Administration**, which develops policies and programs to encourage sustainability and address climate change and equity, and oversees the implementation of Sustainable DC, the District's sustainability plan.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 Operating Budget for DOEE is \$142,112,497, which represents a 22.2% decrease from the FY 2020 approved budget of \$182,667,187. This funding supports 450.5 Full-Time Equivalents ("FTEs"), an increase of 2.5 FTEs or 0.6% from the FY 2020 approved level.

Reductions Due to Public Health Emergency

On March 11, 2020, Mayor Muriel Bowser issued a Declaration of Public Health Emergency due to the imminent threat to the health, safety, and welfare of District residents

posed by the spread of the coronavirus. As a result of the public health emergency, the Mayor was forced to revisit her budget proposal to identify over \$750,000,000 in spending reductions. Although all District agencies saw adjustments to their proposed budgets based on the public health emergency, within the agencies under the purview of this Committee, DOEE was most affected. The scope of those adjustments are detailed below.

Natural Resources Division

These spending reductions are most keenly seen in the budget for the Natural Resources Division, which would be reduced by \$4,868,000. DOEE noted that this Division's funding levels were also hampered by a 25% reduction in anticipated revenues in the Stormwater Permit Review Fund, which is funded from a fee on ratepayer's bills; DOEE reports that DC Water anticipates an increase in the number of ratepayers with delayed or unpaid water bills due to the public health emergency, which would also mean a decrease in the amount collected for the fee. DOEE clarified for the Committee that they intend to resume any affected services at normal levels in subsequent fiscal years as budget and revenue forecasts allow.

The reduction to the Natural Resources Division would affect several DOEE programs. First, the agency has made several reductions to programs under the Watershed Protection Activity. This Activity implements a range of water protection measures focused on waste capture and enforcement of federal Total Maximum Daily Load ("TMDL") requirements, including stream restoration and stormwater infrastructure retrofits. In total, the reductions in these projects will amount to \$800,000 in FY 2021. This Activity also funds stormwater management grant programs, which the Agency proposes reducing by just over \$1,000,000. DOEE has confirmed that these reductions will not meaningfully affect agency efforts to complete restoration of polluted rivers, streams and other surface water bodies in FY 2021. As noted above, where these reductions do ultimately affect services, the Agency intends to resume these services, once funding is available.

Among reductions to the Watershed Protection Activity were cuts that would force the Agency to suspend the RiverSmart Rooftops Grant Program. This program, which was funded at \$300,000 in FY 2020, provides grants for building owners to retrofit their roofs with green infrastructure and rainwater capture systems. The Committee is concerned about any proposal to reduce—let alone suspend—the District's efforts to support this program. The District's Sustainable DC Plan includes a goal of using 75% of the District's landscapes to capture rainwater, with green roofs playing an essential part in those efforts. These retrofits are also a key measure in reduce stormwater run-off, enhancing the health of the District's waterways, and moving us closer to the goals of the District's consent decree with the EPA. The Agency shared with the Committee that it had identified this program as a candidate for suspension in FY 2021, as, although the Agency supports the goals of the RiverSmart Rooftops Grant Program, DOEE determined that it produces fewer overall environmental benefits than other programs, is more expensive than those programs, and, most often, applications under the program come from homes that are connected to the combined sewer system, which, unlike the MS4 system, does not contribute to combined sewer overflows during weather events. For these reasons, the Agency decided suspending this program, as opposed to other sustainability programs, was most appropriate. The

Committee does not seek to overturn the Agency's decision to suspend the program for FY 2021, though it urges DOEE to restart this program once funding is available to do so.

The Mayor's proposed FY 2021 budget for this Division also cuts a grant that currently funds wildlife rehabilitation services in the District. Wildlife rehabilitation is an essential city service, as it protects human health and safety and is an integral part of the District's Animal Care and Control program, which is required to provide humane treatment for sick, injured, and orphaned wildlife. In many cases, wild animals require specialized care that only a licensed wildlife rehabilitator can provide. This grant is also critical in furthering the broad mission of DOEE in protecting wildlife, and—in particular—Species of Greatest Conservation Need. **Accordingly, the Committee recommends increasing (2030) Fisheries and Wildlife by \$200,000 in recurring local funds to support the Wildlife Rehabilitation grant established in the Committee's recommendations for the Budget Support Act at page 110.**

The reductions to the Natural Resources Division also include suspension of the Illicit Discharge Investigation Contract Support Program, which was funded in the Inspection and Enforcement Activity at \$355,000 in FY 2020. Through this funding, DOEE has been able to contract out hiring additional investigators for the program. DOEE has assured the Committee that it will be able to meet need using current staff to investigate illicit discharges. The Agency also noted several other, small reductions to the Natural Resources Division—namely, to educational programming and river boat tours—that would reduce the provision of these programs during FY 2021.

Environmental Services Division

DOEE shared with the Committee that one of its spending priorities in FY 2021 is childhood lead exposure reduction. Therefore, the Committee is concerned to see significant reductions proposed to the Environmental Services Division, much of which comes from lead abatement programs. Over half of the reduction to the division, \$1,369,000, would come from the budget of the Lead-Safe and Healthy Housing Division, which administers inspections of homes for lead and other health hazards. The Committee expressed concern about such a substantial reduction to this Activity, given the essential role these inspections play in protecting the health of residents, especially young children. The Agency, however, has said that, even with these reductions, it has sufficient funding to meet the demand for inspections for FY 2021. The Committee was pleased to learn that, for the period of the public health emergency, DOEE has implemented a program where lead inspectors are able to conduct virtual tours of residences. The Committee is in support of this kind of innovative programming and encourages the Agency to examine ways it can offer virtual tours for other health and safety inspections, where safe and feasible to do so.

DOEE also flagged for the Committee areas where the Agency will be taking on or expanding lead-abatement measures. DOEE recently received an EPA grant of \$399,000, which the Agency will use to reduce lead at 123 public charter schools. In addition, the Energy Division is the recipient of a \$3,500,000 3-year federal grant for lead-abatement. Finally, DOEE clarified for the Committee that what appeared to be a reduction to funding for the 5-Year Lead Registry was not in fact a reduction; rather, the reduction as recorded in the budget was contemplated in the initial contract and will have no effect on services provided.

Although it does appear, from the Agency's answers, that DOEE has sufficient funding for lead abatement and reduction programs in FY 2021, the Committee asks that DOEE provide regular updates to the Committee on administration of these new grants, and report on any unforeseen gaps in funding or coverage for this important lead-abatement work.

DOEE also proposes a reduction to the this Division that will impact mold abatement. It is the Committee's understanding that the Agency will be forced to delay hiring one of its new mold inspectors in its Mold Program. The Mold Program was initiated in FY 2020, following a funding enhancement from the Council, to allow DOEE to respond to mold complaints from residents. Despite this setback, DOEE has already issued Standard Operating Procedures for the new program, and fully intends to move forward with the program, when funding is available. Although disappointed to see the full roll-out of this program delayed, the Committee understands that this delay is only temporary, and looks forward to hearing more from the Agency about its ongoing mold remediation work and roll-out of the program in FY 2021. The Committee also notes for the Agency that this program would be an excellent candidate for an expansion of virtual inspections.

Energy Division

Reductions to the Energy Division are directly related to decreased revenue projections for several Special Purpose Revenue Funds managed by the Agency; namely the Renewable Energy Development Fund, Sustainable Energy Trust Fund, and stormwater special purpose funds. The Agency clarified that reductions to amounts collected in several of these funds was a product of the public health emergency; the Committee elaborates on those reductions, and the effect they will have on agency services, in Section 3 below. Reductions to the Renewable Energy Development Fund were a result of grandfathering clauses included in the Renewable Portfolio Standard Expansion Amendment Act of 2016 and the CleanEnergy DC Omnibus Amendment Act of 2018.

Within the Energy Division, the Data and Benchmarking Activity saw a reduction of 6.0 FTEs. According to the Agency, 2.0 FTEs were reallocated to other Divisions; the other 4.0 FTE positions are vacant positions that were cut so to match anticipate revenues in the Sustainable Energy Trust Fund. The Agency noted for the Committee that, due to delayed implementation of Building Energy Performance Standards, pursuant to CleanEnergy DC Omnibus Emergency Amendment Act of 2020, the Agency does not anticipate bringing on these FTEs until after FY 2021. As such, these reductions are not anticipated to affect agency operations in FY 2021.

Green Finance Authority and Interagency Funding Reorganization

A large portion of the proposed reduction to the Agency's FY 2021 budget stems not from changes to agency programs or services, but changes to how that funding is recorded in the budget. First, the Agency proposes a reduction of 6.0 FTEs in the Data and Benchmarking Division within the Energy Administration. As noted above, 4.0 of these FTEs were vacant positions cut to help balance the budget; however, the Agency clarified that 2.0 of these FTEs reflect an internal reclassification to align FTEs with the appropriate DOEE activities; these changes do not represent a loss of staff. Similarly, a staff member in the

Urban Sustainability Division was shifted to the budget for the Environmental Services Administration.

In addition, the DOEE proposed budget includes a substantial decrease of \$34,867,000 in the Energy Division. A significant portion of this reduction, \$22,000,00, memorializes a transfer of special purpose revenue funds to the Green Finance Authority. The Authority, which officially launched last fall, has a separate chapter in the FY 2021 budget, and is where those funds are now recorded. Specifically, the Authority will receive 7,000,000 from the Renewable Energy Development Fund and \$15,000,000 from the Sustainable Energy Trust Fund, the transfer of which will not result in a reduction in services at DOEE. A discussion of the Green Finance Authority's proposed budget may be found on page 73 of this report.

The Council budget office engaged in an extensive review of vacancy savings across the government. Through their tireless work, **the Committee will recognize \$50,000 in recurring funds in vacancy savings at DOEE.**

Relief Programs

One key service that DOEE provides to District residents is administration of a number of financial relief programs, including management of associated relief funds. These include the Low-Income Home Energy Assistance Program ("LIHEAP"), the Clean Rivers Impervious Area Charge ("CRIAC") Relief Fund, the Lead Pipe Replacement Fund, and other programs to support low-income residents with paying their energy and utility bills. These programs provide essential supports for residents across the District, and appear slated to be all the more important in the months following the public health emergency.

Therefore, the Committee was concerned to see reductions to a number of these relief programs proposed in FY 2021. As noted above, DOEE clarified for the Committee that collections for several Special Purpose Revenue Funds contributed to these proposed decreases. Nevertheless, the Committee does not believe it prudent to be reducing funding for essential relief programs in the year following the public health emergency, and, where these reductions would effect the ability of eligible residents to access relief, would seek to identify alternate funding to ensure these programs can meet need in FY 2021.

First, DOEE proposes reducing the Energy Assistance Benefit Payments Activity, which includes funding for the LIHEAP program, by \$648,000. Although this represents a small overall reduction to this Activity, which was budgeted at more than \$15,000,000 in FY 2020, the Committee is concerned about any reduction to funding for this important relief program, especially when, due to the public health emergency, a greater-than-average number of residents are likely to seek financial relief through this and other programs. DOEE clarified for the Committee that the federally-funded CARES Act will complement the Agency's budget by \$2,700,000 across FY 2020 and 2021, and a portion of which will be used to expand support for the LIHEAP program; as a result, LIHEAP is anticipated to see a net increase in funding in FY 2021, which the Agency says will meet need. For this reason, the Committee believes funding for the LIHEAP program will be sufficient in FY 2021.

The Agency has also proposed reducing funding for the Lead Pipe Replacement Activity to \$1,850,000, less than two-thirds of approved funding in FY 2020. In prior years, DC Water engaged a practice called “partial lead water service line replacement,” in which the portion of a lead water service line on public property is replaced, but not the portion of the line that is on private property. The Council passed legislation in 2018 to prohibit this practice, as partial lead line replacements can actually increase the risk of lead in drinking water at a property. The funding in this Activity is used to finance the replacement of lead water service lines on private property, where DC Water previously completed a partial lead line replacement. DOEE has shared that reductions to this activity will actually right-size funding, based on demand. The program anticipates providing \$1,200,000 to residents to complete private-side replacements in FY 2021; this, combined with approximately \$300,000 in administrative costs for the program, would in fact mean the Agency has budgeted sufficient funds for this Activity. DOEE confirmed that it anticipates this funding will be sufficient in FY 2021, such that the Agency does not expect to have to turn away applicants due to insufficient funds.

Finally, the agency has proposed reducing funding for CRIAC Relief to \$502,000 in FY 2021. Given the importance of this relief for many residents, non-profits, and other institutions, the Committee raised concerns that reducing funding for this activity could result in the Agency having to turn away eligible applicants due to insufficient funds. This concern was all the greater, given the anticipated increase in the number of residents seeking relief in FY 2021 because of the public health emergency.

To the contrary, DOEE provided information to the Committee that showed that amounts in the relief fund actually far exceed anticipated demand in FY 2021. The CRIAC Relief Fund is non-lapsing, meaning excess amounts in the fund do not revert to the General Fund at the end of the fiscal year. The Agency anticipates spending only \$4,106,096 of the \$10,098,838 in the fund during FY 2020, accounting for any increase in demand. Spending at that level will leave a balance of \$5,992,752 in the fund at the end of the fiscal year; with the \$502,000 proposed in the FY 2021 budget, the fund is anticipated to have a total of \$6,494,752 available to provide relief in the upcoming fiscal year.

DOEE projects that need from the relief fund will be significantly less in FY 2021 than in FY 2020, as it believes the greatest influx of need due to the public health emergency will occur well in advance of the start of FY 2021 in October. The Agency anticipates providing \$2,802,000 in relief to residents in FY 2021, leaving a fund balance of \$3,692,752. Contrary to the Committee’s initial concerns, the Committee believes that the Agency has in fact over-budgeted for CRIAC relief. As currently proposed, a substantial amount of funds would remain in the account, unused, when those funds could be utilized to support other relief for residents or the range of services and programs that are slated to be suspended or reduced in FY 2021. The Committee believes that excess amounts in the CRIAC Relief Fund should be reallocated to support other programs, and that this can be done without affecting the ability of DOEE to provide this important relief to eligible applicants. **Therefore, the Committee recommends reducing (6070) CRIAC Relief Fund by \$3,000,000 in FY 2020 in one-time, local funds.**

Office of Urban Agriculture

In the FY 2020 Budget Support Act, this Committee created the Office of Urban Agriculture within DOEE. This Office supports the Mayor's Sustainable DC 2.0 Plan to put twenty additional acres, including public right of way and rooftops, under cultivation for growing food by 2032. Expanding urban agriculture in the District will increase the amount of fresh, locally-grown produce that is available to District residents, and promote job creation in the agricultural sector. In creating the Office, the Committee moved two existing urban agriculture programs, the urban farming land lease program and the urban farming tax abatement program, to DOEE from DGS.

DOEE worked quickly to get this Office off the ground, and in March 2020 the Mayor appointed its inaugural Director. The Office has already made strides in its management of the land lease program and the tax abatement program, which finally began issuing abatements in FY 2020. It has also served as an effective resource and advocate for the District's urban farmers.

Under existing law, there is a limitation on the amount that DOEE may use on its tax abatement and land lease programs. The Committee has proposed a subtitle for inclusion in the FY 2021 Budget Support Act that would revise this provision to limit tax abatements to \$150,000 per fiscal year; further discussion of the subtitle can be found at page 113 of this report. This revision will allow the Department to realize \$132,000 in revenue that was budgeted toward the abatement program but has not been in use. Because the abatement funds are not being applied fully, the Committee believes that it is appropriate for these funds to be available to support the Office of Urban Agriculture's other programming.

In February 2020, the Council passed B23-0390, the Urban Farming Land Lease Amendment Act of 2019, which revised the Office's duties to include issuing grants to urban farmers in the District for infrastructure and operating support, and performing soil testing for the land lease program. To fund this bill, and to ensure that the Office is amply equipped to give farmers the assistance and resources they need to establish and expand their operations, **the Committee increases (1090) Performance Management by \$132,000 in recurring funds and 1.0 FTE. This includes \$75,548 in FY 2021 and \$303,467 over the financial plan for the FTE. Of the remaining funds, \$3,000 is to go toward soil testing and the balance is to go to grants.** This funding is redirected from the \$132,000 in revenue that is realized through the Urban Agriculture Funding subtitle. To further support the Office's grant program, **the Committee also provides \$64,600 in one-time funds for additional grants in FY 2021.**

Capacity Market Withdrawal Feasibility Study

In the District, getting electricity to a home typically involves four parts: (1) generation, (2) transmission, (3) distribution, and (4) load-serving entities ("LSEs"), who resell energy from the wholesale market to retail customers. PJM manages the transmission network and administers the markets where generators and LSEs transact.

To ensure there is sufficient energy available when demand is highest (in the summer), PJM runs a capacity market. LSEs pay resources—which include generators of energy, such as power plants, and certain types of customers—to be available to provide energy to the grid, or reduce consumption, in three years' time; these resources collectively can provide more energy than needed to meet peak demand. To decide which resources are selected to receive capacity payments, PJM holds an annual auction. First, PJM announces it needs a certain number of megawatts to meet peak demand (again, in three years). Second, resources competitively bid into the auction, typically based on their cost of operation. Finally, PJM accepts bids, from cheapest to most expensive, until it has satisfied demand. The rate paid to all resources is the “clearing price,” or the most expensive accepted bid.

In December 2019, The Federal Energy Regulatory Commission ("FERC") issued *Calpine Corporation, et al. v. PJM Interconnection, L.L.C.*, an order changing how PJM could value a resource's bid if the resource receives a state subsidy. The decision came in response to older, traditional resources' complaint that capacity market prices were being distorted by resources receiving state subsidies—typically, renewables supported by state clean energy initiatives. Under the new order, nearly all state-subsidized resources will be subject to the Minimum Offer Price Rule (MOPR), which sets a price floor for those particular resources when attempting to sell capacity on the market; other resources can bid at cost. This price floor will counteract the value of the subsidy, making renewable resources less competitive.

As a result of this decision, it is likely that fewer renewables will clear the auction, reducing climate change mitigation efforts. In addition, as the District has strict renewable energy use requirements, where renewables are required to bid into the market at artificially high levels, the District may end up paying more for energy; these costs will ultimately be passed on to ratepayers. Some estimates have suggested that, across PJM territory, this order could raise market costs from between \$2.4 and \$8 billion. FERC's decision will hinder incentives intended to bring new renewables online, while favoring older resources, including those based on fossil fuels.

One option available to the District, and other jurisdictions in PJM territory, is withdrawal from PJM's capacity market. Withdrawal would allow the District and any partnering jurisdictions direct control over which resources they procure energy from. However, withdrawal from the PJM market would likely have costs. Obtaining capacity outside of a large central market means reduced efficiencies and the potential for increased costs for ratepayers. PJM also monitors market manipulation and enforces penalties against resources, and withdrawal from the PJM market would leave jurisdictions without those protections for at least the short-term.

The Committee believes it prudent for the District to move quickly to get a full understanding of the effect of FERC's decision, and what actions the District could take to mitigate any negative consequences. To that end, the Committee recommends that DOEE undertake a study to evaluate the viability of the District withdrawing from the PJM capacity market, including costs to ratepayers, the effect on the District's ability to meet its clean energy goals, and the feasibility of joining with other jurisdictions to procure capacity. This study will assist the Council in deciding whether legislation mandating the District exit from

the market is advisable, and a process for doing so. **Therefore, as reflected in the Committee's recommendations for the Budget Support Act at page 108, the Committee recommends increasing CSG 50 in (6060) Policy and Compliance by \$100,000 in FY 2021 in one-time, local funds for DOEE to conduct a study on advantages and disadvantages of the District withdrawing from the PJM capacity market.**

Ivory and Horn Trafficking Prohibition Act of 2020

On April 7, 2020, the Council passed the Ivory and Horn Trafficking Prohibition Act of 2020. Elephant and rhinoceros poaching has been a global problem for decades and, after China, the United States fosters one of the largest ivory markets in the world. In a state by state analysis, the World Wildlife Fund found that the District of Columbia had the largest ivory market of any other state and in 2017 the National Geographic dubbed the District as the nation's hub for ivory sales.

The "Ivory and Horn Trafficking Prohibition Act of 2020" bans the import, sale, offer for sale, purchase, barter, or possession (with intent to sell) of ivory and rhinoceros horns in the District. It includes exemptions for certain antiques and musical instruments, as well as for transfers to scientific or educational institutions and to beneficiaries of an estate. This legislation supplements and supports previous federal action to diminish the country's participation in the international ivory and horn trade and ensures that the District will not financially contribute to the inhumane slaughter of these endangered species.

Under this legislation, DOEE will need to hire a new investigator to enforce the bill and identify funding to test any materials that are uncovered through enforcement actions. This new FTE will cost \$93,000 in FY 2021 and \$290,000 over the four-year financial plan period. **To support this new FTE, the Committee accepts \$93,000 in FY 2021, \$93,261 in FY 2022, \$93,526 in FY 2023, and \$93,794 in FY 2024 from the Committee on Judiciary and Public Safety, and recommends increasing (2080) Watershed Protection in Comptroller Object 125 by \$75,610 in FY 2021 and \$302,440 across the financial plan, and in Comptroller Object 147 by \$17,390 in FY 2021 and \$71,141 across the financial plan.** The \$50,000 in recurring funds to cover the costs of testing is included in the budget of the Department of Forensic Sciences, as reflected in the budget report of the Committee on Judiciary and Public Safety.

CAPITAL BUDGET ANALYSIS

The Mayor's proposed FY 2021 – FY 2026 capital budget request for DOEE is \$46,277,000. This represents a decrease of \$25,900,000 from the Agency's FY 2020 – FY 2025 approved capital budget. The Capital Budget reflects delayed funding for capital projects as a short-term cost-reduction measure.

Kingman Island Education Center

This capital project funds educational and recreational improvements at Kingman & Heritage Islands, and planning for Phase 1 of the Education Center is underway. In FY 2020, DOEE anticipates contracting for both the design of a Master Park Plan and construction

services; the Agency believes that this design and construction work will cost \$4,700,000—the full funding provided for the project in the CIP—and take four years to complete. The Agency has proposed delaying \$2,000,000 in funding for the project from FY 2021 to FY 2022, which will better align funding for this project with timing of actual expenditures. It is the Committee’s understanding that Phase 2 of the project will cost \$6,300,000; however, the cost of Phase 2 is not included in the current CIP, and DOEE anticipates that a final determination of those costs will be included in future budget proposals. The Committee urges DOEE to identify funding for Phase 2 of this project, ideally with that funding loading concurrent to or immediately following Phase 1.

Hazardous Material Remediation

This project involves identifying, characterizing, and developing a cleanup plan to dredge or mitigate the effects of sediment buildups along the Anacostia River. DOEE has proposed reducing funding for this project in FY 2021 and 2022 by \$8,000,000 and in FY 2023 and 2024 by \$2,500,000, while increasing funds in FY 2025 and 2026 by \$10,000,000 and \$11,000,000, respectively; as a result, the project would see no net change in funding. The Committee expressed concerns about the proposed delays to funding for this important mitigation project and was assured by DOEE that these changes will not adversely affect the project’s timeline or overall cost and will allow it to stay on track to complete the Anacostia River Sediment Project according to the timeline required by legislation. The Committee also notes that there is a substantial allotment balance of \$17,929,164 in this project, which DOEE can use to complete work under this project now. DOEE also noted to the Committee that it intends to revisit this timeline in subsequent CIP formulations, if necessary.

The Committee recommends adoption of the Mayor’s proposed FY 2021 – FY 2026 capital budget.

POLICY RECOMMENDATIONS

The Committee recommends that the Agency adopt the following policy changes:

- 1. Assess, Coordinate, and Track Sustainability Energy Project Investment Programs and Initiatives*

The Committee was very pleased to see the Green Finance Authority officially launch last fall; since that time, the Authority has brought on its first full board, hired a Chief Executive Officer, and even begun to offer financial products. Through these products, the Authority will leverage public funds to incentivize large-scale, private financial investment in sustainable energy projects, setting the stage for a dramatic increase in the District’s investment in energy efficiency and renewable energy.

These large scale investments in sustainability projects facilitated by the Authority will complement the slow-but-steady grant and subsidy-based programs administered by DOEE and the DC Sustainable Energy Utility (“DCSEU”). The Authority should shortly, if not already, be taking over the Property Assessed Clean Energy, or PACE, program, which

provides affordable, long-term funding for sustainability building upgrades, and has been administered by DOEE to date. Separately, through the Solar for All Program, the District provides low-to-moderate income families with access to the benefits of solar energy, through the installation of solar infrastructure on single family homes and through community solar projects. In addition to these larger-scale programs, DOEE administers a number of other sustainability and weatherization programs, and the DCSEU provides a range of support for energy-efficiency at residential and commercial properties through rebate program, energy audits, and efficiency funds. Whereas the District has, to date, provided a range of incentives for residents and commercial entities to invest in energy efficiency and sustainability measures, those will soon be coupled with enforcement of our Building Energy Performance Standards, as well.

These energy sustainability programs are in addition to, or may include, stormwater abatement measures, such as the various offerings under DOEE's RiverSmart program, and even the District Department of Transportation's Urban Forestry Division's tree planting schedule. These sustainability programs, although not focused on energy efficiency, are similarly important to our efforts to reduce our effect on the environment, and empower residents to make a difference on their own property.

The Committee recounts the above to note the incredible number of sustainability programs offered by the District, but also the range of District agencies and entities involved in offering those programs. With the Green Finance Authority's formal launch comes autonomy for the new agency. Similarly, DOEE, DCSEU, DDOT, and other District agencies with these kinds of programs work to a great extent independent of one another, all while pursuing similar goals.

These programs are essential to the District's efforts to combat climate change, promote sustainability and energy efficiency, and reduce pollution of our waterways. To reach the District's goal of 100% carbon neutrality by 2050, as well as the District's other sustainability goals, we must work to maximize our returns on investment. A key first step to that effort is ensuring the District government, as a whole, is working in tandem. The Committee is concerned that the current scheme has a half dozen agencies working toward the same goals, but without a coordinated plan to ensure agencies are complementing and building on each others work.

As the agency that serves as the leading authority on energy and environmental issues affecting the District of Columbia, the Committee looks to DOEE to take the lead on this coordination. The Committee encourages the Agency to coordinate directly with the Authority, DCSEU, DDOT, and other relevant agencies to ensure each agencies' programming reflects and complements the work being done by others. In addition, the Committee looks to DOEE to more broadly assess the efficacy of current programs; certainly, certain programs or initiatives produce greater return on investment, and DOEE should work closely with other agencies to identify how each funding dollar spent contributes to our sustainability goals; similarly, the Agency should assess where programs are duplicative or otherwise a less efficient use of public dollars. The Committee offers to work closely with the Agency on this work, and provide any assistance, guidance, or other support necessary.

F. GREEN FINANCE AUTHORITY (KB)

FY 2021 Operating Budget, By Revenue Type						
Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth	
Enterprise and Other Funds	0	22,000,000	0	22,000,000	N/A	
GROSS FUNDS	0	22,000,000	0	22,000,000	N/A	

FY 2021 Full-Time Equivalents, By Revenue Type						
Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth	
Enterprise and Other Funds	0.0	12.0	0.0	12.0	N/A	
GROSS FTES	0.0	12.0	0.0	12.0	#DIV/0!	

FY 2021 Operating Budget, By CSG (Gross Funds)						
Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth	
11 - Regular Pay - Cont Full Time	0	1,287,759	0	1,287,759	N/A	
14 - Fringe Benefits - Curr Personnel	0	309,062	0	309,062	N/A	
Personal Services (PS)	0	1,596,821	0	1,596,821	N/A	
50 - Subsidies and Transfers	0	20,403,179	0	20,403,179	N/A	
Nonpersonal Services (NPS)	0	20,403,179	0	20,403,179	N/A	
GROSS FUNDS	0	22,000,000	0	22,000,000	N/A	

FY 2021 Operating Budget, By Program (Gross Funds)						
Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	Green Finance Authority	0	22,000,000	0	22,000,000	N/A
GROSS FUNDS		0	22,000,000	0	22,000,000	N/A

AGENCY OVERVIEW

The mission of the Green Finance Authority is to serve to increase private investment in clean energy, clean transportation, clean water, stormwater management, energy efficiency, water efficiency, and green infrastructure projects in the District of Columbia. The Authority, commonly referred to as the Green Bank, first received funding in FY 2020. During that first year, the Mayor nominated, and the Council approved, the Authority's first Board of Directors, and the Board hired the Authority's first Chief Executive Officer. Throughout FY 2020, the Authority worked to recruit program staff, identify office space, and develop processes and protocols to offer a variety of financial products targeted toward home or business owners, or other financial providers, such as retail and investment banks; the Authority was able to offer its first products in summer 2020.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The Green Finance Authority's proposed FY 2021 budget is \$22,000,000. In Fiscal Year 2020, the Authority's budget was incorporated in the budget for the District Department of Energy and the Environment ("DOEE"). In FY 2020, DOEE's budget included \$15,000,000 that was budgeted for the Green Finance Authority; as such, the agency's FY 2021 budget represents an increase of \$7,000,000 over FY 2020 proposed levels.

The Green Finance Authority's budget is made up entirely of Enterprise funds. Pursuant to B22-257, the Green Finance Authority Establishment Act of 2018, \$7,000,000 from the Renewable Energy Development Fund shall be transferred to the Fund annually for 5 years. The growth in the Agency's FY 2021 budget is a product of that mandate.

The Committee recommends adoption of the Mayor's FY 2021 operating budget as proposed.

POLICY RECOMMENDATIONS

The Committee offers no policy recommendations for FY 2021.

G. DEPUTY MAYOR FOR OPERATIONS & INFRASTRUCTURE (KO)

FY 2021 Operating Budget, By Revenue Type					
Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	1,303,632	1,297,578	0	1,297,578	-0.5%
GROSS FUNDS	1,303,632	1,297,578	0	1,297,578	-0.5%

FY 2021 Full-Time Equivalents, By Revenue Type					
Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Local Funds	8.0	8.0	0.0	8.0	0.0%
GROSS FTES	8.0	8.0	0.0	8.0	0.0%

FY 2021 Operating Budget, By CSG (Gross Funds)					
Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
11 - Regular Pay - Cont Full Time	818,115	982,727	0	982,727	20.1%
14 - Fringe Benefits - Curr Personnel	204,529	245,682	0	245,682	20.1%
Personal Services (PS)	1,022,644	1,228,408	0	1,228,408	0
20 - Supplies and Materials	41,000	40,997	0	40,997	0.0%
40 - Other Services and Charges	194,988	0	0	0	-100.0%
70 - Equipment & Equipment Rental	45,000	28,173	0	28,173	-37.4%
Nonpersonal Services (NPS)	280,988	69,170	0	69,170	(1)
GROSS FUNDS	1,303,632	1,297,578	0	1,297,578	-0.5%

FY 2021 Operating Budget, By Program (Gross Funds)						
Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
2000	Dep Mayor for Operations & Infrastructure	1,303,632	1,297,578		1,297,578	-0.5%
	GROSS FUNDS	1,303,632	1,297,578	0	1,297,578	-0.5%

AGENCY OVERVIEW

The mission of the Office of the Deputy Mayor for Operations and Infrastructure (DMOI) is to support the Mayor to ensure a strong and sustained District government focused on maintaining, strengthening, and investing in the District's infrastructure (built and natural environment) and delivering high-quality government services to residents, non-residents, and businesses.

The agencies under DMOI's purview include the Department of Consumer and Regulatory Affairs, the Department of Energy and the Environment, the Department of For-Hire Vehicles, the Department of Insurance, Securities, and Banking, the Department of Motor Vehicles, the Department of Public Works, and the District Department of Transportation. As with other deputy mayors, DMOI's purpose is to assist the Mayor and the City Administrator in coordinating the day-to-day operations and decision-making for the

agencies under its jurisdiction, as well as managing projects that overlap among the agencies in the cluster.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 Operating Budget for DMOI is \$1,297,578, a 0.5% reduction from last year's approved amount of \$1,303,632. This funding supports 8.0 Full-Time Equivalents (FTEs). DMOI's FY 2021 budget remains largely the same as FY 2020, aside from some decreases in discretionary spending.

DMOI's 8.0 FTEs include the Deputy Mayor, Chief of Staff, Executive Assistant, Legislative Advisor, Senior Policy Advisor, Budget and Data Analyst, Public Information Officer, and Program Analyst. These FTEs account for \$1,228,417 in Personal Services funds. The remaining \$69,161 is in Non-personal Services funds, which cover costs related to operating the office, such as supplies, contracting costs, and travel.

The Committee recommends adoption of the Mayor's FY 2021 operating budget as proposed.

CAPITAL BUDGET ANALYSIS

The Mayor's proposed FY 2021 – FY 2026 capital budget includes no request for DMOI. The Committee recommends adoption of the Mayor's FY 2021 – FY 2026 capital budget as proposed.

POLICY RECOMMENDATIONS

The Committee recommends that the Agency adopt the following policy changes:

- 1. Create a Central Database where Transit and Transportation Data Could be Housed and Analyzed*

It has become increasingly clear that adopting and adjusting transportation policies will require the evaluation and analysis of vast amounts of data. As it stands, our government receives data from Transportation Network Companies, taxicabs, WMATA, scooter companies, and our own databases that deal with licensing, tickets, adjudications, and more. All of these points of data currently feed into different databases and, in many instances, simply sit, waiting for someone to plumb their meaning. The Committee believes that this data, especially when aggregated and analyzed, could reveal trends that could and should inform transportation policy.

In most instances, this information is considered on an ad hoc basis. For example, the Council adopted the Repeat Parking Violations Amendment Act of 2017 (L22-0298) which has yet to be affected because it requires the PEMA officers who are writing tickets the ability to ping, in real time, the DMV database that has adjudication information and whether a particular license plate has previously been found liable for the same offense. Some technical fix will come along to resolve this disconnect, or the Council will be called

upon to authorize more funding to do so. But this is a problem likely to be repeated. The discrete cabins of information that exist within each of these agencies are, in fact, all ultimately data points related to how our transportation systems and the people who use them work.

The Committee therefore encourages the Agency to consider creating a central database, where all kinds of transit and transportation data could be housed. A management team could thus do both routine queries (e.g. annual reports that the Council mandates) and one-off analyses either at the behest of agencies or the Council. Although there would be substantial up-front costs, there would be long-term savings; one- or two-year contracts with various vendors to analyze things like congestion or curbside management will cost more in the long run. Indeed, measures before the Committee right now, including measures related to Vision Zero, call for substantial analyses of data that will be difficult to do in isolation and will be of much greater use if done in concert across the DMOI cluster. Although the funding does not exist in this budget to create such a team, the Committee encourages the Deputy Mayor to begin planning for such an effort in the future.

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H. HIGHWAY TRANSPORTATION FUND - TRANSFERS (KZ)

FY 2021 Operating Budget, By Revenue Type					
Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Dedicated Taxes	26,298,000	24,642,000	0	24,642,000	-6.3%
Special Purpose Revenue Funds	0	5,000,000	0	5,000,000	N/A
GROSS FUNDS	26,298,000	29,642,000	0	29,642,000	12.7%

FY 2021 Operating Budget, By CSG (Gross Funds)					
Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
50 - Subsidies and Transfers	26,298,000	29,642,000	0	29,642,000	12.7%
Nonpersonal Services (NPS)	26,298,000	29,642,000	0	29,642,000	12.7%
GROSS FUNDS	26,298,000	29,642,000	0	29,642,000	12.7%

FY 2021 Operating Budget, By Program (Gross Funds)						
Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	Transfer Tax to Highway Trust Fund	26,298,000	29,642,000	0	29,642,000	12.7%
GROSS FUNDS		26,298,000	29,642,000	0	29,642,000	12.7%

AGENCY OVERVIEW

The Highway Transportation Fund – Transfers (HTF-T) is a paper agency that records the transfer of motor fuel tax and a portion of rights-of-way revenue from the District's General Fund to the Highway Trust Fund.

Approximately 199 of the District's bridges and 400 miles of District streets and highways are eligible for federal assistance. The Federal Highway Administration (FHWA) administers the Federal-Aid Highway Program and reimburses DDOT for eligible expenditures related to approved highway projects according to cost-sharing formulas that are established by federal law. The District's share of eligible project costs is funded with the local HTF-T.

OPERATING BUDGET ANALYSIS & RECOMMENDATIONS

The proposed HTF-T budget for FY 2021 is \$29,642,000, which represents a 12.7% increase from the FY 2020 approved budget of \$26,298,000. The FY 2021 budget proposal for Dedicated Taxes reflects a decrease of \$1,656,000 to align the budget with revenue projections for the motor fuel tax. This decrease is based on the requirements for the transfer of revenue generated from the motor fuel tax, as certified by the Office of Revenue Analysis, to the Highway Trust Fund. The proposed budget for Special Purpose Revenue Funds reflects an increase of \$5,000,000 due to a change in the estimated Rights-of-Way revenue contribution to the Highway Trust Fund for FY 2021.

The Committee recommends adoption of the Mayor's FY 2021 operating budget as proposed.

POLICY RECOMMENDATIONS

The Committee offers no policy recommendations for FY 2021.

I. DC WATER (LA)

FY 2021 Operating Budget, By Revenue Type

Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Enterprise and Other Funds	614,523,000	642,663,000	0	642,663,000	4.6%
GROSS FUNDS	614,523,000	642,663,000	0	642,663,000	4.6%

FY 2021 Operating Budget, By CSG (Gross Funds)

Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
11 - Regular Pay - Cont Full Time	123,293,000	128,287,000	0	128,287,000	4.1%
14 - Fringe Benefits - Curr Personnel	39,303,000	41,422,000	0	41,422,000	5.4%
15 - Overtime Pay	8,084,000	8,154,000	0	8,154,000	0.9%
Personal Services (PS)	170,680,000	177,863,000	0	177,863,000	4.2%
20 - Supplies and Materials	33,157,000	36,081,000	0	36,081,000	8.8%
30 - Energy, Comm. and Bldg Rentals	26,953,000	27,910,000	0	27,910,000	3.6%
40 - Other Services and Charges	34,929,000	36,250,000	0	36,250,000	3.8%
41 - Contractual Services - Other	81,886,000	88,533,000	0	88,533,000	8.1%
50 - Subsidies and Transfers	22,034,000	22,372,000	0	22,372,000	1.5%
70 - Equipment & Equipment Rental	989,000	1,030,000	0	1,030,000	4.1%
80 - Debt Service	243,895,000	252,624,000	0	252,624,000	3.6%
Nonpersonal Services (NPS)	443,843,000	464,800,000	0	464,800,000	4.7%
GROSS FUNDS	614,523,000	642,663,000	0	642,663,000	4.6%

FY 2021 Operating Budget, By Program (Gross Funds)

Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	WASA	614,523,000	642,663,000	0	642,663,000	4.6%
	GROSS FUNDS	614,523,000	642,663,000	0	642,663,000	4.6%

AGENCY OVERVIEW

The mission of the District of Columbia Water and Sewer Authority (DC Water), as stated in its authorizing statute, is to “plan, design, construct, operate, maintain, regulate, finance, repair, modernize, and improve water distribution and sewage collection, treatment, and disposal systems and services, and to encourage conservation.” DC Water ensures that District residents have safe drinking water, manages wastewater collection and treatment, and manages the District’s 9,500 fire hydrants. Each year, DC Water provides these services to more than 700,000 District residents and over 22,000,000 annual visitors.

DC Water is governed by a Board of Directors consisting of eleven principal and eleven alternate members. Six principal members and six alternate members are appointed by the Mayor with the advice and consent of the Council; the other members represent Montgomery and Prince George’s counties in Maryland and Fairfax County in Virginia. Although the DC Water Board of Directors has representation from the entire region, only the members from the District establish the rate policies. Following approval by the Board of

Directors, DC Water submits its annual operating and capital budgets to the Mayor and to the Council for inclusion in the District's budget. Although the Mayor and Council can review and comment on DC Water's budget, neither has the authority to change it.

DC Water provides core services in five main categories. DC Water manages: **Drinking Water Treatment and Distribution** with the U.S. Army Corps of Engineers Washington Aqueduct by collecting water from the Potomac River, treating the water to exceed federal drinking water requirements, and distributing the drinking water through 1,300 miles of underground pipes to individual homes and other buildings; **Wastewater Collection**, which consists of 1,800 miles of sanitary and combined sewers, sixteen stormwater stations, 75,000 catch basins and manholes, and nine wastewater pumping stations that carry wastewater to the Blue Plains treatment facility; **Wastewater Treatment** for wastewater from the District, Maryland, and Virginia at Blue Plains, the largest treatment plant of its kind in the world; **Stormwater**, through 25,000 catch basins which remove more than twenty-three tons of debris from stormwater each day, and through the Clean Rivers Project, a large infrastructure project which will reduce combined sewer overflows due to stormwater; and **Fire Hydrants** to protect public safety.

BUDGET SUMMARY & RECOMMENDATIONS

DC Water's proposed FY 2021 budget is \$642,663,000 which represents an increase of 4.6% from the FY 2020 gross budget of \$614,523,000. DC Water's budget is made up entirely of Enterprise funds raised by DC Water. The growth in the Agency's FY 2021 budget is due to an increase of \$10,569,000 for programmatic operation goals, and increase of \$8,729,000 in debt service costs, an increase of \$7,183,000 in personal services to maintain its high-performance workforce, and an increase of \$1,659,000 in fixed costs.

The Committee recommends adoption of the Mayor's FY 2021 operating budget as proposed.

POLICY RECOMMENDATIONS

The Committee recommends that DC Water adopt the following policy changes:

1. Enhance Consumer Protection and Transparency

The number of District residents facing significant financial hardship has grown over the past several months as a result of the public health emergency. As a result of employment insecurity, many residents are facing difficulty paying rent and other obligations, including monthly utility bills. The Committee wants to recognize DC Water for the quick, significant relief it provided to ratepayers after the public health emergency began, including reconnecting lines that had been previously disconnected due to non-payment and halting terminations of service as a result of delinquency during the public health emergency, even before the Council passed emergency legislation requiring the Agency to do so. The Committee was also appreciative of DC Water's support of emergency legislation requiring DC Water, among other utilities, to offer payment plans to tenants who

are behind on their payments due to the public health emergency. The Committee hopes that DC Water continues to work with ratepayers during the public health emergency and in the months and years following to ensure the Agency is providing meaningful relief to ratepayers in need.

In its post-hearing responses following the FY 2020 oversight hearing, DC Water provided some additional information on the Committee's request for information regarding the Agency's recent work to increase transparency and responsiveness to ratepayer need. DC Water has implemented a number of policies and programs to better facilitate ratepayer feedback, including a data portal for customers, town hall meetings in every Ward, a stakeholder alliance representing advocates and representatives from organizations across the District, and various other initiatives. The Committee hopes to see these programs continue to be supported and expanded, and that DC Water maintains sufficient personnel to handle and respond to ratepayer inquiries and complaints in a timely fashion.

Earlier this year, the Committee introduced the District of Columbia Water and Sewer Authority Transparency and Amendment Act of 2020. This legislation aims to enhance agency transparency and customer responsiveness in several areas, and codify existing best practices in others. The Committee looks forward to working with DC Water, the Office of People's Counsel, residents, and advocates to fine-tune this legislation. The Committee notes, again, that some of the items in this legislation reflect current practices, though some only recently adopted. The Committee believes codifying these changes is important, even where they are current practices of the Agency, not only to ensure that these transparency and consumer protection measures are maintained in future years, but also to make clear to ratepayers what protections and rights are available to them. That being said, the Committee welcomes recommendations to address any gaps, inconsistencies, or other concerns with the legislation, as introduced.

2. Report on Effect of the Public Health Emergency on the Clean Rivers Project

The District of Columbia is served, in part, by a combined sewer system that conveys both waste and stormwater from the District to the Blue Plains Treatment Plant. During storms or other high-volume events, however, the sewer system can be overwhelmed, causing combined sewer overflows (CSO) that cause a portion of that waste and stormwater to be carried, untreated, into the District's waterways. This untreated overflow has a direct effect on the District's water quality and poses a risk to the health of residents. In 2005, the District and DC Water entered into a consent decree with the U.S. Environmental Protection Agency to address this issue—specifically, by taking steps to reduce the District's CSOs by 96% by 2030. The federally mandated \$2.7 billion Clean Rivers Project includes constructing underground storage tunnels to prevent untreated sewage and stormwater runoff from entering the Anacostia River, Potomac River, and Rock Creek. It also includes constructing green infrastructure projects around the District to decrease stormwater runoff. Funding for this work is paid for, in part, by a fee on ratepayers' monthly bills.

As noted in the Committee's discussion of the proposed budget for the Department of Energy and the Environment, DC Water projects that revenues in the Stormwater Permit Review Fund ("SPRF") will be 25% less than anticipated in FY 2021; this anticipated

reduction in revenue stems from an increase in the number of ratepayers with delayed or unpaid water bills due to the public health emergency. Like the Clean Rivers Impervious Area Charge, revenue in the SPRF comes from a fee on ratepayer's bills. Where DC Water anticipates a reduction to SPRF, it seems logical that there would be an equal reduction in revenues for the Clean Rivers Project.

Although these amounts may be recovered during the fiscal year, as ratepayers with amounts owed provide DC Water with payment, it is unclear how much if any revenue DC Water anticipates not recovering. More importantly, it is unclear what if any effect this lost revenue will have on the Clean Rivers Project. The Committee asks DC Water to provide information to the Committee on the following:

- The amount of any anticipated delayed payments of the Clean Rivers Impervious Area Charge
- The amount of any anticipated non-payment of the Clean Rivers Impervious Area Charge
- The anticipated effect on the Clean Rivers Project of any delays or non-payment of CRIAC, including any changes to the project's timeline

J. WASHINGTON AQUEDUCT (LB)

FY 2021 Operating Budget, By Revenue Type					
Fund Type	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
Enterprise and Other Funds	68,712,123	73,139,198	0	73,139,198	6.4%
GROSS FUNDS	68,712,123	73,139,198	0	73,139,198	6.4%

FY 2021 Operating Budget, By CSG (Gross Funds)					
Comptroller Source Group	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
50 - Subsidies and Transfers	68,712,123	73,139,198	0	73,139,198	6.4%
Nonpersonal Services (NPS)	68,712,123	73,139,198	0	73,139,198	6.4%
GROSS FUNDS	68,712,123	73,139,198	0	73,139,198	6.4%

FY 2021 Operating Budget, By Program (Gross Funds)						
Code	Agency Program	FY 2020 Approved	FY 2021 Mayor	Committee Variance	FY 2021 Committee	% Growth
1000	Washington Aqueduct	68,712,123	73,139,198	0	73,139,198	6.4%
GROSS FUNDS		68,712,123	73,139,198	0	73,139,198	6.4%

AGENCY OVERVIEW

The mission of the Washington Aqueduct is to collect, purify, and pump an adequate amount of potable water to the distribution systems managed by DC Water, Arlington County, and the Fairfax Water Authority. The Washington Aqueduct fulfills its mission by (1) providing high quality potable water; (2) providing potable water at an equitable, economical rate; and (3) protecting the consumer from both microbial risks and adverse health effects caused by chemicals in drinking water. Water produced by the Washington Aqueduct treatment plants has consistently met and surpassed all pertinent drinking water standards set by the U.S. Environmental Protection Agency.

The Washington Aqueduct is managed by the U.S. Army Corps of Engineers and governed by a Wholesale Customer Board. The Agency's budget is based on projected revenue earned by selling water to DC Water, Arlington County, and the Fairfax Water Authority. On average, the Washington Aqueduct produces 155,000,000 gallons of water per day at its two treatment plants in the District.

As a federal agency, the Washington Aqueduct is required to have a budget and spending authority for all funds necessary to meet its mission of supplying water to all three jurisdictions. The District budget process is the vehicle used to transmit the Washington Aqueduct's operating budget to Congress. Thus, although the Committee's purview includes the Washington Aqueduct, the Council does not have the legal authority to change its budget.

BUDGET ANALYSIS & RECOMMENDATIONS

The Mayor's proposed FY 2021 gross budget is \$73,139,198, which represents a 6.4% increase from the FY 2020 approved budget of \$68,712,123. This increase reflects an increased investment in capital assets to sustain the infrastructure and improve the reliability and safety of the water treatment system. The increase also reflects an increase in funding for personnel needed to fulfill the mission of the Aqueduct.

The Committee recommends adoption of the Mayor's FY 2021 operating budget as proposed.

POLICY RECOMMENDATIONS

The Committee offers no policy recommendations for FY 2021.

NON-COMMITTEE BUDGET RECOMMENDATIONS

In addition to the changes recommended for agencies within its jurisdiction, the Committee has worked with other Council committees to identify funding needs and recommends providing additional funds to support programs in those other committees as described below.

COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

The Committee recommends transferring the following amount to the Committee on Business and Economic Development:

\$200,000 in one-time local funds to the Department of Small and Local Business Development for a seed grant for the Main Streets Program on Connecticut Avenue in the area of Chevy Chase. The Main Streets Program fosters retail investment in the District by providing services and funding to help communities retain and recruit businesses, improve commercial properties and streetscapes, and attract consumers.

COMMITTEE ON EDUCATION

The Committee recommends transferring the following amounts to the Committee on Education:

\$100,000 in one-time local funds to the State Board of Education to engage in education research projects. The State Board of Education regularly conducts policy research and analysis to support its advisory and approval functions, using funds allocated to the State Board for those purposes. This funding would permit the State Board to expand its research during FY 2021.

\$844,000 in recurring local funds to the Office of the State Superintendent of Education (“OSSE”) to restore cuts in the Mayor’s proposed budget to school breakfast subsidies. Last year, the Council funded the Healthy Students Amendment Act of 2018, which made improvements to school meals with a particular focus on increasing school breakfast participation by increasing subsidies for breakfast meals. The restoration of these funds preserves the increased breakfast subsidy of \$0.20 per healthy breakfast meal served (rather than \$0.10 per meal), as well as the annual subsidy of \$2 per student for schools that implement alternative breakfast serving models.

\$844,400 in one-time local funds to OSSE to restore a cut to Healthy Tots, which subsidizes healthy meals served at childcare facilities. According to the Mayor’s errata letter, this cut was made in error.

\$283,000 in one-time local funds to OSSE for grants to support organizations that provide environmental education programs to District elementary schools as part of the Environmental Literacy Program. This transfer will reinstate funding that was cut for FY 2021 in the Mayor's proposed budget.

\$440,000 in one-time local funds to OSSE to support grants established by the Healthy Schools Act, including grants for physical activity, nutrition education, and school gardens. OSSE has previously relied on Healthy Schools Fund balance to fund the Healthy Schools grant programming. This transfer will support these programs as no Fund balance is available in FY 2021.

\$480,000 in recurring local funds to OSSE to increase the annual amount of sales tax revenue dedicated to the Healthy Schools Fund. This increase will ensure that the Fund has sufficient funds to support Healthy Schools Act programming. In particular, it will rectify an omission in the FY 2020 Budget Support Act that left \$400,000 in recurring revenue out of the Fund. This increase, along with the restoration of breakfast subsidies, above, will fund a BSA subtitle proposed by the Committee that would increase the annual amount of sales tax revenue dedicated to the Healthy Schools Fund from \$5,110,000 to \$5,590,000.

COMMITTEE ON GOVERNMENT OPERATIONS

The Committee recommends transferring the following amount to the Committee on Government Operations:

\$200,000 in recurring local funds to the Office of Human Rights to award a contract for housing testing for discrimination based on source of income. It is illegal under the District's Human Rights Act to discriminate against a potential tenant because the tenant would pay all or a portion of the rent using a housing voucher; however, voucher recipients report that some landlords refuse to rent to prospective tenants who have a voucher. This contract will allow the District to proactively identify landlords who would discriminate against voucher recipients through the use of testers.

COMMITTEE ON HEALTH

The Committee recommends transferring the following amounts to the Committee on Health:

\$75,000 in one-time local funds to DC Health to conduct targeted outreach to WIC-eligible families not enrolled in WIC. The Special Supplemental Nutrition Assistance Program for Women, Infants, and Children (commonly known as WIC) provides nutritious foods, breastfeeding support, nutrition education and counseling, and health care referrals to low-income pregnant and post-partum women, infants, and children up to age five. Currently, many eligible families in the District do not access their WIC benefits; in FY 2019, DC returned over half a million dollars to USDA in unused food benefits due to low enrollment.

These funds would support targeted outreach to WIC-eligible families not currently enrolled in the program.

\$500,000 in one-time local funds to DC Health to supplement the animal care and control contract. The current provider of this contract provides animal control and humane law enforcement services, operates an open admission shelter system, and assists the public in a wide range of animal-related services. This funding will enable the contract recipient to maintain current staffing levels and provide critical services that include the 24-hour emergency hotline, overnight animal control services, emergency euthanasia services, overnight shelter staffing, and maintaining the current levels of shelter capacity.

COMMITTEE ON HOUSING AND NEIGHBORHOOD REVITALIZATION

The Committee recommends transferring the following amounts to the Committee on Housing and Neighborhood Revitalization:

\$215,000 in one-time local funds to the Department of Aging and Community Living (“DACL”) for senior financial intervention services. These funds will support financial social work interventions with adults 60 years and older with memory loss and other cognitive impairments, including in-home assessments, service plans, representative payee, and other money management support.

\$200,000 in one-time local funds to DACL to support programming at a senior center that provides comprehensive health and social services to senior adults living in isolation or within a family context, with a focus on serving seniors who speak a language other than English.

COMMITTEE OF THE WHOLE

The Committee recommends transferring the following amounts to the Committee of the Whole:

\$25,000 in recurring local funds to the Metropolitan Washington Council of Governments (MWCOG) to support the Regional Food Systems Program’s efforts to expand MWCOG’s work on the regional food and agriculture system. Like other regional issues such as water supply, the food and agriculture system’s interconnectedness often demands a regional response. These recurring funds will allow MWCOG to build stronger connections within the region’s food and farm economy.

\$150,000 in one-time local funds to the Office of Planning to develop a Small Area Plan for the Chevy Chase Neighborhood. Small Area Plans are a development tool used by the Office of Planning to analyze and guide the long-term planning and development of specific areas of the District. As a gateway into the District and with additional planned developments such as the modernization of the Chevy Chase Library and the Chevy Chase Community Center, the Chevy Chase neighborhood is a good candidate for the type of nuanced and individualized planning that can result from a Small Area Plan.

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BUDGET SUPPORT ACT RECOMMENDATIONS

On Monday, May 18, 2020, Chairman Mendelson introduced, on behalf of the Mayor, Bill 23-760, the Fiscal Year 2021 Budget Support Act of 2020. The bill contains four subtitles as to which the Committee on Transportation and the Environment has provided comments. The Committee also recommends the addition of 10 new subtitles. The Committee describes the purpose, fiscal impact, committee reasoning, and a section-by-section analysis for each of the subtitles it recommends for inclusion in the Budget Support Act below, and has attached legislative language for each as Attachment I to this report.

A. RECOMMENDATIONS ON BUDGET SUPPORT ACT SUBTITLES PROPOSED BY THE MAYOR

The Committee provides comments on the following subtitles of the Fiscal Year 2021 Budget Support Act of 2020:

1. Title IV, Subtitle G. Healthy Schools Fund Restoration
2. Title VI, Subtitle B, Section 6014. Special Purpose Revenue Accounts of the Department of Consumer and Regulatory Affairs
3. Title VI, Subtitle D. Pay-By-Phone Transaction Fees Fund
4. Title VI, Subtitle E. Environmental Special Purpose Revenue Accounts

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1. TITLE IV, SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

As proposed by the Mayor, this subtitle would reduce the amount of reimbursement provided to public schools by the Office of State Superintendent of Education (OSSE) for each healthy breakfast served. Schools will be provided \$0.10 per breakfast served instead of the current \$0.20 per breakfast. The subtitle also eliminates the \$2 per student subsidy provided by OSSE to schools that implement an alternative breakfast serving model. The proposed subtitle further reduces the annual amount of sales tax revenue dedicated to the Healthy Schools Fund from \$5,110,000 to \$4,270,000.

The Committee revises this subtitle to maintain the reimbursements for school breakfast and increase the annual amount of sales tax revenue dedicated to the Healthy Schools Fund from \$5,110,000 to \$5,590,000. Because the subtitle no longer revises school meal reimbursements and subsidies, the Committee has renamed the subtitle.

The Committee’s FY 2021 budget provides the funding necessary for this subtitle.

COMMITTEE REASONING

In FY 2020, the Council funded B22-313, the Healthy Students Amendment Act of 2018. This important legislation made several improvements to school meals, with a particular focus on increasing school breakfast participation at the District’s schools. School breakfast reduces hunger, helps families in the District stretch their food budgets, and boosts academic performance. The Council took steps to improve school breakfast in response to input from students and families about the quality of school breakfast. Specifically, the bill increased the local funds going toward breakfast (from 10 cents/meal to 20 cents/meal) to give schools the resources they need to make breakfast appealing and nutritious. It also gave extra funding (\$2/student) to schools implementing an alternative serving model, such as “breakfast in the classroom” or “grab-and-go” meals, as these models have been shown to increase school breakfast participation.

The Mayor’s proposed subtitle would repeal these critical investments entirely, not just in FY 2021, but in perpetuity. Although the Committee understands that the District faces budget constraints this year, it finds it unconscionable that the Mayor would cut funding for meals for low-income students in the middle of a pandemic that has highlighted the importance of health and food equity.

These investments were already critical, but their importance has only increased since the start of the public health emergency, for several reasons. First, as we have seen in the District and across the country, people of color are disproportionately harmed by COVID-19. One of the reasons for these disparate impacts is the higher prevalence of diet-related disease among certain populations that exacerbates the risk of COVID-19 complications. For example, Black District residents are seven times more likely than white residents to have diabetes. Evidence suggests that these conditions are emerging in school-age children. The school breakfast program provides free meals to low-income children with the intent of

improving health outcomes; thus, cutting funding for these meals will disproportionately harm students of color and low-income students at time when these populations face heightened health risks. In addition, we expect to see an increase in food insecurity due to the economic impact of the pandemic. The Committee strongly opposes defunding efforts to increase school breakfast participation at a time when rates of food insecurity are expected to increase. Finally, the ReOpen DC report specifically recommends that schools hold breakfast (and lunch) periods in student classrooms, to minimize exposure to the virus by reducing or eliminating transitions between classes. The Healthy Students reimbursements provide extra funding for schools that implement breakfast-in-the-classroom models, which will help schools address these recommendations. Thus, the Committee recommends preserving the breakfast reimbursements funded by the Council last year.

In addition to preserving the breakfast reimbursements, the Committee would revise the subtitle to increase the annual amount of sales tax revenue dedicated to the Healthy Schools Fund. The Fund is used for several Healthy Schools Act grants, including those dedicated to school gardens, nutrition education, and environmental literacy. In past years, OSSE has relied on fund balance to offer these grants. Because outlays now exceed revenue in the Fund, there is no longer fund balance to support this programming. In addition, the increase in annual revenue dedicated to the fund in FY 2020 appears to have excluded funds that were dedicated to the Fund in FY 2018 to fund new wellness grants. To increase the amount available for grants and to correct the omission in FY 2020, the Committee proposes revising the subtitle to increase the annual amount going to the Healthy Schools Fund by \$480,000, to \$5,590,000.

SECTION-BY-SECTION ANALYSIS

Sec. 4061. Short Title.

Sec. 4062. Amends the Healthy Schools Act of 2010 to increase the annual amount of sales tax revenue dedicated to the Healthy Schools Fund from \$5,110,000 to \$5,590,000.

2. TITLE VI, SUBTITLE B, SECTION 6041. SPECIAL PURPOSE REVENUE ACCOUNTS OF THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

As proposed by the Mayor, this section would amend the Green Building Act of 2006 to include the costs of abating nuisance properties and housing code violations, and the costs to the agency to make green building materials accessible to low-income residents, among permissible uses of funds in the Green Building Fund. The Committee's recommendation would limit expansion of uses of the fund to cover costs to make green building materials accessible to low-income residents.

The fiscal impact of this subtitle is incorporated into the proposed FY 2020 – FY 2023 budget and financial plan.

COMMITTEE REASONING

The Council established the Green Building Fund in 2007 through the Green Building Act. Under the Act, the fund is intended to be used solely to advance the development of green and high-performance buildings in the District. The Act specifically states:

“The purpose of the Fund is to streamline administrative green building processes, improve sustainability performance outcomes, build capacity of development and administrative oversight professionals in green building skills and knowledge, institutionalize innovation, overcome barriers to achieving high-performance buildings, and continuously promote the sustainability of green building practices in the District.”

To that end, the fund's current permissible uses include funding staff at DCRA to provide technical assistance, monitoring, and other responsibilities related to implementation of programs under the Green Building Act, research and development of green building practices, education, training, outreach, and other green initiatives, and seed support for demonstration projects. The Act also supports grants.

The Mayor's subtitle purports to expand the permissible uses of the Fund to include abating nuisance properties and housing code violations. There is simply no nexus between the purpose of the Fund and these abatement activities. Utilizing Green Building Fund dollars for these purposes would run contrary to the explicit, stated purpose of the Fund, and risks the Fund being depleted on costs wholly unrelated to sustainability and green building processes. If the Executive anticipates increased need for funding at DCRA to support abatement of nuisance properties and housing code violations, the Committee encourages the Executive to identify general fund dollars for that purpose. As such, the Committee recommends striking subsection (f) from this subtitle.

It is the Committee's belief that DCRA already has the authority to make green building materials accessible to low-income residents, as described under subsection (g). However, where the Agency is concerned its authority is limited in this regard, the Committee supports clarifying the Act's language to make clear that DCRA may use funds in the Green Building Fund for this purpose.

SECTION-BY-SECTION ANALYSIS

Sec. 6014. Amends the Green Building Act of 2006 to allow funds in the Green Building Fund to be used to cover costs incurred to make green building materials accessible to low-income residents.

3. TITLE VI, SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the Department of Transportation Establishment Act to replace the District Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund with the Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund. This change would create a new pass-through fund that will collect revenue from not only parking by phone fees, but also transit fares, Capital Bikeshare trips, and other forms of shared mobility and transportation services paid for using pay-by-phone systems. The money is to be used to pay the vendors who operate those systems. The subtitle also makes conforming amendments to the Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility Act of 1942.

The fiscal impact of this subtitle is incorporated into the proposed FY 2021 - FY 2024 budget and financial plan.

COMMITTEE REASONING

The subtitle replaces one pass-through Special Purpose Revenue Fund with another, which will collect revenue from a broader range of sources, including fees from parking by phone, transit fares, Capital Bikeshare trips, and other forms of shared mobility and transportation services with the pay-by-phone systems. These fees are used to support payments to pay-by-phone system operators. The fund is a pass-through account used to simply accounting for the District Department of Transportation to ensure the fees associated with pay-by-phone systems are used to pay the operators of those systems. This fund be non-lapsing, meaning amounts would not revert to the General Fund at the end of the year.

SECTION-BY-SECTION ANALYSIS

Sec. 6031. Short Title.

Sec. 6032. Amends the Department of Transportation Establishment Act, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14) to replace the District Department of Transportation Parking Meter Pay-by-Phone Transaction Fee Fund with the Parking Meter and Transit Services Pay-by-Phone Transaction Fee Fund; and to require the funds to be used to pay the pay-by-phone operators.

Sec. 6033. Makes conforming amendments to Section 3(h)(1) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2603(8)(A)).

4. TITLE VI, SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE ACCOUNTS.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would establish three new special purpose funds within DOEE. The funds would collect and prescribe the permitted uses of funds to implement the requirements of the Lead-Hazard Prevention and Elimination Act of 2008, District of Columbia Underground Storage Tank Management Act of 1990 and the District of Columbia Hazardous Waste Management Act of 1977, respectively.

The fiscal impact of this subtitle is incorporated into the proposed FY 2021 - FY 2024 budget and financial plan.

COMMITTEE REASONING

The Committee supports the creation of these new funds. Each of the funds would support existing agency programming that is eligible for federal funding from the U.S. Environmental Protection Agency (“EPA”). According to DOEE, these Special Purpose Revenue Funds are necessary to ensure that the Agency is in compliance with federal requirements regarding stewardship and use of federal funds the Agency receives to support these three programs. Currently, any unexpended federal funds received for these programs are at risk of reverting to the General Fund if not spent in full by the end of the fiscal year. Where that occurs, DOEE would be unable to ensure these funds go to the purpose prescribed by the EPA, which could result in the District being deemed ineligible for these federal funds in the future.

DOEE would address this compliance issue by creating three Special Purpose Revenue Funds to collect these federal funds, and place restrictions on how the funds may be used. Each Special Purpose Revenue Fund has been designed to limit fund use to permitted activities pursuant to federal requirements, and are non-lapsing, to ensure that any excess funds do not revert to the General Fund at the end of the fiscal year. These three accounts are necessary to ensure that DOEE is able to adhere to the requirements placed on the District’s receipt of these federal funds, so to not risk jeopardizing the District’s eligibility for these funds in future years.

SECTION-BY-SECTION ANALYSIS

Sec. 6041. Short Title.

Sec. 6042. Amends the Lead-Hazard Prevention and Elimination Act of 2008, effective March 31, 2009, to establish a special purpose Lead Poisoning Prevention Fund to be administered by DOEE and used to provide low-income residents with financial assistance for the implementation of risk reduction requirements listed in the Act. Money deposited into the Fund will be generated from fees, fines, and penalties received from

compliance and enforcement of the Act. Revenue deposited into the Fund but not expended in a fiscal year shall be carried over.

Sec. 6043. Amends the District of Columbia Underground Storage tank Management Act of 1990, effective March 8, 1991, to establish a special purpose Underground Storage Tank Regulation Fund. The fund shall be administered by DOEE and used to pay for the costs of implementing the Act, including assessments, clean up, and housing and relocation assistance. Money deposited into the Fund will be generated from fees, fines, and penalties received from compliance and enforcement of the Act. Revenue deposited into the Fund but not expended in a fiscal year shall be carried over.

Sec. 6044. Amends the District of Columbia Hazardous Waste Management Act of 1977, effective March 8, 1991, to establish a special purpose Hazardous Waste and Toxic Chemical Source Reduction Fund to be administered by DOEE and used to pay for the costs of implementing the Act. Money deposited into the Fund will be generated from fees, fines, and penalties received from compliance and enforcement of the Act. Revenue deposited into the Fund but not expended in a fiscal year shall be carried over.

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B. RECOMMENDATIONS FOR NEW BUDGET SUPPORT ACT SUBTITLES

The Committee on Transportation and the Environment recommends the following ten new subtitles to be added to the Fiscal Year 2021 Budget Support Act of 2020:

1. Parking Reciprocity Fee Update
2. Tag Transfer Fee Update
3. ATE Program Reporting Requirement
4. Performance Parking Zone Modernization
5. Public Space Maintenance Expansion
6. Capacity Market Withdrawal Feasibility Study
7. Competitive Grants
8. Urban Agriculture Funding
9. Waste Disposal Fees
10. Subject to Appropriations Repeals

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1. TITLE X, SUBTITLE X. PARKING RECIPROCITY FEE UPDATE.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the District of Columbia Traffic Act to raise the annual fee for certain parking reciprocity stickers from \$50 to \$100.

The subtitle is anticipated to generate \$61,000 of revenue in FY 2021, and \$247,000 over the financial plan.

COMMITTEE REASONING

As parking is at a premium in the District, residents, the DMV charges various fees to residents, commuters, and visitors for the privilege of parking on District streets. Among these is the parking reciprocity program, in which certain non-residents can pay for a sticker to allow them to park their vehicle in the District. These costs include the fee for college students to obtain a parking reciprocity sticker, which currently is set at \$338 a year, and for temporary residents, which is \$250 every six months.

Reciprocity stickers for United States Congressmen, members of their staff, Presidential appointees, and foreign diplomats, however, are currently far less expensive than reciprocity stickers available to others. This particular, which hasn't been updated in nearly ten years, is only \$50, a tenth of what a temporary resident would pay over that same time period. The Committee believes that these fees should be updated every few years to keep them in line with inflation and to ensure the amounts are equitable between users. This subtitle would increase the parking reciprocity sticker fee for these individuals from \$50 to \$100 a year, which will still put the cost for these stickers well below the amount charged to other groups for parking reciprocity.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Amends the District of Columbia Traffic Act to increase the fee for parking reciprocity stickers for Congressmen, their staff members, Presidential appointees, and foreign diplomats from \$50 to \$100.

2. TITLE X, SUBTITLE X. TAG TRANSFER FEE UPDATE.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the District of Columbia Revenue Act of 1937 to raise the fee for transferring tags from \$7 to \$12.

The subtitle is anticipated to generate \$31,000 of revenue in FY 2021, and \$127,000 over the financial plan.

COMMITTEE REASONING

Certain motor vehicle fees should be updated every few years to keep them in line with inflation. Tag transfer fees are currently only \$7 and are due for a slight increase in order to keep pace with inflation. This fee has not been increased in 14 years. The fee covers the costs associated with the DMV transferring vehicle registrations from one tag to another. This is cheaper for District residents who have a previous tag and would like it transferred to a different vehicle. The alternative being that the resident would need to buy a new tag, which costs anywhere from \$36 a year to \$155 depending on the size and weight of the vehicle.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Amends the District of Columbia Revenue Act of 1937 to increase the tag transfer fee for residents from \$7 to \$12.

3. TITLE X, SUBTITLE X. ATE PROGRAM REPORTING REQUIREMENT.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the Fiscal Year 1997 Budget Support Act of 1996 to require the District Department of Transportation (“DDOT”), in consultation with the Department of Motor Vehicles (“DMV”), to report semi-annually on the top locations by value of tickets issued for Automated Traffic Enforcement (“ATE”), the breakdown of the jurisdictions where those receiving ATE citations have their vehicle registered, where new cameras have been added in the last six months and the reasons those locations were chosen, and the amount of ATE citations issued.

The subtitle has no impact on the financial plan but will provide transparency on citation revenues, spending, and citation generating decisions.

COMMITTEE REASONING

The ATE program is administered by DDOT with the stated purpose of increasing traffic safety. However, there is virtually no transparency in the process of how ATE locations are selected. Residents have reported to the Committee their impression that the program seems primarily focused on raising revenue for the District, rather than safety. As part of shifting administration of the program from MPD to DDOT, it is the Committee’s understanding that the Agency plans to relocate certain cameras, and potentially increase the number of cameras in future fiscal years, increasing the importance of transparency in the program.

This subtitle would require DDOT to report information on the total value of citations from ATE to the public semi-annually. This change will allow District residents to clearly see how the program is being administered, the revenue totals the District receives from the program, and the reasoning behind decisions made about where cameras are placed.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Amends the Fiscal Year 1997 Budget Support Act of 1996 to require DDOT, in consultation with the DMV, to report semi-annually on the top ATE locations by value of citations issued, the breakdown of the jurisdictions where those receiving ATE citations have their vehicle registered, where new cameras have been added in the last six months and the reasons why those locations were chosen, and the amount of ATE citations issued in total.

4. TITLE X, SUBTITLE X. PERFORMANCE PARKING ZONE MODERNIZATION.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the Performance Parking Pilot Zone Act of 2008 to allow the Mayor to set temporary parking rates in a performance parking zone for a set duration of time when anticipating a special event; to eliminate the limit of the amount the Mayor may increase curbside parking fees during any one month period; to raise the limit on the amount the Mayor may increase parking fees in a performance parking zone over a three month period; to remove the cap on the maximum hourly rate the Mayor may set in a performance parking zone; to allow the Mayor to adjust parking rates in performance parking zones in real time based on demand; and to require the Mayor to publish data on curbside usage on a public website.

The subtitle has no impact on the financial plan.

COMMITTEE REASONING

DDOT is currently unable to manage the Performance Parking Pilot Zones as intended by statute due to outdated fiscal caps and limits in the original statute. The current statute does not give DDOT an explicit means to set temporary special parking rates in performance parking zones for events other than those taking place in Nationals Park or Capital One Arena. The current statute also sets a limit on the amount that the Mayor may increase curbside parking fees in the zones in a given month, and sets a cap on the maximum hourly rate the Mayor may set in these zones.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Allows the Mayor to set temporary parking rates in a performance parking zone for a set duration of time when anticipating a special event and eliminates the limit on the amount the Mayor may raise the fee in a one month period while raising the limit on the amount the Mayor may increase parking fees in a performance parking zone over a three month period. The subtitle also remove the cap on the maximum hourly rate the Mayor may set in a performance parking zone, allows the Mayor to adjust parking rates in performance parking zones in real time based on demand, and requires the Mayor to publish data on curbside usage on a public website.

5. TITLE X, SUBTITLE X. PUBLIC SPACE MAINTENANCE EXPANSION.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend An Act Making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes, approved August 7, 1894 (28 Stat. 247; D.C Official Code § 9-401.06(c)(1)) to expand what Business Improvement Districts (“BIDs”) can enter into agreements with District government agencies to improve.

The subtitle has no impact on the financial plan.

COMMITTEE REASONING

Currently, District law allows BIDs to enter into agreements with District agencies to improve public space. The law explicitly enumerates sidewalks and streets as what can be improved by BIDs via agreement with a District agency. This subtitle would expand those explicitly enumerated objects to include not just sidewalks and streets, but parks, plazas, signage, and public art. BIDs have asked for this clarification for some time, as they want it to be clear in the law that they can enter into agreements with agencies other than the District Department of Transportation, such as the Department of General Services and the Department of Parks and Recreation. This subtitle clarifies that BIDs can enter into agreements to improve more public space than just what is managed by the District Department of Transportation.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Allows BIDs to enter into agreements with District government agencies to improve public space, including sidewalks, streets, parks, plazas, signage, and public art.

6. TITLE X, SUBTITLE X. CAPACITY MARKET WITHDRAWAL FEASIBILITY STUDY.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would require that the Department of Energy and the Environment make publicly available a study that evaluates and makes recommendations regarding the District withdrawing from the PJM capacity market.

The fiscal impact of this subtitle is \$100,000 in FY 2021. The Committee's FY 2021 budget provides the funding necessary to implement the subtitle.

COMMITTEE REASONING

In the District, getting electricity to a home typically involves four parts: (1) generation, (2) transmission, (3) distribution, and (4) load-serving entities ("LSEs"), who resell energy from the wholesale market to retail customers. PJM manages the transmission network and administers the markets where generators and LSEs transact.

To ensure there is sufficient energy available when demand is highest (in the summer), PJM runs a capacity market. LSEs pay resources—which include generators of energy, such as power plants, and certain types of customers—to be available to provide energy to the grid, or reduce consumption, in three years' time; these resources collectively can provide more energy than needed to meet peak demand. To decide which resources are selected to receive capacity payments, PJM holds an annual auction. First, PJM announces it needs a certain number of megawatts to meet peak demand (again, in three years). Second, resources competitively bid into the auction, typically based on their cost of operation. Finally, PJM accepts bids, from cheapest to most expensive, until it has satisfied demand. The rate paid to all resources is the "clearing price," or the most expensive accepted bid.

In December 2019, The Federal Energy Regulatory Commission ("FERC") issued *Calpine Corporation, et al. v. PJM Interconnection, L.L.C.*, an order changing how PJM could value a resource's bid if the resource receives a state subsidy. The decision came in response to older, traditional resources' complaint that capacity market prices were being distorted by resources receiving state subsidies—typically, renewables supported by state clean energy initiatives. Under the new order, nearly all state-subsidized resources will be subject to the Minimum Offer Price Rule (MOPR), which sets a price floor for those particular resources when attempting to sell capacity on the market; other resources can bid at cost. This price floor will counteract the value of the subsidy, making renewable resources less competitive.

As a result of this decision, it is likely that fewer renewables will clear the auction, reducing climate change mitigation efforts. In addition, as the District has strict renewable energy use requirements, where renewables are required to bid into the market at artificially high levels, the District may end up paying more for energy; these costs will ultimately be

passed on to ratepayers. Some estimates have suggested that, across PJM territory, this order could raise market costs from between \$2.4 and \$8 billion. FERC's decision will hinder incentives intended to bring new renewables online, while favoring older resources, including those based on fossil fuels.

One option available to the District, and other jurisdictions in PJM territory, is withdrawal from PJM's capacity market. Withdrawal would allow the District and any partnering jurisdictions direct control over which resources they procure energy from. However, withdrawal from the PJM market would likely have costs. Obtaining capacity outside of a large central market means reduced efficiencies and the potential for increased costs for ratepayers. PJM also monitors market manipulation and enforces penalties against resources, and withdrawal from the PJM market would leave jurisdictions without those protections for at least the short-term.

Under this study, DOEE would evaluate the viability of the District withdrawing from the PJM capacity market, including costs to ratepayers, the effect on the District's ability to meet its clean energy goals, and the feasibility of joining with other jurisdictions to procure capacity. This study will assist the Council in deciding whether legislation mandating the District exit from the market is advisable, and a process for doing so.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Requires that the Department of Energy and the Environment make publicly available a study that evaluates and makes recommendations regarding the District withdrawing from the PJM capacity market.

7. TITLE X, SUBTITLE X. COMPETITIVE GRANTS.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would provide for a competitive grant to be issued the Department of Energy and Environment.

The Committee's FY 2021 budget provides the funding necessary to implement this subtitle.

COMMITTEE REASONING

This subtitle would help protect the District's wildlife and environment by supporting wildlife rehabilitation services.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. This section would require the District Department of Energy and Environment to award a competitive grant to provide wildlife rehabilitation services.

8. TITLE X, SUBTITLE X. URBAN AGRICULTURE FUNDING.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the Food Production and Urban Gardens Program Act of 1986 to revise the limitation on expenditures for administration of the Urban Farming Land Lease Program and the real property tax abatement for certain urban farms established pursuant to § 47-868, and the tax-exempt status conferred by § 47-1005(c). This revision would allow the Department of Energy and the Environment to realize some of the revenue reduction allotted for the abatements to support its other programming. The subtitle would also extend the length of an allowable base period under the land lease program, and make a conforming amendment to Section 47—1005(c) of the District of Columbia Official Code to make this section consistent with earlier legislation moving the tax abatement program to the Department of Energy and the Environment from the Department of General Services.

The subtitle would realize \$132,000 in recurring funds that were previously categorized as revenue reduction.

COMMITTEE REASONING

In the FY 2020 Budget Support Act, this Committee created the Office of Urban Agriculture within DOEE. This Office supports the Mayor's Sustainable DC 2.0 Plan to put twenty additional acres, including public right of way and rooftops, under cultivation for growing food by 2032. Expanding urban agriculture in the District will increase the amount of fresh, locally-grown produce that is available to District residents, and promote job creation in the agricultural sector. In creating this Office, the Committee moved two existing programs, the Urban Farming Land Lease and Tax Abatement Programs, to DOEE from the Department of General Services, where they had failed to progress.

DOEE worked quickly to get this Office off the ground, and in March 2020 the Mayor appointed its inaugural Director. The Office has already made strides in its management of the Urban Agriculture Land Lease Program and the urban agriculture tax abatement program, which finally began issuing abatements in FY 2020. It has also served as an effective resource and advocate for the District's urban farmers.

The existing law limits how much money DOEE may use on its tax abatement and land lease programs. The subtitle would revise this provision to limit abatements to \$150,000 per fiscal year. This revision will allow the Department to realize \$132,000 in revenue that was budgeted toward the abatement program but has not been in use. Because the abatement funds are not being applied fully, the Committee believes that it is appropriate for these funds to be available to support the Office of Urban Agriculture's other programming.

In addition, the revision to the permissible base period under the land lease program would give the Department greater flexibility in structuring leases under the Program. Many potential lessees put significant investment into the land lease property, and seek a longer base period to ensure that their investments are justified.

SECTION-BY-SECTION ANALYSIS

Sec. XX01. Short title.

Sec. XX02. This section would amend the Food Production and Urban Gardens Program Act of 1986 to revise the limitation on expenditures to \$150,000 per fiscal year for the real property tax abatement for certain urban farms established pursuant to § 47-868, and the tax-exempt status conferred by § 47-1005(c) and to extend the permissible base period for leases under the Land Lease Program.

Sec. XX03. This section would amend Section 47–1005(c) of the District of Columbia Official Code to clarify that the Department overseeing the tax abatement program is the Department of Energy and the Environment, not the Department of General Services.

9. TITLE X, SUBTITLE X. WASTE DISPOSAL FEES.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would amend the District of Columbia Municipal Regulations to raise the fee for disposal of solid waste at the District's transfer stations from \$60.62 to \$70.62 per ton.

This subtitle is expected to generate \$1,229,000 in FY 2021 and \$4,562,000 over the financial plan.

COMMITTEE REASONING

As discussed in the section on DPW's budget, above, the costs to the District for waste disposal continue to rise. In fact, the most substantial increase in the Mayor's proposed FY 2021 budget for DPW is in contractual services at Sanitation Disposal, which covers the costs of hauling and disposing of the District's waste and recycling. This Activity would be increased by nearly \$4,000,000 over the FY 2020 approved level.

The aforementioned increase is partially covered by an increase in tipping fees at the District's transfer facilities, which DPW implemented in the fall of 2019 to better align its rates with the region and to reduce the gap between the tipping fees and the actual costs of disposal to the District. Tipping fees are deposited into the Solid Waste Disposal Fee Fund, which is used to maintain the transfer stations and to dispose of waste delivered to those facilities.

Until last year, the District charged only \$50.62/ton for disposal of solid waste at its two transfer stations, Fort Totten and Benning Road. This rate was significantly lower than others in the region, giving waste haulers an incentive to bring their trash into the District for disposal, resulting in adverse effects on our roads and emissions. In addition, this rate is significantly lower than the cost of processing, hauling, and disposing of such waste. Last fall, DPW raised this fee by \$10, to \$60.62/ton. This is an improvement, but still lower than the region, and lower than the costs to the District of disposal. Thus, this subtitle would increase the rate per ton for trash to bring it in line with the region and closer to the actual cost to the District of processing waste. This increase will go toward the Solid Waste Disposal Fee Fund to help cover the Sanitation Disposal budget, and free up local funds for other purposes.

SECTION-BY-SECTION ANALYSIS

Sec. XX01. Short title.

Sec. XX02. Amends section 720.8 of title 21 of the District of Columbia Municipal Regulations to increase the fee for disposal of solid waste to \$70.62 per ton.

10. TITLE X, SUBTITLE X. SUBJECT TO APPROPRIATIONS REPEALS.

PURPOSE, EFFECT, AND IMPACT ON EXISTING LAW

This subtitle would repeal or amend the subject to appropriations language in three bills that the Committee is proposing to fund or partially fund the FY 2019 - FY 2023 financial plan.

This fiscal impact of this subtitle is incorporated into the Committee’s recommendations to fund the Ivory and Horn Trafficking Prohibition Act of 2020, the Transportation Benefits Equity Amendment Act of 2020, and the Urban Farming Land Lease Amendment Act of 2019.

COMMITTEE REASONING

As the Committee provides funding for the Ivory and Horn Trafficking Prohibition Act of 2020, the Transportation Benefits Equity Amendment Act of 2020, and the Urban Farming Land Lease Amendment Act of 2019, it recommends repealing or amending the subject to appropriations language in those bills to reflect this funding.

SECTION-BY-SECTION ANALYSIS

Sec. XXXX. Short title.

Sec. XXXX. Repeals the subject to appropriations language in Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020.

Sec. XXXX. Repeals the subject to appropriations language in Section 3 of the Transportation Benefits Equity Amendment Act of 2020.

Sec. XXXX. Repeals the subject to appropriations language in Section 5 of the Urban Farming Land Lease Amendment Act of 2019.

C. RECOMMENDATIONS TO THE COMMITTEE OF THE WHOLE

The Committee on Transportation and Environment also makes the following recommendation to the Committee of the Whole:

Supplement BID Funding Transfer with \$1,000,000

The Committee on Transportation and the Environment also recommends that the Committee of the Whole supplement the District's annual contribution to Business Improvement Districts ("BIDs") with \$1,000,000. In 2010, DDOT partnered with the arts and business communities in and around downtown to create a plan for beautifying four blocks of New York Avenue medians from 13th Street to Mount Vernon Square. However, only the 1200 block was completed. The Committee supports the DowntownDC BID's efforts to partner with the National Museum of the Women in the Arts and the adjacent property owners to fund the public art for the new three blocks to complete what was started in 2010 as part of the New York Avenue Streetscapes project.

Last year, the Committee on Finance and Revenue transferred \$1,000,000 to this Committee with the express purpose of completing the New York Avenue median project. However, in the past year, DDOT has not made any progress on the project, while the DowntownDC BID has attempted to go forth with the project. Therefore, the Committee would like the \$1,000,000 to be given to the DowntownDC BID in order to complete the work and remove the onus of completing the project from DDOT. In past years, in order to effectuate this transfer, the Committee would require the Agency to administer the grant directly to the BID. However, for the first time this year, DDOT now expects to add incidental costs to grants at a rate of 8.5%. Given that the work is being done by a BID, which is already directly funded by tax dollars, this kind of bureaucratic cost serves little purpose except to reduce the amount available for completion of the project. Therefore, the Committee requests that the Committee of the Whole add the amount to the tax dollars that are already transferred to the BID each year.

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COMMITTEE ACTION AND VOTE

On Thursday, June 25, 2020, at 11:30 a.m., the Committee on Transportation and the Environment met virtually to consider and vote on the Mayor's proposed FY 2021 budget for the agencies under its jurisdiction, the provisions of the FY 2021 Budget Support Act of 2020 referred to the Committee for comment, the Committee's budget report, and the ledger of committee actions. Chairperson Mary M. Cheh determined the existence of a quorum with the presence of Councilmembers Charles Allen, Kenyan McDuffie, and Brandon T. Todd. Chairperson Cheh provided a brief overview of the draft report, the ledger of committee actions, and the changes recommended to the Mayor's proposed budget.

Chairperson Cheh then moved for approval of the Committee's Fiscal Year 2021 Local Budget Act recommendations, the Committee's Fiscal Year 2021 Budget Support Act recommendations, the Committee's budget report, and the ledger of committee actions, with leave for staff to make technical and conforming changes to reflect the Committee's actions. The Members voted X-X to dis/approve the recommendations, voting as follows:

Members in favor:	None
Members opposed :	None
Members voting present:	None
Members absent:	None

Chairperson Cheh then thanked the members of the Committee for all of their work and support during the budget process. She thanked her staff, including Chief of Staff Jonathan Willingham, Committee Director Michael Porcello; Senior Legislative Counsel Anthony Catalino; Legislative Counsels Rachel Clark and Cole Wogoman; Legislative Assistant John Boland; Committee Clerk Aukima Benjamin; Communications Director Kelly Whittier, and Special Assistant Abigail McLean. She also thanked Joe Wolfe, Anne Phelps, and Jen Budoff of the Council Budget Office and Assistant General Counsel Zach Walter for their invaluable assistance.

Chairperson Cheh adjourned the meeting at XXX p.m.

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ATTACHMENTS

- A. May 21, 2020, Fiscal Year 2021 Budget Oversight Hearing Witness List on the Department of Public Works
- B. May 21, 2020, Fiscal Year 2021 Budget Oversight Hearing Witness List on the Department of Energy & the Environment
- C. June 3, 2020, Fiscal Year 2021 Budget Oversight Hearing on the Department of Motor Vehicles Witness List
- D. June 3, 2020, Fiscal Year 2021 Budget Oversight Hearing on the District Department of Transportation Witness List
- E. Testimony received by the Committee for the Department of Public Works
- F. Testimony received by the Committee for the Department of Energy & the Environment
- G. Testimony received by the Committee for the Department of Motor Vehicles
- H. Testimony received by the Committee for the District Department of Transportation
- I. Recommended Subtitles for Inclusion in the Budget Support Act

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Attachment A

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COMMITTEE ON
TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

WITNESS LIST FOR A PUBLIC HEARING ON

THE FISCAL YEAR 2021 BUDGET FOR THE

Department of Public Works

Thursday, May 21, 2020 at 9:00 a.m.

DEPARTMENT OF PUBLIC WORKS

GOVERNMENT WITNESSES

1. Christopher Geldart, Director, Department of Public Works

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Attachment B

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COMMITTEE ON
TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

WITNESS LIST FOR A PUBLIC HEARING ON

THE FISCAL YEAR 2021 BUDGET FOR THE

Department of Energy & the Environment

Thursday, May 21, 2020 at 12:00 p.m.

DEPARTMENT OF ENERGY & THE ENVIRONMENT

GOVERNMENT WITNESSES

1. Tommy Wells, Director, Department of Energy & the Environment
2. Eli Hopson, Chief Executive Officer, Green Finance Authority

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Attachment C

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COMMITTEE ON
TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

WITNESS LIST FOR A PUBLIC HEARING ON

THE FISCAL YEAR 2021 BUDGET FOR THE

Department of Motor Vehicles

Wednesday, June 3, 2020 at 12:00 p.m.

DEPARTMENT OF MOTOR VEHICLES

GOVERNMENT WITNESSES

1. Gabriel Robinson, Director, Department of Motor Vehicles

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Attachment D

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COMMITTEE ON
TRANSPORTATION & THE ENVIRONMENT

MARY M. CHEH, CHAIR

WITNESS LIST FOR A PUBLIC HEARING ON

THE FISCAL YEAR 2021 BUDGET FOR THE

District Department of Transportation

Wednesday, June 3, 2020 at 3:00 p.m.

DISTRICT DEPARTMENT OF TRANSPORTATION

GOVERNMENT WITNESSES

1. Jeffrey Marootian, Director, District Department of Transportation

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Attachment E

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Public Works



Proposed Fiscal Year 2021 Budget Oversight Hearing

Testimony of
Christopher Geldart
Director, Department of Public Works

Before the
Committee on Transportation and the Environment
Mary Cheh, Chairperson
Council of the District of Columbia

May 21, 2020
9:00 a.m.
Virtual Meeting Platform
Washington, DC

Introduction

Good morning, Chairperson Cheh and members and staff of the Committee on Transportation and the Environment. I am Christopher Geldart, Director of the Department of Public Works (DPW).

With me today are DPW's Deputy Director, Michael Carter; General Counsel, Christine Davis; Chief Administrative Officer, Anthony Crispino and Agency Fiscal Officer, Perry Fitzpatrick. On behalf of Mayor Muriel Bowser, I appreciate the opportunity to discuss the Mayor's Fiscal Year (FY) 2021 proposed budget for the Department.

I want to thank Mayor Bowser, City Administrator Rashad Young and Deputy Mayor for Operations and Infrastructure Lucinda Babers for providing DPW the support needed to deliver the highest quality services to the residents of the District of Columbia.

Proposed FY 2021 Operating Budget

DPW's proposed FY 2021 operating budget of \$190,626,006.38, 1,479.0 FTEs and \$122,472,000 capital budget reflect priorities Mayor Bowser cited earlier this week, including:

- Maintaining core government functions that focus on the health, well-being and safety of DC residents and businesses;
- Maintaining stability for the District government workforce; and
- Not losing ground on key District values: health, opportunity, prosperity and equity.

Since the coronavirus, or COVID-19, appeared in the District, the sound of DPW trash trucks driving through our neighborhoods gives residents a sense of normalcy in a time of uncertainty.

Trash, recycling and public litter can collections are among the core sanitation services DPW continues to provide as our government leaders address the tragic results of COVID-19 and work to restore our thriving economy.

Our Parking Enforcement Officers and tow crane operators continue to support public safety, our mechanics and inspectors are keeping District government agencies moving, and the Office of Waste Diversion is facilitating food waste drop-offs to help recapture residential food waste and turn it into compost.

Briefly, I would like to cite how the agency, and more importantly its employees, has responded to the unforeseen circumstances arising from the pandemic:

- We built out the rooms at the District's alternative care site within the Convention Center;
- We stood up two strategic supply warehouses;
- We provided personnel, trucks, forklifts and other equipment to support the District's COVID response operations;
- We swiftly acquired personal protective equipment, sanitizer and disinfectant;

We provided impact suppression vehicles and parking enforcement resources to support social distancing at the request of the Metropolitan Police Department and the National Park Service;

We installed hand washing stations at Department sites;

We shared our expertise wherever needed to help mitigate the effects of COVID-19.

All DPW employees are identified as essential because of our role in responding to natural disasters and manmade emergencies. Their performance during this pandemic has shown just how valuable their work is to ensuring the vitality of the District.

I also want to note that 68 percent of DPW employees are District residents, which means the proposed budget will help to support their ability to build strong families committed to the growth of the city. I am humbled by their talent.

Now, I would like to highlight some aspects of our proposed operating budget and its priorities for FY 2021. This budget reflects a 1.7 percent increase over the approved FY 2020 budget, which gives DPW the means to fulfill its duties to residents and businesses at the same level as FY20.

For additional detail, I will start with our Parking Enforcement Management Administration (PEMA), which protects public health and safety by:

Managing access to curbside parking along our commercial corridors and neighborhood streets through its enforcement authority; and

Removing dangerous and abandoned vehicles from public and private property.

The proposed PEMA budget will allow DPW to continue to support the Mayor's Vision Zero goals.

The Solid Waste Management Administration (SWMA), performs our sanitation-related responsibilities.

The proposed SWMA budget includes a \$4 million increase for Solid Waste Disposal to manage the additional cost of disposing of waste collected by DPW as well as other private entities that use our two transfer stations.

This increase is a result of increased tonnage of refuse along with increased costs of disposing of refuse and trash. Additionally, there is an increase in revenue as a result of increased tipping fees.

Despite the financial ramifications of COVID-19, the overall proposed SWMA budget for FY21 will allow the agency to keep the level of services provided to residents on par with the current fiscal year. DPW remains committed to finding ways to improve efficiency and upgrade technology within the proposed funding levels.

The proposed budget for the Fleet Management Administration, which acquires, maintains, fuels and disposes of the District's fleet, includes an additional \$988,000 for vehicle and equipment

acquisition and \$290,000 for unscheduled vehicle and equipment repairs for a total increase of \$1.2 million over FY20.

We have devoted considerable effort to better manage our fleet, especially through investing in alternative-fuel vehicles and rotating out older vehicles after their full value has been realized.

Finally, I would like to address a topic we didn't have to address this fiscal year – snow. Thanks to Mother Nature, we were able to complete our leaf and holiday tree collection season without any interruptions resulting from snow response operations.

Yes, we enjoyed having only .6 inches of snow, and I want to express the appreciation of everyone on the District Snow Team for Mayor Bowser's support for the snow program in the proposed FY 2021 budget. While proposed funding is about \$1.2 million less than this year's, it is adequate to handle a more normal snow season.

Proposed FY 2021 Capital Budget

Now, I would like to address our proposed FY 2021- FY 2026 Capital Improvement Plan (CIP), which totals \$122,472,000 and is a 2.3 percent increase over the previous CIP period.

The CIP's objectives are to ensure DPW fleet equipment will be available for our core services and maintain replacement cycles to maximize cost savings on fleet maintenance. Additionally, the capital plan provides for safe and clean facilities for DPW employees to perform our core duties.

As City Administrator Young explained this week, capital projects had to meet certain criteria to stay in the budget. Projects were cut if they were not ready to go forward or if they had not maintained their timelines for completion. I am happy to report that DPW's capital projects met these criteria and were not cut.

Our capital projects are as follows:

a. Benning Road Transfer Station Modernization. The six-year budget total is \$29,586,000, including \$2.9 million in FY21, to support short-term improvements. These improvements include, but are not limited to, repairs to the transfer station's tipping floor and upgrading the stormwater management system. Modernization efforts at Benning Road will enable the District to process additional tonnage due to population growth and any increase resulting from the closure of the W Street Transfer Station, which is a privately-owned facility.

b. Fleet Vehicle Acquisitions.

(**Under \$50,000**); six-year total is \$8,294,000, including \$3.1 million in FY21, to fund the needed DPW vehicle replacements for fleet vehicles, including pick-up trucks with plows, crew cab trucks, vans, sedans, and similar vehicles to be used for public safety and sanitation services.

(\$50,000 - \$100,000); six-year total is \$10,688,000, including \$3.5 million in FY21. These vehicles include small refuse trucks, small street sweepers, and similar vehicle types.

(\$100,000 - \$275,000); six-year total is \$56,754,000, including \$20.5 million in FY21. These vehicles include medium-sized loaders and backhoes, refuse trucks, and street sweepers.

(Over \$275,000); six-year total is \$11,130,000, including \$3.6 million in FY21. These vehicles include heavy-duty loaders and backhoes, refuse and cargo trucks, and large street sweepers.

- c. Electrical Charging Stations.** The six-year budget total is \$1,000,000, including \$500,000 in FY21. The project encompasses installing 50 new electric charging stations per year at District agencies facilities. The cost of per station is \$10,000. Station location will coincide with those District agencies that purchase of electric vehicles. As you may be aware, purchasing electric vehicles for the District's fleet is projected to reduce fueling costs by 50 percent, per vehicle.
- d. Fort Totten Trash Transfer Station.** The proposed funding for FY21 is \$4,100,000. The project will allow DPW to continue to replace the existing tipping floor with new steel rebar and high strength concrete. The existing floor has exceeded its useful life from daily wear and tear and needs to be replaced. Replacement is required to maintain the structural integrity of the facility. The tipping floor was last resurfaced in 2003. The life span of a transfer station tipping floor is typically five to 10 years, depending on the material type and throughput.
- e. Transfer Station Grapppler Replacement.** The six-year budget total for this project is \$920,000, including \$420,000 in FY21. This funding is necessary to acquire six new grappplers over a three-year period. Each of the District's two transfer stations utilizes three grappplers to load trash and recycling materials into hauling trailers. New grappplers will ensure continuous and efficient loading of waste materials while creating a safe environment for employees. The grappplers currently in use have either exceeded their life expectancy or are approaching the end of their usefulness. They will need to be replaced within the next four years. It is important to note that over the year there have not been more than four working grappplers at a time between the transfer stations.

Conclusion

I appreciate this opportunity to present Mayor Bowser's proposed FY 2021 operating and capital budgets for the Department of Public Works. I will be happy to respond to your questions.

28 May 2020

Public Testimony for
Chairperson Mary Cheh, DC Council Committee on Transportation and the Environment
Budget Oversight Hearing for DPW on 21 May 2020

I commend the tough questioning from Chairperson Cheh and the well prepared answers from DPW Director Gelbart. A lot of great work is being done for the benefit of us in the District. So many important issues are being addressed. I'd like to help out with this one issue in particular, our food resource. Below in bold in items 1 and 2 are two areas for follow-on questions that I think would help with speeding up achieving meaningful diversion of food waste while reducing taxpayer costs, reducing rats and smells, addressing structural inequities the pandemic lays bare, and providing dozens to hundreds of local skilled jobs.

1. Chairperson Cheh asked about pursuing grants to augment budget shortfalls exacerbated by the pandemic response and the USDA grant in particular. Director answered that he believe's his Office of Waste Diversion is tracking that particular grant. **Missed an opportunity to ask open ended questions...**

A. What would be the DPW's proposed project scope in the USDA grant application? Has testing on-site composting solutions been considered? What are the thoughts?

B. What other grant opportunities are DPW pursuing this and next FY? Who are they planning to partner with?

2. The need for food waste recycling capacity as discussed. There was drilling down on the details on the two approaches discussed. One approach was to build regional centralized composting facilities as the initial plan for a facility located in DC was deemed not feasible. The other was to build an anaerobic digester at the Benning Rd transfer station, which appears to be a cost in addition to the \$115M to first refurbish the transfer station. Unfortunately, these two approaches are putting all of our eggs in one basket: the "haul away" basket. We know the many problems with "haul away" include storing food to rot in trash cans and dumpsters driving smell, rat and spill problems where we live and work; GHG emissions from the vehicles; roadway damage from heavy vehicles and congestion; and environmental justice problems because these facilities are historically placed in underrepresented communities who unfairly bear the burden and harms. This is only possible if the barriers of industrial waste facility costs and environmental compliance, zoning and permitting restrictions, and the ultimate challenge of neighbor resistance can be overcome. We were unable to overcome these barriers in DC and will have these same problems with regional partners as the mid-atlantic corridor is the densest population area in the US. The further away we go, the greater our hauling costs and GHG emissions increase.

We're missing an opportunity to put eggs in other baskets besides focusing on only "haul away" for achieving meaningful diversion by not asking the open question about the department's thoughts on also building on-site solutions: specifically their strategies, tactics, and next steps for deploying on-site composting solutions, if any exist.

3. Back-up information for the committee:

Why? On-site composting has potential for...

- **Speed** - meaningful diversion can start this year unlike waiting for facilities to be sited and constructed. Putting composting machines where dumpsters and trash cans once stood solves for the aforementioned barriers blocking large industrial waste facilities.
- **100% capacity** - One sofa sized on-site composting machine at one food waste generator on each DC block would provide 150% composting capacity for all of DC's food waste.
- **Lower cost** - An estimate is that organizations pay ~\$66M annually to haul away all of DC's food waste. If that annual expenditure was instead applied to fund the on-site composting machines for 100% diversion capacity, the payback period would be less than 2.5 years.
- **Save taxpayer funds** - The vast majority of the cost to haul away food waste annually is paid not by the DC government, but rather commercial food waste generators. Diverting these private sector funds from hauling to on-site composting results in substantial taxpayer costs avoidance by reducing the cost of industrial waste facilities, transfer stations to support them, and rat and smell remediation from better handling of food waste on-site. At \$115M alone for refurbishing the Benning Rd transfer station, this is the range of taxpayer savings we're looking at across these areas.
- **Local skilled jobs** - Increasing the payback from 2.5 to 5 years would fund 200 local jobs at \$166,000/yr per person for associated operating costs and salary. This skilled staff oversees the composting machine network, provides technician support and troubleshooting like HVAC or appliance technicians, and trains the custodial staff to load the machines. At least half of that amount could go to salaries.
- **More benefits:** Circular Economy, Environmental Justice, Extreme weather resilience, Reduced pollution, Increased food yield and nutrition density, Reduced chemical use, and Chesapeake Bay clean-up to name a handful.

4. I recognize that the idea of a distributed on-site composting network is a significant paradigm shift that may require some processing to appreciate. It's hard to see the big picture when pieces of it are forwarded, like in this testimony when responding to the specific hearing issues. Attached is an executive summary of deploying this model in the District. I welcome the opportunity to meet and discuss this further if you think this would be helpful for discussing how a distributed on-site composting network would work and help the District meet its Zero Waste goals, and more. Helping decision makers with issues like this is the type of operations and infrastructure work I did for a career for the US Navy and I would be happy to help here.

Very respectfully,
Jeffrey Neal



Distributed On-Site Composting Model for Leveraging Our Food Resource

Problem

Food waste, it's tragic how much we make and what we do with it. Most is either hauled to a landfill or to an incinerator and burned, emitting deadly air pollution, which causes more deaths than car crashes and murders combined. Black and Hispanic populations experience 60% more of this pollution than they create because of where such facilities are located. If food waste were a country it would be the third largest generator of greenhouse gas emissions, driving our climate crisis. Because hauling accounts for ~80% of what we spend in the US on food waste disposal, we're literally burning billions of dollars in fossil fuel and worsening our environmental problems. The current approach to dealing with food waste focuses on centralized systems, which involves building large industrial waste processing facilities. Because of the hurdles to this approach, which includes the cost of large plots of land and environmental compliance and the restrictions from zoning, permitting, and neighbor resistance, the US is stuck at recycling 6% of our food waste. The UN predicts that if we don't change our behavior patterns, in 55 years all the soil on the planet could be gone, which is needed to support human life on earth.

Solution

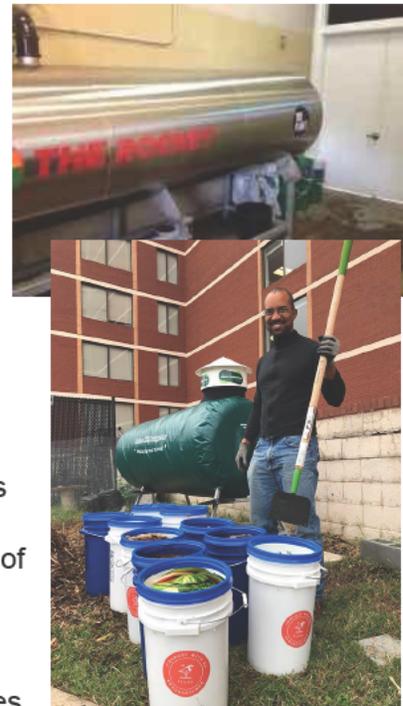
Stop hauling food waste.

1. Place composting machines where dumpsters and trash cans once stood at food waste generators like restaurants, grocery stores, hotels, schools, universities, churches, office buildings, government facilities, multi-unit buildings, & local governments.

This distributed composting network avoids the costs and hurdles of the current centralized systems and the ick factor caused by storing food for pick-up. This approach increases capacity from the 6% we're stuck at to 100% for meeting zero waste goals governments and businesses are setting.

2. Use the finished compost locally, or bring it to farms on food delivery vehicles that once returned empty. This regenerates our soils for next season's crops, closes the ecological loop, mitigates and reverses climate change.

Eliminating the hauling of food waste more than covers the costs of the composting machines and local jobs. It also reduces the industrial waste facilities that are disproportionately placed in communities of color. Instead of hauling and harming, this model provides 100s of local skilled jobs for hiring and healing. This takes steps in addressing structural inequities the pandemic lays bare.



Numbers

As a vision for the scalability, putting one composting machine at one food waste generator on two-thirds of DC's 5,000 city blocks would provide 100% of the capacity needed for all of DC and would cost \$167M. The market for disposing of food waste in the US is \$11B annually, and the DC share would be \$66M, which means the payback period on the initial capital cost would be 2.5 years. Increasing the payback period to 5 years means the market could simultaneously support one staff for every 18 blocks at a salary and operating cost of \$165,000 per person, for a total of **200 local skilled jobs** for direct operations alone. Again, this is funded by existing expenditures by industry being redirected, and it avoids hundreds of millions of taxpayer dollars to construct and operate several large industrial waste processing facilities for food waste.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Public Works



Proposed Fiscal Year 2021 Budget Oversight Hearing

Testimony of
Christopher Geldart
Director, Department of Public Works

Before the
Committee on Transportation and the Environment
Mary Cheh, Chairperson
Council of the District of Columbia

May 21, 2020
9:00 a.m.
Virtual Meeting Platform
Washington, DC

Introduction

Good morning, Chairperson Cheh and members and staff of the Committee on Transportation and the Environment. I am Christopher Geldart, Director of the Department of Public Works (DPW).

With me today are DPW's Deputy Director, Michael Carter; General Counsel, Christine Davis; Chief Administrative Officer, Anthony Crispino and Agency Fiscal Officer, Perry Fitzpatrick. On behalf of Mayor Muriel Bowser, I appreciate the opportunity to discuss the Mayor's Fiscal Year (FY) 2021 proposed budget for the Department.

I want to thank Mayor Bowser, City Administrator Rashad Young and Deputy Mayor for Operations and Infrastructure Lucinda Babers for providing DPW the support needed to deliver the highest quality services to the residents of the District of Columbia.

Proposed FY 2021 Operating Budget

DPW's proposed FY 2021 operating budget of \$190,626,006.38, 1,479.0 FTEs and \$122,472,000 capital budget reflect priorities Mayor Bowser cited earlier this week, including:

- Maintaining core government functions that focus on the health, well-being and safety of DC residents and businesses;
- Maintaining stability for the District government workforce; and
- Not losing ground on key District values: health, opportunity, prosperity and equity.

Since the coronavirus, or COVID-19, appeared in the District, the sound of DPW trash trucks driving through our neighborhoods gives residents a sense of normalcy in a time of uncertainty.

Trash, recycling and public litter can collections are among the core sanitation services DPW continues to provide as our government leaders address the tragic results of COVID-19 and work to restore our thriving economy.

Our Parking Enforcement Officers and tow crane operators continue to support public safety, our mechanics and inspectors are keeping District government agencies moving, and the Office of Waste Diversion is facilitating food waste drop-offs to help recapture residential food waste and turn it into compost.

Briefly, I would like to cite how the agency, and more importantly its employees, has responded to the unforeseen circumstances arising from the pandemic:

- We built out the rooms at the District's alternative care site within the Convention Center;
- We stood up two strategic supply warehouses;
- We provided personnel, trucks, forklifts and other equipment to support the District's COVID response operations;
- We swiftly acquired personal protective equipment, sanitizer and disinfectant;

We provided impact suppression vehicles and parking enforcement resources to support social distancing at the request of the Metropolitan Police Department and the National Park Service;

We installed hand washing stations at Department sites;

We shared our expertise wherever needed to help mitigate the effects of COVID-19.

All DPW employees are identified as essential because of our role in responding to natural disasters and manmade emergencies. Their performance during this pandemic has shown just how valuable their work is to ensuring the vitality of the District.

I also want to note that 68 percent of DPW employees are District residents, which means the proposed budget will help to support their ability to build strong families committed to the growth of the city. I am humbled by their talent.

Now, I would like to highlight some aspects of our proposed operating budget and its priorities for FY 2021. This budget reflects a 1.7 percent increase over the approved FY 2020 budget, which gives DPW the means to fulfill its duties to residents and businesses at the same level as FY20.

For additional detail, I will start with our Parking Enforcement Management Administration (PEMA), which protects public health and safety by:

Managing access to curbside parking along our commercial corridors and neighborhood streets through its enforcement authority; and

Removing dangerous and abandoned vehicles from public and private property.

The proposed PEMA budget will allow DPW to continue to support the Mayor's Vision Zero goals.

The Solid Waste Management Administration (SWMA), performs our sanitation-related responsibilities.

The proposed SWMA budget includes a \$4 million increase for Solid Waste Disposal to manage the additional cost of disposing of waste collected by DPW as well as other private entities that use our two transfer stations.

This increase is a result of increased tonnage of refuse along with increased costs of disposing of refuse and trash. Additionally, there is an increase in revenue as a result of increased tipping fees.

Despite the financial ramifications of COVID-19, the overall proposed SWMA budget for FY21 will allow the agency to keep the level of services provided to residents on par with the current fiscal year. DPW remains committed to finding ways to improve efficiency and upgrade technology within the proposed funding levels.

The proposed budget for the Fleet Management Administration, which acquires, maintains, fuels and disposes of the District's fleet, includes an additional \$988,000 for vehicle and equipment

acquisition and \$290,000 for unscheduled vehicle and equipment repairs for a total increase of \$1.2 million over FY20.

We have devoted considerable effort to better manage our fleet, especially through investing in alternative-fuel vehicles and rotating out older vehicles after their full value has been realized.

Finally, I would like to address a topic we didn't have to address this fiscal year – snow. Thanks to Mother Nature, we were able to complete our leaf and holiday tree collection season without any interruptions resulting from snow response operations.

Yes, we enjoyed having only .6 inches of snow, and I want to express the appreciation of everyone on the District Snow Team for Mayor Bowser's support for the snow program in the proposed FY 2021 budget. While proposed funding is about \$1.2 million less than this year's, it is adequate to handle a more normal snow season.

Proposed FY 2021 Capital Budget

Now, I would like to address our proposed FY 2021- FY 2026 Capital Improvement Plan (CIP), which totals \$122,472,000 and is a 2.3 percent increase over the previous CIP period.

The CIP's objectives are to ensure DPW fleet equipment will be available for our core services and maintain replacement cycles to maximize cost savings on fleet maintenance. Additionally, the capital plan provides for safe and clean facilities for DPW employees to perform our core duties.

As City Administrator Young explained this week, capital projects had to meet certain criteria to stay in the budget. Projects were cut if they were not ready to go forward or if they had not maintained their timelines for completion. I am happy to report that DPW's capital projects met these criteria and were not cut.

Our capital projects are as follows:

a. Benning Road Transfer Station Modernization. The six-year budget total is \$29,586,000, including \$2.9 million in FY21, to support short-term improvements. These improvements include, but are not limited to, repairs to the transfer station's tipping floor and upgrading the stormwater management system. Modernization efforts at Benning Road will enable the District to process additional tonnage due to population growth and any increase resulting from the closure of the W Street Transfer Station, which is a privately-owned facility.

b. Fleet Vehicle Acquisitions.

(**Under \$50,000**); six-year total is \$8,294,000, including \$3.1 million in FY21, to fund the needed DPW vehicle replacements for fleet vehicles, including pick-up trucks with plows, crew cab trucks, vans, sedans, and similar vehicles to be used for public safety and sanitation services.

(\$50,000 - \$100,000); six-year total is \$10,688,000, including \$3.5 million in FY21. These vehicles include small refuse trucks, small street sweepers, and similar vehicle types.

(\$100,000 - \$275,000); six-year total is \$56,754,000, including \$20.5 million in FY21. These vehicles include medium-sized loaders and backhoes, refuse trucks, and street sweepers.

(Over \$275,000); six-year total is \$11,130,000, including \$3.6 million in FY21. These vehicles include heavy-duty loaders and backhoes, refuse and cargo trucks, and large street sweepers.

- c. Electrical Charging Stations.** The six-year budget total is \$1,000,000, including \$500,000 in FY21. The project encompasses installing 50 new electric charging stations per year at District agencies facilities. The cost of per station is \$10,000. Station location will coincide with those District agencies that purchase of electric vehicles. As you may be aware, purchasing electric vehicles for the District's fleet is projected to reduce fueling costs by 50 percent, per vehicle.
- d. Fort Totten Trash Transfer Station.** The proposed funding for FY21 is \$4,100,000. The project will allow DPW to continue to replace the existing tipping floor with new steel rebar and high strength concrete. The existing floor has exceeded its useful life from daily wear and tear and needs to be replaced. Replacement is required to maintain the structural integrity of the facility. The tipping floor was last resurfaced in 2003. The life span of a transfer station tipping floor is typically five to 10 years, depending on the material type and throughput.
- e. Transfer Station Grapppler Replacement.** The six-year budget total for this project is \$920,000, including \$420,000 in FY21. This funding is necessary to acquire six new grappplers over a three-year period. Each of the District's two transfer stations utilizes three grappplers to load trash and recycling materials into hauling trailers. New grappplers will ensure continuous and efficient loading of waste materials while creating a safe environment for employees. The grappplers currently in use have either exceeded their life expectancy or are approaching the end of their usefulness. They will need to be replaced within the next four years. It is important to note that over the year there have not been more than four working grappplers at a time between the transfer stations.

Conclusion

I appreciate this opportunity to present Mayor Bowser's proposed FY 2021 operating and capital budgets for the Department of Public Works. I will be happy to respond to your questions.



SIERRA CLUB

WASHINGTON D.C.

TESTIMONY
of
Catherine Plume
Chair, Sierra Club DC Chapter
before the
Department of Transportation and the Environment Committee for
the 2021 Budget Hearing for the Department of Public Works
May 28, 2020

I'm Catherine Plume, the Chair of the DC Chapter of the Sierra Club, a lifelong environmentalist, and a 20-year District resident, and now a proud resident of Ward 4. Thank you, Councilmember Cheh, for being a champion of environmental issues in DC. I'm writing today to discuss the FY21 budget for the DC Department of Public Works (DPW).

First and foremost, the Sierra Club DC Chapter wants to recognize DPW and its entire staff for the hard work and services they have provided and continue to provide to District residents during the COVID-19 pandemic. With in-house restaurant dining closed, more District residents are eating at home, generating more waste and food waste. We commend the DPW first responders for continuing vital DC services during the pandemic. We are grateful for their commitment to DC.

We realize that these are unprecedented times for the District and indeed the planet. The Sierra Club DC Chapter recognizes the deep budget cuts that the District is suffering from the economic impacts of COVID-19 which are exacerbated by the US Senate's decision to minimize recovery funds for the District. Given this situation and the economic challenges at hand, in general, we are in favor of the allocations in the Mayor's draft FY21 budget, and we are pleased to see that many environmental programs for DPW and DC's Department of Energy and Environment (DOEE) have been left intact. Specifically,

- We are pleased to see that there is money in the draft FY21 budget to continue with the installation of electric charging stations at DC facilities (for the DC vehicle fleet) at a rate of 50 charging stations per year.
- The Food Waste Drop Offs are now (again) fully functional and drop-off rates are on a par with last year. We are pleased there are no proposed cuts to this program in the draft FY21 budget.
- There is money in the draft FY21 budget to hire 12 more FTEs for parking enforcement (including protecting bike lanes).

However, we were surprised to learn about some proposed DPW changes that Director Chris Geldhart mentioned at the budget oversight hearing.

Residential Composting

- We were surprised to learn that DPW is now looking at regional solutions to glass, residential composting (food waste and yard waste), and that conversations were happening and somewhat advanced for a composting program with Prince George's County as of January. While we would prefer to find a local site for DC's composting and had hopes that such a site could be incorporated into the revamping of the Benning Road facility, we support and appreciate the Prince George's County Composting Facility. We support this alternative, however, we wish that DC's environmental community could have been a part of this discussion versus learning about it through a DC Council hearing.
- We were saddened to hear that there seems to be no timeline for this compost program - in any form - to actually happen. While we recognize that there are budget constraints, DC residents have repeatedly expressed an interest in residential composting. Meanwhile, we see the current DPW administration continuing to kick this service down the road with compostable goods carried off to landfills and incinerators where it contributes to greenhouse gas emissions instead of being reincorporated into DC soils.

Recycling

- We are pleased to learn that DPW is inspecting recycling loads brought in to the transfer stations by private haulers and levying fines for unacceptable contamination rates. While there is money in the current (FY20) budget for these inspectors, from the budget hearing we understand that funds to cover these positions are not included in the FY21 budget. As you well know, Councilmember Cheh, contamination of recycling materials is a major problem that can impact the recyclability of an entire load of recyclables. We ask that these inspector positions be fully funded.

Pay As You Throw

- We are very frustrated to not hear anything about a Pay-As-You-Throw (PAYT) pilot program in the proposed FY21 budget. Councilmember Cheh, you allocated funding for this pilot a few years ago. Other municipalities have shown us that a Pay As You Throw program is an excellent tool for reducing waste production and increasing composting and recycling. While we had the support of former DPW Director Christopher Shorter for the program, current DPW Director Chris Geldart told the environmental community that he wanted to meet with us to discuss the idea. Such a meeting never occurred. We are frustrated. The Sierra Club and the DC environmental community have spent hours on this topic, talking with experts and learning how this program could be successfully rolled out in DC. We are not clear what happened to these monies in the FY21 budget or if DPW has indeed cancelled the pilot program. We respectfully request clarifications on these points.
- If the PAYT pilot program has been cancelled, we would like to engage with and understand DPW's plans and milestones for achieving the District's goal of 80% diversion from landfills and incineration over 2013 levels by 2032. As it is now 2020, and we still have a diversion rate that hovers in the low 20s (21-24%), we do not see how the goal is attainable without stated commitment and significant changes in current procedures and practices.

ZeroWaste Omnibus Amendment Act of 2019

As we noted in our December testimony, the Sierra Club wholehearted endorses the DC ZeroWaste Omnibus Amendment Act of 2019. While we understand the reasoning for not bringing this legislation before the Council for a vote during the FY20 session, we hope that this bill will be passed in the very near future. We feel that it is ambitious but feasible, and necessary. We were pleased to see that this bill has wide council support. This bill has large implications for both DPW and DOEE and we encourage their leadership to begin looking at the impacts of this legislation on their departments now.

Once this bill is enacted, there will be a need for enforcement of key provisions through inspection of food service entities' premises to verify that they are complying with composting requirements and using reusable food service ware. In addition, Section 406(d) of the draft law would make grants available to assist food service entities to acquire dish washing capacity and acquire reusable food service ware. While we recognize that the FY21 budget is very tight, we would like to see a provision to include funding for such grants. As we move to support reusable food service ware in the District, small grants either for restaurants or third-party service providers to purchase commercial dishwashers and reusable food service ware could ensure that reusables for carry-out and on-premise food consumption becomes a reality.

The legislation will have positive financial benefits for all parties. Enactment will lead to a significant reduction in plastic food service ware that will save the DPW waste processing costs in this time of budget constraints. Meanwhile the bill's composting requirements promises to create jobs for people, either working directly in the restaurant industry or for third-party foodware sanitation services. Studies have also shown that moving to reusable foodware can save food service entities money in a matter of weeks by switching to reusables¹. This should be welcome news to the District's restaurant owners. Meanwhile, composting food waste will remove the food stream from landfills and incineration where it becomes methane, a greenhouse gas estimated to be at least 25% more toxic than carbon dioxide.

DPW Leadership

We commend Director Geldart for his leadership in running the District's COVID-19 response team. However, we feel that it is all but impossible to run two essential District entities - the Department of Public Works and DC's COVID-19 response initiatives simultaneously. Both of these departments deserve full attention, especially during a pandemic.

This concludes our testimony. Thank you for the opportunity to comment on the FY21 Department of Public Works budget. Please contact us should you have any questions regarding this document.

Catherine Plume, Chair, Sierra Club DC Chapter; [REDACTED]

¹ Reusable Food Serviceware Guide, a project of the Clean Water Fund and the ReThink Disposable Program visited on May 26, 2020 at http://www.stopwaste.org/sites/default/files/WEB_CA_ReTh_Foodware_04.29.15_web.pdf

Attachment F

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment



Fiscal Year 2021 Budget Oversight Hearing

Testimony of
Tommy Wells
Director, Department of Energy and Environment

Before the
Committee on Transportation and the Environment
Mary M. Cheh, Chairperson
Council of the District of Columbia

May 21, 2020



Introduction

Good afternoon, my name is Tommy Wells, and I am the Director of the Department of Energy and Environment (DOEE). Thank you, Chairperson Cheh, for holding this virtual hearing.

On Monday, Mayor Bowser transmitted “DCHOPE” the Fiscal Year 2021 (FY 21) Budget and Financial Plan, the District’s 25th consecutive balanced budget, to the Council. This budget season has been a difficult one, coming as it does in the middle of a global pandemic and public health emergency that has brought major sectors of our economy to a standstill and has increased unemployment in the District and across the nation to levels not seen since the Great Depression. After years of growth and increasing prosperity, in which Mayor Bowser made key investments in infrastructure, education, affordable housing, human services, economic opportunity, public safety, sustainability, and resilience, we now face an unexpected and severe revenue shortfall. But our investments over the last several years have made us more resilient. We were “fixing the roof while the sun was shining” by filling up our emergency reserve funds and investing in infrastructure and innovation. Those efforts are serving us well now and have given us more flexibility in responding to this emergency than many other jurisdictions.

Across the District, government agencies have had to reduce their FY 20 and FY 21 budgets to support the Mayor’s response to the coronavirus (COVID-19) public health emergency, and to accommodate reduced revenue estimates. I am proud to report that, despite the budget reductions DOEE has had to make, most of our core services remain operational, in at least a virtual capacity. DOEE remains committed to fulfilling our mission while maintaining focus on increasing opportunity, engagement, innovation, equity, and now, recovery. In FY 21, we will focus on ensuring our investments in green infrastructure and clean energy are simultaneously investments in workforce development, job training, and the local economy.

An Investment in Sustainability in the District of Columbia

The Mayor’s FY 21 budget signifies a continued commitment to supporting the local green economy as well as environmental health. It provides the resources needed for the District to maintain the work that has made it a national leader in sustainability, clean energy planning, climate action, and environmental stewardship. It also enables us to continue improving the quality of life for the residents and natural inhabitants of our nation’s capital by protecting and restoring the environment, conserving our natural resources, mitigating pollution, increasing access to clean and renewable energy, and educating and engaging the public on the importance of sustainability and resilience in securing a prosperous and equitable future.

DOEE’s total operating budget for FY 21 is \$142.1 million, which represents a 22 percent decrease over the approved FY 20 budget. The funds come from four sources:

- \$82.8 million (or 58 percent) in special purpose revenue funds;
- \$31.5 million (or 22 percent) in federal grants;
- \$22.9 million (or 16 percent) in local funds;
- \$2.6 million (or 1.8 percent) in intra-district funds; and
- \$2.3 million (or 1.6 percent) in private grant funds.



DOEE's total six-year capital budget authority is \$240.7 million.

DOEE has five administrations: Operations Services, Energy, Environmental Services, Natural Resources, and Urban Sustainability. The reductions to our FY 21 budget due to COVID-19 will affect DOEE's five administrations in different ways. I will provide an overview of each administration's priorities and activities related to the Mayor's budget, as well as note how budget reductions may affect operations.

Energy Administration

In FY 21, DOEE's Energy Administration will continue to reduce the burden of energy costs on the District's most vulnerable residents, decrease overall energy consumption, and increase the use of renewable energy generated within the District.

DOEE will continue its work to implement the Clean Energy DC Omnibus Act ("the Act"), landmark legislation that empowers the agency to take the steps necessary to meet the Sustainable DC plan goal to reduce our greenhouse gas emissions by half by 2032.

Meeting our public commitments to reduce greenhouse gas emissions aligned with the Paris Agreement requirements, as well as Mayor Bowser's pledge to achieve carbon neutrality by 2050, is vital to ensuring that we do our part to reduce the catastrophic effects of climate change. But we can't do it without investing in programs, institutions, and infrastructure **now**. The most significant part of this work for DOEE in the near term is the implementation of the Act's Building Energy Performance Standards (BEPS). BEPS allows DOEE to establish energy efficiency standards for the most energy-intensive buildings in the District, with which they then have five years to comply. The building sector accounts for 75% of the District's greenhouse gas (GHG) emissions, making BEPS a vital component in reducing the District's contribution to climate change. BEPS is projected to achieve roughly 12% GHG emission reductions by 2032, comprising a significant portion of our climate commitments.

DOEE has spent the past six months working with the BEPS Task Force to develop BEPS regulations. While we expect to implement the regulations in FY 21, we are mindful of the great strain our building owners are under as a result of COVID-19, and we intend to build into BEPS the flexibility necessary to accommodate these hardships.

Another key recommendation of the Clean Energy DC plan—the DC Green Bank, will begin offering programs in FY 21. DOEE has spent the past year helping stand up the Green Bank, assisting the Board with establishing banking services, obtaining legal counsel, and, most recently, hiring its first CEO—Eli Hopson. The DC Green Bank will accelerate investment and strengthen the green economy by providing building owners with low-cost and easily accessible capital for sustainable energy projects. A strong Green Bank will be critical to our COVID-19 recovery efforts.

DOEE has also worked over the past year to establish a High-Performance Building Hub, to assist owners, developers, builders, and designers in complying with BEPS and the existing green building requirements, and to accelerate development of net-zero energy buildings. The Hub recently named its first Director, Lindsey Falasca. In addition, DOEE has continues to work



closely with the DC Sustainable Energy Utility to ensure its programs will support the BEPS program and are appropriately integrated with the Green Bank and the Hub. With a full suite of programs and assistance coming online from these three entities, the availability and accessibility of resources to support sustainable energy in the District will be unprecedented in FY 21.

In FY 21, DOEE will continue its implementation of the Solar for All program, allocating \$10 million to implement solar projects, including construction of community renewable energy facilities at multiple host sites with a generation capacity of approximately 7 megawatts, and solar installation on at least 100 single-family homes. This will build upon the 115 single-family installations and 6.5 megawatts of community renewable facilities that we project to be completed in FY 20. To train our residents for jobs in the growing solar industry, DOEE will also continue its SolarWorks DC program in FY 21, although the program may be modified to accommodate more virtual training as a result of COVID-19.

DOEE's Low Income Home Energy Assistance Program (LIHEAP) will continue to help ease the burden of energy costs for the District's most vulnerable residents—including seniors, young children, and residents with disabilities—by providing financial assistance to low-income households in FY 21. As a result of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, DOEE received an additional LIHEAP allocation of \$2.7 million, which will expand LIHEAP assistance and extend weatherization activities. DOEE is also closely tracking the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, which was introduced in the U.S. House of Representatives on May 12th—the proposed draft includes \$1.5 billion for energy assistance and an additional \$1.5 billion for water assistance.

In FY 21, DOEE will also continue to implement the Lead Pipe Replacement Assistance Program established by the Council and enacted by the Mayor last year, providing financial assistance for residents to replace their lead water service lines. So far, we've received 145 applications and 44 lead pipe replacements have been completed in FY 20. We expect to maintain the current rate of replacements in FY 21.

Urban Sustainability Administration

In FY 21, DOEE's Urban Sustainability Administration will continue to collaborate with sister agencies to support actions identified in the District's trio of sustainability plans: Sustainable DC, Climate Ready DC, and Clean Energy DC. This year, DOEE will develop a carbon neutrality strategy, which will identify policies and programs to fulfill Mayor Bowser's commitment to making the District carbon neutral and climate resilient by 2050.

DOEE will continue to partner with community-based organizations, which is critical for ensuring our work prioritizes the needs of our most vulnerable residents and communities. We will also build on our ongoing efforts to drive innovative research through participation in the Urban Sustainability Director's Network, the PJM Cities Coalition, the Carbon Neutral Cities Alliance, the Transportation Climate Initiative, and C40 Cities. And our ongoing coordination with other District agencies and the Commission on Climate Change and Resiliency will ensure resilient and sustainable design strategies are integrated into relevant District policies and plans.



We will strengthen our paint and electronic stewardship programs in FY 21. We will also continue building upon the successes of our Green Building Fund Grant Program, which, in addition to seeding important work that resulted in the creation of the Green Bank and the High Performance Building Hub, has also helped fund the design of 8 potential net-zero building projects in the District. Additionally, we will work with the Department of Consumer and Regulatory Affairs (DCRA) through our role on the Construction Codes Coordinating Board and associated Technical Advisory Groups to educate the regulated community about changes to the DC Energy Conservation and Green Construction Codes.

Environmental Services Administration

In FY 21, DOEE's Environmental Services Administration will continue its work in areas related to air quality, toxic substances, healthy homes, rail safety, emergency response, and the ongoing Anacostia River Sediment Project.

DOEE will continue its air quality-related planning, regulatory compliance, permitting, and enforcement efforts in FY 21. We will continue working with local academic institutions—including Trinity University, University of Maryland, and George Washington University—to pursue projects aimed at putting real-time air quality data into the hands of residents, helping them understand the effects of their activities on local air quality. We will also improve compliance with air quality permitting requirements by implementing simplified online permitting systems.

Lead poisoning prevention continues to be a high priority for DOEE. In addition to our ongoing lead programs, DOEE has received a grant award from EPA for \$399,000, most of which will be focused on assisting charter schools address lead in water. In FY 20, DOEE awarded a contract to create a lead screening registry, allowing health providers to easily track and input data on a child's lead testing history. This tool will increase our efficiency in tracking compliance with the District's mandate that every child be tested for lead twice by age 2. In FY 21, we will begin integrating the registry with DOH and DCPS systems, expanding its potential for identifying community health concerns and early intervention needs.

DOEE will conduct indoor mold inspections in FY 21. We were only able to hire one of the two inspector positions allocated to the agency in FY 20 before the COVID-19 public health emergency was declared. The remaining unfilled position was reduced from our budget to address citywide budgetary needs in response to COVID-19. However, we are confident we are able to address the needs of our citizens with our current resources.

In December 2019, the District achieved a significant milestone in the Anacostia River Sediment Project by publishing the Proposed Plan for cleaning up the river's contaminated sediments. The comment period for the plan closed on March 2, and DOEE is currently reviewing the nearly 900 public comments we received. We are on track to publish the Interim Record of Decision by September 30, as required by law, and hope to begin remediation work in FY 21.

Natural Resources Administration

DOEE's Natural Resources Administration works to conserve the District's natural environment and native wildlife and to restore and protect our waterways from pollution and degradation.



In FY 21, DOEE will continue to implement the Clean Rivers Impervious Area Charge (CRIAC) relief program, which was established by the Mayor to assist residents and nonprofit organizations with payment of DC Water's CRIAC fee. The CRIAC fee is assessed on property owners to pay for DC Water's federally required \$2.6 billion capital improvement project aimed at improving the quality of the District's waterways. In FY 20, DOEE has already provided benefits to more than 1,300 households and 99 nonprofit organizations. In the coming weeks, DOEE will begin implementing the temporary CRIAC expansion program, authorized by Council in its COVID-19 Emergency Support Act, to assist residents threatened with shutoff due to unpaid water bills.

DOEE partnered with DCPS and the University of the District of Columbia (UDC) in FY 20 to support a community-driven redesign of Anacostia High School's programming. In FY 21, this initiative will provide teacher professional development, student mentorship, and programs that allow students to apply their learning to projects that improve their communities and support environmental, civil engineering, leadership, and social justice educational goals.

DOEE will continue its RiverSmart, stormwater control, and pollution prevention programs to maintain compliance with our federal MS4 permit in FY 21. However, the scope of some of these programs will be reduced as a result of a decrease in special purpose fund revenue and budget reductions due to COVID-19. While DOEE has temporarily suspended most inspection and enforcement activities related to the bag law and disposable food service ware requirements, these regulations are still in place, and we will resume enforcement activities as public health restrictions are eased.

DOEE will continue capital investments in the District's natural environment, including our ongoing Oxon Run stream restoration and the ecological restoration of Kingman and Heritage Islands. We will also develop and begin implementing an Anacostia River Restoration plan, including the restoration of tidal and non-tidal wetlands, fringe wetlands, living shorelines, and submerged aquatic vegetation and mussel beds. We will continue mapping the District's underground streams and will develop an integrated flood modeling tool that will produce city and neighborhood-scale maps and test effectiveness of various infrastructure solutions.

This year, DOEE established an Office of Urban Agriculture and hired its first Director, Kate Lee. The District certified tax abatements for urban farms for the first time in FY 20, and we are currently pursuing funding from the U.S. Department of Agriculture and working with UDC to support District farmers' infrastructure needs. In FY 21, the office will focus on ways to increase food production in the District to ensure a more sustainable, equitable and resilient food system.

Operations Services Administration

In FY 21, DOEE's Operations Services Administration will continue to improve internal processes, systems, and infrastructure to increase efficiency, quality, and cost-effectiveness for DOEE's hiring practices, information technology, and facility management efforts.

Consistent with Mayor Bowser's roadmap for inclusive prosperity, DOEE will continue to focus on job creation and investments in growing the green economy with initiatives like our Green Pathways website, an online one-stop-shop for internships, fellowships, volunteer opportunities, and full-time employment in the energy and environment sectors. DOEE will also continue to partner with the Department of Employment Services (DOES) and sister agencies to provide job



training to District residents through the DC Infrastructure Academy, a partnership between the District government, organized labor, local institutions of higher learning, and private sector employers representing the infrastructure industry. In FY 21, DOEE will also host its fifth cohort of Green Fellows. Our Green Fellowships are competitive, paid opportunities for graduate students attending local higher education institutions.

Conclusion

I am proud of DOEE's work. We continue to see signs of an improving natural environment: nesting pairs of bald eagles have returned to multiple locations in the District for several years in a row now, and the American shad, our official state fish, has been fully restored in the Potomac River. We are also seeing the results of our investments in local, equitable clean energy: solar energy generation in the District has tripled over the past four years, and the Solar for All program has provided the benefits of solar to nearly 10,000 low and moderate income households. Our successful efforts are reflected in the District's position as a national leader in energy and environment. Among U.S. cities, the District is a leader in green roof installation, green power usage, LEED-certified square feet per capita, Energy Star certified buildings, and local government green power usage.

DOEE is a fiscally resilient agency, with a world-class team of employees. Although we will face some difficulties due to the recent pandemic, we will still be able to fulfill our core functions and mission, and we will search for every opportunity to become more efficient and access outside funding. In this time of hardship for so many District residents, we will also continue to work closely with the Mayor's office and Council to ensure the resources allocated to DOEE also support residents' recovery from the COVID-19 public health emergency. The Council and this Committee are critical allies in this effort, and I appreciate your work to ensure we operate efficiently and effectively. I look forward to our continued work together.

Thank you for the opportunity to testify today. I look forward to answering your questions.





D.C. CATHOLIC CONFERENCE

ADVANCING GOSPEL VALUES IN THE DISTRICT OF COLUMBIA

Post Office Box 29260, Washington, D.C. 20017-0260

Budget Oversight Hearing on the Department of Energy and the Environment Committee on Transportation & the Environment Thursday, May 21, 2020

Mary Forr, Director of the D.C. Catholic Conference, Archdiocese of Washington

In 2009, DC Water instituted the Clean Rivers Impervious Area Charge (CRIAC) to help pay the costs of the Clean Rivers Project. Between 2009 and 2016, the Archdiocese of Washington's CRIAC fees rose nearly 2,000 percent. By 2017, our parishes and cemeteries were paying well over \$500,000 in CRIAC charges.

In 2019, the Council authorized the Mayor to establish the CRIAC Relief Program to be administered by DOEE to provide relief to nonprofit organizations who could show that their annual CRIAC charge is greater than 1 percent of the organization's annual revenue, after expenses. This was much needed as the CRIAC charges greatly impacted our ability to operate our parishes and provide services to the community.

We are very thankful that Mayor Bowser and the Council recognized the need of those in the community and responded with the creation of the CRIAC Relief Program; however, we are very concerned that the submitted budget plan proposes a net reduction of \$3,870,837 in the Clean Rivers Impervious Area Charge (CRIAC) relief fund (see page F-31).

Particularly at a time when so many have experienced financial harm due to the coronavirus emergency, we urge that the Council provide full funding for FY 2021 so that nonprofit organizations receive the assistance that, just two years ago, the Council acknowledged they greatly need.

The creation of the relief fund acknowledged the extent of the burden CRIAC places on non-profits—especially religious non-profits and allowed us to continue to collaborate with the District Council in serving the people of D.C. The proposed budget reduces the amount in the relief fund, which provides assistance to both non-profits and low-income District residents, to \$502,000—approximately 12 percent of its previously allotted amount. This amount is woefully inadequate, as in 2019, CRIAC charges for the Archdiocese of Washington alone reached over \$500,000. Not only does this amount fail to recognize the disproportionate burden the CRIAC charge places on non-profits, but this reduction also creates a competition for relief funds between non-profits and the very people the non-profits are working to serve.

The Archdiocese has 38 parishes within the District of Columbia, through which we administer the sacraments, operate schools, provide religious education, offer sports programs and other youth programs, and deliver many social services to the community.

In addition, our affiliated corporations administer two cemeteries, offer many social service programs through Catholic Charities, provide affordable housing through Victory Housing, operate a youth center in Ward 8, and offer many other social services to the citizens of the District of Columbia. While every Archdiocese of Washington parish will feel this change in relief, the proposed reduction in relief will most significantly affect parishes residing in Wards 7 and 8. Two of these parishes are Our Lady of Perpetual Help and St. Thomas More.

In 2019, the CRIAC charge for Our Lady of Perpetual Help, located on Morris St. SE in Ward 8, was over \$32,000. In the same year, the CRIAC charge for St. Thomas More, located on 4th Street SE also in Ward 8, was over \$30,000. . Both of these parishes are deeply involved in their community offering adult literacy programs, food banks, substance relief programs, and support for youth and families. The generosity of the parish and other charitable donations provides for these programs. Because of the coronavirus emergency, monetary contributions are down substantially, and this has resulted in the public closure of many nonprofit businesses, including churches. The loss of CRIAC relief, in addition to the economic harm caused by the health emergency, will adversely affect the ability of faith communities and other nonprofits to operate and continue to serve our neighbors. The proposed reduction in the CRIAC Relief Program is untenable.

The Archdiocese of Washington recognizes that there are many other houses of worship also providing social services to the residents of the District—and with these organizations we can say that if the CRIAC relief fund is reduced to merely 12 percent of its previous allotment, we simply cannot afford the high fees present without undermining the social assistance provided.

We urge the Council to once again recognize the disproportionate burden the CRIAC charge places on non-profits and restore full funding to the CRIAC relief program.



**Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G**

CHEVY CHASE, BARNABY WOODS, HAWTHORNE

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5601 Connecticut Avenue N.W.
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202.363.5803

**ANC 3/4G Testimony Before the
Committee on Transportation and the Environment
Budget Hearing on the
Department of Energy and Environment
May 21, 2020**

Chairperson Cheh and members of the Committee on Transportation and the Environment, I am Randy Speck, Chair of ANC 3/4G (Chevy Chase), and I am testifying on behalf of our Commission, which authorized this testimony at its May 19, 2020 meeting by a vote of 6 to 0 (a quorum being 4).

Our Commission is concerned about two proposed reductions in the Mayor's budget for the Department of Energy and Environment (DOEE): (1) the budget would cut funding for the lead pipe water service line replacement program by \$261,740; and (2) the budget would reduce funding for the Clean Rivers Impervious Area (CRIAC) relief program by \$3,870,831, potentially eliminating a program that has been particularly important for non-profit organizations in our community. The Commission recognizes the impact that the coronavirus emergency has had on the District's revenues and the need to

reduce expenditures. Nevertheless, the lead pipe replacement and CRIAC relief programs deserve a priority because of their health and financial impacts on vulnerable residents and institutions, and we ask the Committee to restore that funding in the Council's budget.

Lead Pipe Replacement

On May 13, 2019, ANC 3/4G passed a resolution (available at <https://bit.ly/2VFERAN>) urging the Council “to adopt the recommendation from the Committee on Transportation and the Environment and to include at least \$1 million on a recurring basis in the FY 2020 Budget Support Act.” That resolution cited the overwhelming scientific evidence that “there is no safe level of blood lead concentration for children,” and “the best ‘treatment’ for lead poisoning is to prevent any exposure before it happens” (<http://bit.ly/2VYgZb5>). Children and pregnant women are particularly at risk from *any* exposure to lead, and the partial lead water service lines that are prevalent throughout the District (see <https://geo.dcwater.com/Lead/> for specific details) continue to pose a significant health and safety hazard.

DC Water has begun to implement a program to support lead pipe replacement, particularly for those water customers who cannot afford to pay for replacement themselves. This program is not a luxury. The District should make protection of children's and pregnant women's health a priority. The current level of funding is already inadequate to fully meet the need, and this further reduction by \$261,740 is not warranted

and potentially harmful. We urge the Committee to maintain at least the same level of funding for lead pipe replacement in FY 2021 as in the approved FY 2020 budget.

CRIAC

ANC 3/4G submitted testimony to the Committee at DOEE's performance oversight hearing on February 14, 2019 (available at <http://bit.ly/2IbSrFS>) emphasizing the importance of the "District of Columbia Water and Sewer Authority Rate Increase Mitigation Amendment Act of 2018." Under that statute, DOEE distributes funds to low-income residents and a limited number of non-profit organizations to provide relief from DC Water's CRIAC fee, which has become a significant burden for many.

The Commission reiterated the need to provide adequate funding for this relief program in its testimony before the Committee at DOEE's budget hearing on April 1, 2019 (available at <https://bit.ly/2WNY0zy>). Three institutions in our ANC — the Knollwood Life Plan Community, Ingleside at Rock Creek, and Temple Sinai — have qualified for and received relief to offset part of their CRIAC fees. That relief has been particularly important since these non-profit organizations have been hit with significantly higher costs and loss of life to combat the coronavirus pandemic. It is not a time to reduce or eliminate the relief that was warranted even in the best of times.

We urge the Committee to ensure that funding is included in the FY 2021 budget to provide at least the same level of relief from CRIAC fees for DC Water customers as was provided in FY 2020. Unless there are sufficient funds in the proposed FY 2021

budget to maintain that funding level, the Committee should restore the \$3,870,831 that the Mayor proposes to eliminate from DOEE's budget.



14th St. Uptown Business Association

NORTHERN BUSBARN NEIGHBORS

PUBLIC TESTIMONY

BEFORE THE

COUNCIL OF THE DISTRICT OF COLUMBIA

COMMITTEE ON TRANSPORTATION AND THE ENVIRONMENT

THE HONORABLE MARY CHEH, CHAIRPERSON

2019-2020 PERFORMANCE OVERSIGHT AND FY 2021 BUDGET HEARING

DEPARTMENT OF ENERGY AND THE ENVIRONMENT

BY

TAALIB-DIN ABDUL UQDAH,

Founder, Facilitator, Executive Director

14th Street Uptown Business Association (1-4 UBA) / Northern Busbarn Neighbors (NBN)

www.cleanbus.org

Thursday, May 21, 2020 @ 3:00 PM

Via Virtual Media Platform

Taalib-Din Uqdah

Washington, DC 20011

Ward 4

Madam Chair and Members of the Committee on Transportation and the Environment, my name is Taalib-Din Uqdah and I am founder, facilitator and executive director for a collaborative group of commercial property owners in the 4600-4700 blocks of 14th St., between Buchanan and Decatur Streets, NW – 14th St. Uptown Business Association (1-4 UBA) – and residents of the adjoining 16th St. Heights Community – Northern Busbarn Neighbors (NBN) – of which I am both.

We are asking this Committee to have and help Director Wells to:

1. Thoroughly explain why, after a 113+ year history, and a less than stellar record, WMATA is not being mandated, required or forced, (if necessary), by DOEE to protect the citizens of the District of Columbia from the known health effects of diesel fumes and its by-product, diesel particulate matter – DPM – by requiring them to perform an Environmental Impact Statement at its Northern Division Bus Barn in the 16th St. Heights neighborhood; and/or
2. In the alternative, (from your committee), increase DOEE's budget (up to) at least \$1 million, as a pro rata share in a cooperative partnership effort with WMATA, to get an EIS done, allowing all parties to know what the possible alternatives could be before we further damage the health, mortality and welfare of our 16th St. Heights residential neighborhood.

Under the 1970 National Environmental Policy Act (NEPA), law requires all federal infrastructure projects to undergo an Environmental Assessment (EA). As WMATA receives a significant amount of funding from the Federal Transportation Administration, (FTA), this applies to them.

After the EA is complete, should it be found that the site has or may have significant environmental impacts – DOEE knows it does – an Environmental Impact Statement (EIS), must be done and its findings published for public review.

The purpose of these two (2) documents – EA and EIS – is to determine if the project is consistent with established laws, rules and regulations for environmental and historical preservation, and because the front façade of the building has been deemed historic, WMATA is doubly affected.

However, true to its longstanding, unorthodox practices, lawsuits that resulted in fines for underground storage tank leaks at several facilities that went unreported and its spotty safety record that has led to deaths and injuries, WMATA sought and was granted a "*categorical exclusion*," which is akin to self-certification, as they look to move forward in the rebuilding of its Northern facility without giving all due deference or full consideration to the citizens of the District of Columbia, our 16th St. Heights community in particular, by voluntarily performing an EIS.

DOEE can change that dynamic by requiring WMATA to perform an EIS; they have that authority, which can be exercised through several processes, the least of which is OP's Large Tract Review. WMATA is before several District agencies, as we're testifying, where DOEE has a seat at the table

It is commonly known by DOEE and HHS that over the years, our *little slice of heaven* has had – and continues to have – some of the highest populations of children with asthma, asthmatic-like conditions and deaths associated with degenerative cancer causing conditions that come in the disguise of diesel fumes and its main by-product, diesel particulate matter – DPM – like COVID-19, an invisible poison that gets into the blood stream and never goes away. They have the data; in fact WMATA's own 2003 Air Quality Study showed all manner of environmental deficiencies, inside and outside the bus barn, with high-level recordings of DPMs outside, a known carcinogen that DOEE has repeatedly ignored, according to 2008 letter, where the neighborhood demanded action. How long are we going to allow this death trap to exist around schools in our neighborhood – 7 at last count – churches, playgrounds, recreation/community centers, dog parks, in a completely residential neighborhood? How long?

In closing – a prophetic warning – our testimony should be of particular interest to the Chair and Councilmember Kenyan McDuffie. Ward's, 3 and 5 respectively, are next up in WMATA plans to tear down and rebuild Western (Ward 3) and Bladensburg (Ward 5), the latter, I believe should automatically trigger an EIS; don't let them getaway with anything less.

DOEE needs to stand-up to WMATA and not capitulate to them as a matter of political expedience, as others have already shown they're willing to do, to the detriment of District residents as a whole, 16th St. Heights' Ward 4 residents in particular. We need your help.

Thank you for this opportunity to testify, albeit virtually, but I stand ready to not only answer any and all questions or concerns, but invite the committee members to visit – www.cleanbus.org – **HEALTH RISK** to view the scientific data and reports we cited.

#



501 3rd Street, NW · 8th Floor
Washington, DC 20001
T 202.467.4900 · F 202.467.4949
www.childrenslawcenter.org

May 21, 2020

The Honorable Mary M. Cheh
Councilmember
District of Columbia Council
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Re: Committee on Transportation & the Environment
Budget Oversight Hearing Regarding Department of Energy and the
Environment

Dear Chairperson Cheh:

I am writing on behalf of Children's Law Center to express concern about proposed budget cuts that potentially could hamper the District's battle against childhood lead poisoning. Children's Law Center fights so every DC child can grow up with a loving family, good health and a quality education. With nearly 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year.¹

Under the Mayor's proposed budget, the Lead-Safe and Healthy Housing Division of the Department of Energy & Environment (DOEE) would have its budget cut 23%, from \$5.895M to \$4.526M. The budget documents provide little guidance on this proposed cut, other than to say that "DOEE's Local funds budget submission reflects a decrease of \$1,120,170, primarily in the Environment Services division, due to a reduction in equipment purchases and subsidies" and that "the proposed budget reflects a reduction of \$995,000 in Contractual Services in the Environmental and Energy divisions."

The Lead-Safe and Healthy Homes Division is part of the Environmental Services Administration and "ensures that the housing in the District does not pose a health threat to its occupants."² The Division includes two branches: (1) the Childhood Lead Poisoning Prevention and Healthy Homes Branch, which takes proactive steps to prevent harm caused by indoor environmental health threats and responds to all cases of children under age six identified with an elevated blood lead level; and (2) the Compliance and Enforcement Branch, which oversees the District's lead laws (including lead certification, accreditation, and

abatement requirements), and undertakes compliance monitoring and assistance as well as enforcement measures.³

We recommend that the Committee, during its May 21 budget oversight hearing, ask DOEE to specify how the proposed budget cuts would affect the Lead-Safe and Healthy Homes Division's responsibilities, particularly the important role it plays in reducing childhood lead poisoning and funding lead-hazard remediation and reduction efforts by third-party contractors. To the extent this vital work would be undermined by the proposed cuts, we urge the Committee to modify this aspect of the budget and restore the necessary funds to ensure a robust childhood lead-poisoning prevention program.

An ill-advised budget cut would ignore the fact that lead poisoning can severely and irreversibly harm a child's development. It would also be shortsighted given the enormous societal costs imposed by childhood lead poisoning.⁴ As the Council stated in 2008, the "societal and monetary benefits of aggressive primary prevention measures speak for themselves when compared to treating children who have been exposed to lead and the subsequent social, behavioral and education problems they face."⁵

Thank you for providing us the opportunity to submit our views. Please include this submission in the record of the Committee's budget oversight hearing.

Respectfully submitted,

Charles W. Logan

Charles W. Logan

Special Counsel

Transmitted by email to abenjamin@dccouncil.us

¹ Children's Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to advocate for children who are abused or neglected, who aren't learning in school, or who have health problems that can't be solved by medicine alone. With nearly 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² <https://doee.dc.gov/page/environmental-services-administration> .

³ *Id.*

⁴ One study estimates that the lifetime economic burden of childhood lead exposure in DC could be as high as \$402 million – and that’s just for the 2019 birth cohort of children. *See* <http://valueofleadprevention.org/calculations.php?state=District%20Of%20Columbia>.

⁵ Council of the District of Columbia, Committee on Public Works and the Environment, Committee Report on B17-0936, at 2-3 (Nov. 21, 2008), *available at* <http://lims.dccouncil.us/Download/19361/B17-0936-CommitteeReport1.pdf> .

The Need to Fund Wildlife Rehabilitation

City Wildlife, Inc.
www.citywildlife.org

May 15, 2020

Wildlife rehabilitation plays an essential role in protecting public health—as well as advancing the District government’s public safety, environmental and educational goals. The \$200,000/year funding for wildlife rehabilitation through DOEE is crucial to the continued provision of these essential city services, services which the residents of the District of Columbia now count on, and should be included in the upcoming budget.

City Wildlife, through its wildlife rehabilitation program, performs many important functions, all of which support the District’s goals:

1. Protecting public health and safety: Many people will not leave a sick, injured, or orphaned wild animal to die. Without a caring and convenient place to bring them, they will try to help these animals at home, risking injury and disease to themselves and their families. However, they will readily bring the animal to City Wildlife. **In helping animals, we help and protect the people who found them.**
2. Identifying zoonotic diseases: Like the coronavirus, 75 percent of recently emerging infectious diseases originate in animals. **City Wildlife is the only organization in the District that routinely sees native wildlife in a clinical capacity.** If an animal-borne disease should originate in the District, City Wildlife is likely to see and report it first.
3. Advancing the District’s environmental goals: City Wildlife has released hundreds of animals that are Species of Greatest Conservation Need in the District. Through and beyond wildlife rehabilitation, **our work supports youth science and environmental education, sustainability, habitat conservation, and citizen science programs, all of which advance the District’s stated goals.**
4. Providing a critical function in the District’s animal control program. City Wildlife was founded to work closely with DC Animal Care and Control (DCACC), to rehabilitate the sick, injured, and orphaned wildlife that they are charged with picking up, and nearly half of the 1,900 animals we treat each year come from DCACC. **We are the District’s first and still the only organization licensed and qualified to do this work.** There is no other such group to provide these services.
5. Reducing human/wildlife conflicts. Through telephone calls, email, social media, and public education, **City Wildlife helps people throughout the city resolve conflicts with wildlife**—animals in their living spaces, animals damaging property, encounters

between wildlife and pets, etc.— **safely and humanely**. Each year, we respond to more than 3,000 calls and emails about wildlife.

6. Supporting the District’s humane and educational goals. City Wildlife works to foster an appreciation for the city’s environment and native wildlife. **Learning to live with wildlife increases our collective capacity for scientific curiosity, environmental awareness, empathy, kindness, and understanding.**

An Effective Public-Private Partnership

The grant that DOEE provides annually for wildlife rehabilitation makes these critical wildlife services possible. City Wildlife partners with the District government to provide a cost-effective program for the public, raising 56 percent of its annual \$472,000 budget through private funds. The District’s funding of \$200,000 is crucial to the continued provision of these essential services and should be included in the District’s FY2021 budget.

For further information, contact:

Anne Lewis, President
City Wildlife, Inc.

[REDACTED]

Jim Monsma, Executive Director
City Wildlife, Inc.

[REDACTED]

[REDACTED]

Good morning Council members,

My name is Faith McNeill and I work for the Latin American Youth Center (LAYC). As the Program Manager for River Corps, I provide support to staff who implement our Green Infrastructure Job Training program. In this highly unusual time I know the Council will have hard choices to make and will consider the impact this dual health and economic crisis has had on the most vulnerable members of our community, while charting a path forward for our economy. I believe that by supporting our workforce development program you will do just that.

In 2019, eighteen young men and women who were previously disconnected from school or work completed the five-month River Corps training program. Corps members included emerging adults such as Joseph Ward who became a Junior Crew Leader with River Corps. He was later offered a full time job with a DC green roofing company called Furbish.

Like Dayvon Trice, who went to build trails and conduct park maintenance with American Conservation Experience (ACE) in Asheville, NC., thirteen River Corps graduates from 2019 have already found employment or enrolled in post secondary education or additional job training. Graduates of the LAYC River Corps program have gone on to enroll in community college or found employment in an array of fields including but not limited to stormwater management, construction services, and non-profit work with notable organizations such as The Alliance for the Chesapeake Bay and US Corps of Army Engineers, helping to ensure the District has trained workers for these essential fields while reconnecting previously disconnected youth to the economy.

Sixteen of LAYC River Corps graduates from 2019 completed multiple certifications during their training period. Over the past three years graduates have completed certifications that have included: MD Erosion and Sediment Control Certification for Responsible Personnel Certification; ATSSA (American Traffic Safety Services Association) Flagger Certification; OSHA-10; OSHA-30; Center for Watershed Protection Clean Water Certification; and the EPA Watershed Academy Watershed Management Certification

In 2019, LAYC Corps members have made a significant contribution to the District's environmental infrastructure by maintaining several of the district's Low Impact Development sites; inspecting 35 RiverSmart homes; photo monitoring over 50,000 feet of stream; removing over 1,500 lbs of trash; and removing more

than six acres of invasive species. RiverCorps is truly a win-win program for the District.

LAYC's River Corps was recently renewed for its second three-year contract due to its success in meeting a triple bottom line of social, economic and environmental needs of the District. The Corps members we serve were formerly disconnected from school or work and are seeking a path forward. Corps members' financial and housing vulnerability is painfully magnified at this moment. River Corps staff and LAYC as a whole have responded by adding the provision of groceries, hygiene products and other essential items to the services we provide to our participants - all provided with privately raised funds. This crisis has not stopped our commitment to Corps member progress in their green workforce education. River Corps has supplied participants with tablets and hot spots to receive online training throughout their work week and as a result, members have completed a significant amount of certification-based work.

Going into the summer of 2020, River Corps has charted a course to meet our contracted work scope while meeting social distancing and public health guidelines ensuring it will meet the goals of DOEE and the District. The work scope includes maintaining low impact development sites across the District that meet the needs of the city's stormwater overflow. Stormwater management and environmental conservation-based work that River Corps performs are among the many essential services the District cannot ignore despite our economic upheaval. We are proud that the District has invested in a manner of completing this work that triples the return. LAYC River Corps and its students hope that in the wake of this public health crisis the Council will continue to support us and utilize this opportunity to build the District's economy while empowering its lifelong residents as leaders in this fight.



DC ENVIRONMENTAL
N E T W O R K

“The choice before us could not be more serious. Do we step up and repair the natural world and our relationship with it, as part of wider post-Covid-19 recovery, or do we go for economic growth at any cost? Let’s hope that at least some of our economists have a basic understanding of ecology, because if they don’t, next time the crisis could be even worse.”

- **Tony Juniper, Leading British Environmentalist**, “[The pandemic is an environmental issue.](#)”,
People in Nature, May 13, 2020

**Council of the District of Columbia, Committee on Transportation & the Environment,
Budget Oversight Hearing: District Department of Energy & Environment**

May 21, 2020, 12:00 PM, Google Meet Muted Video Conference

Testimony of Chris Weiss, Executive Director, DC Environmental Network (DCEN),

Good morning Chairperson Cheh and other Councilmembers and staff.

I am Chris Weiss and I am the Executive Director of the District of Columbia Environmental Network (DCEN). Thank you for holding this important budget oversight hearing focused on the District Department of Energy & Environment (DOEE).

The current online hearing experiment did not quite do the trick. It needs more tweaking.

I think it is important to note that despite the opportunity to record and send in written comments to your committee, District residents and environmental advocates probably were at more of a disadvantage than the Council and Executive branch, than might be usual. There is something important and meaningful about having Councilmember’s and agency directors hear citizens’ concerns and ideas just prior to making their own budget performance comments. The theatre of it makes for effective advocacy. It is understood that adjustments needed to be made because of the pandemic but effective public input may not have been adequately served as well as it could have been. Sitting on my couch, it certainly looked like the Committee and DOEE Director had a wonderful meeting that we all were able to observe and at least learn a bit about Mayor Bowser’s budget priorities but I think we can do better.

What may have helped a bit is that the day prior to the DOEE hearing, the DC Environmental Network held a budget performance briefing with DOEE Director Wells. Organizations, and others, whose voice was heard at this briefing, and/or participated, included the **DC Environmental Network, Alliance for the Bay, New Columbia Solar, Chesapeake Bay Foundation, Ward 8 Woods, Sierra Club, Chesapeake Climate Action Network, Interfaith Power and Light, Earthjustice, Audubon Naturalist Society, Casey Trees, Loop Closing, DC Appleseed, Green Compass, DC Consumer Utility Board, Wentworth Green Strategies, Sustainable Energy Utility, Rock Creek Conservancy, Washington Parks & People, Institute for Market Transformation, DC Voters for Animals, Microgrid Architects, Grid Alternatives Mid-Atlantic**, and 30 other citizens and activists. More participants than the usual COTE committee budget performance hearing crowd. We covered issues ([see questions](#)) connected to some of your conversations with Director Wells. Between our briefing, and your hearing, we got close to having enough information to formulate testimony we can be confident about.

I look forward to hearing how other committees did with a mix of different strategies to collect public input. Our recommendation is keep working at it. More broadly, even after the pandemic, I would recommend the committee work harder to get a broader range of voices to the performance oversight and budget performance oversight hearings. Beyond just us regulars. As someone who used to work at the Council and noticed many offices not really seeming to care much about public participation, even looked at it as a nuisance, I know every office, even the good ones, should probably renew their enthusiasm for increased public participation, now and then.

Environmental priorities and the pandemic.

As the Network has held over 25 meetings and briefings during the pandemic, we have strived to maximize our sensitivity to the reality that it is a hard moment to continue many ongoing, traditional environmental, tree-hugger conversations. People's health and economic wellbeing have been tragically upended and prioritizing the short-term economic needs of low and moderate, and zero income residents, should be prioritized, as well as the ongoing need to keep everyone healthy and help us all survive this crisis.

On the other hand, if we use the pandemic, like Trump and major corporations are doing, to relax our efforts to protect the environment, reduce consumption, and support the natural world, we will only exchange one crisis for another. A potential mix of environmental challenges, including the climate crisis, could be of greater and more permanent impact.

Our recommendations are presented in the spirit of recognizing we must move forward and respond aggressively to both the economic and environmental needs of our city. And try to connect the solutions for both as best we can.



Figure 1: The environmental community cares about what happens to those who have struggled with District economic realities both before and during the pandemic. Photo by Chris Weiss, DC Environmental Network

DC Environmental Network's recommendations so far.

1. Keep an Eye on LIHEAP, CRIAC, Lead-Line Replacement Support Programs

Administered by DOEE: These programs were important elements of the District's social safety net but now are critical responses to the pandemic. The sustainability community really cares about these programs. Both at our briefing, and at your hearing DOEE Director Tommy Wells shared that CRIAC is funded higher than expected participation; LIHEAP funding has been enhanced (\$2.7 million) and is whole; and Lead-Line Replacement support will meet established parameters in FY21. You asked at the hearing if DOEE had adjusted program costs to reflect potential increased need because of the pandemic. Tommy suggested that all that had been taken into consideration and these programs would not be short of needed resources. A little voice keeps reminding us that at several Council hearings, in recent times, non-profit leaders, including representatives of the faith community, have testified that the CRIAC program, for example, was not meeting their needs. **We are hoping that the kinks have been worked out in a fair manner but urge your committee to defend these funds and make sure, as best you can, through your oversight responsibilities, that they meaningfully serve the needs of District residents.**

- 2. Protect Watershed Protection & Water Quality Administration Programs:** Cuts to our watershed protection and water quality divisions means proven programs that help reduce toxic pollutants in our waterways and make our water safer to drink are threatened. DOEE is anticipating drops in special purpose revenue from several sources including the stormwater fund, bag fee, and possible decreases in plan approval fees from construction. DOEE believes it can maintain staffing but are anticipating possible reductions, even elimination, of programs including funding for green roof rebates, contracts to repair polluted stormwater and sewage outfalls, and the possibility of postponement of planned investigations of adjustments to work on U.S. Clean Water Act Total Maximum Daily Load (TMDL) obligations' for several years. Cumulatively these reductions could be a serious setback for clean rivers and safe drinking water. **We need your help in looking for even small ways to compensate for these lost revenues.**
- 3. A Budget that Protects Our Established Climate Goals:** The DC Environmental Network is concerned that that the pandemic will slow down our collective efforts to mitigate and adapt to the climate crisis. Implementation of the CleanEnergy DC Omnibus Amendment Act of 2018 is an important cornerstone of our most current efforts and DCEN felt there was both good and bad news at your DOEE budget hearing. Rightly, Director Wells specifically talked about reaching out to building owners and being responsive to their needs and concerns. Wells telegraphed a willingness to adapt and be sensitive to their plight. The DC Environmental Network does not disagree with that but wants to communicate to the committee that if this pandemic slows down implementation of CEDC, we need to aggressively figure out how and when we make up for lost time. The climate crisis is a numbers game and we cannot afford to slow down our timetable. Corporations and wealthy business interests in the District will use the pandemic to advocate for reduced climate regulation in the same way they used the current crisis to try and weaken paid leave requirements. A helpful frame:

“The choice before us could not be more serious. Do we step up and repair the natural world and our relationship with it, as part of wider post-Covid-19 recovery, or do we go for economic growth at any cost? Let’s hope that at least some of our economists have a basic understanding of ecology, because if they don’t, next time the crisis could be even worse.”

- Tony Juniper, Leading British Environmentalist

“The choice before us could not be more serious. Do we step up and repair the natural world and our relationship with it, as part of wider post-Covid-19 recovery, or do we go for economic growth at any cost? Let’s hope that at least some of our economists have a basic understanding of ecology, because if they don’t, next time the crisis could be even worse.”

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As one of our climate leaders, we need your help in figuring out how in the budget, and more broadly, we can avoid slowing down even more, our efforts to mitigate and adapt to the climate crisis.

4. Secure Funding for Wildlife Rehabilitation Services that Serve Many Critical Interests:

Despite a nation leading commitment to protecting urban wildlife and habitat in the District’s Sustainable DC 2.0 plan, Mayor Bowser’s FY21 budget cut \$200,000 in funding for wildlife rehabilitation, a critical public-private partnership in creating the optimal environment where nature and humans can sustainably coexist. Wildlife rehabilitation programs protect public health and safety; play a frontline role in identifying zoonotic diseases; support environmental education, habitat conservation, and citizen science programs; provide critical support for DC animal control programs; reduce human/wildlife conflicts; and support District humane and other sustainability goals. The grant that DOEE provides annually for wildlife rehabilitation makes these critical wildlife services’ possible. **We urge the Council to find the resources to restore the \$200,000 wildlife rehabilitation grant funding.**



Figure 2: In 2015, with the generous technical expertise of City Wildlife, I kept this baby raccoon safe, warm, and available to its mother for over 35 hours. Ultimately, we needed rehabilitation resources. Photo by Chris Weiss, DC Environmental Network

The environmental community is still combing through the budget documents we have access to and trying to find specificity as we were able to, in order to inform our comments and recommendations. I hope you get that we are trying to support efforts to move forward responsibly in the face of the pandemic.

Thank you.

The DC Environmental Network (DCEN), founded in 1996 — is working toward a vision of rebuilding Washington, DC's neighborhoods, and communities for long-term economic and environmental sustainability — accomplishing this by protecting, restoring, and enhancing, the Capital City's urban environment. We work to green cities, schools, and affordable housing to help protect human health, improve livability, and support our planet's natural systems to stem climate change.

MERCHANT WENTWORTH
ENVIRONMENTAL ADVOCACY • RESEARCH

Testimony of

Marchant Wentworth
Wentworth Green Strategies

Before the

Committee on Transportation and Environment
District of Columbia City Council

Regarding the

Budget Oversight Hearing for the Mayor's proposed 2021 Budget

For the

Department of Energy and Environment

May 21, 2020

Submitted

May 27, 2020

This testimony is submitted on behalf of Wentworth Green Strategies, a nonprofit environmental consulting firm based in Washington, DC.

Thank you for the opportunity to submit this testimony for the record for the Budget Oversight Hearing for the Mayor's proposed 2021 budget for the Department of Energy and Environment (DOEE).

The Department performs a wide variety of functions taking on the roles of both state and local water and air quality regulator, stormwater manager and even wildlife warden. The Department regularly oversees the underground storage tanks, transport and disposal of hazardous waste, and the control of toxic substances. In addition, DOEE administers the implementation of the District's recent climate bill, the strongest in the nation, including the groundbreaking Solar for All program that furnishes solar panels to low income ratepayers to reduce their electric bills.

During this unique time, the Mayor and the Department deserve credit for crafting a budget that recognizes the budgetary pressures the city and its residents are subjected to while preserving the core of the important programs that protect our cities environment. In creating the operating budget, the Mayor, working with the Department, has apparently taken care to preserve programs that yield multiple benefits across several different issue areas. Importantly, they have done so while maintaining the staffing that are at the core for the Department's effectiveness to design and implement programs in the future when more resources may be available.

For example, the Solar For All Program helps the city achieve its ambitious climate goals while yielding concrete economic benefits for low-income ratepayers. Similarly, the Building Energy Performance Standard creates a fair and effective system of reducing energy use in our cities buildings while at the same time reducing air emissions in our central core – harmful emissions that can play a part in triggering asthma in some of our most vulnerable populations – seniors and children. Looking at the long term, this budget allocates money to set up the Green Bank that will provide financial mechanisms to move us toward a green economy during a time of recovery from record high unemployment.

While the Mayor apparently exercised some delicacy in creating the operating budget, unfortunately the same cannot be said for DOEE's Capital Improvements Budget. Almost every program, save the Hazardous Material Remediation Fund and the Flood Mitigation Model appear to be completely zeroed out for FY2021. Programs lost include waterway restoration, Chesapeake Bay Implementation, Clean Water Construction, Enforcement and Compliance, as well as the Kingman Island Education Center. Stream and Wetland Restoration Sustainable DC and Stormwater Retrofit were also completely defunded. These cuts amount to about \$35 million.

In examining this budget, the Committee on Transportation and Environment has an opportunity to set up a framework to determine lessons learned and ways to implement them. While no one knows what the future holds for the city, we do know that this threat, if there is any good to it, may allow us to look at opportunities to make our city more sustainable in ways we had previously not imagined. For example, can investing in expanding the use of telework change our transit patterns and improve the way our office buildings are operated? Will changes in commuter patterns affect how we use water and generate wastewater? The Committee may wish to provide resources to allow the Department to begin the job of centralizing some of the thinking that is already going on.

No one relishes the cuts in the budget that had to be made in accommodate the unprecedented demands on our government. But in evaluating each of the reductions, we ask the Committee to consider as a priority, programs that yield multiple societal and environmental benefits, some of which we mentioned at the beginning of this testimony. We would hope that in the event of additional resources being made available to the city from the federal government, the Mayor and the Department consider restoring the cuts in DOEE's Capital Improvements Budget.

Thank you for the opportunity to submit this testimony and do not hesitate to contact me with any questions.



Councilmember Mary Cheh
Committee on Transportation and the Environment
1350 Pennsylvania Avenue NW
Washington, DC 20004

May 20, 2020

Subject: Casey Trees Comments for the Department of Energy and Environment FY 2021
Budget Oversight Hearing

Dear Councilmember Cheh,

Casey Trees would like to thank you and your staff for your hard work in putting together this hearing and we are grateful for your continued championing of environmental issues during this time. While we understand that all agencies were forced to see their budgets cut, we are deeply concerned about the 22 percent reduction in the Department of Energy and Environment's budget. Urban nature is pivotal not just for the benefits to the residents of the District but also to ensure our city stays resilient towards future pressures. While we are pleased that our tree canopy is funded in the Mayor's budget, we are concerned about our urban ecosystem as a whole. Our environment is interconnected and when one natural resource is neglected, it can cause a snowball effect and lead to long term repercussions to our entire natural and built ecosystem.

Over the last few months, we have seen more people embrace their local outdoor spaces and take advantage of the physical and mental health benefits that trees and green space provide. Unfortunately, without proper and continuous maintenance, these areas that have become so important in this trying time may be lost.

Casey Trees holds the following concerns about DOEE's proposed FY21 budget:

1. **\$2,297,000 reduction in Watershed Protection.** Among their many tasks, the Watershed Protection Division of DOEE is responsible for inspecting and enforcing water quality and pollution control regulations during land disturbing activities, such as new developments and reviewing plans for stormwater and floodplain management and sediment control. These vital tasks are an important part of the District's ability to become resilient, especially in floodplains and in areas with steep slopes, where maintaining existing trees and vegetation are an important part of preventing erosion. **As we do not know where in this Division the money is being taken from, Casey Trees is concerned that the decrease in funding will limit the capacity to do this work.** With 20 percent of the District in a floodplain and as we see more frequent and stronger storms, it is important that we continue to support the District staff that helps us build a more resilient D.C.
2. **\$8,73,000 reduction in Water Quality.** The Water Quality Division of DOEE is responsible for monitoring and maintaining our water resources. This includes making sure that we meet our water quality targets as we continue the process of cleaning up

the Anacostia River and making sure that all waters in the District are safe and clean. While some money for these functions comes from Special Purpose Revenue funds, it is not enough to support all of the work the Water Quality Division does and, with the federal government rolling back vital clean water policies, now more than ever it is important that we are funding the programs and activities that support our own waterways. **Casey Trees is concerned that the removal of this funding would reduce DOEE's ability to create and update their water quality regulations and ensure the District is meeting their water quality standards.** Clean water is the cornerstone by which the natural environment thrives. Trees can help filter pollutants from our water, but our urban forest is not strong enough to clean up decades of neglect. We must support the Water Quality Division and their effort to preserve D.C.'s water quality.

3. **\$782,000 reduction in Natural Resources Regulatory Review.** The Natural Resources' Regulatory Review Division is responsible for reviewing proposed construction projects to ensure they are in compliance with the laws and regulations, such as the Green Area Ratio and Stormwater Retention Credit Trading Program, that protect the District's urban forest. With the District's resiliency goals and D.C. being only two percent away from reaching its tree canopy goal, now more than ever it is important that we have a watchdog to ensure new developments and constructions are complying with District laws and regulations. **Casey Trees is concerned that the proposed funding reductions will decrease the Division's capacity to perform this essential function, despite the increase in FTEs.**

The District government has dedicated itself to protecting its natural environment in order to build a resilient, climate ready and sustainable D.C. and we understand that, as we move towards post-pandemic recovery, certain programs will need more support than others. However, we urge this Committee and the Council as a whole not to forget about the long term benefits our local environment brings to our communities. Trees take time to grow and provide mature, lush canopy for all to enjoy. We have seen the benefits that progressive environmental policies have had on our tree canopy and now is not the time to decrease action or lessen our stake in the environment around us.

We look forward to hearing Director Wells' responses to Committee questions and hope to hear him address our concerns about the District's water resources.

Thank you for the opportunity to submit comments on the Department of Energy and Environment's proposed FY21 budget. Casey Trees will submit additional comments before the DOEE record is closed. If you have any questions or would like to follow up, please contact me at [REDACTED] or [REDACTED].

Sincerely,



Jessica Sanders, PhD, PMP
Director of Science and Policy
Casey Trees



Committee on Transportation and the Environment

Chairperson Mary M. Cheh
Councilmember Charles Allen
Councilmember Kenyan R. McDuffie
Councilmember Brandon T. Todd

May 28th, 2020

Re: Budget Oversight Hearing for the Department of Energy and Environment

Dear Councilmembers Cheh, Allen, McDuffie, and Todd,

For the past 123 years, Audubon Naturalist Society (ANS) has worked to help residents of the Washington, DC region enjoy, learn about, and protect nature. We specialize in conserving the last natural places left in our region for all to enjoy and are passionate about equal access to nature and environmental justice. Throughout our history, we have played a leading role in water quality protection in the DC region through our advocacy, nature education, and community science programs. For more than 25 years, our members have monitored water quality in three of Rock Creek's tributaries, and for the last 2 years, we have worked with the Department of Energy and Environment (DOEE) and Anacostia Riverkeeper to get community members involved in monitoring the District's waters for bacteria. For the past year, we have worked closely with DOEE on issues such as the Green Finance Authority, Building Energy Performance Standards, and stormwater regulations, among many others. On behalf of our more than 28,000 members and supporters, ANS is grateful for the opportunity to provide testimony on the Mayor's proposed agency budget for DOEE.

Firstly, we would like to acknowledge the profound and horrific impact that the current public health crisis has had on thousands of District residents. This pandemic has seeped through the cracks in the structure of our society and targeted the most vulnerable among us. There is never a silver lining to tragedy, but we would be foolish if we didn't use this time of deep reflection to reshape our priorities as a city. Chief among the tools at our disposal in this process of reimagining is resource allocation, which has always been a primary predictor of a community's potential for prosperity. Communities of color in the District are suffering disproportionately from Covid-19, with African American residents making up 75% of the city's virus deaths to date.¹ This is a manifestation of the health inequities highlighted in the DC Department of Health's *Health Equity Report*, which indicates that incidences of poor health are twice as high among DC's African American population than any other racial group.²

¹<https://coronavirus.dc.gov/page/coronavirus-data>

²https://dchealth.dc.gov/sites/default/files/dc/sites/doh/publication/attachments/HER%20Summary%20Report%20FINAL%20with%20letter%20and%20table_02_08_2019.pdf

Woodend Sanctuary | 8940 Jones Mill Road, Chevy Chase, Maryland 20815 | [REDACTED]

Rust Sanctuary | 802 Childrens Center Road, Leesburg, Virginia 20175 | [REDACTED]

anshome.org

Public health does not exist in a vacuum, however. It comprises myriad environmental and social factors, all of which intimately intersect with the services DOEE provides. DOEE is an invaluable player in public health maintenance and in fighting climate change, which has already begun to take advantage of the same vulnerabilities as Covid-19 has. Recent research has proven that chronic exposure to air pollution predisposes communities to higher death rates from Covid-19.³ This same air pollution drives climate change, which also increases the likelihood of spread of zoonotic diseases like Covid-19.⁴ People of color in Washington, DC and beyond are exposed to poorer air quality than their white peers and suffer disproportionately high rates of heart and lung conditions, which increase the risk of complications from Covid-19. Investing everything we can in climate mitigation, and equipping DOEE to do this work, saves lives. It is for these reasons and more that we support fully funding DOEE at FY 2020 levels. Please see comments on specific budget items, which are sorted by Division/Program and Activity number, consistent with Table KG0-4 of the Agency Budget Chapter.⁵

(2000) Natural Resources

(2030) Fisheries and Wildlife

DOEE benefits from strong partnerships with local non-profits that amplify the agency's message and work. Among the partnerships threatened in the proposed budget is that between **DOEE and City Wildlife**. In the proposed 2021 budget, all funding for City Wildlife was removed from DOEE's budget. Of City Wildlife's \$472,000 budget, roughly \$200,000 comes annually from DOEE.⁶ This is an investment in the District that gets multiplied countless times over by the services City Wildlife provides. On many occasions, City Wildlife has showed up for our membership when no one else could, most recently helping the author of this comment letter by taking in a Cooper's Hawk found in Petworth. Their devotion to building a thriving city is palpable and unmatched. **We strongly support finding alternative funding for City Wildlife and hope that the organization's contributions will not go unrecognized by the Council.**

City Wildlife has been an incomparable peer in defending, healing, and educating about wildlife and nature in the District. **They simultaneously and expertly play the roles of veterinarian, advocate, educator, and scientist.** They are the only entity licensed to rehabilitate wildlife in the city, and without their work, the 1,900 animals they treat each year would suffer.⁷ City Wildlife enables positive interaction between District residents and wildlife through their educational outreach and interaction with the public. Each year, they field more than 3,000 emails and calls helping Washingtonians carefully handle wildlife inquiries.⁸ By offering a place to bring sick and injured animals, they prevent human injury and infection. Because they work with wild animals in a clinical setting, City Wildlife is also

³ <https://www.hsph.harvard.edu/c-change/subtopics/coronavirus-and-climate-change/>

⁴ Ibid.

⁵ https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/kg_doe_chapter_2021m.pdf

⁶ "The Need to Fund Wildlife Rehabilitation," City Wildlife Public Testimony to CoTE, May 15th, 2020

⁷ Ibid.

⁸ Ibid.

singularly poised to identify emerging zoonotic diseases. **Their role in maintaining public health cannot be overstated given the context of a global pandemic with zoonotic origins.**

(2070) Watershed Protection

The Mayor's proposed budget contains roughly \$2.3 million in cuts to the Watershed Protection division at DOEE. This Division houses the RiverSmart Homes program, which is a "District-wide program [that] offers incentives to homeowners interested in reducing stormwater runoff from their properties."⁹ RiverSmart Homes plays a large role in installing green infrastructure around the city and is a valuable component of DC's stormwater control programs and policies. This program is particularly valuable for the jobs it provides to District residents who install and maintain landscape enhancements. If budget cuts are made to this program, it is likely that companies who provide installations will be forced to make job cuts. **An investment in the RiverSmart Homes program is an investment in job creation, which is desperately needed as DC begins its recovery from the pandemic.** The RiverSmart Homes program is also a valuable tool in fulfilling our federal mandate to manage stormwater runoff in areas of the city served by the Municipal Separate Storm Sewer System (MS4).

While we strongly recommend that funding for RiverSmart Homes not be decreased at all, we recognize the funding challenges posed by the pandemic. However, there are specific activities within the RiverSmart Homes program that must be protected at all costs for the program to survive. In particular, **we support protecting funding for rebates for green infrastructure installation**, which make this program equitable and accessible. We also **support maintaining funding for Best Management Practice (BMP) maintenance**, which provides countless jobs and ensures that the benefits of past investments will not be lost. Thirdly, **funding should be kept in place for the Adopt-a-Park and Adopt-a-Stream programs**. Even while the city begins Phase I of reopening, many of us will continue to rely on nature for solace and as a space that is safe from the virus. These programs strengthen the connection between communities and their environment and encourage stewardship of natural places.

In order to prevent further losses to the Anacostia River Clean Up and Protection Fund, **we recommend that the Council continue to encourage enforcement and compliance with the plastic bag fee**, which partially funds the RiverSmart Homes program.¹⁰

(3000) Environmental Services

It is disappointing to see decreases in funding for the Environmental Services division, particularly given the impact of these programs on indoor air quality for vulnerable populations. Asthma rates in the District, especially among youth of color in Wards 7 and 8, are significantly higher than the national average. This can be partially attributed to high instances of indoor mold in public housing. This is an issue that DOEE and DCRA have been struggling to remediate for many years, and community members have still not seen sufficient responses to requests for inspections and remediation. This is a crisis that amplifies the dangers of Covid-19 and should be given utmost priority. In no situation should funding be cut from mold remediation and air quality monitoring and enforcement programs. This funding should

⁹ <https://doee.dc.gov/service/riversmart-homes-overview>

¹⁰ <https://doee.dc.gov/service/skip-bag-save-river>

immediately be restored in the proposed FY 2021 budget. We encourage members of CoTE to revisit testimony given by community members at the joint hearing of the Committee of the Whole and CoTE on December 9th, 2019 on Bill 23-132 the Indoor Mold Remediation Act of 2019.¹¹ Testimony will highlight the need to restore funding for a second Mold Inspector in DOEE, despite the hiring freeze. We request that the Council work with the Mayor to exempt this position from the current freeze.

(6000) Energy

(6010) Energy Efficiency and Conservation

We are pleased to see an increase of \$503,000 in the budget for energy efficiency programs. Energy efficiency is one of the easiest ways for our city to reduce greenhouse gas emissions, both by reducing peak energy demand and through reducing overall energy production. Efficiency programs also improve energy affordability for residents with low-to-moderate incomes, who are often the most vulnerable to climate change. A household's energy burden is classified as affordable if it costs 6% or less of the household's annual income¹². Data from 2012-2016 indicates that DC residents with an income below 75% of the federal poverty level face a staggering and unacceptable 42% energy burden¹³. We look forward to seeing this funding help improve affordability for our neighbors. We hope that this increase will augment the funding available to the District through the Low Income Home Energy Assistance Program (LIHEAP) and build a more equitable city.

(6030) Energy Assistance Benefit Payments

We are thrilled that as a result of federal coronavirus relief, the District will receive a \$2.7 million enhancement in LIHEAP funding. The need for this assistance cannot be overstated. We request that this increase in LIHEAP funding be reflected in DOEE's budget documentation. Currently, DOEE's agency Chapter shows a \$648,000 *decrease* in funding under line item 6030.

(6050) Data and Benchmarking and (6060) Policy and Compliance

One of the most important services that DOEE provides in the fight against climate change is administration of the Clean Energy DC Omnibus Amendment Act of 2018. This groundbreaking law positioned DC as a national climate leader and making sure that it is implemented swiftly and equitably will play a major role in improving health outcomes for District residents and in mitigating yet another crisis. Climate change takes advantage of the same vulnerabilities that Covid-19 does, and it is crucial that the budget reflect a continued commitment to climate mitigation, resilience, and adaptation. Budget cuts in items 6050 and 6060 total roughly \$29 million. We recognize that \$22 million of DOEE's budget authority from the Sustainable Energy Trust Fund (SETF) and the Renewable Energy Development Fund (REDF) has been moved to the Green Finance Authority (Green Bank). Even still,

¹¹ <https://dccouncil.us/event/committee-of-the-whole-transportation-the-environment-public-hearing/>

¹² American Council for an Energy-Efficient Economy. "Understanding Energy Affordability," Accessed December 9th, 2019, <https://aceee.org/sites/default/files/energy-affordability.pdf>

¹³ Applied Public Policy Research Institute for Study and Evaluation. "District of Columbia LIHEAP Energy Burden Analysis," Prepared for the Department of Energy and Environment (2018)

losses in items 6050 and 6060 are significant. We recommend that this remaining funding be restored to the greatest extent possible.

Building Energy Performance Standards: The Data and Benchmarking and Policy and Compliance divisions within DOEE house many implementation components of the Clean Energy DC Act, including the Building Energy Performance Standards (BEPS) program. 73% of Washington, DC's emissions come from the building sector, and large buildings over 50,000 square feet are by far the greatest emitters.¹⁴ The Building Energy Performance Standards will reduce the city's total emissions 12% by 2032¹⁵, which is one of the biggest parts of meeting the city's goal of carbon neutrality by 2050.

It is necessary that BEPS is funded fully and begins the first compliance cycle as soon as possible. Compliance was already delayed by emergency legislation, B23-0610, the Clean Energy DC Omnibus Emergency Amendment Act of 2020. Director Wells indicated that in being sensitive to the needs of the regulated community, the first compliance cycle may be pushed back even further. ANS understands the financial hardship that many businesses are facing and believes that there are ways to show compassion to large building owners without compromising the integrity of BEPS and furthering the city's contributions to climate change. **In fact, the Clean Energy DC Act makes specific provisions for struggling entities to meet BEPS:**

“DOEE shall coordinate with the Sustainable Energy Utility, selected pursuant to the Clean and Affordable Energy Act of 2008, effective October 22, 2008 (DC Law 17-250; DC Official Code § 8-1773.01 *et seq.*), and the Green Finance Authority, established by section 201 of the Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (DC Law 22-155; DC Official Code § 8-173.21), to establish an incentive and financial assistance program for qualifying building owners and affordable housing providers to meet building energy performance standards.”¹⁶

The DC Council and DOEE should rely on programs already in place to support businesses and building owners before considering delaying compliance. Large building owners will be able to recover lost revenue much faster than DC will be able to make up for lost time mitigating climate change and its effects on vulnerable populations. We hope that the Council understands the importance of beginning to eliminate greenhouse gas emissions from the building sector as soon as possible.

DC Sustainable Energy Utility: The Data and Benchmarking division also administers the contract between DOEE and the DC Sustainable Energy Utility (DCSEU), which will play an integral role in enabling buildings to comply with BEPS. We hope that even with inevitable losses in Renewable Energy Development Fund (REDF) revenue, that DCSEU will be fully funded and will be able to participate in the success of BEPS. **We also encourage the Council and DOEE to work with the DCSEU to eliminate subsidization of natural gas appliances as a condition of their funding.**

¹⁴ <https://doee.dc.gov/service/greenhouse-gas-inventories>

¹⁵ Testimony of DOEE Director Tommy Wells, FY 2021 Budget Oversight Hearing, May 21st, 2020

¹⁶ Clean Energy DC Omnibus Amendment Act of 2018, Title III, Sec 301(f)

We commend DOEE for their work implementing the Solar For All program in FY 2019 and look forward to continued success in 2020. DOEE exceeded their 2019 target of 500 low-income households receiving solar installations and totaled 8,526 installations¹⁷. We support prioritizing funding for this program and increasing the target number of FY 2021 installations to 2,000.

Green Finance Authority, Sustainable Energy Trust Fund, and Renewable Energy Development Fund:

Among the programs necessary for DC to reach its climate mitigation goals is the Green Finance Authority, or the DC Green Bank. The Green Finance Authority Act of 2018 and the Clean Energy DC Omnibus Amendment Act of 2018 authorized a total of \$105 million in funding for the Green Bank from FY2018-2025, to be derived from the SETF and REDF^{18 19}. It is our understanding that the Green Bank has already received funding from the REDF for FY 2018 and FY 2019 totaling \$14 million. For FY 2020, the Green Bank is mandated to receive \$15 million from the SETF²⁰. Due to the pandemic, DOEE has projected that total SETF and REDF revenue will both be less than expected, meaning that the Green Bank may not receive full funding in FY 2020 and FY 2021.

We support the transfer of \$22 million in FY 2021 budget authority to the Green Bank as a separate instrumentality and urge the Council to fund the Green Bank to the maximum extent possible. With the hiring of a new Executive Director/CEO, Eli Hopson, the Green Bank is beginning to develop products that will hopefully be available beginning in early 2021. These financial offerings are a necessary component of DC's pandemic recovery, continued environmental justice initiatives, and climate mitigation goals.

The Green Bank is unique among District programs in that it can fund single-family energy efficiency retrofits with low-interest loans, loan guarantees, and credit enhancements. These products will complement Solar For All, the DCSEU, and energy efficiency programs by reducing energy burdens for low-income families. The Green Bank's commercial buildings products, including DC Property Assessed Clean Energy (DC PACE) will enable compliance with BEPS, and will also serve the large portion of buildings not covered by BEPS. Without the Green Bank, many of these smaller, non-residential buildings, would not have the capital funding to make energy efficiency improvements. DOEE, the Mayor's Office, and the Council have worked hard to prevent utility shutoffs for those that cannot afford energy bills during the pandemic. The Green Bank is an important part of making sure that energy is affordable for every resident even in the face of a crisis. The Green Bank also has the potential to be a source of job opportunities for small and local businesses to conduct installation and maintenance of energy retrofits. We strongly endorse the use of the Green Bank as a fundamental tool in DC's pandemic recovery.

It should also be noted that although Washington Gas Light is not out of compliance with their mandate to collect an assessment on natural gas, they are two months behind on transferring the money collected from natural gas delivery to DOEE for contribution to the SETF. CoTE should work with the

¹⁷ https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/kg_doe_chapter_2021m.pdf

¹⁸ Green Finance Authority Establishment Act of 2018, Title II, sec. 206(b)(1)

¹⁹ Clean Energy DC Omnibus Amendment Act of 2018, Title II, sec. 201(c)(3)(D)

²⁰ Ibid.

Committee on Business and Economic Development to encourage the Public Service Commission to ensure that this money is swiftly delivered and that it is reflected in the budget documents.

(6070) CRIAC Relief Fund

ANS understands that significant decreases in FY 2021 CRIAC funding are attributable to the availability of non-lapsing funds from FY 2019 and FY 2020. We support this decrease with the understanding that DOEE and the Council will reevaluate participation in CRIAC relief when building the FY 2022 budget and will fund the program at a higher level if necessary. We also encourage DOEE to expand community outreach in order to increase public participation in the relief program. This funding was passionately advocated for by many in the environmental and religious communities and we believe there is still a deep need for CRIAC relief.

KG0- Capital Projects

KG0-HMRHM- Hazardous Material Remediation- DOEE

ANS supports fully funding remediation for legacy sediments in the Anacostia River. Over the lifetime of this project, DOEE estimates the cost will total over \$99 million.²¹ DOEE and the Council should work with Congresswoman Eleanor Holmes Norton, the Army Corps of Engineers, and the Office of the Attorney General to hold potentially responsible parties (PRPs) accountable for their decades of pollution. District residents should not be responsible for thoughtless destruction of the natural resource that belongs to them. Recouping money from PRPs will help ease the burden of this project on the city and will free up funding for programs that are threatened in the current budget.

KG0-IFM20- DC Integrated floodplain modeling

ANS supports providing capital funding for the development of an integrated floodplain model. Given the Trump Administration's recent rollbacks of parts of the Clean Water Act and increased flooding due to climate change, a strong floodplain model is more important than ever. We agree with the Mayor's and DOEE's assessment that this project should receive immediate funding. Flooding in the District is projected to continually worsen and is likely to affect communities of color along the Anacostia River in addition to historic areas at the National Mall.

Additional Revenue Sources

Discriminatory treatment by the federal government in the CARES Act has put D.C. \$755 million behind other states. Even with the District's strong financial management in the past decade and our significant rainy-day funds, this will result in a \$600-\$700 million budget shortfall in FY 2020 and again in FY 2021. Recouping the federal funds denied to the District is a necessary step in balancing this budget, and we are extremely grateful to Congresswoman Eleanor Holmes Norton, Mayor Bowser, and the Council for fighting for equitable treatment in the HEROES Act.

²¹ https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/kg_doe_capital_2021m.pdf

We support expanding revenue generation for the District in order to prevent future fiscal losses. Additional revenue can be derived from several environmental initiatives that Washington, DC has yet to adopt. Firstly, **we hope that DOEE will work with the Mayor's Office to fully engage in the multi-state Transportation and Climate Initiative (TCI)**. TCI is an innovative opportunity to simultaneously reduce emissions from the transportation sector and generate new revenue, which can be reinvested in sustainability. TCI's Memorandum of Understanding will be released in early fall, and we hope that this program will help DC recover lost funds that can be put towards DOEE's successful programming.

While the District has seen marked improvements in water quality recently, the Anacostia, Potomac, and Rock Creek, and their tributaries are still highly impaired. One of the major threats to DC's waterways is trash pollution, a large percentage of which consists of plastic bottles. The city has an untapped opportunity to raise money through an **extended producer responsibility program for trash pollution, such as a bottle bill**. Such a program would help combat the need for budget reductions in DOEE's Water Quality division and could create job opportunities for DC residents. We encourage the Council, the Mayor's Office, DOEE, and the Mayor's Office of the Clean City to work together to explore the potential for this type of legislation.

We are proud of the Office of the Attorney General's (OAG) recent success in holding fossil fuel company, GenOn, accountable for three years of pollution into the Potomac River. OAG reached a settlement with GenOn for \$2.5 million to be paid to the District, \$100,000 of which will be earmarked for environmental programs²². We encourage the Council to work with OAG and DOEE to use the remainder of the settlement money to prevent budget cuts to DOEE's water quality programs, such as RiverSmart Homes and water quality monitoring.

Transparency

We are grateful to the Mayor's Office, DOEE, and the Council for putting together a strong budget in the face of serious economic stress. We recommend that future budget documentation reflect increased transparency. It is unnecessarily difficult to understand which budget items represent funding for specific programs, making it inaccessible to the public. We suggest working with organizations such as the DC Fiscal Policy Institute, DC Appleseed, and the Fair Budget Coalition to publish a more detailed budget explanation that shows cuts to specific programs. As currently written, compiling detailed and accurate testimony on DOEE's budget requires intimate knowledge of DC environmental policy. The budget should be easily read and understood by the general public. ANS would be happy to provide more detailed comment on this matter if the Committee is interested.

DOEE deserves countless accolades for their service to the District's wildlife and human population. We are particularly impressed with DOEE's commitment to stakeholder engagement. We recommend that DOEE continue to focus resources on conducting community outreach in neighborhoods along the Anacostia River and in Wards 7 and 8, particularly around the Anacostia River Sediment Project, Solar For All, and the Green Bank. DOEE has also worked hard to implement many parts of the Clean Energy

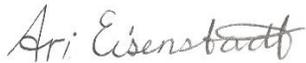
²² <https://oag.dc.gov/release/ag-racine-announces-fossil-fuel-energy-company>

DC Act in accordance with the mandated timeline. We commend DOEE for hiring staff in January to fulfill all necessary positions so that even during a hiring freeze, they have enough staff to carry out crucial climate and clean water policies.

Fully funding DOEE should be considered equivalent to funding economic recovery from the pandemic. DOEE plays a crucial role in improving public health, preserving and restoring the city's natural places, and making them accessible to all. Their programs fund job opportunities in every ward, which is more important now than ever. They are the primary agency in charge of the District's response to climate change, which is a threat multiplier that has already worsened health outcomes from Covid-19. We highly recommend that the Committee do everything in its power to fully fund DOEE.

With gratitude,

Ari Eisenstadt



D.C. Conservation Advocate
Audubon Naturalist Society

Phone: [REDACTED] Email: [REDACTED]

Anne Lewis, FAIA, President
City Wildlife, Inc.

[REDACTED]
Washington, DC 20011
Phone [REDACTED]

Trey Sherard, Anacostia Riverkeeper
Anacostia Riverkeeper

[REDACTED]
Washington, DC 20003
Phone [REDACTED]



Councilmember Mary Cheh
Committee on Transportation and the Environment
1350 Pennsylvania Avenue, NW
Washington, D.C. 20002

May 27, 2020

Subject: Casey Trees Comments for the Budget Oversight of the Department of Energy and Environment

Dear Councilmember Cheh,

Casey Trees would like to thank you and your staff for the essential work you are doing. We understand that this is a hard time and as we create a budget that accommodates an over \$700 million deficit and move towards post-pandemic recovery, we know that certain programs will need more support than others. However, as the Council makes their amendments to the Mayor's proposed budget, we urge you not to forget about the important role that trees play in our larger District's ecological environment.

Over the last few months, we have seen more people embrace local outdoor spaces. We have seen communities push to close streets so they can safely enjoy nature and have rediscovered why we continuously committed ourselves to providing all residents access to safe and quality green spaces. We are witnessing a pivotal moment that shows: in times of great stress, our city's natural world provides much needed respite. Views of nature can reduce blood pressure, muscle tension and pulse rate within minutes and the views and sounds of nature lower the activity in the parts of the brain that focus on negative emotions and increase activity in the areas of the nervous system associated with relaxation. While we are pleased that our tree canopy is funded in the Mayor's budget, we are concerned about our urban ecosystem as a whole. Our environment is interconnected and when one natural resource is neglected, it can cause a snowball effect and lead to long term repercussions to our city's ecosystems. Without funding for proper and continuous maintenance, these areas that have become so important, especially during COVID-19 may be lost.

We appreciate Mayor Bowser proposing a \$134,000 increase in funding for the Urban Sustainability Administration. DOEE is charged with carrying out many of the District's environmental action plans including Climate Ready D.C., Resilient D.C., Sustainable D.C. 2.0 and the Wildlife Action Plan. The Urban Sustainability Administration is at the helm of developing the policies needed to achieve these plans' stated goals. Casey Trees applauds the government's continued dedication to environmental goals.

While some divisions within DOEE have been supported, others have had their budgets slashed, including the Natural Resources Administration, the division that protects our fisheries and wildlife, water quality and watersheds. Many programs run under this administration are

supplemented by Special Purpose Revenue funds. However, this money is not enough to run all of the activities that fall under this administration's purview. We understand that many programs are working under reduced budgets, but **we urge the Council to provide additional funding to the Natural Resources Administration**. Our natural resources are one of the District's greatest assets and, even as the world changes, our need to build resiliency in all respects remains critical for the future. For every dollar invested in our trees there is a \$25 return on investment in the form of stormwater management, air quality improvement and physical/mental health. We recognize that hard decisions need to be made in order to keep the city resilient, but we hope that programs that build healthy, livable and resilient communities through growing and improving natural resources will remain funded.

The District government has dedicated itself to building a resilient, climate ready and sustainable community, but sacrifices must be made in order to serve all residents in all 8 wards. The message of Hope in the Mayor's budget rings true. We urge this Committee and the Council as a whole not to forget about the long term benefits our local environment brings to our communities. Trees take time to grow and provide a mature, luscious canopy for all to enjoy. We have seen the benefits that progressive environmental policies have had on our tree canopy and now are not the time to decrease action or lessen our stake in the environment around us.

Thank you for the opportunity to submit comments on the Department of Energy and Environment's proposed FY21 budget. If you have any questions or would like to follow up, please contact me at jsanders@caseytrees.org or 202-349-1905.

Sincerely,

A handwritten signature in blue ink that reads "Jessica Sanders". The signature is written in a cursive, flowing style.

Jessica Sanders, PhD, PMP
Director of Science and Policy
Casey Trees

Before the Council of the District of Columbia Committee on Transportation and the Environment
Written Public Testimony of David Jonas Bardin submitted digitally 19 May 2020 as to
Department of Energy and Environment (DOEE) and DC Water

Chairperson Cheh and members of the Committee,

Would Mayor Bowser’s proposed budget allow DOEE to pay for at least some Wastewater Monitoring for Covid-19 Disease Surveillance?

The National Academies of Science, Engineering and Medicine attach such importance to wastewater monitoring for Covid-19 disease surveillance that they are bringing together experts from CDC, Water Environment Federation, KWR Water Research Institute in Holland, Colorado Department of Public Health and Environment, and University of Michigan on May 27 to explain and discuss

- (1) how data on coronavirus in wastewater can be useful as an indicator of Covid-19 cases in a locality;
- (2) usefulness of wastewater disease surveillance with control of other viral pathogens, and applicable lessons learned;
- (3) capacity of current technologies for detecting Covid-19 outbreaks and costs;
- (4) technical challenges to implementing this strategy as a robust tool;
- (5) where might such surveillance be appropriate; and
- (6) is this a useful investment? ¹

Will DOEE “attend” these May 27 presentations and discussions?

The Water Research Foundation (WRF) held a 4-day Virtual International Summit on Covid-19 in April. ² Did DOEE. participate or attend? Has DOEE since learned what transpired from its Executive Branch partners, from DC Water & Sewer Authority, a.k.a. DC Water (or from others)?

WRF has announced a Virtual Congressional Briefing on “current state of knowledge on environmental surveillance of the genetic fingerprint of COVID-19 in sewersheds” with presentations by —

Peter Grevatt, PhD - CEO, The Water Research Foundation

Daniel Gerrity, PhD - Principal Research Scientist, Southern Nevada Water Authority

Jim Pletl, PhD - Director of Water Quality, Hampton Roads Sanitation District (in VA)

Ken Williamson, PhD - Research and Innovation Director, Clean Water Services (in OR).

Has DOEE registered to “attend” this May 21 Briefing?

Has DOEE already acquired expertise on these subjects? If so, from whom? Staff or consultants? its Executive Branch partners? from DC Water? from U.S. EPA?

If DC Water or other entity (such as an assisted living facility, group home, hospital, or university) wished to consider or to implement a pilot project to track coronavirus in its sewage, would DOEE be positioned to offer (a) expert advice, (b) planning funds, (c) operating funds?

Respectfully submitted, David Jonas Bardin [REDACTED]

¹ See https://www.nationalacademies.org/events/05-27-2020/water-science-and-technology-board-spring-2020-meeting?mc_cid=aced4b19b0&mc_eid=9c2cf98f53.

² See <https://www.waterrf.org/event/virtual-international-water-research-summit-covid-19>.

May 21, 2020

Councilmember Mary Cheh
Chair, Committee on Transportation and the Environment
Council of the District of Columbia
1350 Pennsylvania Ave NW, Suite 108
Washington, DC 20004



RE: Budget Oversight Hearing

Councilmember Cheh:

During this unprecedented time, supporting local residents and businesses is more important than ever. The Washington, D.C. solar industry is operational and employs over a thousand local residents. If current programs and funding are impacted, those jobs and businesses are at risk. The Maryland-D.C.-Virginia Solar Energy Industries Association (“MDV-SEIA”) presents a four-point proposal to ensure the D.C. solar industry remains strong and continues to grow D.C.’s clean energy footprint while creating jobs and growing local businesses. In the Solar for All (“SFA”), you have established a vehicle that is well suited to provide a wide array of benefits across our city during our recovery period. The Solar for All program benefits not only the development of local solar jobs but also supports our low-to-moderate-income (LMI) residents who have been impacted disproportionately by COVID-19 and the subsequent economic downturn. Furthermore, the Solar for All statute already encompasses the ability for the program to expand to benefit “seniors, small local businesses, [and] nonprofits,” and MDV-SEIA believes the program can be utilized effectively during the city’s recovery to provide relief to these important stakeholders. Therefore, MDV-SEIA respectfully requests that this committee, the City Council and the Department of Energy and Environment (DOEE) support D.C. solar jobs and businesses in four ways:

1. Ensure the Renewable Energy Development Fund (REDF) is used for its intended purpose of renewable energy deployment in Washington, D.C.
2. Expand the Solar for All program during the recovery period to provide relief to seniors, small local businesses, and nonprofits in addition to low-to-moderate income residents. Current statute already allows for this.
3. Allocate funds from the REDF in the FY2021 budget for electrical upgrades needed on the utility’s distribution grid that support the construction of new solar energy projects. Current statute already allows for this.
4. Establish a Green Jobs Task Force to coordinate efforts.

We know during this time we must ensure our recovery is done in an equitable way that includes continuing to reduce energy costs for low-to-moderate-income (LMI) residents through the Solar for All (SfA) program, employing and training local residents impacted by this crisis, and providing certainty in timing and funding of DOEE programs to support the health of our seniors, small local businesses, and nonprofits.

It is important to note, the REDF funds are separate from the general fund and shall be solely used for deployment of renewable energy in Washington, D.C. MDV-SEIA is in no way requesting the allocation of any general funds, but rather wants to ensure the REDF is allocated for its intended use. The REDF monies support the SFA program and the industry appreciates keeping the industry operational during this time, including managing city processes virtually. Besides significantly reducing the electricity cost burden for the District’s most vulnerable residents, the SFA program also provides the type of support D.C. solar companies need to keep workers employed while business leaders take on the difficult task of navigating through these uncharted waters. MDV-SEIA requests that these funds are allocated as quickly as possible and there is a commitment to fully fund Fiscal Year 2021 for the purposes outlined above.

Furthermore, one of the greatest challenges facing local solar companies in their efforts to deploy solar energy systems in the District is the lengthy and costly interconnection process of solar projects. In 2019 we believe the average utility backbone upgrade cost to interconnect a Solar Community Renewable Energy Facility (“CREF”) was roughly \$25,000. Also, the average cost for telemetry equipment required by Pepco was \$38,500 on the LVAC network and \$30,000 on the Distribution Automation feeders. These costs are above and beyond the equipment costs for solar systems and are inhibiting solar projects in the District of Columbia.

An allocation of REDF funds will assist in facilitating the distribution system upgrade costs associated with the interconnection of renewable energy sources, particularly CREFs, which are the primary interconnection approach for the Solar for All program. This purpose is outlined in the REDF statute: §34–1436(c)(1) *The Fund shall be used for the purpose of (A) Supporting the creation of new solar energy sources in the District, including activities that support the use of solar energy sources, such as electrical upgrades [and] structural improvements.* Oftentimes, the costs of electrical upgrades can scuttle a solar project’s development, and having a dedicated pool of money to address these costs would be helpful to the rapid deployment of solar in D.C.

Lastly, the creation of a Green Jobs Task Force could help coordinate and catalyze efforts across the industry and D.C. agencies as the city looks for equitable ways for recovery. It is important we are identifying leaders to help our residents have access to good career opportunities in the clean energy industry, and our businesses can step up and support through coordination and creation of certainty. Like you, we want Washington, D.C. to be a leader in the recovery by getting our residents back to work building lasting infrastructure that meets the goals of our CleanEnergy D.C. plans. MDV-SEIA respectfully requests that a Green Jobs Task Force be created immediately that includes voices from the local solar industry, stakeholders in the green and equitable recovery process, and community advocates.

Thank you for this opportunity to provide input to the committee. MDV-SEIA looks forward to continuing to work with the committee, DOEE, and stakeholders across the District to implement these important policy adjustments.

Sincerely,



David Murray
Executive Director
MDV-SEIA

Washington, D.C. 20005



May 21, 2020

Councilmember Mary Cheh
Chair, Committee on Transportation and the Environment
Council of the District of Columbia
1350 Pennsylvania Ave NW, Suite 108
Washington, DC 20004

RE: Budget Oversight Hearing

Councilmember Cheh:

Thank you, Councilmember Cheh and members of the committee, for providing this opportunity to share with you my experience with the District of Columbia's Department of Energy and Environment ("DOEE"). I am the Co-founder and CEO of New Columbia Solar ("NCS"), a solar energy company based in Ward 5 that proudly employs over 50 local residents across all 8 wards. Our mission is to power every home and business in the District of Columbia through local, solar energy to make the energy supply cleaner and more sustainable for generations to follow.

I am submitting testimony today because I wanted to provide the committee with some real-world examples of how the DOEE has successfully advocated for the proliferation of solar right here in Washington, DC. DOEE's current implementation of the Solar for All program is encouraging for local companies, like New Columbia Solar, as it enables solar projects which are currently not feasible to be built while simultaneously benefitting low-to-moderate-income ("LMI") residents across the city. New Columbia Solar is in the process of developing a roughly one-megawatt solar canopy on an existing parking structure in Northwest D.C.'s Ward 4. Upon completion, this project would be the largest such canopy to-date, and perhaps the only solar project retrofitted to transform a current parking structure into a parking structure with solar. Due to the innovation of this project, it has additional costs and the SfA program can make what may otherwise not be possible, possible while providing all the energy generated at the facility to those most in need.

During this unprecedented time, supporting local residents and businesses is more important than ever. The Washington, DC solar industry is operational and employs over a thousand local residents. If current programs and funding are impacted, those jobs and businesses may be at risk. This is why New Columbia Solar supports a four-point proposal to ensure the DC solar industry remains strong and continues to grow DC's clean energy footprint while creating jobs and growing local businesses. These four points include:

- Expand the Solar for All program during the recovery period to provide relief to seniors, small local businesses, and nonprofits in addition to low-to-moderate income residents. Current statute already allows for this.
- Ensure the Renewable Energy Development Fund ("REDF") is used for its intended purpose of renewable energy deployment in Washington, DC.

- Allocate funds from the REDF in the FY2021 budget for electrical upgrades needed on the utility's distribution grid that support the construction of new solar energy projects. Current statute already allows for this.
- Expanding the allocation of REDF funds in the FY2021 budget to the Department of Consumer and Regulatory Affairs ("DCRA") for the purpose of increasing the speed and efficiency of permitting.

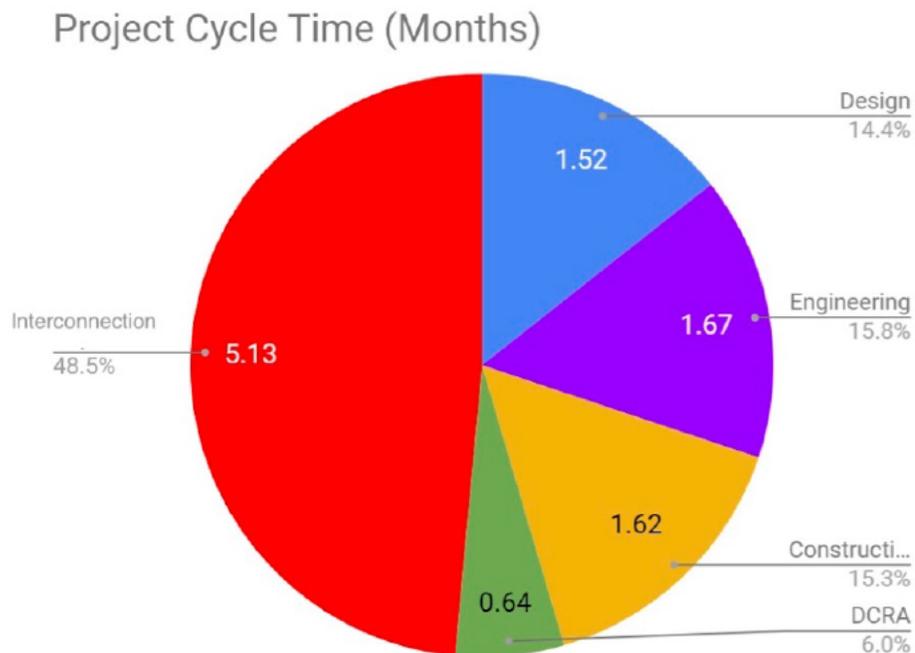
In 2019, New Columbia Solar projects were the largest recipient of Solar for All grants. Through this experience NCS can attest to how impactful this program is to the community in DC, as well as the 1,000+ people who are employed throughout the industry. On January 24, 2019, NCS was awarded an SfA grant to facilitate the completion of 4.6MW of solar installations. Additionally, NCS had the opportunity to work with DOEE "Innovation Grant" awardees to develop, build, and finance 1.5MW. In total, we invested over \$25 million into DC Solar for All and Innovation projects, reducing electricity costs for nearly 2,000 families, and creating many local jobs in the process. Also, because NCS owns and operates all of our solar projects as opposed to selling them to owners who are out of state as many grantees do, we are proud that we are creating permanent local jobs to operate these projects for the next 20 years. This is in addition to the construction jobs needed to build the projects. Due to the confluence of benefits the solar program offers, we recommend looking to expand this program to provide relief to other types of stakeholders as the District prepares to recover from the COVID-19 public health crisis. We believe, just as DOEE is able to reduce the electricity burden through SfA for LMI residents, it can provide the same opportunity to those impacted hardest by COVID-19, including seniors, small local businesses, and nonprofits.

Despite our success in 2019, one of the greatest challenges facing solar growth in our city is the costly interconnection process in the District of Columbia. We feel these costs conflicts with the clean energy policy goals established by this body and the Mayor. In 2019, our average cost to interconnect a Solar Community Renewable Energy Facility ("CREF") was roughly \$15,000 - for the sake of comparison this cost is 30X the cost of a net metered solar project in the District. Additionally, when there are distribution system upgrades required to upgrade the utility's electric grid to accommodate solar energy (aka backbone costs), the averaged cost was roughly \$30,000 per project - this is in addition to the \$15,000 interconnection cost. Furthermore, on top of all these costs, we have seen an increase in a requirement by the utility for additional telemetry costs of over \$38,500 per project on the spot and area networks (the downtown, ultra-reliable mesh grid) and \$30,000 on the Distribution Automation feeders. These costs are above and beyond the equipment costs for solar systems and are significantly inhibiting NCS's projects in the District of Columbia. Additionally, most of these costs are independent of the solar energy system and benefit all ratepayers by allowing more clean energy onto our distribution grid so we believe it is unfair to place the entire cost burden on a solar project.

Instead, NCS suggests allocating REDF monies to cover all or a portion of these backbone and additional operating requirement costs. It is reasonable to expect up to \$20MM of backbone upgrades and additional operating requirement costs to be placed on solar projects in FY2021 and NCS believes appropriating \$7MM - \$10MM of REDF monies toward these costs in FY2021 will further enable the deployment of solar projects in DC and this will particularly benefit the Solar for All program.

Beyond the cost barriers for interconnecting solar energy projects in the District is the timeframe it takes to get these systems interconnected. Currently, once a solar project is fully constructed it takes up to 150-days to get it connected to the grid and effectively turned on, which is almost 3-times longer than the nationwide industry average of 53 days. Additionally, prior to starting the construction of a solar project it takes over 100 days on average to get approval by the utility to be able to interconnect a solar system to the grid. This means the interconnection process currently takes over 250 days on average - this timeframe nearly doubles the time it takes a solar system to start providing electricity to the electric grid. These extreme timeframes increase the risk of investing in DC based solar projects, which increases the cost of capital for solar companies. This increased cost of capital means solar companies can pass on less benefits to solar energy customers - including Solar for All benefactors - and solar projects can bare less backbone costs and/or additional operating requirement costs by the utility. The graphic below demonstrates the core elements of developing a solar project in the District of Columbia and the timeframe it takes to complete the core elements.

New Columbia Solar Washington, DC Solar Project Development Cycle



Lastly, the expansion of funds in FY2021 for the purpose of increasing the speed and efficiency permitting is extremely important to solar developers in the District. Last year, DOEE and DCRA partnered to backfill a position to facilitate solar permitting and created and staffed a “Solar Coordinator” position. This helped to work through a record setting increase in solar permit applications. We anticipate these trends to continue and we hope that DCRA will continue to be funded and staffed appropriately. Also, as DC strives to deploy solar throughout the District, developers are getting more creative and sophisticated with the siting and design of solar projects.

According to a preliminary report from the Office of People's Counsel ("OPC") there are over 1,000MW of undeveloped solar canopies on open spaces. These projects can require much more engineering and design efforts from a developer, but also from the reviewer at the Authority Having Jurisdiction ("AHJ"), in this case, DCRA. Given the current climate, expanding budget allocations to DCRA and DOEE to ensure that they have the resources and personnel required to manage and review permits will allow for higher efficiency and faster processes.

While challenges ensue, NCS continues to view the District of Columbia as a positive solar market. We plan to invest up to \$120 million into over 30 MWs of DC-based solar projects through the remainder of CY2020 and through CY2021. We believe REDF monies, if appropriated correctly, including allocations to the Solar for All program, provides the right signal and market-stability for NCS (and other local solar companies) to continue to build, hire, and progress towards our clean energy goals. We hope this committee will consider these appropriate requests to further strengthen the District's solar energy market.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Healy', with a long horizontal flourish extending to the right.

Michael J. Healy
Co-Founder and CEO
New Columbia Solar

████████████████████
Washington, DC 20002



**Sierra Club, Washington DC Chapter
Written Testimony
on
Department of Energy and the Environment and DC Green Bank
FY2021 Budgets**

**Submitted Thursday, May 28, 2020
to the
DC Council Committee on Transportation and the Environment**

Thank you for the opportunity to submit written testimony on behalf of the Sierra Club DC Chapter with regard to the FY21 budgets for the Department of Energy and the DC Green Bank. The Sierra Club is the nation's oldest and largest environmental advocacy group. We have 3,000 dues-paying members in the District of Columbia. Our top priority is combating climate change in a framework that weighs social equity concerns, and we also prioritize issues of resource conservation and water quality.

We recognize that the DC Council faces difficult decisions in these challenging times. Responding to the urgent public health needs and economic problems caused by the pandemic must be a first consideration. We applaud the Mayor for choosing to use the District's rainy day funds rather than eliminating programs or furloughing government employees.

As we face the crisis of the pandemic, we are also in the midst of the environmental crisis of climate change. Like COVID-19, climate change is affecting communities of color and low-income communities more harshly. For example, intense heat waves are especially dangerous to seniors who cannot afford air conditioning. We urge Council to maintain environmental programs in this budget. Many of these programs provide multiple benefits, including reducing greenhouse gas emissions, creating local jobs, increasing access to affordable clean energy, and reducing pollutants that are harmful to human health. Programs that contribute to environmental justice should be a strong component of the District's environmental commitments.

Solar for All

The Sierra Club strongly supports the Solar for All program, and we again thank Chairperson Cheh for sponsoring the legislation creating this groundbreaking program ([B21-0650 - Renewable Portfolio Standard Expansion Amendment Act of 2016](#)). The mandate of Solar for All is to provide 100,000 District low and moderate income households with the benefits of locally-generated clean energy by 2032. Solar for All reduces greenhouse gas emissions while

reducing families' electricity bill by 50 percent or more and providing local jobs in the solar industry

Solar for All is funded by \$10 million from the Renewable Energy Development Fund (REDF). If not for the current budget challenge, we would advocate for increasing funding for this program. Now that many of the initial implementation challenges have been worked out, and solar developers are using Community Renewable Energy Facilities to benefit more families more quickly, the program could be expanded. At a recent briefing with DOEE Director Tommy Well, DC Sustainable Energy Utility (DCSEU) Managing Director Ted Trabue said DCSEU received \$20 million in proposal this year for Solar for All.

Building Energy Performance Standard

The Clean Energy DC law requires DOEE to establish minimum Building Energy Performance Standard (BEPS) for different building types to reduce energy use and reduce greenhouse gas emissions. This program is critical to meeting the District's climate commitment, since three quarters of our greenhouse gas emissions are from buildings.¹ DOEE estimates this program will save 939,000 metric tons of carbon pollution annually, or 10.7% of DC's total greenhouse gas emissions. Actual reduction will depend on how well the program is implemented. BEPS builds on the [Energy Benchmarking program](#), which has been collecting energy and water performance data on properties over 50,000 square feet since 2013. We urge this Committee and the full Council to maintain funding for BEPS and the data and benchmarking program to ensure that implementation of this program will move forward expeditiously. The DOEE budget shows a 6% cut for the data and benchmarking program, the largest cut in the Energy Division.

Resiliency

The Sierra Club supports initiative by the DC government to increase resilience to climate change and other threats and shocks. We support continued implementation by DOEE of [Climate Ready DC](#), the District's plan to prepare for climate change impacts. The Sierra Club supported legislation to establish the Office of Resilience within the City Administrator's Office and was pleased to see it enacted recently ([Law 23-84](#)). DOEE has strong, innovative projects already underway to reduce the District's carbon footprint. The Sierra Club recommends close coordination between the new Resilience Office and DOEE. Anticipation of climate-driven challenges is key to developing the urban resilience projects that will be needed to cope with climate-driven shocks and threats and to ensure effective inter-agency coordination.

Lead Pipe Replacement

The lead pipe replacement program on private property indicates a decrease of \$1 million, a reduction of 37 percent. DOEE Director Tommy Well has said there's no waiting list for lead pipe replacement and that proposed funding levels are sufficient. This is a new program that is ramping up, so a reduced budget may be adequate to meet initially identified needs. Lead pipe

¹ [Clean Energy DC Summary Report](#), p. 10.

replacement is a critical public health need for everyone in DC, especially lower income residents. The program is sure to identify additional need for lead pipe replacement with DOEE outreach to the target population. With fewer resources for the program and reduced outreach, fewer pipes in need of replacement will be identified. Funding for this program should be made available to meet any identified present and future need, especially the need of the District's more vulnerable population.

Clean Rivers Impervious Area Charge Relief (CRIAC)

The CRIAC Relief Fund is targeted for a decrease of 90 percent (\$4.6 million). DOEE Director Tommy Well has explained that \$3.5 million in funding authorized for 2020 will roll over to FY21 because residents have sought only about \$100,000 in relief, and another \$3 million is required for non-profit. This extreme cut is only acceptable if the remaining budget meets the requirement for relief identified by qualifying DC ratepayer. If the budget is inadequate to support the level of relief DC residents and non-profit have requested, particularly given the financial hardship that COVID will place on many ratepayer, the District may need to later shift funds to support this essential program for DC residents and non-profit service organization.

DC Bag Fee

We wholeheartedly support maintaining the five-cent fee on disposable plastic and paper bags provided by stores selling food or alcohol. The petroplastic industry is trying to take advantage of the pandemic to claim that reusable bags are unsafe. However, according to the Center for Disease Control, "The primary and [most important mode of transmission](#) for COVID-19 is through close contact from person to person." Customers who bag their own purchases should be allowed to bring their own reusable bags. DC's bag fee is keeping plastic pollution out of our rivers and tributaries while generating \$1 to \$3 million annually for DC's conservation initiative, especially along the Anacostia River and its tributaries.

Enforcement Initiatives

While public health and safety is at the forefront of our concern, the Sierra Club urges DOEE to reinstate regular enforcement of the bag fee and compostable carryout container requirement at DC food establishments as soon as is practicable. According to the US Environmental Protection Agency (EPA), food and food packaging material make up almost half of all municipal solid waste.² With the take-out food market flourishing during the pandemic, too is the use of take-out packaging. The District has taken a leadership role in ensuring that all take-out packaging is compostable. It is important that DOEE remain active in ensuring that our eating establishments are in compliance with the rules.

² US Environmental Protection Agency. "Reducing Wasted Food & Packaging: A Guide for Food Services and Restaurants." EPA, 2014. Retrieved March 7, 2019, from https://www.epa.gov/sites/production/files/2015-08/documents/reducing_wasted_food_pkg_tool.pdf

Natural Resources

The 2021 Natural Resource budget is reduced by \$4.9 million, 13 percent. Half the reduction (\$2.3 million) is from the Water Shed Protection program budget line (2080), which amounts to a 15 percent decrease in the funding used to restore streams and wetlands, to control nonpoint source pollution, and to conduct outreach and education. These are key elements of the Anacostia River remediation initiative that should not be weakened. The Water Quality budget line is reduced by \$873,000, a 10 percent decrease. This program is essential for the health of the District's water and aquatic resources, enforcing water quality standards, and setting targets for pollution reduction.

The District must exercise extreme caution in executing cuts of this magnitude so that entire programs are not eliminated or rendered dysfunctional, which could result in the loss of services that have taken years to establish. An example is the funding for "[City Wildlife](#)." District funds have been allocated annually to the City Wildlife/Wildlife Rehabilitation Service organization. City Wildlife operates on a shoestring budget of less than \$500,000, yet provides essential wildlife rescue and rehabilitation services in the District. Each year, hundreds of wild animals in DC are unintentionally harmed by people and the urban environment, and City Wildlife provides a safe haven and rehabilitation. The District's annual grant is essential for the organization's survival, but unfortunately has been left out of the present budget draft. The Sierra Club asks that the Council restore and fully fund City Wildlife's \$200,000 annual grant to maintain this important natural resource function.

DC Green Bank

The Sierra Club supports the Mayor's budget proposal for \$22 million to begin to capitalize the Green Finance Authority, also known as the DC Green Bank. The DC Green Bank will use public purpose funding to attract private investment to expand the use of clean energy, create green jobs, reduce energy costs, and meet the District's climate commitment. The Sierra Club supported the legislation that established the Green Bank and, later, the dedicated funding from fees to the Sustainable Energy Trust Fund (SETF) mandated in the CleanEnergy DC Omnibus Amendment Act. The FY21 budget draft proposes to allocate \$15 million from the SETF, as required by the CleanEnergy DC law, and \$7 million from the Renewable Energy Development Fund. We support this move to stabilize funding for the DC Green Bank by making it a regular line item in the District's budget. The Sierra Club commends the Green Bank's board on [hiring clean energy attorney Eli Hopson as the first CEO](#) of the Green Bank.

Transitioning DC Off Methane Pollution

There is another aspect of energy policy critical for the District to meet its climate goal that is not directly addressed in the Clean Energy DC Omnibus Act or in the FY21 budget draft: accelerating the District's transition from methane gas to clean and renewable energy sources for heating and cooking. DC's buildings account for 74 percent of emissions, and, according to official figures, methane accounts for 20 percent of the District's GHG emissions. But recent studies indicate that the real figure is much higher, when gas leakage is taken into account at the source (drill rigs and gas released by fracking), transportation (through transmission

pipeline crumbling urban distribution pipe) and use in the District' building ³ In addition to its serious climate impact, methane and the nitrogen dioxide released when methane is burned are harmful to the health of DC residents, especially children

DC's gas utility, Washington Gas, has proposed major ratepayer funded spending on gas delivery infrastructure that would lock the District into burning methane well beyond 2050, when DC has pledged to achieve carbon neutrality. Instead of spending more money on fossil fuel, DC needs to invest in monitoring and controlling methane emissions, and planning for accelerated transition to clean fuel.

The Sierra Club asks that DOEE's budget include staff time to lead the formation of a working group to look specifically at the impact of methane emissions on DC's climate commitment and public health in DC and to begin the process of planning for the transition to clean electricity, air and ground source heat pump and other sources of clean energy.

Thank you for the opportunity to submit testimony on the DOEE budget. We look forward to collaborating with DOEE and the Council on issues of climate, conservation and energy in the coming year.

Contacts

If you have questions about this testimony, please contact

Catherine Plume, Chapter Chair, [REDACTED]

Lara Levi on, Energy Committee Chair, [REDACTED]

Doreen Campbell, Zero Waste Committee Chair, [REDACTED]

Ankita Madelia, Water Committee Chair, [REDACTED]

Larry Martin, Conservation Chair, [REDACTED]

Mark Rodeffer, Beyond Gas Subcommittee Co Chair, [REDACTED]

³ [Large Fugitive Methane Emissions From Urban Centers Along the U.S. East Coast](#), Geophysical Research Letters, July 28, 2019; [Assessment of methane emissions from the U.S. oil and gas supply chain](#), Science, July 13, 2018

Attachment G

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Motor Vehicles



Fiscal Year 2021 Budget Oversight Hearing

Testimony of
Gabriel Robinson
Director, Department of Motor Vehicles

Before the
Committee on Transportation and the Environment
Mary Cheh, Chairman
Council of the District of Columbia

June 3, 2020
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, D.C. 20004



Good morning, Chairperson Cheh, members of the Committee, and Committee staff. I am Gabriel Robinson, Director of the Department of Motor Vehicles (DMV), and today I am joined by the Department's General Counsel David Glasser, and Agency Fiscal Officer Ronald Pleasant.

Before I begin my testimony, I want to congratulate the Mayor and her Administration for their extraordinary leadership in helping the District navigate through the worst public health emergency in more than 100 years. I also want to thank the many members of my team who have continued to work through the current public health emergency while juggling numerous responsibilities at home. Additionally, I join my team in mourning the loss of one of our own. DC DMV employee Bob Brown, who recently passed away from complications of coronavirus (COVID-19), was a member of the DMV family for nearly 28 years. Our thoughts and prayers go out to Bob's family, friends, and co-workers. We understand many of our residents are struggling during these unprecedented times. We also know we are DC Strong, and as Mayor Bowser says, "we are all in this together and we will all get through this together." Moving forward, DC DMV is committed to strategically utilizing our resources in a manner that will support all residents as they transition through this current public health emergency.

I am pleased to provide testimony on Mayor Bowser's Fiscal Year 2021 proposed budget, "A Fair Shot," the District's 25th consecutive balanced budget. With this budget, Mayor Bowser is continuing to strategically invest in District residents with the priorities of: increasing access to affordable housing, creating a safer, stronger DC, expanding the reach of Health and Human Services, accelerating achievements in education, ensuring access to job and economic opportunities, investing in transportation and the environment, and improving infrastructure and community spaces.



At this time, I would like to extend a special thank you to my colleagues at DC DMV whose dedication and efforts make it possible for us to service the customers of the District. I am pleased to call such dedicated individuals my teammates, and I truly appreciate the confidence and trust they have placed in me to lead Team DMV.

The Mayor's FY21 proposed Budget continues to support DMV's mission to promote the safe operation of motor vehicles and public safety while providing outstanding customer service. DMV provides service to over 631,000 licensed drivers/identification card holders and 307,000 registered vehicles at four service centers. We provide adjudication services and collect ticket payments for more than 2.8 million tickets issued annually, including conducting more than 303,000 in-person and mail hearings. We also conduct over 172,000 annual vehicle inspections. DMV interacts with DC residents and non-residents, with an average of 3,000 daily customer contacts prior to the current public health emergency, more than almost any other District government agency. When DMV locations reopen to the public, in-person visits will be scheduled by appointment only and customers and employees will be required to wear a mask or facial covering, thus reducing volume and protecting customers and employees, while maintaining social distancing. DMV will continue to encourage the public to utilize the various online transactions tools and explore the feasibility of adding new options.

Let me now briefly describe DMV's proposed budget for the coming fiscal year. DMV's FY21 proposed budget is \$48,364,953, which represents an 8 percent increase from the FY20 approved budget of \$44,766,463. The proposed budget is composed of \$37,592,000 in Local Funds, \$10,173,000 in Special Purpose Revenue funds, and \$600,000 in Intra-District funds.

There are two primary changes to our FY21 budget. First, the FY21 increase in Local funds is attributed to the rightsizing of the ticket processing budget. The second change is the inclusion



of \$495,000 of Intra-District budget from the Department of Insurance, Securities and Banking's (DISB) to fund anticipated FY21 new enhancements of insurance services provided by the DMV.

With the FY21 budget, we believe we have adequate resources to continue to move forward on our two main capital projects – “DESTINY” modernization, DMV’s database for ID/driver’s license and vehicle titling and registration, and “eTIMs” modernization, DMV’s database for ticket management. The agency is currently working with the Office of the Chief Technology Officer (OCTO) to support infrastructure plans related to DESTINY modernization. For the eTIMs project, Georgetown Technologies Inc. was awarded the Business Process Review contract in February 2020 to support the modernization project by developing a Resource Management Plan, Final Project Plan, State Business Process, and a fully developed Request for Information (RFI) to propose to the Office of Contracting and Procurement.

In closing, the resources allocated to the Department of Motor Vehicles will play a critical role in supporting residents as they transition over the coming weeks and months. The Council and this Committee are critical allies in this effort, and we appreciate your work to ensure we operate efficiently and effectively. We look forward to working together to achieve our shared goals and give all residents a fair shot once the Mayor can lift the current Stay-at-Home Order and the District returns to a state of prosperity.

Thank you for the opportunity to testify today. We look forward to answering your questions.



Attachment H

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Transportation



Fiscal Year 2021 Budget Oversight Hearing

Testimony of

Jeff Marootian

Director

Before the

Committee on Transportation and the Environment

Council of the District of Columbia

The Honorable Mary M. Cheh, Chairperson

John A. Wilson Building

Room 500

1350 Pennsylvania Avenue, NW

Washington, DC 20004

Wednesday, March 3, 2020

3:00 P.M.

Introduction

Good afternoon, Chairperson Cheh and members of the Committee on Transportation and the Environment. My name is Jeff Marootian and I am the Director of the District Department of Transportation, commonly referred to as DDOT. Thank you for the opportunity to testify on behalf of Mayor Muriel Bowser in today's hearing to discuss DDOT's budget for fiscal year 2021.

Despite the losses of revenue and societal changes brought about by the public health emergency, this budget, titled DC HOPE, reflects the Bowser administration's unwavering commitment to our shared DC values and to provide every Washingtonian with a fair shot at a pathway to the middle class. DDOT's fiscal year 2021 budget proposal continues to make significant investments in the District's transportation network to make moving throughout our city safer, sustainable, and more accessible for all residents.

This budget includes resources that well-equips DDOT to continue building upon the progress made towards these transportation goals. This budget provides resources to support and expand the District's active transportation network; it provides funding for major streetscape projects that will significantly improve the safety of those in the public right-of-way and the livability of the surrounding communities; and it maintains the significant investments into our core assets that

have allowed DDOT to repair roads, sidewalks, and alleys more efficiently than ever before. This budget will not only allow DDOT to build upon the progress made but also prepare for the changes to how we travel in the future.

This proposed budget gives DDOT the resources necessary to be nimble and responsive to the changing demands impressed upon our public spaces. We have begun to explore creative and innovative ways the District can repurpose public spaces to afford residents and visitors the opportunity to safely enjoy the recreation and amenities that our city has to offer. Our goal is to reimagine our transportation network into one that fosters safety, opportunity, prosperity, and equality across the District as we emerge from this public health emergency.

I look forward to outlining DDOT's proposed budget in greater detail.

Mayor Bowser's Fiscal Year 2021 Budget #DCHOPE



District Department of Transportation FY 2021 Budget Hearing
June 3, 2020

d. WE ARE WASHINGTON **DC** GOVERNMENT OF THE DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

FY 2021 Proposed Budget

Mayor Bowser's FY 2021 budget for the District Department of Transportation includes a \$146.6 million operating budget and a \$1.4 billion six-year CIP. This funding supports DDOT's performance objectives while working within the fiscal constraints of the current emergency.

- **Safety/Vision Zero.** Enhancing safety and reducing traffic-related deaths and injuries for all travelers using the transportation system.
- **Core infrastructure.** Bringing local streets, alleys and sidewalks to a state of good repair.
- **Transit and mobility.** Improving mobility for non-car transportation by expanding transportation choices.
- **Sustainability and livability.** Improving the livability and sustainability of transportation routes throughout the District.
- **Megaprojects.** Investing in significant long-term capital projects to help meet future transportation and economic development goals.
- **Government operations.** Creating a highly efficient, transparent, and responsive District government.

DDOT's Response to COVID-19 Emergency

DDOT adjusted its operations in response to the emergency:

- Modifying operations to deliver core services while keeping the workforce safe
- Creating sidewalk extensions to allow for increased distancing
- Expanding Pick-up and Drop-off Zones to support delivery and carry-out services
- Establishing Streateries to make available one or more lanes of an entire block to allow restaurants to offer more outdoor seating
- Implementing Slow Streets to identify areas where more space is needed for pedestrians and cyclists to move around and social distance
- Reducing default speed limit on local streets to 20 mph
- Capital Bikeshare memberships are now free for essential workers
- Major construction projects and asset management activities continue as planned

DDOT serving on Mayor Bowser's *ReOpen DC* Advisory Group

- Committee on Transportation and Infrastructure
- Focusing on how and when to reopen the District's transportation network
- Opportunity to re-emphasize strategic objectives to improve multimodal transportation options, meet Vision Zero goals, and reduce emissions

Financial Impacts of COVID-19 Emergency

Pressure on city-wide revenues necessitated a spending freeze in FY 2020

- Froze \$2.2 million in non-personnel services operating funds (local funds only)
- Froze 19 vacant positions

Declining revenues underscore need for general fund resources and SPR funds

- Circulator revenues—both fares and payments from the National Park Service-- are not being collected under the emergency
- Capital Bikeshare and Enterprise Fund revenues were both more than 30 percent lower in April 2020 compared to April 2019

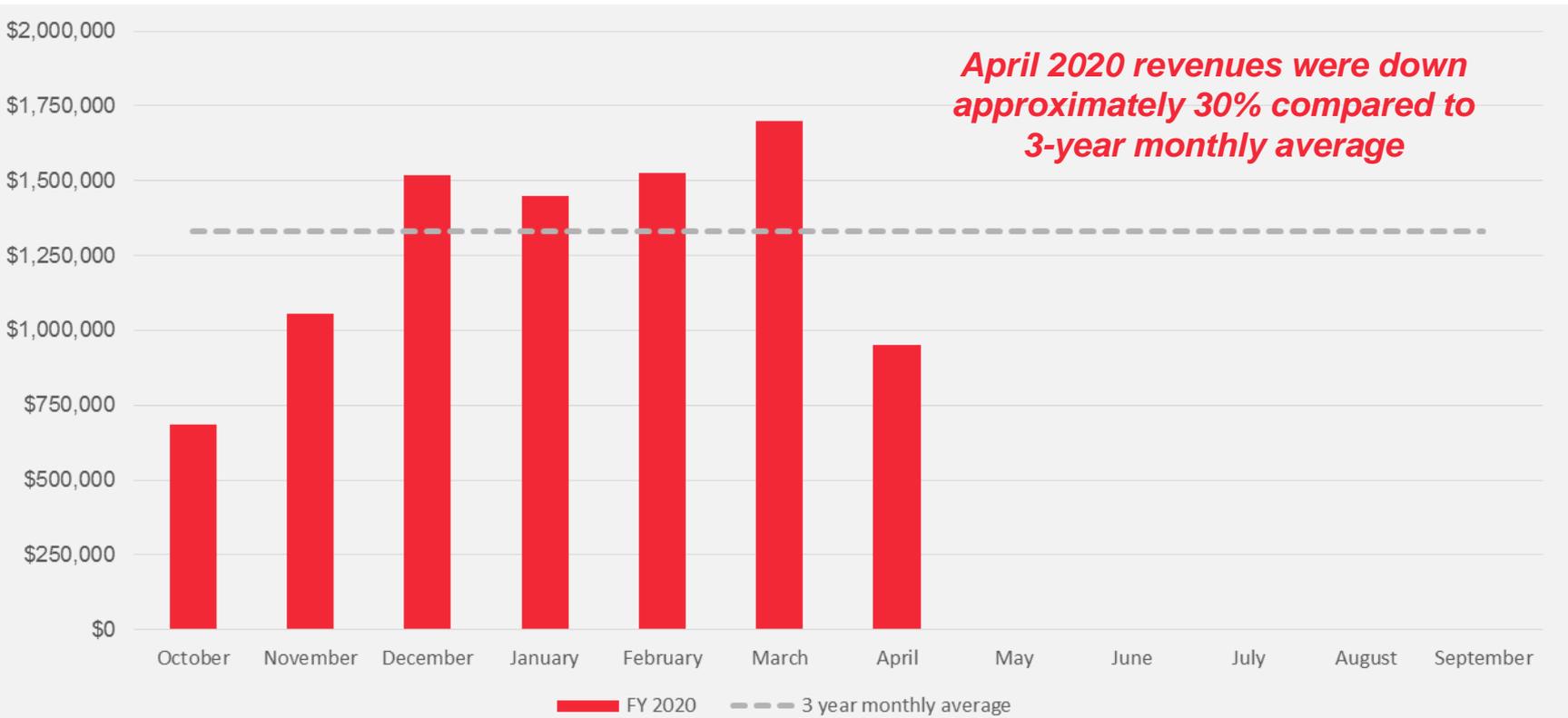
Federal resources are mitigating some impacts

- Federal highway funds continue at planned levels with local match requirements met through gas tax and rights-of-way revenues
- The transit component of the CARES Act supplementing District's contributions to WMATA

Overview

Financial Impacts of COVID-19 Emergency

FY 2020 Revenues Compared to 3-Year Average



Note: Data includes revenues dedicated to support DDOT's operations: the Bicycle Sharing Fund, Circulator Fund, Tree Fund, Enterprise Fund and Special Events Fund.

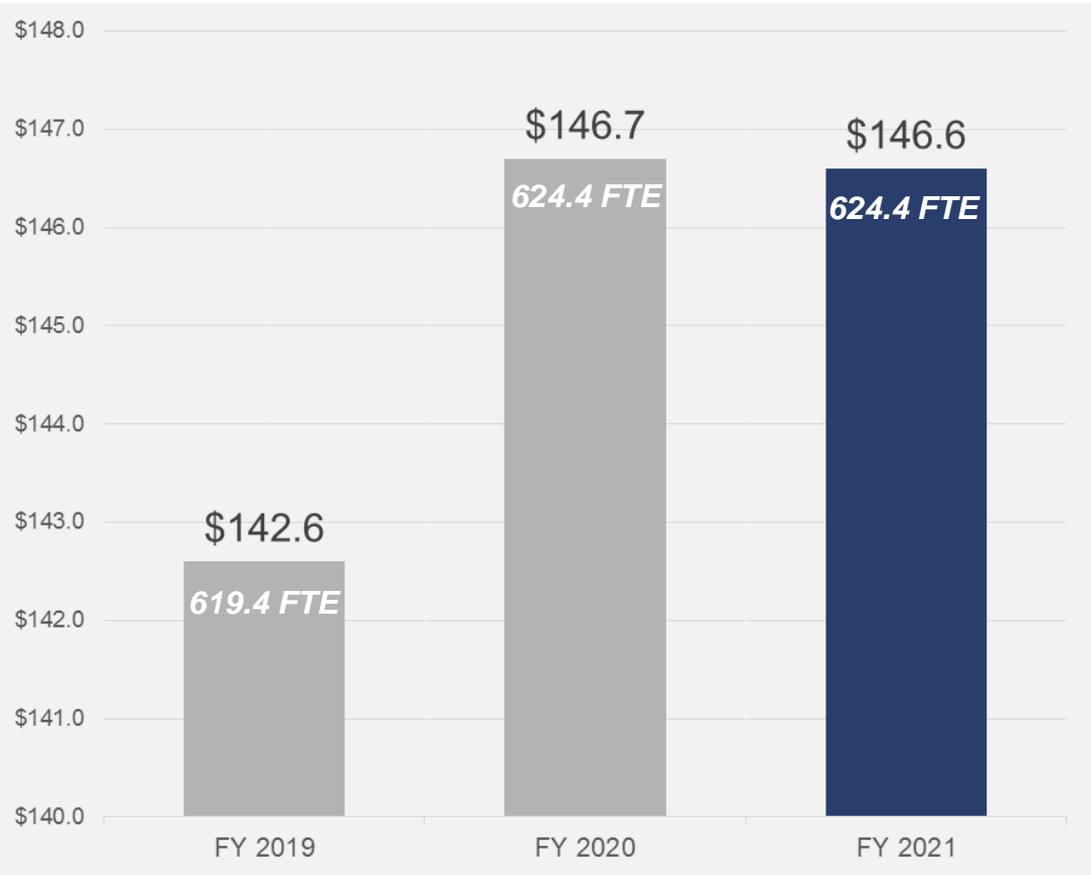
Overview

FY 2021 Operating Budget

DDOT's Operating Budget, FY 2019 – FY 2021 (in millions)

Highlights for FY 2021:

- Circulator - \$6.5M operating enhancement to maintain service levels
- Energy – transfer and reduction of energy costs to reflect \$1M savings
- Reduction in certain SPRs due to reduction in revenue under emergency



Overview

FY 2021 Operating Budget

Changes Made to FY 2020 Operating Budget (in thousands)

	Local Funds	SPR Funds	Federal Funds	Total	FTE
FY 2020 Operating Budget (Approved)	\$108,641	\$23,508	\$14,509	\$146,658	624.4
One-time funds	-\$1,200				
Reductions				-\$7,803	-3.0
Energy - transfer and reduction	-\$2,650		\$1,650		
NPS reduction in Vision Zero	-\$500				
PS & NPS Reductions	-\$208				
Circulator Fund		-\$2,100			
Enterprise Fund		-\$2,100			
Other Funds		-\$695			
Increases				\$7,794	3.0
Circulator enhancement	\$6,542				
Tree Fund		\$200			
Federal grants			\$1,052		
FY 2021 Operating Budget (Proposed)	\$110,625	\$18,813	\$17,211	\$146,649	624.4

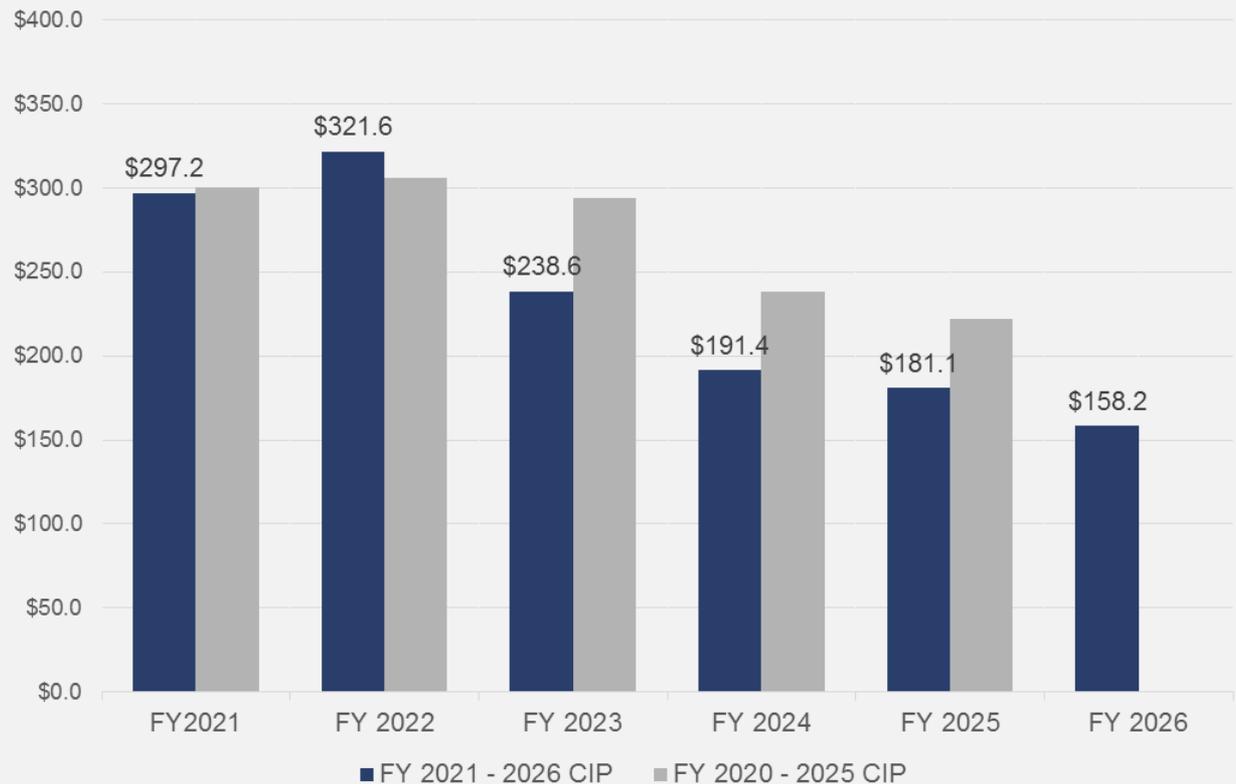
Overview

FY 2021 Local Capital Budget and 6-Year Plan

FY 2021 – FY 2026 Local CIP (in millions)

Highlights of CIP:

- \$467M for streets, alleys, and sidewalk improvements
- \$146M for streetscapes
- \$113M to complete DC Streetcar extension
- \$117M to complete K Street Transitway
- \$56M for Vision Zero improvements
- \$18M for a new bus priority and efficiency project



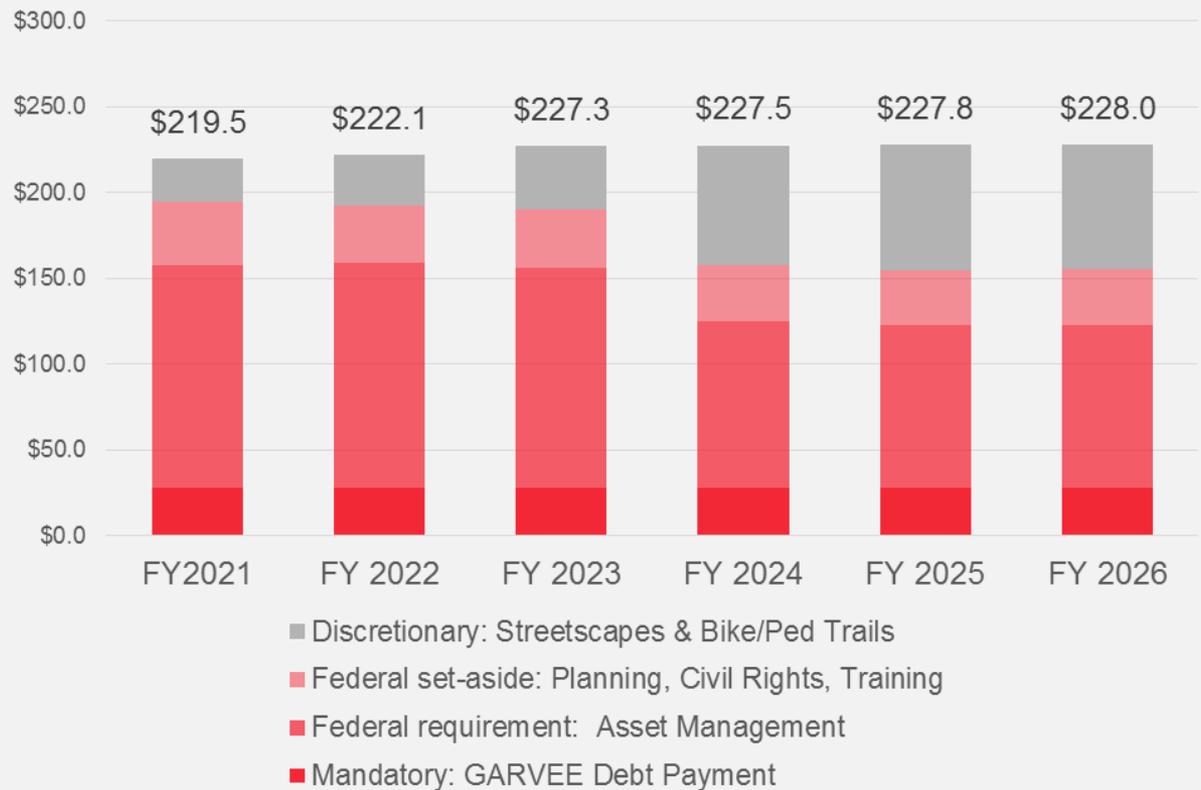
Overview

FY 2021 Federal Capital Budget and 6-Year Plan

FY 2021 – FY 2026 Federal CIP (in millions)

Highlights of CIP:

- 90% of federal highway funds are for required activities in FY 2021
- Largest share for Transportation Asset Management Plan
- Addition of Theodore Roosevelt Bridge in FY 2022 and FY 2023
- \$27.8M GARVEE debt payment for South Capitol Street Bridge and 11th Street



Note: Figures from Appendix H in proposed FY 2021 Budget documents



chapter one
safety/vision zero

Safety/Vision Zero

Operating Budget Component – Vision Zero Division

Summary

- Focus on core VZ principles
- Focus on strategically locating existing ATE cameras
- Maximize VZ Special Purpose Fund to meet Vision Zero goals
- Proactive implementation of traffic calming measures on local streets

Initiatives	Budget	Vision Zero Principle
Safety analysis for high injury corridors	\$200,000	Engineering and Infrastructure
Support for VZ planning work, high-crash site visits	\$250,000	Data Collection
Bicycle Education Wards 5, 7, 8	\$70,000	Education and Enforcement
Driver Feedback Signs	\$90,000	Education and Enforcement
New VZ Website and Data Improvement Project	\$40,000	Education and Enforcement; Data Collection
ATE intervention - frequent offenders (with The Lab DC)	\$100,000	Education and Enforcement
TOTAL	\$750,000	

Safety/Vision Zero

Capital Component – Safety & Mobility Master Project

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> Completed 97 projects to improve safety at high-risk intersections and corridors Installed 131 leading pedestrian intervals Installed 92 no turn on red restrictions Expanded bike lanes by 5.2 miles Constructed 0.3 miles of trails; new lighting on MBT 	<ul style="list-style-type: none"> Completing 72 projects to improve safety at high-risk intersections and corridors Installing 276 leading pedestrian intervals Expanding bike lanes by 6.0 miles Constructing 0.75 miles of trails 	<ul style="list-style-type: none"> Planning underway to improve safety at high-risk intersections and corridors Plan to complete 20 miles of protected bike lanes by 2022 Plan to construct 10.5 miles of trails (local and federal)
		

Safety/Vision Zero

Streetscapes

Highlight: Revitalization of Martin Luther King, Jr. Avenue, SE

Phase 1: Milwaukee Place SE to 4th Street SE

Improve pedestrian and vehicular safety along the corridor through street and sidewalk enhancements, aesthetic improvements, and work at the intersections with Alabama Avenue SE and Malcolm X Avenue SE.

<https://www.mlkrevitalization.com/>

- Status: Construction (Fully Funded)

Phase 2: 4th Street SE to South Capitol Street

Improve pedestrian and vehicular safety along the corridor through street and sidewalk enhancements, aesthetic improvements.

- Status: Final Design (Fully Funded through Construction)



Phase 3: MLK, Jr. Ave Safety Improvements

Additional safety improvements along MLK, Jr. Avenue SE

- Status: Scoping/Planning
- FY 2021 CIP: \$4M Design; \$10.6M Construction

Safety/Vision Zero

Streetscapes

Highlight: Southern Avenue Reconstruction

Phase 1: Barnaby Road to United Medical Center Campus

Install traffic calming features, upgrade traffic signals, and improve safety for pedestrians and vehicles along the corridor and at intersections.

- Status: Design completed; in procurement for construction in FY 2021 for \$10.9M (Fully funded through Federal portfolio)

Phase 2: South Capitol Street to Barnaby Road

Roadway and pedestrian safety improvements, including widening sidewalks for ADA compliance. Bridge rehabilitation at South Capitol Street intersection.

- Status: Final Design
- FY 2021 CIP: \$10M for Construction



Safety/Vision Zero

Streetscapes

Highlight: Florida Avenue, NE Streetscape

2nd Street, NE to H Street, NE

Add new bicycle infrastructure, widen sidewalks, and remove one through-lane in each direction to slow traffic speeds and improve safety on this corridor.

<https://www.floridaaveproject.com/>

- Status: Final Design
- FY 2021 CIP: \$11M for construction; project will also leverage federal funding



Closely coordinated with Interim Safety Improvements that were installed in Summer 2019 and with the Florida Avenue NE/New York Avenue NE Intersection Project (“Dave Thomas Circle”).

Safety/Vision Zero

Streetscapes

Highlight: 'Dave Thomas' Circle (Florida and New York Avenues)

Intersection of Florida Avenue NE, New York Avenue NE, First Street NE, and Eckington Place

Reconfigure the intersection, convert Florida Avenue and First Street to two-way traffic, and add crosswalks and protected bike lanes to improve safety for pedestrians, cyclists, and drivers and make the intersection clearer to navigate.

<https://www.floridaaveproject.com/>

Partnership with NoMa BID and NoMa Parks Foundation on landscape and urban design for three new public spaces.

Status:

- Final Design
- Property Acquisition and Tenant Relocation



Safety/Vision Zero

Streetscapes

Highlight: Cleveland Park Streetscapes & Drainage Improvements

Phase 1: Streetscape and Drainage

(Connecticut Ave NW from Macomb Street NW to Porter St NW)

Install permeable pavers and other measures to address flooding at Cleveland Park Metro Station entrance. Add curb extensions, improve crosswalks, add street furnishings, and raise the service lane to improve pedestrian safety.

- Status: Final Design
- FY 2021 CIP: Funded in FY 2020 leverages local and federal

Phase 2: Drainage & Watershed Improvements

Address stormwater management needs upstream on Connecticut Avenue and drainage improvement work

Status:

- Status: Preliminary Design
- FY 2021 CIP: Funded in FY 2024 for construction





chapter two
core assets

Core Assets

Streets

Investments in Local Streets Paving (in millions)

FY 2019

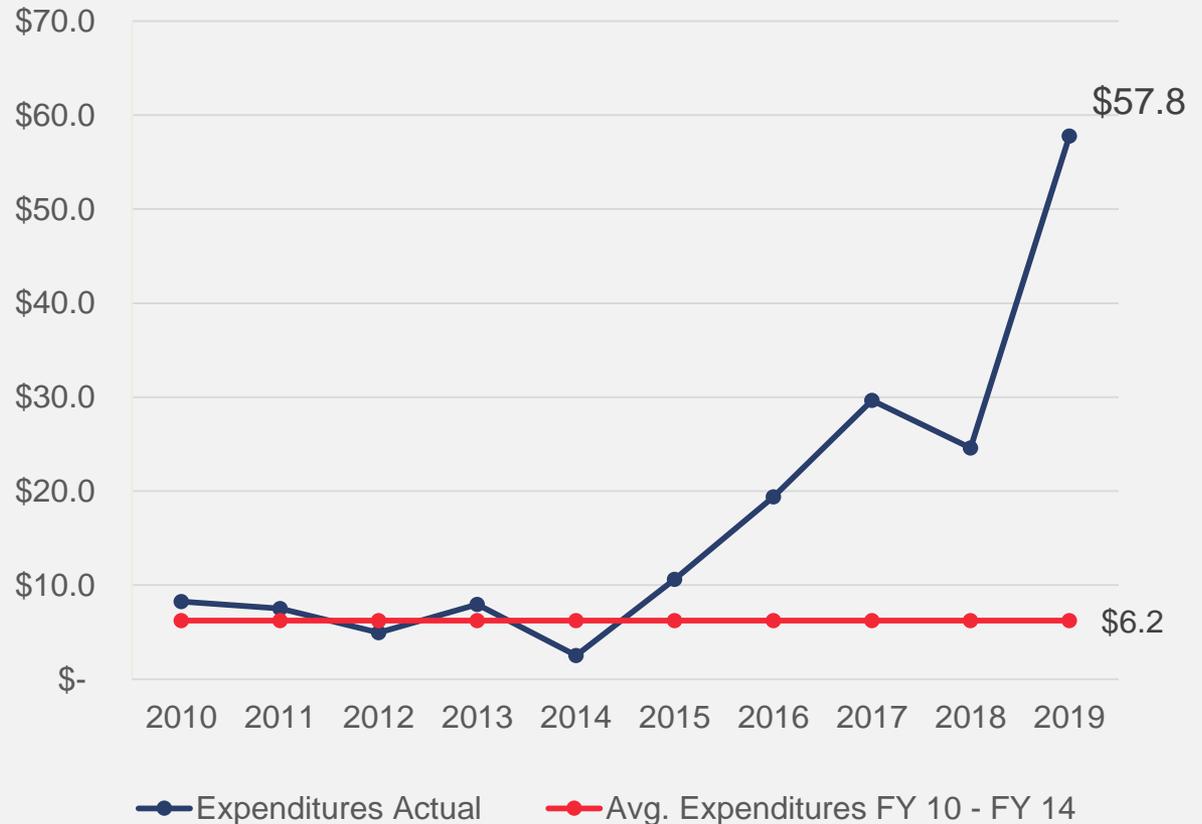
- Completed 66 miles (2018: 21 miles)
- Spent \$57.8M

FY 2020 Plan

- 79 miles planned
- www.ddot.dc.gov/pavedc

FY 2021 – FY 2026 CIP

- Provides \$628.3M
- Aligns with operational and contractual capacity



Core Assets

Alleys

Investments in Local Alleys (in millions)

FY 2019

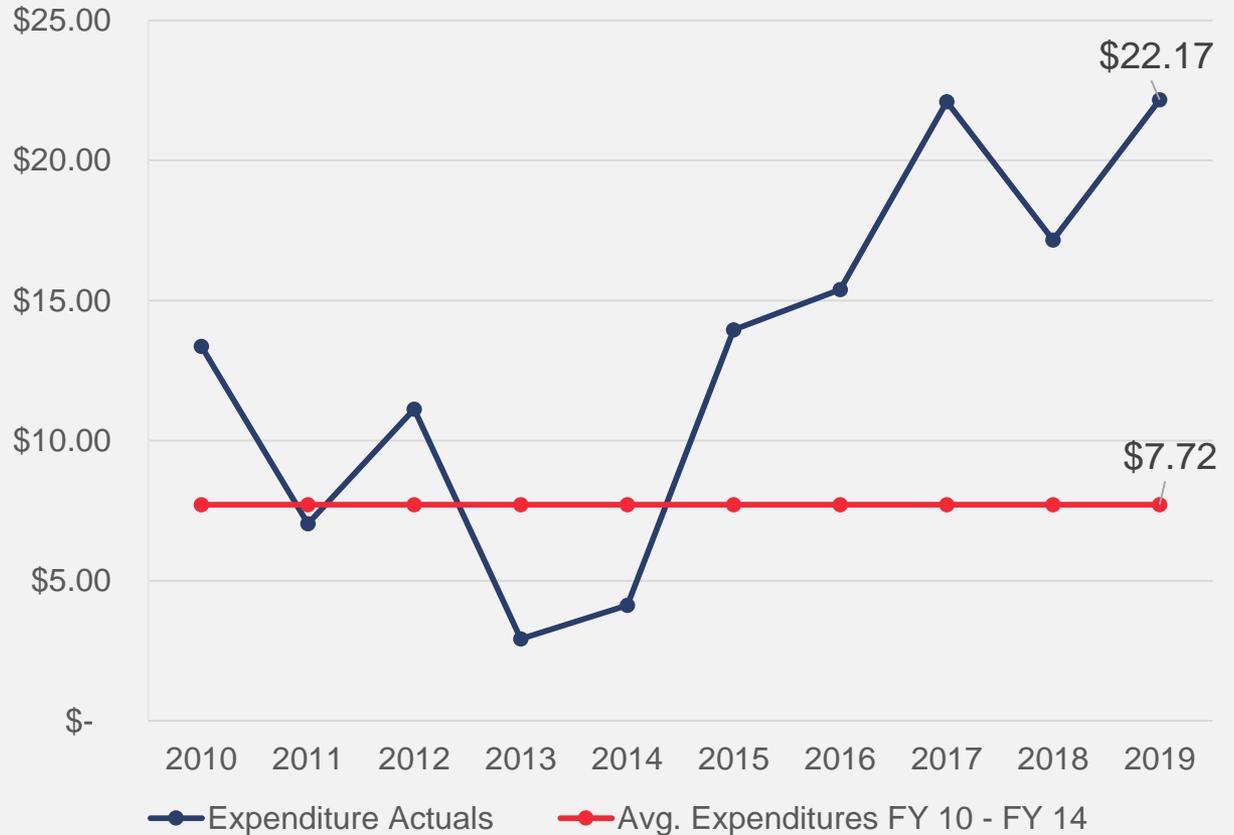
- Completed 128 alleys (2018: 109 blocks)
- Spent \$22.2M

FY 2020 Plan

- Alleypalooza 10 underway - 69 alleys
- www.ddot.dc.gov/pavedc

FY 2021 – FY 2026 CIP

- Provides \$116.8M
- Eliminates all alleys in poor condition in FY 2022



Core Assets

Sidewalks

Investments in Local Sidewalks (in millions)

FY 2019

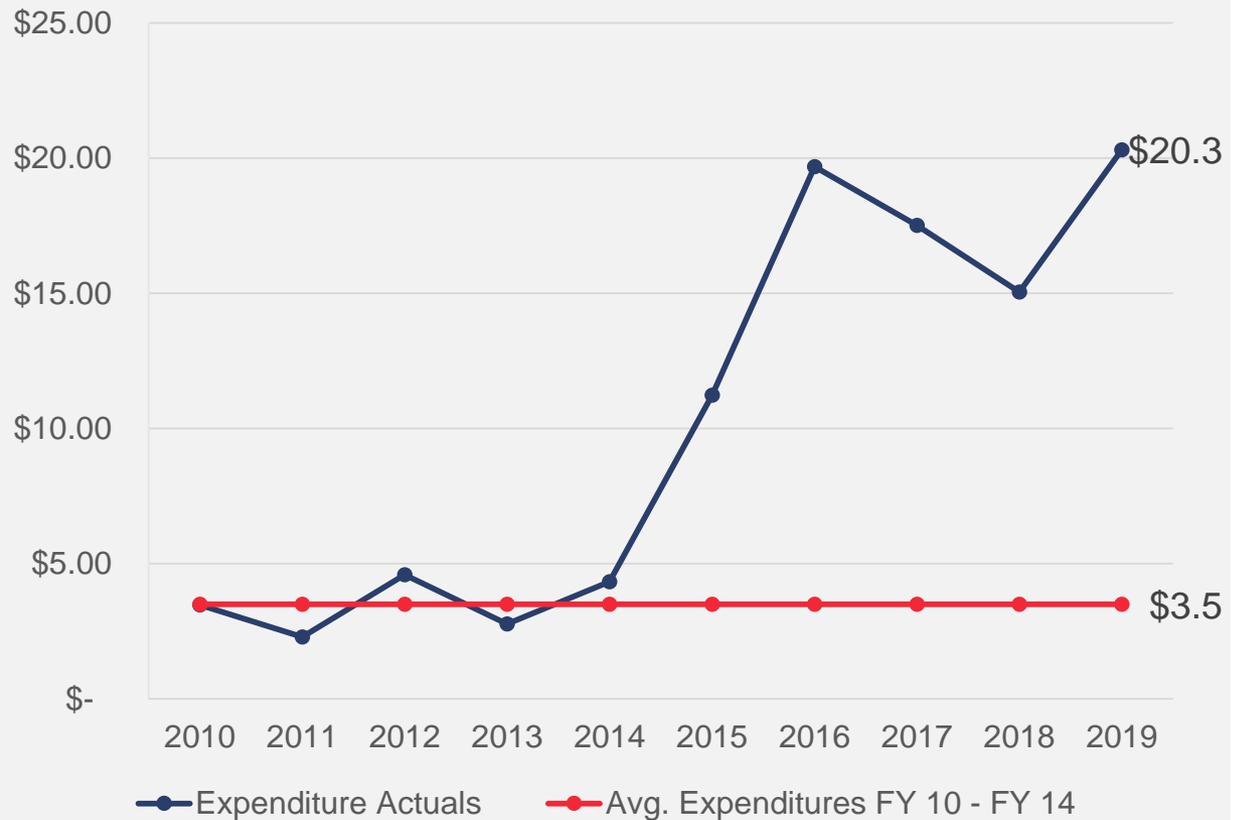
- Completed 32 miles
- Spent \$20.3M

FY 2020 Plan

- 47 miles
- www.ddot.dc.gov/pavedc

FY 2021 – FY 2026 CIP

- Provides \$105M
- Eliminates all sidewalks in poor condition in FY 2020





chapter three
transit & mobility

Transit & Mobility

Bus Priority & Efficiency Project

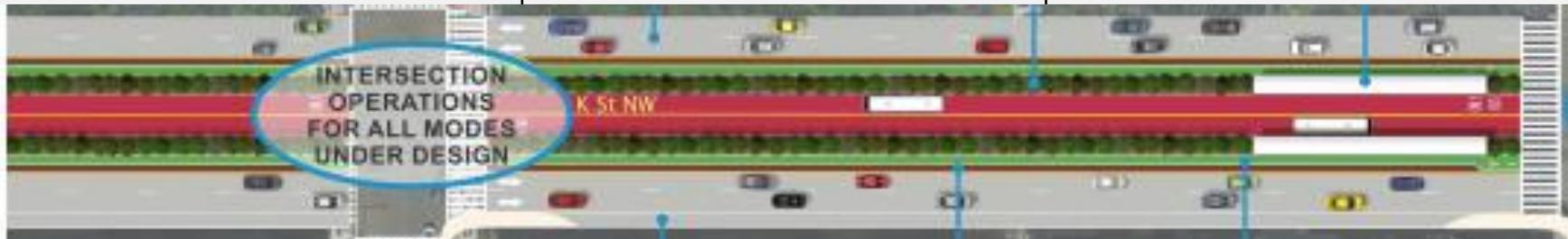
FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> H and I Street NW bus lanes pilot installed 	<ul style="list-style-type: none"> Bus Priority Plan underway H and I Street NW bus lanes made permanent 14th Street NW construction start 16th Street NW bus lanes construction start Pennsylvania Avenue SE corridor study 	<ul style="list-style-type: none"> H and I Street NW revised design construction 16th Street NW complete construction Start design of bus priority corridor projects in pipeline Start construction as funds are available



Transit & Mobility

K Street Transitway

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none">• Developed scope for preliminary design and traffic model• Updated planning for bus operations, curbside management, and environmental compliance• In coordination with DC Office of Planning, completed Public Life Study	<ul style="list-style-type: none">• Completion of preliminary (30%) design• Traffic modeling and operations planning for buses and general traffic (expected completion June 2020)• Extensive outreach to WMATA, BIDs, ANCs, bicycle stakeholders, and bus riders	<ul style="list-style-type: none">• Complete final design in FY 2021• Issue contracts for construction and construction management in FY 2022• Construction start FY 2022



Transit & Mobility

Streetcar

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> Issued NTP for design of Benning Road Extension 	<ul style="list-style-type: none"> PMC Contract Awarded Complete 30% design of Streetcar alignment and replacement of the Whitlock Bridge Finalize the Environmental Assessment Continue public meetings and stakeholder engagement 	<ul style="list-style-type: none"> Complete 100% Design Procure new vehicles for Benning Extension Overhaul existing fleet Issue NTP for Construction Testing and commissioning of system



Transit & Mobility

Circulator

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> O&M contract transitioned to DDOT DDOT awarded \$2.6M in FTA Low/No emission vehicle grant Zoo Express Bus Pilot 	<ul style="list-style-type: none"> Kicked-off Transit Development Plan 2020 Wage Equity (\$2M) for operators and mechanics supported in budget supplemental Intelligent transportation system to be completed Start procurement for 14 new electric buses 	<ul style="list-style-type: none"> Service Level enhancement (\$6.5M) to ensure all routes operational at 10-minute headways Acquiring electric charging stations for fleet Planning for construction of a new garage Planning for Ward 7 route expansion



Transit & Mobility

Capital Bikeshare

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> • “Capital Bikeshare for All” program allows qualifying individuals to get \$5 memberships • 25 new stations, bringing total bikes to 2,000 • CaBi membership grew from 2018 levels 	<ul style="list-style-type: none"> • Ebike launch scheduled for early June (start with 200 bikes) • BDP update completed in May 2020 • Essential Workers Program provided free memberships • Maintain operations through health emergency 	<ul style="list-style-type: none"> • \$2.2M in FY 2021 to focus on State of Good Repair • Grow Ebike program to meet demand • Continue to rebuild membership/ridership as DC “reopens” • Continue to add stations in Wards 5, 7, & 8



Transit & Mobility

Dockless Mobility

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none">• First year-long permits issued to dockless bike and scooter providers• 8 scooter operators and 1 bike operator with 6,000 vehicles• DDOT monitors vehicle locations for permit compliance	<ul style="list-style-type: none">• Installed 80 new off-sidewalk corrals, with 20 more installed by Oct.• Continued support of e-bikes by growing the 2020 bike program• Continue education campaign around parking and sidewalk riding	<ul style="list-style-type: none">• Create more tools to process vehicle location data• Create dockless vehicles option in 311 to track complaints and mitigate issues.
		



chapter four
livability and sustainability

Livability & Sustainability

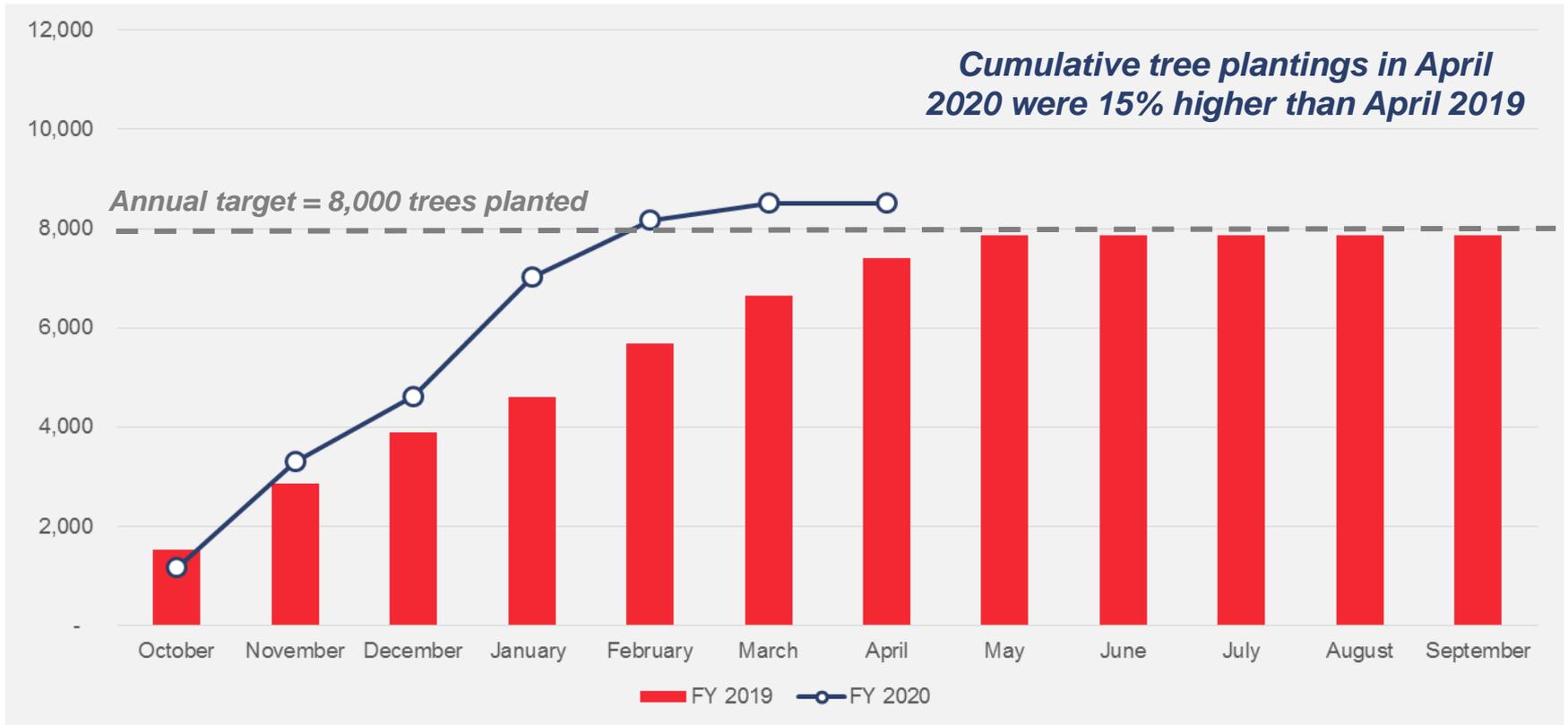
Urban Forestry

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> • 7,868 trees planted • 16,510 resident service requests closed • First year of funding transfer to DOEE to augment DDOT's tree planting at schools and parks, as well as on private properties 	<ul style="list-style-type: none"> • 8,507 trees planted through April 2020 • 6,969 resident service requests closed through April 2020 • Tree canopy at 38.7% • Continuing partnership with DOEE 	<ul style="list-style-type: none"> • FY 2021 funding supports annual tree planting targets; out year funding will be revisited • Supports 40% tree canopy goal by 2032 (Sustainable DC plan) • Increased revenue to Tree Fund forecasted
		

Livability & Sustainability

Urban Forestry/Tree Fund

Cumulative Number of Trees Planted, by Month (FY 2019 and FY 2020 to-date)



Livability & Sustainability

Stormwater Management, Green Infrastructure & Flood Mitigation

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> • Normanstone Fulton LID Completed • Culvert Rehab Project Awarded • Completed GI Projects: <ul style="list-style-type: none"> ○ Ivy City Streetscapes ○ Dix St. ○ Alger Park ○ Klinge Watershed Green Streets 	<ul style="list-style-type: none"> • Award On-Call Contracts for Drainage & Stormwater <ul style="list-style-type: none"> ○ Design ○ Construction • Completed GI Projects: <ul style="list-style-type: none"> ○ LeDroit Park Phase 2 ○ Repairs and Retrofits ○ Oregon Ave – Green Streets 	<ul style="list-style-type: none"> • \$9M in FY 2021 to support: <ul style="list-style-type: none"> ○ Culvert inspections ○ On-Call Drainage & Stormwater Design and Construction ○ Green Infrastructure Design & Construction: <ul style="list-style-type: none"> • Broad Branch • Spring Valley Watersheds





chapter five
megaprojects

Megaprojects

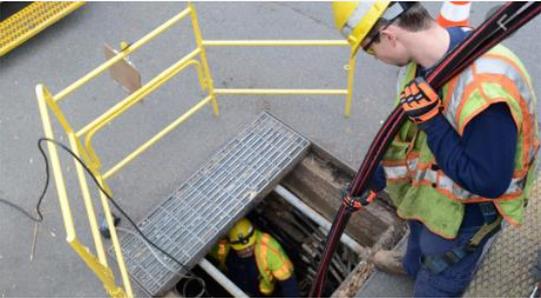
New Frederick Douglass Memorial Bridge/South Capitol Street Bridge Project

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 CIP
<ul style="list-style-type: none"> Completed bridge footings and V-Pier 1 Completed relocation of major utility conflict at East Abutment Completed first bridge deck (Howard Road Ramp B) 	<ul style="list-style-type: none"> Arch installation started First new ramps opened New bridges completed on I-295 Major Traffic Shifts on I-295/new traffic phases in place Widening of Firth Sterling and Suitland Parkway Bridges underway First GARVEE payment (\$3.4M) to be made in June 2020 	<ul style="list-style-type: none"> Completion of bridge in Fall 2021 Widening and Reconstruction of I-295 and Suitland Parkway complete in Spring 2022 East and West Ovals complete in Spring 2022



Megaprojects

Powerline Undergrounding Project (DC PLUG)

FY 2019 Accomplishments	FY 2020 Progress	FY 2021-26 Plan
<ul style="list-style-type: none"> Issued NTP for construction of Feeder 308 in Ward 3 construction, the first feeder from 1st Biennial Plan Submitted 2nd Biennial Plan to Public Service Commission (PSC) 	<ul style="list-style-type: none"> Completed Feeder 308 construction in May 2020 Awarded remaining feeder design contracts to complete 1st Biennial Plan 2nd Biennial Plan Approved by PSC Advertised 2nd Biennial Plan feeder design RFQ 	<ul style="list-style-type: none"> Complete design and construction of remaining 1st Biennial Plan feeders in Wards 4, 5, 7, and 8 Award 2nd Biennial Plan feeder design and construction contracts Submit 3rd Biennial Plan to the PSC
		



chapter six
government operations

Government Operations

Fleet and Equipment

Vehicle Fleet



- DDOT is committed to using the OCFO's Capital Asset Replacement Schedule System (CARSS) for fleet replacement
- \$26.6M is provided over 6-year CIP, an increase of \$3.3M over current CIP
- Includes Heavy Trucks, Light Trucks, and Specialized Equipment

Equipment



- \$3.9M is provided over 6-year CIP for specialized equipment maintenance and parking meters
- \$2.7M for parking meter asset replacement; parking meters generate \$50M/year to support WMATA
- New Parking Meter contract to be awarded in FY 2021

Thank you, and please be safe



ANC 1A ADVISORY NEIGHBORHOOD COMMISSION 1A

SMD 1A01 – Layla Bonnot
SMD 1A04 – Matt Goldschmidt
SMD 1A07 – Jen Bundy
SMD 1A10 – Rashida Brown

SMD 1A02 – Teresa Edmondson
SMD 1A05 – Christine Miller
SMD 1A08 – Kent C. Boese
SMD 1A11 – Dotti Love Wade

SMD 1A03 – Zach Rybarczyk
SMD 1A06 – Angelica Castañon
SMD 1A09 – Michael Wray
SMD 1A12 – Jason Clock

June 3, 2020

Councilmember Mary Cheh (mcheh@dccouncil.us)

Chairperson, Committee on Transportation and the Environment

Via email only

Dear Councilmember Cheh and members of the Committee on Transportation and the Environment—

Advisory Neighborhood Commission 1A (ANC 1A) wishes to provide the following testimony regarding the FY21 Budget for the District Department of Transportation (DDOT), highlighting specific areas of support and concern as they relate to transportation in our Commission.

We ask that Council and DDOT ensure that cuts to the budget for the Office of the Director, Transportation Equity and Inclusion Division, and Performance Administration, including the Community Engagement and Customer Service Divisions, do not hinder the mission of DDOT to enhance the quality of life for District residents and visitors. ANC 1A requests that Council and DDOT work to add an additional FTE to provide Wards 1 and 2 with their own dedicated Community Engagement Specialist, as is the case in other Wards, rather than a shared FTE as is in place now. We believe this would improve coordination and communication between community stakeholders and project teams within DDOT.

As points of support, ANC 1A requests that Council dedicate the resources necessary to meet, at minimum, Key Performance Indicators related to the safety of vulnerable road users as identified by DDOT. These goals include:

- Reducing pedestrian, cyclist, and motor vehicle deaths to the FY21 KPI of 0 (13 pedestrians, 13 motor vehicle, and 2 cyclists died in FY19) and decrease the number of serious injuries (188, 351, and 93, respectively, in FY19—a sharp increase from the FY18 numbers reported).
- Increase the percentage of Circulator busses arriving on-time to the FY21 KPI of 80% (FY19 actual: 66.3%).
- Increase the number of livability studies completed and implemented to the FY21 KPI of 10 (5 in FY19), as has been requested surrounding the 1125 Spring Road (Hebrew Home) development.
- Increase the number of miles of bike lanes installed, at minimum, to the FY21 KPI of 6.5 miles (4.9 miles in FY19).
- If and when in-person school returns, increase the number of Kids Ride Free passes picked up by students (33,520) and increase the number of distribution sites to meet the needs of families where they are.
- Work collectively with other District government agencies to make sure newly-installed green infrastructure sites are maintained (414 in FY19) to ensure their continued performance.

In addition, ANC 1A also requests Council support for the following capital projects:

- KA0-BEE00 Bus Priority and Efficiency Initiative, as it related to the 16th Street Bus Priority Project implementation, and ADA compliance at Metrobus and Circulator bus stops.
- As related to KA0-CBS02 Captial Bikeshare expansion, DDOT and Council must make sure that Bikeshare transportation equity is prioritized in terms of geography and economic access to the system.
- Related to KA0-LMCIR Circulator, DDOT and Council should follow the lead of the “DC Equity Act of 2019” (B23-0323) to make Circulator fare-free and fund the expansion of service to underserved wards, all while rethinking Circulator lines as a tool for residents in transportation-underserved areas of the District.
- Related to KA0-LMITS-INFORMATION TECHNOLOGY SYSTEMS, we support an updated and more user-friendly version of TOPS (Transportation Online Permitting System), and request that DDOT prioritize an automated system that publicly tracks open requests to the agency.
- KA0-CE309-LOCAL STREET MAINTENANCE, and KA0-SR301-LOCAL STREETS WARD 1, with special attention to improving pedestrian safety and ADA accessibility.
- KA0-LMRES-RESTORATION MATERIALS for purchasing materials to improve our public realm. ANC 1A asks that continued maintenance be prioritized after years of neglect.
- KA0-LMSAF-SAFETY & MOBILITY to provide for new and continued preservation of infrastructure, education, and enforcement to protect vulnerable road users, including cyclists, pedestrians, and other forms of micro-mobility.
- Regarding KA0-LMPDW-SIDEWALKS, as COVID has made us more aware than ever, many of our sidewalks are in states of disrepair, or are inadequate to meet the needs of residents who require ADA accessibility. This may include repositioning signage posts away from the middle of sidewalks, which often takes up space in already-tight areas.
- KA0-LMWWM-STORMWATER AND FLOOD MITIGATION maintenance of our recently-installed green infrastructure is critical to extract the maximum benefit from this investment, and can also provide jobs related to their upkeep.
- KA0-LMBSS-STREETSCAPES AND BEAUTIFICATION, KA0-CG314-TREE PLANTING, and KA0-LMURF-URBAN FORESTRY to maintain and improve the quality of life for District residents, with special attention paid to Georgia Avenue NW, which already has a streetscape plan created but has yet to be prioritized and implemented.

ANC 1A looks forward to our continued work with Council and DDOT to improve the safety, equity, and efficiency of transportation for District residents and visitors alike in the coming year.

#####

Certification:

After providing sufficient notice for and with a quorum of 9 present at its June 3, 2020, special meeting, Advisory Neighborhood Commission 1A voted, with 9 Yeas, 0 Nos and 0 Abstentions, to adopt the above testimony.



Kent C. Boese
Chairperson, ANC 1A



Zach Rybarczyk
Secretary, ANC 1A

CC:

Aukima Benjamin (abenjamin@dccouncil.us)

Staff Assistant

Councilmember Brianne K. Nadeau (bnadeau@dccouncil.us)

Thank you for receiving my request for budgetary allowances that I believe will be beneficial to senior citizens in the District of Columbia as well as other citizens, the environment and aid in efficiency of transportation.

I would like to request free ride on bus services up and down Connecticut Avenue from Dupont Circle to Chevy Chase Circle and back for senior citizens. The current buses are slow and inconsistent. It would be better to have more frequent service, with smaller busses, free to seniors who frequently travel along this this corridor for the chores of daily living.

Regular bus service is only useful if you know your schedule. I have walked all the way from the Zoo to my home in Van Ness without once seeing a bus. We need something more reliable. In some areas of the country these ride ons come frequently to make riding a bus more convenient and less stressful.

Many seniors cannot use bikes and scooters, but these are in the budget. Perhaps we can find vendors for mini buses like we do for bike share. Bikes and scooters are not really useful if you have shopping bags or other items to carry.

Frequent free ride on busses would be a wonderful way to make the city senior friendly and friendly to others who cannot physically use these modes of transportation. It would be good for the environment to get seniors out of cars. These huge polluting buses are partially filled, taking up much of the road.

I do not know the current routes of these ride ons, but I have seen them in Georgetown and in the downtown area. There are many high rises along Connecticut Avenue full of people who would benefit. Other age groups could pay to defray the cost.

I would appreciate it if you would consider this bus service when deciding the budget for DC. I understand that this is a request for a specific project, but funding in the budget allotted under the specific category such as transportation and the environment could provide the means. Thank you for your time and attention.

Barbara Lappin
Ward 3 Resident

██████████

**Committee on Transportation and the Environment
FY2021 Budget Hearing with the District Department of Transportation**

June 10, 2020

Written statement presented by Heather Foote

My name is Heather Foote and I am a Ward 1 resident. My work and this testimony focus on older adults, their safety as pedestrians and their access to transportation information and services.

DDOT actions during the early Covid-19 crisis. DDOT in collaboration with the Mayor's Office and other agencies undertook various innovative projects important to raise up and commend, including assistance for essential workers through the Capital Bikeshare program.

Reduction in the default speed limit. Reduction in the default speed limit to 20 mph is among the most important of the new initiatives. Repeat studies show that persons aged 70 and above suffer disproportionate serious injury and death in crashes at incremental increases in vehicular speed. The decision to reduce speed limits – a longstanding recommendation of the DC Pedestrian and Bicycle Advisory Councils – represents use of an important policy tool for achieving Vision Zero goals. While the jury will be “out” for some time on how new speed restrictions may change driver behavior in the District, the new speed limits – when combined with changes in roadway engineering and additional automated enforcement measures – could offer a path forward to safer streets. In my 2019 interviews with 50 older adults at 11 sites where seniors congregate, a majority of those sites in Ward 7 and 8, speeding was repeatedly signaled by respondents as a top pedestrian safety problem. Timely new signage, non-electronic publicity about the policy change and news coverage of the rationale behind it can be used – in addition to the customary DDOT online materials – to bolster compliance, including through neighborhood word of mouth by older adult influencers.

Widened sidewalks. The placement of temporary cement Jersey barriers – such as the one on Irving Street NW between 14th and 16th Streets – is an important measure to increase safe pedestrian space and represents a virus-triggered pilot that will hopefully lead to more permanent reallocation of public space. It is vital that Streatery applications be carefully vetted to ensure that such spaces maintain and prioritize pedestrian right-of-way on sidewalks and do not evolve into magnets for crowds during what is expected to be a prolonged public health challenge. (Pedestrians “sharing space” with e-bikes and scooters in such areas is no substitute for pedestrian right of way space.) Similarly, with the welcome Slow Streets initiative, scooter and bicycle riders need to be strongly encouraged to use the “shared” space, to prioritize pedestrian and roller traffic on the narrow sidewalks that led to the street's designation as a potential Slow Street.

New dockless mobility hire and more scooter corrals. In testimony, Director Marootian reported that DDOT made a new permanent hire for the Dockless Mobility program, housed in the Planning and Sustainability Division. This new staff member will reportedly focus on off-sidewalk scooter parking. Scooter riding, especially on sidewalks and pedestrians crosswalks, remains a serious on-going hazard and danger for pedestrians, especially older adults and persons with disabilities. (Most attention has gone to scooter parking. Yet after two years, neither scooters nor electric dockless bikes are required to have bells; these fast-moving vehicles can

come up from behind a pedestrian without sound. This can make walking on sidewalks a high-risk endeavor for older adult and other pedestrians, including those with low-vision or hearing impairment. Similarly, this can be a deterrent for would-be walkers to venture out on sidewalks.)

A new position in the dockless mobility program was one budget recommendation to DDOT from the DC Pedestrian Advisory Council in January 2020. One rationale was the need for increased enforcement of current regulations and agreements with commercial vendors. While scooters are off city streets and sidewalks for the moment, there is anecdotal yet strong evidence that compliance with appropriate parking of scooters declined in April and May. Once scooters return to city streets and sidewalks, it will be important for the new DDOT staff to have a wider range of responsibilities, beyond the important expansion in numbers of parking corrals.

Increased parking and enforcement are both important. Equally important is non-scooter-ride recourse to reporting and remedy when scooter riders operate their vehicles in unlawful ways, especially on sidewalks, at curb cuts and in pedestrian crosswalks. It is unclear whether the 311 system is currently and fully documenting complaints related to scooter and e-bike crashes involving pedestrians or rollers. It is important that such information be publicly accessible, even if in summary fashion.

A more comprehensive assessment of the welcome increase in DDOT dockless staff and in dockless parking spaces will need to await the securing of related data. The new hire and the parking corral concept, with its rapid implementation, are to be commended. How many scooters are actually parked in corrals over a six-month period? And, importantly, if the *rate of growth* in the total number of scooters on streets and sidewalks is faster (or far faster) than the growth in the number of parking corral spaces, the needs of pedestrians and persons with disabilities will not be adequately addressed. As important as the corrals are, this looks to be the trend, given projected scooter expansion numbers.

Transportation planning and engineering to reflect demographic data and trends. Just as DDOT planning and Mayoral support no doubt reflected the influx of younger residents into the city who were bicycle riders and expected support for their preferred transportation mode, whether for commuting or recreation, DDOT planning needs to reflect age demographics, present and future.

At present, what percentage of current District residents ride bicycles on a regular basis compared to residents who don't – or are unlikely to – ride bicycles, those whose transportation mode relies heavily on walking, whether for work, socializing, essential tasks or health. And how should outreach, outreach materials and federal/NIH Plain Language communication be designed to reflect and reach those population groups? How should those needs be addressed and highlighted as important? In a public health emergency that is likely to extend for months for more vulnerable populations, what weight is given to non-bicycle rider, non-commuter older adults who want safe passage to bus stops, who don't know the sidewalk repair record and plans in their neighborhood, who are fearful of turning vehicles at intersections and who in the long term might be lured to driving less if real alternatives existed.

As for the future, the US Census indicates that by 2035 nationally, there will be more U.S. residents 65 years old and above than school children. What is the projection for the District of Columbia by that date and how is it now shaping 3, 5 and 10 year planning for the future? How about pedestrian safety audits around senior wellness centers when they re-open? Special attention to under-resourced neighborhoods where vehicles don't stop for older adults including persons with disabilities trying to cross in marked crosswalks? What could Safe Routes for Seniors mean for the District of Columbia? How can flashing beacons be championed by older adults

if they don't have access to information about their role, effectiveness or the criteria for their placement? A proactive sidewalk repair program, with planning for it started in 2020?

Our regional Transportation Planning Board's *Public Participation Plan*, which serves as internal TPB staff guidance, could be a useful topic for staff lunch-hour training discussions at DDOT and other agencies.

Reframing pedestrian safety issues to give them more visibility and to signal their importance. Framing can highlight an issue of importance and draw attention to work devoted to it...or can leave the perception that the issue is off the radar screen, is less worthy of attention. Just as bicyclists would not welcome the words "bicycle safety" being greatly reduced and instead that concept falling under street engineering or reducing-single-occupancy-vehicle-use, the issue of pedestrian safety can lose cogency when those very words are largely overshadowed by use of categories such as sidewalk repair and speed reduction, as vital as these functional categories are. (This is written as a bicycle commuter for 20 years in the past and now almost daily bicycle rider.)

What would reframing look like? Just as DDOT posted Twitter video of Director Jeff Marootian and Chief of Staff Lee Goodall riding bikes along the Anacostia River Trail for National Bike Week, they would walk with Anacostia seniors crossing Good Hope Road at Ward 8 crosswalks or talk with Friendship Terrace older adults such as Buddy Moore crossing Wisconsin Avenue NW at River Road NW. A quick clip on nightly local news would reach that audience better than Twitter feed. Director Marootian and Mr. Goodall would appear at a virtual or in-person meeting of the Ft. Stanton Rec Center Senior Program or the Ward 5 Model Cities Senior Wellness Center to talk about what DDOT is doing on pedestrian safety for next September's Pedestrian Safety Month. Just as many bicyclists follow Twitter, part of reframing includes identifying where the desired target audience customarily goes for its information.

Progress on issues raised in April 2019 testimony? A revisit of my April 2019 testimony for the FY2020 budget before this committee shows movement in some areas, such as actual sidewalk repair (if not a proactive repair program), and less movement in other areas, such as reassigning some DDOT Community engagement team time to where older adults congregate, to communicate with and hear from those far less likely to attend evening ANC meetings. That 2019 testimony is appended to the current testimony, in the hope these issues can be revisited.

Commendation to DDOT. Finally, DDOT is to be commended for the various initiatives undertaken which will be followed with great interest and hopefully support from residents across the District.

Heather Foote, [REDACTED]



Testimony on DC Mayor's Dept. of Transportation 2021 Budget

Jim Smalles, Trustee; Chair, Transportation Subcommittee

Meg Maguire, Trustee

June 4, 2020

Thank you for the opportunity to testify.

The Committee of 100 on the Federal City, extensively engaged with streetcars since 2009, opposes funding for the Benning Road streetcar extension as proposed in the Mayor's Capital Improvement Program for FY 2021 and 2022.

While we strongly support the need for expanded public transit, the proposed extension fails to address long-standing systemic problems. Unless and until there is a comprehensive plan of how to govern, operate, finance and maintain a world class streetcar system as C100 has called for repeatedly¹, no further money should be invested in this poorly conceived system.

Further, building the Benning Road extension to Minnesota Ave. would perpetuate the use of outmoded streetcar technology that will never be used elsewhere in the city, when and if the system is expanded. The Benning Road extension as planned is not world class; it is third rate.

DC Code § 9-1174. Comprehensive assessment requires that by January 1, 2014, and by that date every three years thereafter, the Mayor will submit to the Council an evaluation of the advances in propulsion technology; and an examination of the feasibility and costs of using non-aerial motive power on new segments of the proposed streetcar system as well as converting to non-aerial motive power along the current route of H Street and Benning Road. The last report was February 2017; DDOT should have submitted an update in January 2020.

There are several better uses for the more than \$37 million proposed for the extension:

- improve bus service throughout Wards 7 & 8 with more routes and shorter headways,
- support public and private investment in housing for a broad range of incomes,
- increase job opportunities in the community, and
- increase support for public health.

¹See BUILDING A WORLD-CLASS STREETCAR SYSTEM FOR A WORLD-CLASS CITY: System Recommendations and Route Assessment. A Report to the Mayor and Council of the District of Columbia. Prepared by the Streetcar Working Group of the Subcommittee on Transportation, Committee of 100 on the Federal City: Meg Maguire, Dorn McGrath, Monte Edwards, Dick Wolf, 2010. committeeof100.net/download/transportation/dc_streetcars/reports_and_presentations/A-World-Class-Streetcar-System-for-a-World-Class-City.pdf

The impact on our economy from the Covid-19 pandemic means we cannot afford to waste funds on an obsolete technology for a streetcar system that fails to meet the most fundamental requirements of public investment.

For more information, contact:

Jim Smalles, Chair of Transportation Subcommittee [REDACTED]

Meg Maguire, Trustee [REDACTED]



Councilmember Mary Cheh
Committee on Transportation and the Environment
1350 Pennsylvania Avenue, NW
Washington, D.C. 20002

June 10, 2020

Subject: Casey Trees Comments for the Budget Oversight of the District Department of Transportation

Dear Councilmember Cheh,

Casey Trees commends you and your staff for your hard work in putting together this unusual budget process and the Council's dedication to ensuring that community engagement remains open and accessible. We understand that this is a hard time, both for District residents and the District's economy, and would like to thank the Mayor and Director Marootian for supporting D.C.'s urban forestry programs in the FY 2021 operational and capital budgets. In this time of great stress, we have seen residents embrace their local outdoor space - for many, that means walking along the sidewalk underneath the shade of a lush tree canopy. As another hot summer approaches, our trees will become a vital part of creating a comfortable outdoor environment residents will want to be a part of. Additionally, as we extend the public space to accommodate expanded outdoor restaurant seating, these trees will be an important part of creating a welcoming place for patrons to dine in. Eating a hot meal on top of hot pavement can quickly become uncomfortable, but when there are trees, these spaces become inviting and unique places to eat. As we slowly return to normal life, where we can go and what we can do, will change, but the extreme urban heat island relief provided to us by our trees will not. By continuing to fund the maintenance of our urban forest, we can ensure that these spaces that have become so important, especially during the COVID-19 pandemic, are not lost.

In addition to the \$288,000 increase in the Urban Forestry Division's operational funding, we would like to thank the Mayor and Director for their continued funding of urban forestry and environmental capital projects. We know that trade offs had to be made to accommodate deficits in this budget and that many capital projects bore the brunt of those reductions. We appreciate the increase in FY 2021 funds for urban forestry capital projects and the maintenance of capital tree planting money. Trees create a calming and cool place for residents to enjoy nature, even when parks are closed and greenspace is scarce. Providing funding to grow and maintain our tree canopy will go a long way in helping us reach our 40 percent tree canopy goal.

Casey Trees was pleased to see the maintenance of capital funding for stormwater and flood mitigation. Green infrastructure is a vital part of building resiliency and sustainability in the District. By maintaining funding for this program, we can continue to support pollution prevention, flood mitigation, air and water quality and tree canopy growth across all eight Wards and move forward to meet the goals outlined in Sustainable D.C. 2.0, Climate Ready D.C., Resilient D.C. and the most recent version of the Comprehensive Plan.

The creation of the Urban Forestry Division in DDOT, the passage of the Urban Forest Preservation Act, and its subsequent amendment, and the declaration of a 40 percent tree

canopy goal have all put the District on the forefront of urban forestry policy. Over the last two decades, D.C. has continued to prove itself to be a leader in both urban forestry and environmental policy and we see this reflected in DDOT's FY 2021 budget. We urge the Council to maintain the existing urban forestry and stormwater and flood mitigation in their final budget.

Sincerely,

A handwritten signature in blue ink that reads "Jessica Sanders". The signature is written in a cursive style with a large, stylized "S" at the end.

Jessica Sanders, PhD, PMP
Director of Science and Policy
Casey Trees



Government of the District of Columbia Advisory Neighborhood Commission 4B

By Electronic Mail

May 27, 2020

Councilmember Mary M. Cheh
Chair, Committee on Transportation and the Environment
1350 Pennsylvania Avenue NW
Washington, DC 20004

Re: Oversight of the District Department of Transportation:

Dear Councilmember Cheh:

Advisory Neighborhood Commission 4B, at a duly noticed public meeting, with a quorum being the “majority of the total number of commissioner positions currently filled in Commission 4B,” at its May 26, 2020, meeting voted with 7 Yeas, 0 Nays, and 0 Abstentions to send to the Committee on Transportation and the Environment this letter about oversight concerns regarding the functioning of the District Department of Transportation (DDOT) during the term of the Commission.

Both Advisory Neighborhood Commission 4B (acting as the Commission) and individual Commissioners have experienced difficulties ensuring that the District Department of Transportation acts to fulfill its mandate and the needs of our constituents. The Department has failed to act in accordance with the Mayor’s Vision Zero Initiative or even the Department’s own announced plans and objectives. These problems exist throughout all phases of project initiation, management, and execution.

Project initiation and data gathering: As the elected officials closest to our communities, Advisory Neighborhood Commissioners are often the first conduit for neighborhood traffic, transportation, and safety concerns. When problems or concerns are brought forward, Commissioners in Advisory Neighborhood Commission 4B have attempted to address them through a variety of communications and actions directed toward DDOT. These have included communications with DDOT Ward liaisons, the DDOT Director, various professional, and program staff and supervisors; communications with Council staff and representatives of the Mayor’s Office of Community Relations and Services; public petitions; scheduled walk-throughs; 311 reporting through the Office of Unified Communications; feedback on the DDOT Livability Study process; and DDOT’s Traffic Safety Assessment process. Unfortunately, none have proven particularly effective.

Particularly concerning has been the continued ineffectiveness of formalized reporting

mechanisms - 311 reports and traffic safety assessments. Both, frankly, are “black holes.” When confronted with an urgent issue - often involving the immediate safety of constituents - Commissioners utilizing these reporting mechanisms get no feedback, timelines so long that they are useless, incidents closed without clear resolution (or no resolution at all), and an unclear prioritization of received requests. Without a transparent and clear process for request processing and prioritization, Commissioners resort to the other informal means described above to “lobby” for projects in their area, whether they are new construction or merely attempts to get existing infrastructure fixed.

These processes undoubtedly further inequities that exist in our transportation system. Communities with more wealth and power will inevitably succeed in prioritizing their projects over those with fewer resources. This dichotomy exacerbates the difficulties in obtaining maintenance for existing infrastructure that is pedestrian or bike focused, where roadways have a more clearly defined maintenance and rehabilitation schedule.

Similar issues exist in DDOT’s long-term planning processes. Livability studies, when complete, are useful “ammunition” for organizations, individuals, and Commissions to lobby for the study results that they like, but there’s no clearly articulated mechanism for implementing the results presented at the end of the process.

Project initiations have become even more difficult during the coronavirus emergency. Despite the increased number of community members using our roads by methods other than cars and [reporting](#) suggesting that auto speeds are rising with decreased traffic on our roads, DDOT appears to be slow in taking advantage of the opportunity to further both infrastructure and Vision Zero goals. In fact, Commissioners have reported that DDOT has informed them that they have suspended traffic counts and other data collection due to irregular traffic patterns during the public health emergency, which has prevented progress on requests for new infrastructure like stop signs.

Project notification to construction: Per the [recent report](#) from the Office of the District of Columbia Auditor, DDOT is one of the agencies that struggles with providing adequate notice to Commissions about actions within a Commission area. Beyond that, the primary method for providing notice to Commissions, the Notice of Intent (NOI), is unclear and minimally useful due to the lack of clear timelines for implementation.

Advisory Neighborhood Commission 4B has repeatedly passed resolutions in support of projects outlined notices it has received, often urging completion of the project expeditiously due to community interest and support. However, projects then have an undetermined timeline and sit uncompleted for unknown reasons. DDOT is not transparent with the process once the NOI timelines are complete, and it is often unclear how they prioritize and time completion of projects that the Commission has supported.

Additionally, per the DC Code, Commissions that do not weigh in on a particular project are not signaling disapproval, but DDOT has often interpreted the decision not to weigh in that way. For that reason, the Commission has gone back to notifications provided to past Commissioners and passed resolutions on projects that DDOT noticed but never moved forward with. While DDOT should engage with and seek Commission support, failing to act after not hearing from a Commission continues the perception that DDOT is prioritizing projects based on political input, not based on an assessment of the safety needs of communities.

Project construction to completion: The Commission has also encountered challenges with

ensuring that DDOT completes projects according to plans that the community and the Commission have reviewed and approved. DDOT has partially completed projects on several occasions in our Commission area and then moved on. Several of these projects remain partially completed after years, despite Commissioner attempts to push for completion. On occasion, DDOT representatives will respond that projects are completed according to their internal metrics, forcing Commissioners to document the incomplete work and compare them to DDOT's own plans to demonstrate that the project is not actually complete.

Additionally, DDOT allows contractors to change significant portions of major projects once construction has begun without informing the community and the Commission of the changes. These changes and half-completed projects force Commissioners to act as unpaid project oversight for DDOT to ensure that our neighborhoods get what DDOT has agreed to deliver.

To summarize, our Commission's interactions with DDOT have been characterized by opacity, unclear standards and timelines, and half-finished projects and requests. Significant labor is expended by Commissioners at every stage. DDOT cannot be trusted to initiate projects on their own, even projects that are initiated by community-driven processes, projects that have gone through Commission review without objection, and projects that merely consist of basic infrastructure maintenance. DDOT's notification process is wholly separate from actual construction timelines and prevents communities from planning around new infrastructure or moving on to advocate for new improvements in their neighborhoods. When DDOT finally does begin construction, they require significant on-the-ground handholding to ensure that they execute agreed-upon plans and do not abandon projects before completion.

These failures lead to an inability to execute upon agreed-upon goals that are necessary to achieve the Mayor's Vision Zero goals or to ensure that our community infrastructure is in good repair. The political nature of these processes exacerbates infrastructure inequities in our Commission area and across the District.

We encourage the Committee to engage in aggressive oversight to ensure that DDOT is reforming their processes to ensure project notification, initiation, and construction are executed with fidelity to the Department's mission and goals, and equitably across the District. DDOT's lack of consistent communication and spotty adherence to its own procedures and proposals has forced Commissions to engage in oversight. However, Commissions are not equipped, funded or staffed to engage in proper and complete oversight which exacerbates inequities across our city, so we ask for your assistance and oversight.

The Commission also voted with 7 Yeas, 0 Nays, and 0 Abstentions to appoint the Commissioner for Single Member District 4B01, Evan Yeats, or any member of the Executive Committee in his absence, to be authorized to communicate this resolution and represent ANC 4B in communication with regards to this matter.

Sincerely,

Evan Yeats, ANC 4B01 Commissioner

cc: Members of the Committee on Transportation and the Environment
Jeff Marootian, Director, District Department of Transportation
Lucinda M. Babers, Deputy Mayor for Operations and Infrastructure

FY21 DDOT Budget Oversight Hearing Testimony

June 2nd 2020

Jeremiah Lowery
Washington Area Bicyclist Association

My name is Jeremiah Lowery and I am the Advocacy Director of the Washington Area Bicyclist Association (WABA). I am submitting testimony on behalf of the Washington Area Bicyclist Association and our membership in DC and throughout the region.

Thank you for the opportunity to testify.

The COVID-19 pandemic has upended our world in unimaginable ways, straining budgets, magnifying inequity, and radically changing how people get around and what we need from our public spaces.

Though we are in a time of crisis, this is a time to rethink the systems we invest in to move people.

While we are encouraged by the Mayor's announcement of a new slower default speed limit for DC's streets and look forward to details on the announced slow streets initiative, these changes are just a start. As the region slowly opens up, people will be understandably uneasy about hopping on a train or bus, even if capacity is increased.

The region cannot double down on cars as the primary way to move people safely. DC must be aggressive in reimagining not just our local streets, but the major streets too for biking and walking.

These changes will take staff and resources and the DC Council must focus this upcoming budget on ensuring we have the funds to create a transportation system that is prepared for future pandemics and creates a system that is safe, equitable.

Equity

The COVID crisis showcased the inequities in our transportation system to a new level. The lack of safe infrastructure to walk or the lack of reliable public transportation has put some of our residents at greater risk of getting the virus or caused many to travel further distances in order to get supplies or groceries. Now more than ever we need to invest in DC's infrastructure and transportation system but we must invest in an equitable way. Here are some items that need funding to push us to that goal.

- We must fund the DC circulator East of the River. When our city starts to recover from COVID, we need to ensure we have reliable transportation in all parts of the city.

- Pass and fully fund the Vision Zero Omnibus bill. The Vision Zero Omnibus bill includes solutions such as the creation of a list of one street or one bus line in each ward that will get a dedicated transit lane, a solution would be the first step into ensuring all wards have dedicated transit lanes where feasible.
- Ensure street repaving funding is equitable. We need to ensure that historically unserved neighborhoods get a larger share of funding to keep pace with other parts of the city.
- Ward 8 gets its share of funding for infrastructure projects but so much of that money is tied up in highway projects, we need to ensure ward 8 is getting adequate funding for safe infrastructure.
- More money for sub project AD306C “Pedestrian and Bicycle Safety Enhancements”

Building Complete Streets

DDOT is still not making complete streets that are accessible to all. Street repaving is a tremendous opportunity for redesigning a street to be safer and more accessible to people who bike and walk there. Adding bike lanes at the same time as repaving can cut costs by 80%. Fairfax County has added nearly 30 miles to their bike lane network every year by considering design changes alongside regular road repaving. DC does not do this.

Funding for DDOT’s PaveDC program is \$40 million next year for local street repair across all 8 wards. Yet this money will be spent to put the roads back exactly as they are today, even when the city’s long term plans call for design changes. Before spending scarce money, DDOT should coordinate street safety changes with repaving.

DDOT’s operational approach and resources

Last year, WABA and a majority of the Council, challenged DDOT to set a more urgent pace in rolling out new protected bike lanes across the city - 20 new miles by the end of 2020. This challenge is as much about ambition as it is about dedicating resources to the task.

In response, DDOT has creatively stretched it’s planning resources and pulled staff from other projects to speed up the redesign of some streets, yet the budget shows no permanent shift in priorities. Instead, DDOT’s Policy and Planning Division, which includes bike, pedestrian and trail planners, is proposed to lose two full time staff. Also, DDOT only committed to about 20 miles of new protected bike lanes by 2022 and this budget aims for just 6.5 miles of new bike lanes next year. More dedicated bicycle planning staff are needed.

To move people safely over the next year of recovery, we need to dedicate vastly more street space to biking and walking. That requires political ambition, but also the staff to get it done

Trail Projects Need Funding

During this pandemic, trails have become an important part of DC residents daily lives. An increased number of DC residents are walking or biking trails for exercise or as a way to safely social distance and be outside. Our trails have become a vital part of our community and it's hugely important for us to complete our trail network ASAP. Here are 3 projects that are in urgent need of funding to help push us toward our goal of completing the trail network

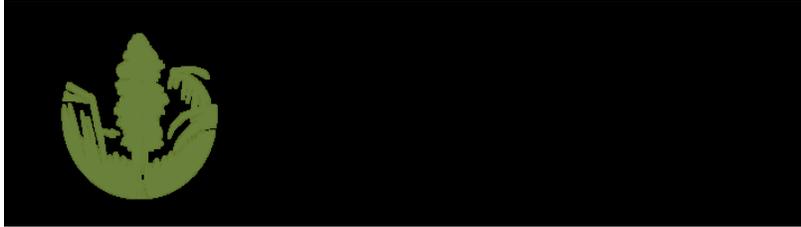
- Suitland Parkway Trail Rehabilitation. Currently in the preliminary engineering phase. Design for Trail rehabilitation and expansion expected Winter 2020.
- The New York Avenue Trail (in Move DC Plan). Currently, New York Avenue NE is a high-traffic, multi-lane highway that does not cater to cyclists or pedestrians. The streetscape project and trail will provide non-motorized access along the New York Avenue corridor. This project will redesign the corridor significantly and provide better non-motorized transportation access throughout Ivy City and surrounding neighborhoods of Ward 5.
- Metropolitan Branch Trail. Between Fort Totten Metro Station to the Takoma neighborhood in NW Washington, DC. The preliminary design for this section was completed in 2016. DDOT with its consultant team is currently completing the final design of this section, which is scheduled to be completed by winter 2020.
- Arboretum Bridge & Trail - This project will create a new trail bridge across the Anacostia River, connecting neighborhoods to green space, and completing one of the final segments of the Anacostia River Trail. It appears to have been removed from the scope of the Safety & Mobility project.

The future of our protected bike lane network in DC

On June 9th, the DC Council will hold an legislative meeting to discuss additional opportunities to open our streets and extend our sidewalks to make walking and dining in DC safer for residents. The DC Council should consider ways to give residents an option, with support from ANC commissioners, to select streets in DC that are in need of temporary protected bike lanes during the COVID crisis.

Finally, we believe that budgets should be a reflection of a government's values. If the DC government truly values safer streets, less pollution that would help in the fight against climate change, and an equitable transportation system then the DC council must use all budgetary and legislative mechanisms to complete our protected bike lane network in DC ASAP. Any completion of our protected bike lane networks must include competing bike lane projects east of the river, to ensure we leave no residents behind.

We shouldn't wait for the next pandemic for the DC Council to get serious about safer streets and infrastructure, now is our moment, and now is our time to truly transform our system and finally realize the equitable transportation system we all envision.



**Sierra Club, Washington DC Chapter
Written Testimony
on
District Department of Transportation
FY2021 Budget**

**Submitted Wednesday, June 10, 2020
to the
DC Council Committee on Transportation and the Environment**

Thank you for the opportunity to submit written testimony on behalf of the Sierra Club DC Chapter with regard to the FY21 budget for the District Department of Transportation (DOT). The Sierra Club is the nation's oldest and largest environmental advocacy group. We have 3,000 dues-paying members in the District of Columbia. Our top priority is combating climate change in a framework that weighs social equity concerns, and we also prioritize issues of resource conservation and water quality.

We recognize that the DC Council faces difficult decisions in these challenging times. Responding to the urgent public health needs and economic problems caused by the pandemic must be a first consideration. We applaud the Mayor for choosing to use the District's rainy day funds rather than eliminating programs or furloughing government employees.

As we face the crisis of the pandemic, we are also in the midst of the environmental crisis of climate change. Like COVID-19, climate change is affecting communities of color and low-income communities more harshly. For example, intense heat waves are especially dangerous to seniors or residents with chronic health conditions who cannot afford air conditioning. We urge Council to maintain environmental programs in this budget. Many of these programs provide multiple benefits, including reducing greenhouse gas emissions, creating local jobs, increasing access to affordable clean energy, and reducing pollutants that are harmful to human health. These programs also contribute to the goals and milestones laid out in the Sustainable DC 2.0 Plan.

Programs that contribute to environmental justice should be a strong component of the District's environmental commitments.

COVID-19 Response

We applaud the recent Slow Streets initiative spearheaded by DDOT. We support the streamlining of rules to allow more and quicker access to public spaces currently occupied by motorized vehicles during this emergency. As social distancing has forced more pedestrians into streets, lowering the default speed limit to 20 mph is a common sense action to reduce the danger of interactions between vehicles, cyclists, and pedestrians as they become more frequent. We also applaud the initiative to create Slow Street corridors with 15 mph speed limits along biking corridors where these interactions are already more likely, both as an incentive for cars to use other routes and as an added measure of safety.

We encourage Council to implement several of these programs permanently, namely those already outlined in the Vision Zero Enhancements Omnibus Amendment Act of 2019, [B23-0288](#).

Key Transportation Projects

We applaud the Mayor's budget for funding several important transportation-related capital projects. The K St Transitway is an important transportation corridor for bus-riding commuters who work on K Street NW or have to travel through it. Bus traffic is often snarled due to traffic volume, causing long, unpredictable commuting times and delaying bus schedules. We support moving forward with this project and emphasize the need for this project to incorporate the DC Streetcar's future Benning-Georgetown line in its design.

However, we are disappointed that DDOT has abandoned plans to continue work on the Georgetown extension of the Streetcar along K Street NW. The Streetcar's western terminus of Union Station (actually in the middle of H Street NE several minutes' walk from the station) leaves it short of its potential for providing a fast and convenient connection to downtown for communities in Ward 6 and 7. Including it as an integral part of the K Street Transitway project is a more economic option than adding it to this alignment at some indeterminate point in the future. Pursuing this extension would also require pulling forward the work on the H Street Bridge, now proposed to start in 2025, so that it is ready in time to carry the Georgetown extension of the Streetcar.

We are pleased that the budget maintains funding to complete the Streetcar Benning Road Extension by 2024. This is the top priority for the Streetcar at this time, and we

appreciate the department's commitment to continue to invite and incorporate community input on the design.

Transportation Benefits Equity Amendment Act

We urge the Council to add funding to the budget to implement the Transportation Benefits Equity Amendment Act, B23-148. We thank the Council for passing this act, and especially for the leadership of Councilmember Allen on this bill. It is unclear to us whether part of the increase in Traffic Demand Management (Project No. ZU000) is related to the expected enactment of this bill, but it is not explicit. Could you kindly clarify? Without funding for this or next fiscal year, it will be until at least October 2021 (FY22) before this act goes into effect. As affirmed by the debate during the bill's second reading, it certainly was not Council's intention to delay this law, and the benefits it would bring would be well worth the CFO's estimated \$100,000 per year it would require to adopt, especially with increased interest in bicycling in response to the COVID-19 pandemic.

Vision Zero Project Grants

The Sierra Club is a strong supporter of Vision Zero, and we are happy to see a continued focus on these programs and increased funding for many of these projects that are vital to improving pedestrian and bicyclist safety. We also commend the continued work on these projects despite the pandemic. Safety is a prerequisite to convincing drivers to replace trips with these modes, which will lead to lower greenhouse gas emissions.

However, we are concerned by the proposed \$500,000 cut to contractual services for future Vision Zero program grants. Such a reduction may mean that worthy programs may go to waste, especially those offering opportunities to disadvantaged communities and those working with and/or run by groups heavily affected by traffic violence. The Council should strive to include at least some minimal funding to help maintain these programs and promote innovation.

DC Circulator Fleet Electrification

We are pleased with the plans and commitments made to electrify the Circulator fleet of buses, and the Sierra Club was proud [to support DDOT's applications for federal grants](#) to help fund new buses. The new bus garage for the Circulator fleet is an important piece of the puzzle toward fully electrifying the fleet, as required by the Clean Energy DC Omnibus Act. We look forward to DDOT's continued progress on this project.

Conclusion

Thank you for the opportunity to submit these written comments to the committee. We are happy to answer questions (contact: Mr. Payton Chung; [REDACTED]).

Testimony of Priscilla Magee
On behalf of the D.C. Pedestrian Advisory Council
June 3, 2020
Committee on Transportation & the Environment
Budget Oversight Hearing

Good afternoon, Chairperson Cheh and members of the Committee. My name is Priscilla Magee. I am the Secretary of and an at-large representative to the D.C. Pedestrian Advisory Council (DC PAC). The DC PAC is a D.C. government body that advises the Mayor, D.C. Council, and D.C. government agencies on pedestrian safety and accessibility. Please refer to D.C. Code 50-1931. Thank you for the opportunity to provide comment on the D.C. Department of Transportation's (DDOT) fiscal year 2021 budget priorities to help ensure walkable streets enhance public safety, improve quality of life for District residents, and increase economic activity. Our testimony below reflects recommendations we made to the District Department of Transportation in January 2020.

The [Executive Summary](#) to the Mayor's proposed budget states that it includes "\$56 million in safety and mobility investments and \$146 million in streetscapes as well as \$250 thousand in operating enhancements for new Vision Zero improvements to improve safety and reduce serious injuries and traffic fatalities." This includes "targeted roadway and intersection safety improvements, bike lanes, and trails, including implementation of a major redesign of the District's most dangerous corridor, Alabama Ave SE, covering four miles from Ridge Road in Ward 7 to Randle Place in Ward 8." See pages 22 and 214 of the PDF. The proposed budget also includes "\$40 million for local streets rehabilitation, \$20.0 million for Sidewalks" (page 202 of the PDF).

The DC PAC supports the Mayor's request for \$20 million in funding for sidewalks and urges the Council to support a robust, proactive sidewalk inspection and repair program. We also urge the Council to make clear that the \$40 million in "local streets rehabilitation" must include a similarly robust and proactive crosswalk inspection and repair program. Proactive sidewalk and crosswalk inspection, repair, and improvement programs would result in all sidewalks and crosswalks (marked or unmarked) in the District being inspected on a routine, cyclical basis to identify and address repair needs, ADA compliance issues, and other needed improvements. The current system, which is largely driven by 311 reporting, is insufficient and inequitable because it misses sidewalk and crosswalk needs that go unreported. These unreported needs are likely to be concentrated in neighborhoods where, for reasons such as access to technology, available time, and trust in government, people are less likely to report.

The DC PAC also supports use of funding to support timely responses to 311 reports addressing pedestrian safety and accessibility issues. Although insufficient on its own without a proactive inspection and repair program, the 311 reporting system is nevertheless a critical tool for identifying and resolving pedestrian safety and accessibility concerns. Unfortunately, reports on needed sidewalk repairs and other pedestrian issues often take DDOT months or even years to respond to and resolve. DDOT's slow response to pedestrian-related 311 reports appears to be driven in part by a policy bias that prioritizes motor vehicle-related repairs over pedestrian-related repairs. For example, while the service resolution estimate provided by the 311 system is 3 business days for pothole repair, it is 270 business days for sidewalk repair. However, it is

the DC PAC's impression that neither of these standards is being met and part of the reason is a lack of adequate staffing at DDOT to respond to reports, which adequate funding could address.

The DC PAC also urges the Council to ensure that sufficient funding is provided to support comprehensive and timely enforcement of the Safe Accommodations Act as well as responses to complaints. We continue to see construction areas with closed and/or inaccessible sidewalks despite DDOT's regulation stating that closure of sidewalks is to be a "last resort." Recently, one of our members has received timely and complete responses from DDOT staff to complaints, but overall our past experience has been that complaints often receive no response, leaving it unclear whether DDOT thinks there is no violation (and if so, why) or whether DDOT was not able to investigate the situation. It appears that DDOT may not have sufficient staff to guarantee its ability to respond to complaints. Sufficient funding/staffing would bolster DDOT's ability to both carry out its responsibility to enforce safe accommodations and to explain its decisions to the public.

The DC PAC urges the Council to ensure that DDOT has adequate funding to support comprehensive and timely enforcement of laws and regulations affecting companies whose vehicles are driven and parked on sidewalks, including curb ramps. DDOT is responsible for the safety and accessibility of District sidewalks. Inappropriately operated and parked dockless vehicles – and vehicles with no warning system, such as bells – undermine the safety of travel on sidewalks for all pedestrians. These practices have great impact on older adults, people with disabilities, and children. While we understand that MPD is responsible for enforcement of regulations against individual riders, DDOT remains responsible for ensuring that the companies providing these vehicles comply with all requirements as well. Adequate and timely enforcement of regulations is essential in order to maintain sidewalks consistent with the Americans with Disabilities Act and other applicable laws and regulations, including pedestrian right-of-way. Increased communications and outreach by DDOT is also essential for the general public to understand the regulations, including what is and is not allowed by dockless companies and vehicle users. It is the DC PAC's impression that there is inadequate DDOT staffing for both oversight and enforcement of dockless vehicle regulations and for broad information sharing about those regulations. Equity in access to regulatory and programmatic information is essential; this includes non-electronic communication and options for pedestrian recourse in the event of violation of regulations. Additional staffing will also enable DDOT to explore more effective monitoring of vehicle use.

Finally, the DC PAC supports the Mayor's request for funding to support Vision Zero efforts and the purposes cited in the Mayor's budget submission. We also urge the Council, however, to ensure that this funding is available to be used by DDOT to carry out the recommendations made by in the [2018 Annual Report of the Major Crash Review Task Force](#) (July 2019). DDOT's Vision Zero Office has a lead role in implementing the recommendations of the Task Force. Some of the work on these recommendations – particularly the recommendations addressing impaired driving – will require significant effort by, and potentially more funding for, the Vision Zero Office.

Thank you for the opportunity to provide comment upon DDOT's budget priorities for fiscal year 2021. If you have any questions, please contact us at [REDACTED]

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Attachment I

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Committee on Transportation & the Environment
Attachment I
B23-760, Fiscal Year 2021 Budget Support Act of 2020
Recommended Subtitles

1 **TITLE IV. PUBLIC EDUCATION SYSTEMS**

2

3 **SUBTITLE G. HEALTHY SCHOOLS FUND RESTORATION**

4 Sec. 4061. Short title.

5 This subtitle may be cited as the “Healthy Schools Fund Restoration Amendment
6 Act of 2020”.

7 Sec. 4062. Section 102(f) of the Healthy Schools Act of 2010, effective July 27,
8 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02(f), is amended by striking the
9 phrase “Beginning on October 1, 2019, an amount of \$5,110,000” and inserting
10 the phrase “Beginning on October 1, 2020, an amount of \$5,590,000” in its place.

11

12 **TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**

13

14 **SUBTITLE B. SPECIAL PURPOSE REVENUE ACCOUNTS OF**
15 **THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

16 Sec. 6014. Section 8(c)(2) of the Green Building Act of 2006, effective March 8,
17 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.07(c)(2)), is amended as follows:

18 (a) Subparagraph (D) is amended by striking the phrase “; and” and inserting a
19 semicolon in its place.

20 (b) Subparagraph (E) is amended by striking the period and inserting the phrase,
21 “; and” in its place.

22 (c) A new subparagraph (F) is added to read as follows:

23 “(F) Costs incurred to make green building materials accessible to
24 low-income residents.”

25

26 **SUBTITLE D. PAY-BY-PHONE TRANSACTION FEES FUND**

27 Sec. 6031. Short title.

28 This subtitle may be cited as the “Pay-By-Phone Transaction Fee Fund
29 Amendment Act of 2020”.

30 Sec. 6032. Section 9f of the Department of Transportation Establishment Act,
31 effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), is
32 amended to read as follows:

33 “Sec. 9f. Parking Meter and Transit Services Pay-by-Phone Transaction Fee
34 Fund.

35 “(a) There is established the Parking Meter and Transit Services Pay-by-Phone
36 Transaction Fee Fund (“Fund”), which shall be administered by the director of the
37 District Department of Transportation in accordance with subsection (c) of this section.

38 “(b) The following revenue shall be deposited in the Fund:

39 “(1) Notwithstanding section 3(h) of the District of Columbia Motor
40 Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C.
41 Official Code § 50–2603(8)), all transaction fees imposed upon users who pay for
42 parking, transit fares, Capital Bikeshare trips, and other forms of shared mobility and
43 transportation services with the pay-by-phone system; and

44 “(2) All money remaining in the District Department of Transportation
45 Parking Meter Pay-by-Phone Transaction Fee Fund at the end of Fiscal Year 2020.

46 “(c) Money in the Fund shall be used to pay vendors responsible
47 for administering pay-by-phone payment systems for parking, transit fares, Capital
48 Bikeshare trips, and other forms of shared mobility and transportation services.

49 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall
50 not revert to the unassigned fund balance of the General Fund of the District of Columbia
51 at the end of a fiscal year, or at any other time.

52 “(2) Subject to authorization in an approved budget and financial plan, any
53 funds appropriated in the Fund shall be continually available without regard to fiscal year
54 limitation.”.

55 Sec. 6033. Section 3(h)(1) of the District of Columbia Motor Vehicle Parking
56 Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-
57 2603(8)(A)), is amended by striking the phrase “to be transferred to the District
58 Department of Transportation Parking Meter Pay-by-phone Transaction Fee Fund and the
59 DC Circulator Fund, in accordance with section 9f of the Department of Transportation
60 Establishment Act of 2002, effective September 20, 2012 (D.C. Law 19-168; D.C.
61 Official Code § 50-921.14)” and inserting the phrase “to be transferred to the Parking
62 Meter and Transit Services Pay-by-Phone Transaction Fee Fund, in accordance with
63 section 9f of the Department of Transportation Establishment Act of 2002, effective
64 September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-921.14), and the DC
65 Circulator Fund, in accordance with section 11c of the Department of Transportation
66 Establishment Act of 2002, effective March 6, 2007 (D.C. Law 16-225; D.C. Official
67 Code § 50-921.33)” in its place.

68

69 **SUBTITLE E. ENVIRONMENTAL SPECIAL PURPOSE REVENUE**

70 **ACCOUNTS**

71 Sec. 6041. Short title.

72 This subtitle may be cited as the “Environmental Special Purpose Funds
73 Reestablishment Amendment Act of 2020”.

74 Sec. 6042. The Lead-Hazard Prevention and Elimination Act of 2008, effective
75 March 31, 2009 (D.C. Law 17-381; D.C. Official Code § 8-231.01 *et seq.*), is amended
76 by adding a new section 10a to read as follows:

77 “Sec. 10a. Lead Poisoning Prevention Fund.

78 “(a) There is established as a special fund the Lead Poisoning Prevention Fund
79 (“Fund”), which shall be administered by the Department of Energy and Environment in
80 accordance with subsection (c) of this section.

81 “(b) All fees, fines, and penalties received from compliance with and enforcement
82 of this act, and all interest earned on those monies, shall be deposited into the Fund.

83 “(c) Money in the Fund shall be used to pay for the costs of implementing this act
84 and may be used to provide low-income residents of the District with assistance to
85 comply with the requirements of section 4, in accordance with rules issued by the
86 Mayor.

87 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall
88 not revert to the unassigned fund balance of the General Fund of the District of Columbia
89 at the end of a fiscal year, or at any other time.

90 “(2) Subject to authorization in an approved budget and financial plan, any
91 funds appropriated in the Fund shall be continually available without regard to fiscal year
92 limitation.”.

93 Sec. 6043. The District of Columbia Underground Storage Tank Management Act
94 of 1990, effective March 8, 1991 (D.C. Law 8-242; D.C. Official Code § 8-113.01 *et*
95 *seq.*), is amended by adding a new section 6a to read as follows:

96 “Sec. 6a. Underground Storage Tank Regulation Fund.

97 “(a) There is established as a special fund the Underground Storage
98 Tank Regulation Fund (“Fund”), which shall be administered by the Department of
99 Energy and Environment in accordance with subsection (c) of this section.

100 “(b) All fees, fines, and penalties received from compliance with and enforcement
101 of this act, and contributions and monies received as reimbursement, and all interest
102 earned on those monies, shall be deposited into the Fund.

103 “(c) Money in the Fund shall be used to pay for the costs of implementing this act
104 and may be used for assessment, clean up, and housing and relocation assistance.

105 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall
106 not revert to the unassigned fund balance of the General Fund of the District of Columbia
107 at the end of a fiscal year, or at any other time.

108 “(2) Subject to authorization in an approved budget and financial plan, any
109 funds appropriated in the Fund shall be continually available without regard to fiscal year
110 limitation.”.

111 Sec. 6044. The District of Columbia Hazardous Waste Management Act of 1977,
112 effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1301 *et seq.*), is

113 amended by adding a new section 21a to read as follows:

114 “Sec. 21a. Hazardous Waste and Toxic Chemical Source Reduction Fund.

115 “(a) There is established as a special fund the Hazardous Waste and Toxic
116 Chemical Source Reduction Fund (“Fund”), which shall be administered by the
117 Department of Energy and Environment in accordance with subsection (c) of this
118 section.

119 “(b) All fees, fines, and penalties received from compliance with and enforcement
120 of this act, and all interest earned on those monies, shall be deposited into the Fund.

121 “(c) Money in the Fund shall be used to pay for the costs of implementing this
122 act.

123 “(d)(1) The money deposited into the Fund but not expended in a fiscal year shall
124 not revert to the unassigned fund balance of the General Fund of the District of Columbia
125 at the end of a fiscal year, or at any other time.

126 “(2) Subject to authorization in an approved budget and financial plan, any
127 funds appropriated in the Fund shall be continually available without regard to fiscal year
128 limitation.”.

129

130 **SUBTITLE X. PARKING RECIPROCITY FEE UPDATE AMENDMENT**

131 Sec. X01. Short title.

132 This subtitle may be cited as the “Reciprocity Parking Fee Update Amendment
133 Act of 2020”.

134 Sec. X02. Section 8(d) of the District of Columbia Traffic Act, 1925, approved
135 March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-1401.02(d)), is amended by
136 striking the phrase “\$50” and inserting the phrase “\$100” in its place.

137

138 **SUBTITLE X. TAG TRANSFER FEE UPDATE AMENDMENT**

139 Sec. X01. Short title.

140 This subtitle may be cited as the “Tag Transfer Fee Update Amendment Act of
141 2020”.

142 Sec. X02. Section 2(e) of the District of Columbia Revenue Act of 1937, approved
143 August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.02(e)), is amended as
144 follows:

145 (a) Paragraph (2) is amended by striking the phrase “\$7” and inserting the phrase
146 “\$12” in its place.

147 (b) Paragraph (5) is amended by striking the phrase “\$7” and inserting the phrase
148 “\$12” in its place.

149

150 **SUBTITLE X. ATE PROGRAM REPORTING REQUIREMENT**

151 **AMENDMENT**

152 Sec. X01. Short title.

153 This subtitle may be cited as the “ATE Reporting Requirement Amendment Act
154 of 2020”.

155 Sec. X02. The Fiscal Year 1997 Budget Support Act of 1996, effective April 9,
156 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.01 *et seq.*), is amended by adding
157 a new section 905 to read as follows:

158 “Sec. 905. ATE Reporting to Council.

159 “Beginning January 1, 2021, the District Department of Transportation, in
160 consultation with the Department of Motor Vehicles, shall report to the Council on
161 a semi-annual basis the following information:

162 “(1) The top 15 automated traffic enforcement (“ATE”) locations by value
163 of citations generated in the District;

164 “(2) The breakdown of the jurisdictions where those receiving ATE
165 citations and with outstanding ATE citation debt have their vehicle registered;

166 “(3) The locations of where cameras have been added in the last 6 months
167 and the reasons why those locations were chosen; and

168 “(4) The amount of ATE citations issued in total and by location.”.

169

170 **SUBTITLE X. PERFORMANCE PARKING ZONE MODERNIZATION**
171 **AMENDMENT**

172 Sec. X01. Short title.

173 This subtitle may be cited as the “Performance Parking Zone Modernization
174 Amendment Act of 2020”.

175 Sec. X02. Section 2 of the Performance Parking Pilot Zone Amendment Act of
176 2008, effective November 26, 2008 (D.C. Law 17-279; D.C. Official Code § 50-2531), is
177 amended as follows:

178 (a) Subsection (d) is amended as follows:

179 (1) Paragraph (3) is amended by striking the phrase “; and” and inserting a
180 semicolon in its place.

181 (2) Paragraph (4) is amended by striking the period and inserting the
182 phrase “; and” in its place.

183 (3) A new paragraph (5) is added to read as follows:

184 “(5) Set temporary heightened curbside parking fees in anticipation of
185 special events in or around a performance parking zone that may significantly increase
186 demand for parking, including sporting events, festivals, parades, and concerts; provided,
187 that the heightened fees may begin no sooner than 12:00am the first day the special event
188 begins and must end no later than 11:59pm on the day the special event concludes;
189 provided further, that the Mayor shall provide 7-day notice of the temporary heightened
190 curbside parking fees and their exact duration, which may be withdrawn if circumstances
191 change, to the affected Ward Councilmember, the affected Advisory Neighborhood
192 Commission, and to the public via posts online and signage in the performance parking
193 zone.”.

194 (b) Subsection (e) is amended as follows:

195 (1) The lead in language is amended by striking the phrase “parking fees”
196 and inserting the phrase “parking fees, other than for special events as provided in
197 subsection (d)(5) of this section” in its place.

198 (2) Paragraph (2) is amended to read as follows:

199 “(2) Except for fees in loading zones, not increase any fee more than 2
200 times per month; provided, that the Mayor may increase fees in performance parking

201 zones by a maximum of \$5.00 in a 3-month period, in any increment or time period;
202 except, that the Mayor may change prices in performance parking zones in real time
203 based on demand so long as the prices remain at or below the fee amount limit
204 established in this paragraph; and”.

205 (3) Paragraph (3) is amended by striking the phrase “loading zones” and
206 inserting the phrase “loading zones and performance parking zones” in its place.

207 (c) Subsection (f) is amended by striking the phrase “and electronic displays” and
208 inserting the phrase “electronic displays, and information on apps the District government
209 or uses to enable electronic payment for parking” in its place.

210 (d) Subsection (h) is amended to read as follows:

211 “(h) The Mayor shall publish a public web site that includes the following:
212 performance parking zone boundaries, rules or regulations, information about how to use
213 new parking fee technologies, data on curbside usage broken down by location and time
214 of day for each performance parking zone, if technically feasible, and contact information
215 for the project management team.”.

216

217 **SUBTITLE X. PUBLIC SPACE MAINTENANCE EXPANSION**

218 **AMENDMENT**

219 Sec. X01. Short Title.

220 This subtitle may be cited as the “Public Space Maintenance Expansion
221 Amendment Act of 2020.

222 Sec. X02. Subsection (c)(1) of the text under the heading “ASSESSMENT AND
223 PERMIT WORK” of An Act Making appropriations to provide for the expenses of the

224 government of the District of Columbia for fiscal year ending June thirtieth, eighteen
225 hundred and ninety-five, and for other purposes approved August 7, 1894 (28 Stat. 247;
226 D.C Official Code § 9-401.06(c)(1)), is amended as follows:

227 (a) Strike the phrase “such as sidewalks and signage,” and insert the phrase
228 “including sidewalks, streets, parks, plazas, signage, and public art,” in its place.

229 (b) Strike the phrase “in the District.” and insert the phrase “in the District. Any
230 District agency who intends to enter into an agreement with a BID corporation under this
231 subsection shall notify the Department of Parks and Recreation and the Department of
232 General Services when the Department of Parks and Recreation operates a park or
233 recreation amenity within the BID corporation prior to any executive approval.” in its
234 place.

235

236 **SUBTITLE X. CAPACITY MARKET WITHDRAWAL FEASIBILITY**
237 **STUDY**

238 Sec. X01. Short title.

239 This subtitle may be cited as the “Capacity Market Withdrawal Feasibility Study
240 Act of 2020”.

241 Sec. X02. Feasibility study.

242 By July 1, 2021, the District Department of Energy and the Environment shall
243 make publicly available a study that evaluates and makes recommendations regarding the
244 District withdrawing from the PJM capacity market, including outlining the potential
245 advantages and disadvantages of withdrawal, the anticipated effects of *Calpine*
246 *Corporation, et al. v. PJM Interconnection, L.L.C.*, 169 FERC ¶ 61,239 (2019) on the

247 District, and the procedure for withdrawal from the PJM capacity market, including any
248 necessary legislative changes.

249

250 **SUBTITLE X. COMPETITIVE GRANTS**

251 Sec. X01. Short title.

252 This subtitle may be cited as the “Competitive Grants Act of 2020”.

253 Sec. X02. The Department of Energy and Environment shall award an annual
254 grant on a competitive basis, in an amount not to exceed \$200,000, to provide wildlife
255 rehabilitation services.

256

257 **SUBTITLE X. URBAN AGRICULTURE FUNDING**

258 Sec. X01. Short title.

259 This subtitle may be cited as the “Urban Agriculture Funding Amendment Act of
260 2020”.

261 Sec. X02. The Food Production and Urban Gardens Program Act of 1986,
262 effective February 28, 1987 (D.C. Law 6-210; D.C. Official Code § 48-401 *et seq.*), is
263 amended as follows:

264 (a) Section 3a(d)(1) (D.C. Official Code § 48-402.01(d)(1)) is amended by
265 striking the phrase “base period of 5 years” and inserting the phrase “base period of at
266 least 5 years” in its place.

267 (b) Section 3b is amended to read as follows:

268 “Sec. 3b. Limitations on expenditures.

269 “Total real property tax abatements provided for certain urban farms established
270 pursuant to D.C. Official Code § 47-868 and the tax-exempt status conferred by D.C.
271 Official Code § 47-1005(c) shall not exceed \$150,000 each year.”.

272 Sec. X03. Section 47–1005(c) of Title 47 of the District of Columbia Official
273 Code is amended by striking the phrase “Department of General Services” and inserting
274 the phrase “Department of Energy and Environment” in its place.

275

276 **SUBTITLE X. WASTE DISPOSAL FEES**

277 Sec. X01. Short title.

278 This subtitle may be cited as the “Waste Disposal Fees Regulation Amendment
279 Act of 2020”.

280 Sec. X02. Section 720.8 of title 21 of the District of Columbia Municipal
281 Regulations is amended to read as follows:

282 “720.8 Beginning on October 1, 2020, the applicable fee for the disposal of each
283 ton of solid waste at the waste-handling facilities, excluding those wastes specified in §
284 720.5, 720.6, and 720.7, shall be seventy dollars and sixty-two cents (\$70.62) for each
285 ton disposed; provided, that a minimum fee of thirty five dollars and thirty-one
286 cents (\$35.31) shall be imposed on each load weighing one thousand pounds (1,000
287 lb.) or less.”.

288

289 **SUBTITLE X. SUBJECT TO APPROPRIATIONS REPEAL**

290 Sec. X01. Short title.

291 This subtitle may be cited as the “Subject to Appropriations Repeal Amendment
292 Act of 2020”.

293 Sec. X02. Section 6 of the Ivory and Horn Trafficking Prohibition Act of 2020,
294 enacted on April 27, 2020 (D.C. Act 23-302; 67 DCR 5060), is repealed.

295 Sec. X03. Section 3 of the Transportation Benefits Equity Amendment Act,
296 enacted on April 27, 2020 (D.C. Act 23-305; 67 DCR 5069), is repealed.

297 Sec. X04. Section 5 of the Urban Farming Land Lease Amendment Act, effective
298 April 16, 2020 (D.C. Law 23-80; 67 DCR 2494), is repealed.