

**AGENCY PERFORMANCE OVERSIGHT HEARING
ON THE FISCAL YEAR 2009-2010 BUDGETS**

**THE HONORABLE COUNCILMEMBER MARY CHEH, CHAIRPERSON
COMMITTEE ON GOVERNMENT OPERATIONS & THE ENVIRONMENT**



**TESTIMONY OF KEITH A. ANDERSON, INTERIM DIRECTOR
DISTRICT DEPARTMENT OF THE ENVIRONMENT**

**MONDAY, MARCH 1, 2010 AT 9:00 A.M.
THE HISTORIC WILSON BUILDING
1350 PENNSYLVANIA AVENUE NW, ROOM 500**

Good morning Chairperson Cheh, and members of the Committee on Government Operations and the Environment. My name is Keith A. Anderson, and I am the Interim Director of the District Department of the Environment. I am pleased to appear before the Committee today to discuss DDOE's performance for Fiscal Years 2009 and 2010. As the Mayor and this Council have made clear, the District deserves a world class Department of the Environment to lead the District's transformation into a leading international green city. I believe our agency has made significant progress in the past year and remains on a path to achieve the critical goals of protecting our natural environment and creating a livable, sustainable District of Columbia.

As you know, DDOE's leadership is currently in transition. I want to assure you that DDOE's management team and our excellent staff continues the important work of the agency undeterred, and we expect to see significant progress in the greening of Washington, DC during the coming year.

I am joined today by several members of my staff, who along with many others, demonstrate a wisdom and skill that I rely upon in our effort to protect and enhance the environment for all who live, work, visit, and play in the District of Columbia. DDOE has an excellent team of hardworking and dedicated staff.

In a new year with pressing budget challenges and political debates on climate and energy at the forefront of the national debate, the environmental protection work of this Committee and our Department is as important, arguably more important, than ever. As the city and country retool for a new and growing economy, we have tremendous opportunities to change old ways of doing business and develop a cleaner, healthier, and more competitive community.

DDOE is the primary District agency charged with protecting and enhancing the natural habitat of the District, and creating a healthy environment for all who live and work in the District. We must continue to monitor and protect our air and water quality, to address risks from contaminants and pollution, and to enforce our environmental laws and regulations. We are also charged with developing innovative concepts and opportunities to green our urban environment

through building practices, stormwater management, greenhouse gas reduction programs and energy efficiency initiatives that will improve quality of life and create a competitive city moving into the future. As Interim Director of DDOE, I, along with my dedicated staff, remain committed to fulfilling, and exceeding this responsibility.

Let me now direct my comments to highlighting several of DDOE's many accomplishments during the past year.

American Recovery and Reinvestment Act (ARRA)

It has been just over one year since Congress passed the ARRA stimulus legislation, which has had a huge impact on DDOE and required significant mobilization of existing and new resources to manage the \$62.3 million we are receiving from U.S. EPA and the U.S. Department of Energy. I am pleased to say that, to date, we have met all of our ARRA deadlines and have made significant progress in ensuring that these funds will have a major, beneficial impact on the greening of the District of Columbia. These funds will allow DDOE, our sister agencies, and outside partners to provide for numerous green infrastructure, weatherization, energy efficiency retrofits, site cleanup, and air quality improvement projects. The list is too long to review in detail, but I would like to hit several key highlights.

Just two weeks ago, DDOE met the February 17, 2010 deadline set forth in ARRA to obligate 100% of our \$19.2 million in Clean Water State Revolving Funds. Not only did we meet the deadline, we took the initiative to allocate all funding to "green reserve" projects that will implement cutting-edge water quality measures here in the city. These include funding over 300,000 square feet of green roofs, demonstrating green alleys and streetscape, planting and caring for our tree canopy, demonstrating water harvesting and reuse in schools, and the list goes on - there are 20 projects in all. EPA has informed us that ours is the "greenest" package in the country.

In addition, we now have all of our sub-grants in place for the greatly expanded Weatherization Assistance Program. This program of \$8.1 million will engage seven District-based community-

based non-profit organizations in the auditing and weatherization of over 750 income-qualified residences across the city over the next year. Finally, we have moved \$17 million of our largest grant (or 77 percent), the State Energy Program Formula Grant, to sister agencies DRES and OPEFM to fund energy retrofits of schools, public shelters, Judiciary Square, and the Reeves Center. DRES will also be hiring an auditing team to gather much needed energy performance information on District-owned buildings across the city.

To date, DDOE has expended 4 percent of available stimulus funds, obligated 38 percent on contracts or sub-grants, and has intra-district MOUs in place to transfer 45 percent to sister agencies. These numbers change daily and, after spending much of 2009 completing legal, procurement, and financial hurdles and administrative requirements, we expect the pace of obligation and expenditure to increase rapidly as we move into 2010. To make all this happen, we are creating 17 additional positions within the agency and rallying support for many existing staff. DDOE, along with the OCA and our other partners, have and will continue to work diligently to meet ARRA deadlines, manage the considerable monitoring and reporting requirements that come with ARRA funding, and to deliver significant environmental, energy, and economic development benefits to the District.

Energy Efficiency and Renewable Energy Financing

Related to stimulus, but very much a local effort led by yourself and the rest of the Council with the Mayor, we also have made great strides toward development of a cutting-edge program to retrofit existing buildings in the District and accelerate the pace of green job growth. DDOE, working with DMPED and other partners, submitted an application to U.S. DOE on December 14, 2009, for an additional \$35 million in competitive “Retrofit Ramp-up” stimulus funding. If awarded, this money would support development of property-assessed clean energy (PACE) legislation, including “seeding” a fund from which property owners could borrow to finance installation of energy improvements.

More importantly, through your leadership, the Council has taken the extraordinary step to pass emergency legislation to make key elements of this effort possible. The Energy Efficiency

Financing Emergency Act of 2010 authorizes the city to establish a PACE program and to use its bonding authority to provide the nation's largest program of local government-backed energy retrofit financing at over \$250 million. We are waiting on word regarding the U.S. DOE grant (expected in mid to late-March), but are moving ahead quickly to gather information from the nation's existing PACE programs and industry leaders on underwriting and finance of these programs.

I want to thank you and the Council again for your efforts to move this initiative forward. The District will benefit greatly from this program in environmental and energy performance, but also, in job creation and economic growth. In addition, we are poised to take a leadership position nationally and to advance significantly this green movement across the country.

Human Resources & Management

Over the course of this past fiscal year, DDOE continued in its efforts to develop our management team and internal structure. Perhaps most importantly, on February 22, 2010, DDOE consolidated our two prior office locations into a new building at 1200 First St. N.E. that houses all DDOE staff in a single location. This is already allowing greater coordination across our divisions, reducing staff travel time between locations, and also reducing fuel consumption and transportation costs.

The Office of Administrative Services drafted and implemented several new policies and software applications to improve agency operations and performance as well as increase employee accountability. They include promotion, employee development, and training and transportation accountability policies. DDOE reduced the number of vacancies from 61 at the beginning of FY09 to 39 as of mid-February 2010. Over 70 internal process management and program-specific databases using QuickBase were created, resulting in: improved FOIA response time; better tracking of activities such as hiring for the Mayor's Conservation Corps and Mayor's Green Summer programs; better data exchange between DDOE and other government agencies; reduced program overhead; and cost savings of \$10,000.

Administrative Services also coordinated the efforts of our Internal Review Committee that was created to formulate internal procedures that would minimize the potential for fraud or abuse. While we are confident we are managing the expenditures of our funds properly, we wanted to be doubly sure as we move forward that we have means to verify and improve our performance. The review committee first convened in April 2009 with representatives from various programs within the agency—finance, energy, administrative services, environmental protection, policy and planning, natural resources, education, enforcement, and the Office of General Counsel. The initial recommendations of the committee were to strengthen certain internal controls; fine-tune standard operation procedures for greater consistency; and require periodic reviews of processes and procedures to prevent waste, fraud, and abuse. To date, subcommittees have drafted revised or new standard operating procedures in six areas, and the full committee is reviewing the revised SOP drafts and we plan to finalize them by April.

Lead and Healthy Housing Division

Our Lead Poisoning Prevention Program includes an innovative focus on children whose blood lead level, while not quite elevated, still is high enough to cause us concern. This special program was singled out for praise as an outstanding way of addressing this key population of at-risk children, at the Center for Disease Control's October 21, 2009 meeting of its Advisory Committee on Childhood Lead Poisoning. Our Lead Poisoning Prevention Program also wins praise for being one of only three jurisdictions nationwide that routinely samples water during the course of its environmental investigations of the homes of children with an elevated lead level.

As you know, we are also in the first year of implementation of the District's new lead law. DDOE has worked hard to educate the primary stakeholders about the new law, including contractors, property owners and managers that belong to AOBA, and tenant organizations attending a major Tenant Summit organized by the Office of the Tenant Advocate. We've issued a Tenants Rights Form and a Lead Disclosure Form, and we've taken innovative steps to launch a proactive inspection process designed to identify and eliminate lead-based paint hazards prior to a child being exposed to them.

With respect to the independent water quality study, DDOE has developed a detailed Scope of Work for an independent study, following a collaborative and iterative process with key stakeholders ranging from DCWASA Board members to child health advocates. DDOE also worked hard to secure funding estimated to be \$400,000, making requests for a Congressional appropriation and for funding from U.S. EPA and from the CDC. These efforts have not been successful, so we have renewed our request to DCWASA to consider funding the study. Until sufficient funds are identified to pay for the study, DDOE has postponed issuing an RFP. Except for the critical issue of funding, the study is ready to go, once the current chlorine flush period ends (could commence by mid-June).

Office of the General Counsel

DDOE's Office of General Counsel's chief achievements this year were in four areas: strengthening the District's enforcement efforts, particularly at sites on the Anacostia; increasing the number of regulations drafted and/or reviewed, and their defensibility; establishing Department-wide procedures that were especially helpful during the leadership transition; and expanding the subject matter areas on which it counsels DDOE program staff and other District agencies.

On behalf of the District, DDOE/OGC filed a challenge to a Federal Emergency Management Agency regulation that revised the District's flood map, which FEMA later withdrew. DDOE/OGC also led the District's efforts in executing an agreement with the National Park Service, pursuant to which the parties are investigating contamination at Poplar Point, as a predicate to cleanup. DDOE/OGC played a significant role in ensuring the appropriate management of stimulus programs, and in providing counsel in the formation of the District's Sustainable Energy Utility and its Advisory Board.

Energy Office

DDOE is proud to report on the first full year of programs authorized by the Clean and Affordable Energy Act of 2008 (CAEA), and progress made to develop the Sustainable Energy Utility (SEU). The CAEA not only places the District and DDOE at the forefront of developing

and implementing innovative energy efficiency and renewable energy programs, but also will offer District residents and businesses greater options to reduce energy consumption and increase efficiency.

During FY09, the SEU Advisory Board was fully appointed and the first board meeting was held August 31, 2009. The Board has been working diligently to fulfill the requirements of the legislation, meeting biweekly throughout the fall and winter. The initial draft RFP was posted on the website for public comment and the Board recommended hiring a contractor to create a detailed energy profile for the District to inform the development of performance benchmarks. DDOE has made a concerted effort to meet the timelines set forth by the CAEA and will continue to strive for a SEU to be contracted and operational by the beginning of FY11. Finally, the greenenergy.dc.gov website was established to provide information on energy efficiency, conservation, and renewable energy programs in the District.

During FY09, the Home Energy Rating System (HERS) program successfully completed 1,387 audits, exceeding its goal by 187 audits; and DDOE has a waiting list of over 800 clients currently being scheduled for audits. The HERS received additional funding through emergency legislation passed in June 2009, and will also receive stimulus funding to allow more audits. Feedback on the HERS audit program has been very positive.

In FY09, a record 33,844 households were served through the Low-Income Home Energy Assistance Program (LIHEAP), which represented an increase of 10 percent over FY08. The 2009 Joint Utility Discount Day (JUDD) held on September 17, 2009 served everyone who requested assistance that day.

Under the third year of the \$1.1 million U.S. Health and Human Services Residential Energy Assistance Challenge (REACH), DDOE's Energy Office, in partnership with United Planning Organization and The Energy Program Consortium, had another successful year. Through REACH, 18,894 applications were received for LIHEAP eligible clients in FY09—more than double the applications taken in FY08. The REACH staff visited homebound clients, senior

citizens, and disabled residents to prevent utility shut-off or restore disconnected services; visited over 30 senior sites to sign up eligible residents; submitted a new REACH proposal that resulted in a one year \$350,000 approval; and created a resource guide made available to health clinics, social service providers, homeless shelters, and hospital discharge staff.

In FY09, the Weatherization Assistance Programs (WAP) conducted 725 home energy audits and installed energy-saving measures in 725 low-income dwelling units at an average cost of \$3,000 per home. The Low-Income Appliance Replacement Program installed 1,030 high efficiency electric appliances, room A/C, and refrigerators, to replace older inefficient models in 1,269 low-income dwelling units and the Weatherization Rehabilitation Program installed energy efficiency measures in 365 multi-family dwelling units at an average cost of \$2,547 per unit. This Weatherization Rehabilitation Program exceeded expectations for the fourth consecutive year, and has more than 500 dwellings already in the pipeline for completion this program year.

The Weatherization and Asset Preservation Program conducted 124 home energy audits and installed energy-saving measures in 96 low-to-moderate income households. The Program did not perform as expected because several multi-family dwelling projects could no longer participate in the program due to the recent economic crisis and budget cutbacks that forced a number of property managers to postpone much-needed repairs.

The Affordable Housing Energy Efficiency Rebate Program provided rebates for the installation of energy-efficiency measures to 362 affordable housing households in the District of Columbia. The Heating System Repair, Replacement, and Tune-up Program performed exceptionally well throughout the program year and the demand for services provided under this program continues to exceed expectations. The Program installed 274 highly efficient gas-fired heating systems in low-income households across the District; and emergency legislation was enacted to authorize expenditures for the Small Business Energy Efficiency Program (SBEEP) from fund balances in the SETF and the EATF. In just three months of operation, SBEEP audited and installed energy efficient measures in 78 small businesses.

The Renewable Energy Incentive Program provided rebates to 93 residential photovoltaic installations in the 2009 calendar year. The total installed capacity equals 289 kilowatts to support systems valued at almost \$3 million in the regional energy marketplace. For the same period, four non-residential installations were supported, with a combined capacity of 43 kW and a value of almost \$300,000. Although the program experienced some growing pains during the last year, these issues have been resolved going forward. To meet increasing consumer demand, a streamlined application processing system has been developed, which will be implemented by existing staff and two new full-time program staff hired through ARRA funds.

In addition to the REIP renewable program, DDOE is working with industry and government stakeholders to develop other renewable programs, including model solar and wind power purchase agreements (PPA) for a variety of District agencies. DDOE recently began implementation of a U.S. DOE National Renewable Energy Laboratory Solar America Showcase technical assistance grant to gather baseline and prioritization data for DCPS facilities. DDOE is also partnering with DCRA to standardize permitting for photovoltaic and solar thermal installations, and partnering with OP to develop renewable energy-friendly historic preservation standards.

Last, but certainly not least, the Energy Office continued its partnership with DCPS to provide energy education programs within the District school system. The program, “Saving Energy in DC Schools” (SEDS), has been instituted in twenty schools across the District. The program targets middle and high school students and provides an in-depth energy curriculum to educate students in grades K-12 about energy, illustrates the connection between energy efficiency and the environment, and saves energy in participating schools and students’ homes.

District Reusable Bag Law

Let me now turn to the District’s new “Bag Bill”. With Councilmember Tommy Wells and your other colleagues on the Council, you succeeded in passing the “Anacostia River Clean Up and Protection Act of 2009,” which every day, bag-by-bag, is helping to clean up the Anacostia River.

In November 2009, DDOE launched the “Skip the Bag, Save the River” educational campaign to support implementation of the Anacostia River Clean Up and Protection Act of 2009. DDOE worked aggressively and proactively with affected businesses, industry stakeholders, and the media to inform and educate the public. We believe the rollout of the law has been highly positive and successful, as I hope you have seen from the considerable press, and early indications of its great impact on consumer behavior.

To provide some examples of our efforts, DDOE mailed advertising materials to more than 8,000 businesses. In addition, DDOE contacted national retail and restaurant chains to make sure they were aware of the requirements for their District stores. DDOE distributed more than 25,000 reusable bags, and partnered with CVS/pharmacy to provide 12,000 additional “Skip the Bag, Save the River” reusable bags. DDOE reusable bags were distributed in the schools, outreach events, WIC for seniors, through the Mayor’s Outreach staff, Council requests, and CVS parking lots. We are now distributing our latest order of 20,000 bags, and we will continue to distribute bags, with a special focus on low-income residents and seniors. Finally, on the 2009 tax returns, District residents can also make voluntary contributions to the Anacostia Fund on their 2009 D-40 or D-40EZ individual income tax returns.

To provide some indication of our success, I’d like to share some of the evidence we’ve gathered. First, the Washington Post has reported that some major grocery stores have seen bag use drop by 50 percent. This story has been picked up nationally and internationally in the media. We also have feedback from one of the District’s small businesspersons, Marcia Levi, the owner of a small store, “Chocolate Moose,” in Northwest DC:

“Although we are a small business, we do get a large number of shoppers on average per day anywhere from a couple hundred up to 1000 during the holidays. Prior to the implementation... every customer wanted a bag and sometimes multiple bags depending on their purchases. Not only is this a huge expense to us, we knew people were going to throw them away as soon as they got back to their home or office... I was initially nervous as to how my customers would respond, but the response has been overwhelmingly positive and

we have cut back on our bag distribution by 80 to 90%! I find that figure positively staggering...My sales of reusable bags, which were a popular item even before the bag tax, are steadily increasing. This little 5-cent tax has really raised the level of public awareness in not using bags unnecessarily. I am so thrilled at the way this has played out for both my business and the environment.”

Green DC Agenda

The new bag law, our recent PACE legislation, and many of our other programs provide clear evidence that the District is playing a leading role in the national urban sustainability movement. At the direction of the Mayor early in 2009, DDOE kicked off an intensive effort to assess the green initiatives underway in the city and to develop a Green DC Agenda of our sustainability efforts. DDOE met individually with 18 key agency directors and staff to present the concept and gather information on green initiatives taking place across District government. DDOE collected information on hundreds of sustainability initiatives, which were then categorized by current successes and key future commitments. Version 1.0 of the Green DC Agenda, which was limited to sustainability initiatives taking place within District Government, was officially launched by the Mayor together with four agency directors on Earth Day 2009. A searchable web portal on green.dc.gov allows anyone to review the Agenda items and submit comments and questions to DDOE.

In FY10, DDOE plans to develop and release Version 2.0 of the Agenda, which will provide an update on the District government’s initiatives and include those additional actions identified in during development of the Climate Actions Plans for the city. Most importantly, this will include the many measures that the private sector is and will undertake to address climate change and improve the environmental sustainability of our community.

Green Building and Energy Star Benchmarking

DDOE continues implementation of the Green Building Act and its provisions, including the important ENERGY STAR benchmarking requirement for public and private buildings that is now in effect. DDOE and DRES are now completing collection of energy benchmarking data for

District public buildings, and will have results available on the DDOE website in April. In addition, DDOE staff is actively reaching out to DCBIA, AOBA and private building owners to prepare them to submit calendar year 2010 benchmarking data in January 2011. DDOE is also working actively with U.S. EPA to develop a District-wide information platform for energy performance data and tools for submission of benchmarking data.

DDOE continues to work with sister agencies to support implementation of the GBA. For example, DDOE is collaborating with DRES, OPEFM, and other agencies on LEED compliance, development of construction guidelines for green renovation, application of green roofs and renewables, and on targeted retrofits to improve energy performance. DDOE continues to work with DCRA to streamline the green permitting process, and with its Construction Code Coordinating Board to integrate green elements into the 2010 construction code update.

DDOE also continues to staff the Green Building Advisory Council, which provides insight and guidance to DDOE on green building issues, the proposed GBA corrections bill, green codes, and on exemption requests under the GBA.

Finally, in response to industry and agency queries about specific language in the Green Building Act, DDOE has been working with OCA to update and clarify relevant sections. In addition, we still have work to do to complete our comprehensive buildings tracking system for green buildings and to roll out the green building report, two of our FY10 priorities.

Summer Youth Green Jobs Programs

DDOE management of summer youth programs grew dramatically in 2009. The Mayor's Green Summer Job Corps, in its second year, successfully completed a 9-week green job-training program for 800 District youth and over 100 seasonal staff. Through partnerships with local non-profit environmental organizations including the Student Conservation Association, DC Greenworks, The Anacostia Watershed Society, Earth Conservation Corps, Washington Parks and People, and the Green Building Council of DC, the Green Summer program focused on efforts in four areas: watersheds, trees, parks, and energy. As we near the mid-point in planning

for our third year, the Green Summer staff is actively planning, coordinating a solicitation for support from outside groups, and hiring seasonal staff. DDOE continues to work closely with DOES on its summer programs to refine budgets for this year.

Last year, DDOE also took on the considerable challenge of managing a newly started program, the Mayor's Conservation Corps. During the 9-week program, DDOE started up 20 worksites across the city, hired over 330 staff, and managed over 5,000 summer youth participants. The summer was not without significant challenges, but we believe DDOE working with DOES and other partners at DPR, DRES, and DPW were able to complete successfully the program. With the many lessons learned in 2009, a work plan is in place for 2010 to address challenges such as payroll management and reporting, quality and location of worksites, supervision levels, and transportation.

In addition to having a full-time MCC coordinator on staff, DDOE has brought on an additional three seasonal staff and 8 interns from DOES' Pathways to Work program. We are actively preparing the work programs, addressing site needs, and recruiting a staff of approximately 400 to manage the expected enrollment of 4,000 participants. This summer's program will again focus on community improvement by removing trash and graffiti, but also on expansion of last year's successful, but small scale, efforts to work hand-in-hand with neighborhood groups and residents to address specific needs around our work sites.

Climate Change Initiative

Throughout 2009, DDOE and the Office of Planning were working closely with our consultant, ICLEI, Local Governments for Sustainability, and numerous sister agencies to develop the Greenhouse Gas Emissions Inventory for the District, which was released last month. The inventory establishes a baseline of emissions from which the District can measure reductions and future performance. DDOE also led an effort to draft a Government Operations Climate Action Plan to define actions the District Government will take to reduce its "carbon footprint," which is approximately six percent of the overall greenhouse gas emissions from District sources.

As 94 percent of the District's emissions originate from private sector or federal government activity, DDOE has also engaged businesses, institutions, and residents in the climate initiative. We plan to convene a Climate Action Planning Task Force comprised of stakeholders from a variety of sectors across the District that will initiate a series of public meetings to review our draft plans and contribute new ideas for GHG reduction measures. We see great potential to draw on local resources and energy to be a regional and national leader on climate protection.

Air Quality Division

Let me now turn to issues affecting the District's air quality. In 2009, DDOE's Air Quality Division began a series of efforts to reduce vehicle engine idling in the District. Using ARRA stimulus funds, the Air Quality Division is developing and will implement an education and outreach campaign for bus and trucking companies about the District's anti-idling regulation. We also plan to work with other District and federal agencies to encourage them to increase enforcement of the regulation and to increase awareness within District agencies that District-owned vehicles must also obey the anti-idling regulation.

In 2009, the Air Quality Division also worked with DCRA and DOH to develop new procedures for handling mold complaints from District residents and a new webpage to be used by all District agencies. As only DCRA has mold-related regulations that can be enforced, that agency is now handling complaints related to mold. In 2010, we will continue to work with DCRA to review procedures for responding to mold issues.

Spring Valley

I know that you are keenly aware and concerned with the discovery and neutralization of WWI chemical weapons in Spring Valley. The U.S. Army Corps of Engineers is planning to destroy and neutralize a small number of conventional and chemical weapons on site at Spring Valley, probably within the next three months. They will be using equipment specifically designed for this purpose in a location that the Army Corps has identified as best suited to manage even a 'worst case' potential release scenario. Alternate methods of destruction were considered, such as moving the weapons to a military site, but these options were deemed too dangerous due to

the condition of these materials. DDOE, along with other District agencies such as HSEMA and MPD, have been included in this decision making process. DDOE remains vigilant in monitoring this matter, and is committed to ensuring that the chemical weapons discovered in Spring Valley will be destroyed in a manner that is most protective of the health of residents and the environment.

Also, DDOE and U.S.EPA are working with the Army Corps to determine if contamination, particularly perchlorate, is potentially affecting the Dalecarlia reservoir, which supplies the drinking water to the entire District of Columbia. Even though sampling so far has indicated that the reservoir has not been affected, we have been concerned that perchlorate contamination may reach the deeper aquifer, and for that reason, DDOE has insisted that the Army Corps conduct deep well sampling. DDOE will continue to work with the Corps to conduct a thorough sampling program to identify the extent and source of perchlorate contamination at Spring Valley.

Additionally, several years ago, Johns Hopkins performed a small scope health study on the residents at Spring Valley. In FY10, DDOE committed \$250,000 to perform a follow-up study. With funding in place this year, DDOE is moving forward with complete the study and is currently working with DOH to develop a scope of work for the project.

Finally, I want to strongly state that DDOE has been, and remains committed to closely monitoring and being actively involved in all decisions made with respect to the health of the residents of Spring Valley. DDOE is also committed to increasing communication with District residents in decisions that affect Spring Valley. Since our last hearing, we have met with two ANC representatives on at least four occasions to explain our rationale for making decisions, and to discuss and address their concerns. DDOE will continue such transparency and accountability with respect to our actions at Spring Valley.

Natural Resources Administration

In our Natural Resources Administration, there are numerous important initiatives that have resulted from implementation of the Comprehensive Stormwater Management Enhancement

Amendment Act of 2008 and the Anacostia River Clean Up and Protection Act of 2009. These initiatives include the development of new stormwater regulations, continued implementation of creative water quality initiatives, continued coordination with our federal partners, and management of invasive species. All of these efforts are contributing to a robust effort to restore the District's precious waterways. In addition to finding policy solutions to reduce stormwater runoff, DDOE continues its considerable efforts to promote low-impact design, green roofs, trash mitigation, and erosion/sediment control. Let me briefly tell you some more about these initiatives on the Anacostia, and beyond.

Effective in May 2009, the District's Stormwater Fee now is quantified as a function of the amount of impervious surface on a given property. Under this updated fee structure, the greater the amount of impervious surface on a property, the greater the fee paid by the property owner. Since impervious surface is directly related to the amount of stormwater runoff generated by a given property, the new fee system provides a more equitable assessment of stormwater management costs among the District's property owners. Further, DDOE is coordinating with DC WASA to implement a discount (or credit) program that will allow property owners to pay a reduced stormwater fee in return for installing stormwater management practices on their properties that reduce the amount of runoff.

In addition to meeting the requirements of new legislation, DDOE has continued with many water quality initiatives including stream restoration, low impact development, downspout disconnections, and illicit discharge eliminations. Stream restoration work such as daylighting of Broad Branch is actively underway. DDOE is coordinating the design and construction of a large-scale stream and habitat restoration (daylighting) for a targeted portion of Rock Creek's Broad Branch tributary. Design will be complete in 2010, and construction is expected to begin in 2011.

With regard to the Anacostia River, the District is implementing a multi-pronged restoration approach. First, DDOE is implementing mechanisms to measure the environmental health of the River, as part of its overall monitoring and assessment of its rivers and streams. Second, the

District is increasing the vigor with which it is tackling the problem of “legacy toxics” in the Anacostia River. Third, several other issues are being addressed through multiple channels, and with increased vigor. These efforts by DDOE include programs to reduce trash, including the trash skimming work done by DC WASA, catch basin screens installed in the Fort Dupont watershed, and trash traps installed in Watts Branch and Nash Run.

Finally, invasive Species control is a major priority of our Fisheries and Wildlife Division. DDOE works hard to control invasive fish species and their negative effects and currently conducts surveys on snakeheads and blue catfish. DDOE will study the adverse effects of these fish species and introduce appropriate control measures that will ensure the viability of native species and sport fish. DDOE will also study invasive plants that overtake native vegetation and degrade wildlife habitat, and introduce appropriate control measures to ensure viability of native plants and promote the sustainability of native habitats.

Performance Partnership Agreement with U.S. EPA (PPA)

Finally, I am pleased to report that DDOE is moving forward to strengthen our partnership with U.S. EPA and to leverage resources to support local environmental programs. On October 2, 2009, DDOE entered into its first Performance Partnership Agreement (PPA) with U.S. EPA Region 3. The PPA states the shared vision and goals of the agencies to work together to leverage resources to improve the quality of the environment in the District of Columbia. Six main objectives are identified in the PPA: restoring our watersheds, improving sustainability, protecting public health, and educating our residents, improving agency performance and increasing enforcement.

Thank you for the opportunity to proudly recount some of our accomplishments of the past year and plans for the future. I look forward to answering any questions the Committee may have.