

**U00A**  
**Department of the Environment**

***Operating Budget Data***

(\$ in Thousands)

	<u>FY 08</u> <u>Actual</u>	<u>FY 09</u> <u>Working</u>	<u>FY 10</u> <u>Allowance</u>	<u>FY 09-10</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$37,141	\$37,950	\$40,747	\$2,797	7.4%
Contingent & Back of Bill Reductions	0	0	-593	-593	
<b>Adjusted General Fund</b>	<b>\$37,141</b>	<b>\$37,950</b>	<b>\$40,154</b>	<b>\$2,204</b>	<b>5.8%</b>
Special Fund	31,475	49,139	59,781	10,641	21.7%
Contingent & Back of Bill Reductions	0	0	-149	-149	
<b>Adjusted Special Fund</b>	<b>\$31,475</b>	<b>\$49,139</b>	<b>\$59,632</b>	<b>\$10,492</b>	<b>21.4%</b>
Federal Fund	26,875	32,044	30,460	-1,584	-4.9%
Contingent & Back of Bill Reductions	0	0	-107	-107	
<b>Adjusted Federal Fund</b>	<b>\$26,875</b>	<b>\$32,044</b>	<b>\$30,352</b>	<b>-\$1,691</b>	<b>-5.3%</b>
Reimbursable Fund	5,164	5,080	4,167	-913	-18.0%
Contingent & Back of Bill Reductions	0	0	-18	-18	
<b>Adjusted Reimbursable Fund</b>	<b>\$5,164</b>	<b>\$5,080</b>	<b>\$4,149</b>	<b>-\$930</b>	<b>-18.3%</b>
<b>Adjusted Grand Total</b>	<b>\$100,655</b>	<b>\$124,213</b>	<b>\$134,288</b>	<b>\$10,075</b>	<b>8.1%</b>

- A contingent reduction of \$448,500 is included in the allowance to delete the deferred compensation match.
- Across-the-board reductions are effected in the Maryland Department of the Environment's (MDE) budget. The total reduction is \$418,569 in general funds. Reductions detailed for MDE include 8 positions and \$335,175 as part of the abolition of 1,000 positions; \$457 to reduce full-time equivalents (FTEs); and \$82,937 in the expectation of savings in contracted services based on a favorable bidding climate. Additional personnel actions may occur in MDE as part of a statewide \$30 million general fund unallocated across-the-board general fund reduction.

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

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***Personnel Data***

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	<b><u>FY 08 Actual</u></b>	<b><u>FY 09 Working</u></b>	<b><u>FY 10 Allowance</u></b>	<b><u>FY 09-10 Change</u></b>
Regular Positions	957.00	937.00	950.00	13.00
Contractual FTEs	<u>20.38</u>	<u>47.50</u>	<u>44.50</u>	<u>-3.00</u>
<b>Total Personnel</b>	<b>977.38</b>	<b>984.50</b>	<b>994.50</b>	<b>10.00</b>

***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	67.06	7.00%
Positions and Percentage Vacant as of 12/31/08	56.00	5.98%

- With across-the-board reductions, the allowance would provide for 950 positions.
- Across-the-board cuts abolishing 8 positions are offset by 21 new positions created by the Board of Public Works in the January 7, 2009 meeting.
- MDE’s turnover rate of 7.0% is 1.02% greater than the current vacancy rate.

## *Analysis in Brief*

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### Major Trends

***Blood Lead Goal Appears to Be on Schedule:*** The goal of reducing the number of exceedences of the elevated blood lead standard to zero by the end of calendar 2010 appears to be attainable given the rate at which exceedences are decreasing.

***Eight-hour Ozone Standard and Total Maximum Daily Load Goals Unlikely to Be Met:*** The calendar 2010 and federal fiscal 2011 goals for meeting the eight-hour ozone standard and the submission of total maximum daily load plans, respectively, do not appear to be on target at this time.

### Issues

***Shortage of Inspectors Persists:*** The environmental legal framework is only as good as the enforcement that follows. MDE has an ongoing shortage of inspectors that leaves open potential areas for risks to the environment and human health. However, in fiscal 2008, MDE received a \$25,000 grant from the Campbell Foundation to establish and lead a volunteer enforcement corps. **The Department of Legislative Services (DLS) recommends that MDE comment on the number of FTE inspectors in the fiscal 2009 working appropriation and fiscal 2010 allowance, and on the possible synergies and cost savings from working with the volunteer enforcement corps to address inspection staff shortages.**

***Data on Wetlands and Waterways Program Fund Performance Lacking:*** Chapter 142 of 2008 established a Wetlands and Waterways Program Fund and application fees in order to improve the level of service to the regulated community and to reduce delays and duplication in the permitting process. An annual report on the fund, including an accounting of financial receipts deposited into the fund and expenditures from the fund, was due on December 31, 2008, but to date has not been received. **DLS recommends that MDE comment on why it has not submitted the required report on the Wetlands and Waterways Program Fund and the trends in performance measures such as the permitting backlog.**

***Information Technology Accountability and Transparency Lacking:*** MDE has had transparency and accountability problems with information technology projects. The problems began with the Enterprise Environmental Management System, the costs for which threatened to escalate out of control before the General Assembly capped funding, and have since resurfaced with a web site revamp project submitted by budget amendment for fiscal 2009. **DLS recommends that (1) the funds of \$2.2 million in special funds for the web site revamp project be reduced reflecting the proposed fiscal 2009 and 2010 expenditures; (2) \$2.2 million in general funds should be reduced; and (3) authorization of a \$2.2 million budget amendment should be provided to supplant the general fund reduction. DLS also recommends that MDE provide the budget committees with a report on full and timely disclosure of information technology project information before any funding is expended on the web site revamp project.**

**Recommended Actions**

	<b><u>Funds</u></b>
1. Reduce the general fund appropriation to reflect the availability of special fund balance.	\$ 1,800,000
2. Add budget language to reduce the special fund appropriation for a web site revamp project, the general fund appropriation to reflect availability of special fund balances, and require a report.	
<b>Total Reductions</b>	<b>\$ 1,800,000</b>

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Department of the Environment

*Operating Budget Analysis*

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**Program Description**

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

- ***Office of the Secretary:*** This office provides direction and establishes State environmental policies to be implemented by the operating units.
- ***Administrative Services Administration:*** This administration provides general administrative and fiscal services to the department.
- ***Water Management Administration:*** This administration incorporates all aspects of the State's water pollution control program, including capital project management; implementation of Total Maximum Daily Loads (TMDLs) for pollutants in impaired waterways; and industrial/municipal wastewater and storm water discharge regulatory functions.
- ***Science Services Administration:*** This administration develops and promulgates water quality standards; provides technical support and analysis for TMDLs; monitors shellfish; develops environmental and public health risk assessments; implements nonpoint source pollution programs; and develops and issues fish advisories.
- ***Waste Management Administration:*** This administration ensures that all types of hazardous and nonhazardous solid wastes are managed in a manner that protects public health and the environment.
- ***Air and Radiation Management Administration:*** This administration ensures that air quality and radiation levels in Maryland sustain public health, safety, and the environment.
- ***Coordinating Offices:*** These offices manage budget matters, the Water Quality Revolving Loan Fund, and Board of Public Works' (BPW) activities; coordinate public information and outreach; provide hazardous chemical and oil spill emergency response services; and provide legal advice.

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MDE has consolidated two water-related goals and eliminated the land redevelopment and community revitalization goal for its fiscal 2010 allowance submission. MDE's remaining four goals illustrate the core efforts to protect and preserve Maryland's natural resources. They are:

- ensuring safe and adequate drinking water;
- reducing Maryland citizens' exposure to hazards;
- ensuring the air is safe to breathe; and
- providing customer service and community outreach.

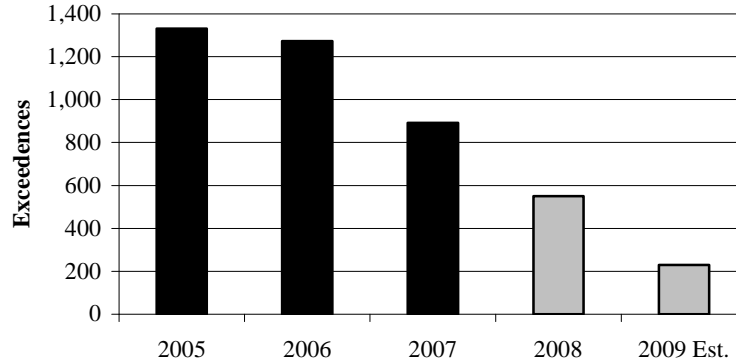
### **Performance Analysis: Managing for Results**

MDE's fiscal 2010 Managing for Results submission reflects improving trends for water and blood lead levels and a stagnation trend for air resources. **Exhibit 1** presents the data, which indicates the following trends:

- reported exceedences of elevated blood lead standard – the goal of reducing the number of exceedences of the elevated blood lead standard to zero by the end of calendar 2010 appears to be attainable given the rate at which exceedences are decreasing;
- ozone attainment status for nonattainment areas – Baltimore City, Cecil County, and the Washington, DC suburban counties are all in moderate nonattainment with the eight-hour ozone standard – the three-year average of the fourth-highest daily maximum eight-hour average ozone concentrations measured at each monitor within an area over each year must not exceed 85 parts per billion, which means that they must come into compliance with the standard by June 2010 from a base year of 2004; and
- percent of total required TMDLs completed – the development of total maximum daily load plans for various water quality impairments such as bacteria, toxic substances, and mercury shows an increasing trend; however, it does not appear that the federal fiscal 2011 submittal schedule agreed to in 1996/1998 will be met.

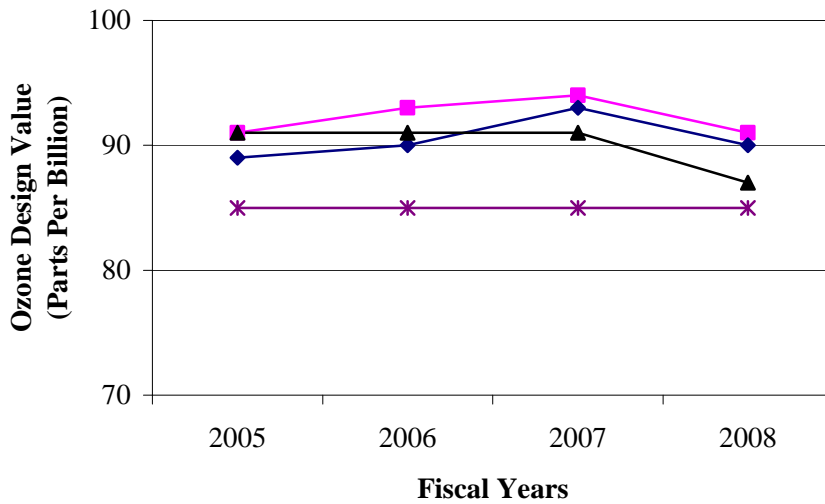
**The Department of Legislative Services (DLS) recommends that MDE comment on what the Waste Management Administration's lead poisoning prevention focus will be once the elevated blood lead standard exceedences are reduced to zero, whether the counties in moderate nonattainment for the eight-hour ozone standard will meet the June 2010 compliance deadline, and whether the TMDL submittal schedule will be met in 2011.**

**Exhibit 1  
Reported Exceedences of Elevated Blood Lead Standard  
Calendar 2005-2010**



Note: Standard = 0.

**Ozone Attainment Status for Nonattainment Areas  
Calendar 2005-2008**

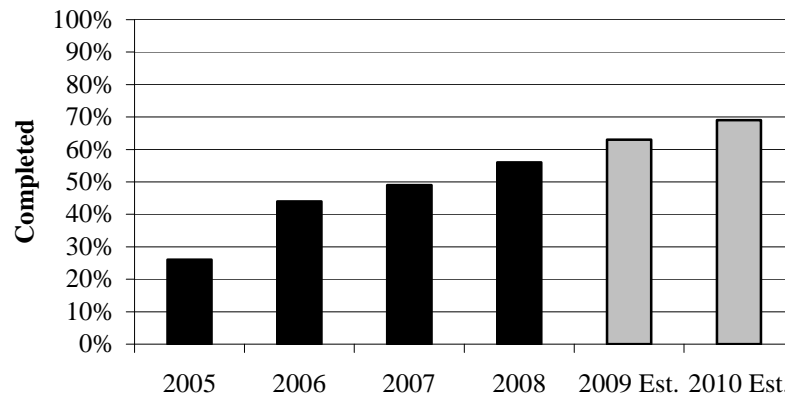


- Baltimore City
- ◆— Cecil County
- ▲— Washington, DC Suburb Counties
- \*— 1997 Standard

Note: The standard is 85 parts per billion. The standard is met if the three-year average of the fourth-highest daily maximum eight-hour average ozone concentrations measured at each monitor within an area over each year does not exceed 85 parts per billion.

Source: Maryland Department of the Environment

## Percent of Total Required Total Maximum Daily Loads Completed Fiscal 2005-2010



Note: Standard = 100%.

Source: Governor's Budget Books, Fiscal 2008-2010

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## Fiscal 2009 Actions

### Impact of Cost Containment

The net impact of the June 25, and October 15, 2008, BPW actions is a reduction of 20 positions, \$3.3 million in general funds, \$0.1 million in special funds, and \$0.1 million in federal funds. A summary of the reductions follows:

- general/special fund swaps – \$1.5 million from Maryland Clean Air Fund that effectively cancelled a web site revamp project, Water Quality Financing Administrative Fees, State Radiation Control Fund, and Maryland Clean Water Fund (nine deferred vehicle replacements);
- salaries, wages, and fringe benefits – \$1.2 million;
- Other Post Employment Benefits (OPEB) prefunding – \$0.5 million;
- statewide employee health insurance balances – \$0.2 million; and
- travel, training, and vehicles – \$0.1 million with four deferred vehicle replacements.

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In addition to the BPW actions on June 25 and October 15, 2008, MDE's general fund appropriation is anticipated to decrease in fiscal 2009 due to the across-the-board State salary reduction.

**Proposed Fund Balance Transfers**

Contingent actions in the Budget Reconciliation and Financing Act of 2009 (Senate Bill 166/ House Bill 101) would transfer fund balances from three of MDE's special funds to the general fund in fiscal 2009. The total \$3.3 million of proposed transfers is shown in **Exhibit 2**.

**Proposed Budget**

MDE's fiscal 2010 allowance increases by \$10.1 million, or 8.1%, relative to the fiscal 2009 working appropriation as shown in **Exhibit 3**. The changes by fund are an increase of \$2.2 million in general funds, an increase of \$10.5 million in special funds, a decrease of \$1.7 in federal funds, and a decrease of \$0.9 million in reimbursable funds. There are several across-the-board reductions.

**Exhibit 2**  
**Proposed Fiscal 2009 Special Fund Balance Transfers**

<u>Fund</u>	<u>Revenue Source</u>	<u>Purpose</u>	<u>Original 2009 Closing Balance</u>	<u>Contingent Transfer</u>	<u>Contingent 2009 Closing Fund Balance</u>
Oil Disaster Containment, Clean-Up and Contingency Fund	License fee of \$0.04 per barrel for oil transferred in the State; fund balance capped at \$5 million	Contain, clean-up and remove discharges of oil and restore damaged natural resources	\$4,790,246	\$2,006,000	\$2,784,246
State Used Tire Cleanup and Recycling Fund	Primarily tire recycling fee of \$0.80 on first sale of a new tire in the State by a tire dealer; fund balance capped at \$10 million	Removal, restoration, inspection, and monitoring in response to illegal disposal or storage of scrap tires	10,618,977	1,000,000	9,618,977
Small Business Compliance Loan Fund	General Assembly appropriations, loan repayments, interest	Provide loans to small businesses for upgrade and replacement of capital equipment necessary for compliance with air emission standards	\$296,785	277,785	19,000
<b>Total</b>				<b>\$3,283,785</b>	

Source: Department of Legislative Services

**Exhibit 3**  
**Proposed Budget**  
**Department of the Environment**  
**(\$ in Thousands)**

<b>How Much It Grows:</b>	<b><u>General</u> <u>Fund</u></b>	<b><u>Special</u> <u>Fund</u></b>	<b><u>Federal</u> <u>Fund</u></b>	<b><u>Reimb.</u> <u>Fund</u></b>	<b><u>Total</u></b>
2009 Working Appropriation	\$37,950	\$49,139	\$32,044	\$5,080	\$124,213
2010 Allowance	<u>40,747</u>	<u>59,781</u>	<u>30,460</u>	<u>4,167</u>	<u>135,155</u>
Amount Change	\$2,797	\$10,641	-\$1,584	-\$913	\$10,942
Percent Change	7.4%	21.7%	-4.9%	-18.0%	8.8%
Contingent Reduction	-\$593	-\$149	-\$107	-\$18	-\$867
Adjusted Change	\$2,204	\$10,492	-\$1,691	-\$930	\$10,075
Adjusted Percent Change	5.8%	21.4%	-5.3%	-18.3%	8.1%

**Where It Goes:**

**Personnel Expenses**

Costs associated with fiscal 2009 positions and reclassifications for engineers/scientists not yet reflected in fiscal 2009 budget.....	\$3,977
Employee and retiree health insurance pay-as-you-go costs .....	2,530
Retirement contribution .....	923
New positions (21).....	867
Other fringe benefit adjustments .....	190
Reduction in Other Post Employment Benefits' unfunded liability .....	-1,162
Fiscal 2009 adjustments for the cost-of-living allowance and other miscellaneous adjustments .....	-962
Contingent reduction of deferred compensation.....	-449
Reduction of 8 positions and funding (Section 18) .....	-335
Turnover adjustments .....	-290

**Other Changes**

**Contracts and Grants**

Greenhouse gas emission reduction contracts and grants.....	3,055
Scrap tire project contracts .....	2,000
Web site revamp .....	1,200
Hydrological study recommended by water advisory committee.....	1,000
One-time scrap tire recycling facility grant to Maryland Environmental Service.....	-1,729
Recycling public outreach and grants to counties decrease.....	-294

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**Where It Goes:**

***Operating Expenses***

Acid mine drainage doser operation costs and lease payments .....	527
Vehicle operation and maintenance costs for new inspectors .....	190
Utilities – electricity .....	123
Enterprise Environmental Management System funding .....	-932
Debt service payments on Bay Restoration Fund revenue bonds.....	-280
Other changes .....	9

***Across-the-board Reductions***

Contingent reduction for full-time equivalents (Section 23) and contractual services (Section 24) .....	-83
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<b>Total</b>	<b>\$10,075</b>
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Note: Numbers may not sum to total due to rounding.

**Personnel**

The fiscal 2010 allowance provides for 950 regular positions. The overall change in MDE’s positions is a net decrease of seven since July 1, 2008, as shown in **Exhibit 4**.

**Exhibit 4  
Personnel Changes  
Fiscal 2009**

<u>Appropriation</u>	<u>Positions</u>
July 1, 2008	957
October 15, 2005 BPW Reduction	-20
	<b>937</b>
January 7, 2009 BPW Creation	21
	<b>958</b>
Allowance Across-the-board Reduction	-8
<b>Total</b>	<b>950</b>

BPW: Board of Public Works

Source: Department of Legislative Services

Overall, personnel expenses increase \$5.3 million in the fiscal 2010 allowance relative to fiscal 2009. The majority of this increase (\$4.0 million) is due to salaries, wages, and fringe benefits for 25 positions created at the June 25, 2008 Board of Public Works meeting, and the annual salary review and other salary adjustments for engineers and scientists that have not yet been reflected in the fiscal 2009 working appropriation. Other personnel increases are as follows:

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- employee and retiree health insurance – an increase of \$2.5 million in these pay-as-you-go costs; and
- new positions – an increase of \$0.9 million for 21 new positions created by BPW at its January 7, 2009 meeting.

The personnel increases partially are offset by the following decreases:

- OPEB – a decrease of \$1.2 million due to the deletion of the funding to reduce the unfunded liability for OPEB;
- fiscal 2009 adjustments for the cost-of-living allowance (COLA) and other miscellaneous adjustments – a decrease of \$1.0 million due to how MDE budgets current fiscal year adjustments; and
- turnover adjustments – a decrease of \$0.3 million to reflect the same turnover rate applied to an increased amount of salaries, wages, and fringe benefits generated by the annual salary review.

### **Other Changes**

Overall, the nonpersonnel portion of the fiscal 2010 allowance increases \$4.8 million. The areas of change are contracts and grants and operating expenses. The significant changes in contracts and grants funding which net to \$4.2 million are as follows:

- greenhouse gas emission reduction contracts and grants – Maryland Clean Air Fund expenditures for greenhouse gas emission reduction activities increase \$3.1 million partially due to the transfer of \$2.5 million from the Strategic Energy Investment Fund. Funding would be used for (1) contracts of \$1.1 million for an online greenhouse gas emission inventory, research into greenhouse gas offset projects, and for administrative support of the 10-state Regional Greenhouse Gas Initiative; and (2) grants of \$2.0 million for greenhouse gas reduction initiatives highlighted in the Climate Change Commission’s report and innovative greenhouse gas emission reduction and sequestration technology development;
- scrap tire project contracts – the fiscal 2010 allowance includes \$2.0 million for scrap tire pileup cleanups including funding for the Garner/Brandywine site due to an underestimation of the number of tires on the site and the overall complexity of the cleanup;
- web site revamp – a new major information technology development project is included in the fiscal 2010 allowance for \$1.2 million, which represents the proposed second-year funding (a budget amendment has been submitted for fiscal 2009) for a web site revamp project to improve the overall use of the MDE web site by expanding web site functionality to include online payments, permit tracking and to automate the processes involved with Public Information Act requests, permits, notifications and customer service. This project is discussed further as a budget issue;

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- hydrological study recommended by water advisory committee – the Advisory Committee on the Management and Protection of the State’s Water Resources published its final report on July 1, 2008, with recommendations that included two major hydrological studies estimated to cost \$18.0 million over six years and for which additional funding of \$1.0 million is included in the fiscal 2010 allowance;
- one-time scrap tire recycling facility grant to Maryland Environmental Service – the final \$1.7 million grant to the Maryland Environmental Service for its failed scrap tire recycling facility was made in fiscal 2009 resulting in a decrease in expenditures in the fiscal 2010 allowance; and
- recycling public outreach and grants to counties – the amount budgeted for the Statewide Electronic Recycling Program grants to counties for electronic devices and the public outreach funding for recycling decreases by \$0.3 million.

Funding for operations decreases \$0.4 million. The changes in operations spending are as follows:

- acid mine drainage doser operation costs and lease payments – a funding increase of \$0.5 million is included for the operational costs of two additional dosers sited on the North Branch of the Potomac River that reduce the acidity of water coming from abandoned mines and for lease payments on three special-purpose emergency response vehicles, computer servers, and personal computers;
- vehicle operation and maintenance costs for new inspectors – funding for vehicle operations and maintenance increases by \$0.2 million due to the need to provide for the new inspector positions created by the Board of Public Works in fiscal 2009;
- utilities – electricity costs increase \$0.1 million in the fiscal 2010 allowance;
- Enterprise Environmental Management System (EEMS) funding – the fiscal 2010 allowance includes \$73,750 for EEMS which represents an approximately \$0.9 million decrease from the fiscal 2009 working appropriation and the last installment of the \$7.4 million project planned to be completed in July 2009; and
- debt service payments on Bay Restoration Fund revenue bonds – a decrease of \$0.3 million from the \$12.0 million in fiscal 2009 is budgeted due to lower debt service payments for the Bay Restoration Fund revenue bonds issued to upgrade the 66 major wastewater treatment plants in Maryland to enhanced nutrient removal technology.

## **Impact of Cost Containment**

Cost containment actions in the fiscal 2010 allowance consist of one contingent reduction and three across-the-board reductions. The contingent reduction is the deletion of the deferred compensation match, which would reduce MDE's appropriation by \$0.4 million. The three across-the-board general fund reductions are as follows:

- Section 18 – a reduction of \$0.3 million and deletion of 8 positions as part of the abolition of 1,000 positions;
- Section 23 – reduction of \$457 to reduce contractual full-time equivalents (FTEs); and
- Section 24 – reduction of \$0.1 million in the expectation of savings in contracted services based on a favorable bidding climate.

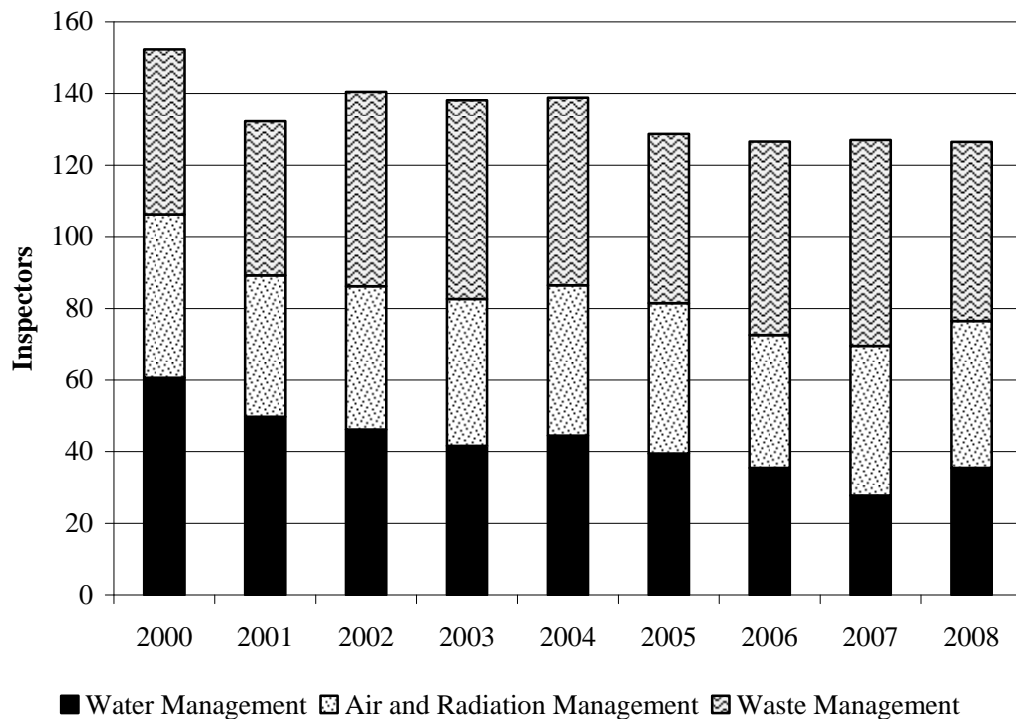
Additional personnel actions may occur in MDE as part of a statewide \$30 million general fund unallocated across-the-board reduction.

## Issues

### 1. Shortage of Inspectors Persists

The environmental legal framework is only as good as the enforcement that follows. MDE has an ongoing shortage of inspectors that leaves open potential areas for risks to the environment and human health. While this issue has received attention within MDE, there does not appear to have been a coordinated effort to address the problem either by hiring more inspectors; shifting burden to either the federal government, local government, or the private sector; or by improving the efficiency of the inspection process. **Exhibit 5** depicts the decrease in filled full-time equivalent inspection positions between fiscal 2000 and 2008. This decrease is primarily related to the decrease in Water Management Administration inspectors, which has been attributed to retirements and employees leaving for more favorable salary structures in local and federal government.

**Exhibit 5**  
**Filled Full-time Equivalent Inspectors**  
**Fiscal 2000-2008**



Source: Maryland Department of the Environment

However, in fiscal 2008 MDE received a \$25,000 grant from the Campbell Foundation to establish and lead a volunteer enforcement corps. This corps is intended to address nonpoint source pollution on construction sites – a Water Management Administration responsibility – and perhaps could be expanded to other inspection areas. MDE notes that it is likely that it will use the volunteer enforcement corps as a supplement to the activities of MDE’s field inspectors; the volunteers would review self-inspection records required under the general permit for stormwater related to construction activities disturbing one or more acres.

**DLS recommends that MDE comment on the number of full-time equivalent inspectors in the fiscal 2009 working appropriation and fiscal 2010 allowance, and on the possible synergies and cost savings from working with volunteer enforcement corps to address inspection staff shortages.**

## **2. Data on Wetlands and Waterways Program Fund Performance Lacking**

Chapter 142 of 2008 established a Wetlands and Waterways Program Fund and established application fees in order to improve the level of service to the regulated community and to reduce delays and duplication in the permitting process. MDE advised that the revenue generated by the application fees (an estimated \$2.6 million in fiscal 2009) together with a continuing general fund appropriation, will dramatically improve its ability to manage, conserve, and protect the State’s vital wetland and water resources, while providing a more efficient and effective application process. Additionally, MDE advised that any additional revenues generated by the bill would be used to restaff the program to historical levels. An annual report on the fund including an accounting of financial receipts deposited into the fund and expenditures from the fund was due on December 31, 2008, but to date has not been received.

### **Wetlands and Waterways Program Fund Revenue Sources**

The revenues allocated to the fund are application fees for (1) permits to construct, reconstruct, or repair any reservoir, dam, or waterway obstruction and other related activities; (2) nontidal wetlands permits; (3) licenses for dredging or filling on State tidal wetlands; (4) licenses for dredging and filling on private wetlands; and (5) permits to conduct other activities on private tidal wetlands. The following activities are allowed uses of the fund:

- activities contributory to the issuance of permits and licenses;
- management, conservation, protection, and preservation of the State’s wetlands and waterways; and
- program development.

## **Positions Needed for Staffing Received**

The fiscal note on the bill estimated that 34 positions could be funded with the projected fiscal 2009 revenue increase of \$2.6 million. In turn, BPW created a total of 34 new Wetlands and Waterways Program positions on June 25, 2008, and January 7, 2009. As of December 2008, 14 of the 15 positions created on June 25, 2008, have been filled. Subsequent to the creation of the 19 new positions in January, a deficiency appropriation was submitted to the Department of Budget and Management to fund the new positions.

## **Performance Measures Lacking**

Data on the impact of the new Wetlands and Waterways Program Fund is lacking. The report required to be submitted on December 31, 2008, has not been submitted, and the fiscal 2008 Annual Enforcement and Compliance Report submitted by MDE only indicates that the new funding will assist in application processing, site inspections, and permit requirements enforcement. It is noted in the Annual Enforcement and Compliance Report that the number of inspections, audits, and spot checks for the Wetlands and Waterways program has decreased in the fiscal 2006 (3,101) to 2008 (2,929) time period and the inspection coverage rate is only 34% of the coverage universe.

**DLS recommends that MDE comment on why it has not submitted the required report on the Wetlands and Waterways Program Fund and the trends in performance measures such as permitting backlog.**

### **3. Information Technology Accountability and Transparency Lacking**

MDE has had transparency and accountability problems with its information technology projects. The problems began with EEMS, the costs for which threatened to escalate out of control before the General Assembly capped funding and have since resurfaced with a web site revamp project submitted by budget amendment for fiscal 2009.

#### **EEMS Not Fully Functional**

MDE engaged in a complex information technology project called EEMS. This system was presented to the budget committees as a way to integrate all of the permitting components of MDE's many environmental programs. However, in a December 1, 2008 letter MDE noted that it was unable to incorporate two of the three planned programs into the final phase of the project due to program characteristics that would appear to have been critical to know at the beginning of the project. This reduction in the originally planned functionality has been a chronic problem for EEMS, which only has been made more public since the January 2008 audit by the Office of Legislative Audits found that MDE had not fully disclosed implementations issues, significant cost overruns, and project scope modifications. In terms of functionality, the auditors found that as of April 2007, 18 programs – over half the programs intended to use EEMS – had been removed from the project scope.

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MDE notes that one reason for this limited application of EEMS was the limitation to \$6.4 million by the General Assembly after concerns were raised about escalations in the cost of the project. However, the overall project, including all contracts surrounding the EEMS system, is now estimated to cost \$7.4 million through July 30, 2009.

One of the General Assembly's concerns about projects like EEMS was the lack of State accountability. For instance, MDE funded EEMS with federal indirect lost recoveries without presenting the total project scope and cost to the budget committees. As a result, the General Assembly created the Department of Information Technology (DoIT). It was hoped that DoIT would reduce the likelihood of projects escalating in cost by reviewing project proposals and evaluating project feasibility. However, DoIT is only as effective in its oversight role as the agencies are open about their projects. A case in point is the proposed web site revamp project.

### **Web Site Revamp Project Proposed**

MDE received an additional \$1 million in general funds in the fiscal 2009 legislative appropriation in order to mitigate special fund revenue shortages in the Air and Radiation Administration. However, in fall 2008, MDE submitted a budget amendment for a web site revamp project to be funded with the \$1 million in general funds. At the time, the project was not included in the Major Information Technology Development Fund, which is required of all general fund information technology projects, and it had not been reviewed by DoIT as part of the Information Technology Project Request process, which is required of all information technology projects greater than \$1 million.

The BPW actions on October 15, 2008, reduced the general funds and effectively canceled the project for the time being. The project has since been submitted as a budget amendment for \$1.0 million, despite the General Assembly's intent that budget amendments be handled through the deficiency process so that the budget committees may exercise their legislative oversight function during the legislative session.

MDE proposes to conduct a web site revamp. This project would be funded with multiple special fund sources as follows: Maryland Clean Water Fund (\$300,000), Oil Control Fund (\$200,000), Maryland Clean Air Fund (\$185,000), Radiation Control Fund (\$112,000), Used Tire Cleanup and Recycling Fund (\$108,000), and Wetlands and Waterways Program Fund (\$95,000).

MDE has budgeted \$1.2 million for the project in fiscal 2010 and indicates that the web site revamp project is necessary because the current Content Management System (CMS) is undocumented and unsupported and thus could jeopardize continuity of operations should it fail. The revamp also is intended to improve the overall use of the MDE web site by expanding web site functionality to include online payments, permit tracking and to automate the processes involved with Public Information Act requests, permits, notifications and customer service processes. While the project has been approved by DoIT, the process by which it was introduced to the General Assembly is troubling.

**DLS recommends that (1) the funds for the web site revamp project of \$2.2 million in special funds be reduced reflecting the proposed fiscal 2009 and 2010 expenditures; (2) \$2.2 million in general funds should be reduced; and (3) authorization of a \$2.2 million budget amendment should be provided to supplant the general fund reduction. DLS also recommends that MDE provide the budget committees with a report on full and timely disclosure of information technology project information before any funding is expended on the web site revamp project.**

## ***Recommended Actions***

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- |  | <b><u>Amount<br/>Reduction</u></b> |
|--|------------------------------------|
| 1. Reduce the general fund appropriation to reflect the availability of special fund balance. It is recommended that a provision be added to the Budget Reconciliation and Financing Act of 2009 that permanently would allow the Maryland Department of the Environment Waste Management Administration to use 50% of Used Tire Cleanup and Recycling Fund revenue to fund operations. The estimated fiscal 2010 revenue for the Used Tire Cleanup and Recycling Fund is \$3.8 million. A reduction of \$1.8 million would leave a fund balance of \$5.8 million for tire cleanup projects in the subsequent years. | \$ 1,800,000 GF                    |

2. Add the following language:

Provided that \$2.2 million in general funds and \$1.2 million in special funds are reduced from the Coordinating Offices appropriation for the web site revamp project. The Governor is authorized to process a budget amendment for \$2.2 million in special funds to replace the general funds that are reduced. No funds may be expended on the web site revamp project until a report is submitted to the budget committees on how the Maryland Department of the Environment (MDE) will provide full and timely (1) information technology project request submissions to the Department of Information Technology for review and approval; (2) disclosure of the exact fund sources, amounts and program codes for all information technology projects in each annual budget submission; (3) disclosure of independent validation and verification reports to the budget committees; and (4) information technology scope, funding requirements, and changes to the budget committees for the web site revamp project and future information technology projects. The report shall be due prior to the expenditure of any funds on the web site revamp project and the budget committees shall have 45 days to review and comment upon receipt of the report.

**Explanation:** The Maryland Department of the Environment (MDE) has had a transparency and accountability problem with information technology projects. In addition, it has engaged in a pattern of financing projects outside of the oversight of the General Assembly. Therefore, (1) the funds for the web site revamp project of \$2.2 million in special funds should be reduced reflecting proposed fiscal 2009 and 2010 expenditures, (2) \$2.2 million in general funds should be reduced, and (3) authorization of a \$2.2 million budget amendment should be provided to supplant the general fund reduction. These actions are reflected in the

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chart below. In addition, MDE should provide the budget committees with a report on full and timely disclosure of information technology project information before any funding is expended on the web site revamp project.

	<b><u>Fiscal 2009</u></b>	<b><u>Fiscal 2010</u></b>	<b><u>Total</u></b>
General Fund reduction		-\$2.2 million	-\$2.2 million
Special Fund budget amendment/reduction	-1.0 million	-1.2 million	-2.2 million
<b>Available Special Funds for budget amendment</b>	<b>\$1.0 million</b>	<b>\$1.2 million</b>	<b>\$2.2 million</b>

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Report on Full and Timely Information Technology Project Disclosure	MDE	Prior to the expenditure of any funds on the web site revamp project
<b>Total General Fund Reductions</b>		<b>\$ 1,800,000</b>

## *Current and Prior Year Budgets*

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

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
<b>Fiscal 2008</b>					
Legislative Appropriation	\$37,503	\$41,480	\$29,958	\$3,988	\$112,929
Deficiency Appropriation	0	180	303	0	483
Budget Amendments	482	361	0	1,517	2,360
Cost Containment	-788	-95	-172	0	-1,055
Reversions and Cancellations	-55	-10,452	-3,214	-341	-14,062
<b>Actual Expenditures</b>	<b>\$37,142</b>	<b>\$31,474</b>	<b>\$26,875</b>	<b>\$5,164</b>	<b>\$100,655</b>
<b>Fiscal 2009</b>					
Legislative Appropriation	\$40,033	\$48,541	\$31,297	\$5,049	\$124,920
Cost Containment	-3,323	-124	-111	0	-3,558
Budget Amendments	1,240	722	858	30	2,850
<b>Working Appropriation</b>	<b>\$37,950</b>	<b>\$49,139</b>	<b>\$32,044</b>	<b>\$5,080</b>	<b>\$124,213</b>

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

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## **Fiscal 2008**

MDE's general fund appropriation decreased by a net of \$0.4 million. The changes are as follows:

- budget amendments – an increase of \$0.5 million for allocation of the COLA general fund appropriation as authorized in the fiscal 2008 budget bill;
- cost containment – a decrease of \$0.8 million for cost containment actions including reductions due to shifting positions funded from general funds to special or federal funds, reducing five vehicles from the fleet and deferring replacement of two vehicles, eliminating the reviewing of contested cases since the function was moved to the Office of Administrative Hearings, abolishing a regulations coordination position due to automation of regulatory records, abolishing 1.0 vacant administrative position, and other salaries, wages, and fringe benefits reductions to reflect the loss of 13.0 positions in MDE as part of the statewide 500.15 position reduction; and
- reversions and cancellations – a decrease of \$55,000 mostly due to health insurance and targeted reversions in Coordinating Offices and Air and Radiation management Administration.

MDE's special fund appropriation decreased by a net of \$10.0 million. The changes are as follows:

- deficiency appropriation – an increase of \$0.2 million to provide funds for a software upgrade in the Community Right to Know Program in Science Services Administration;
- budget amendments – an increase of \$0.4 million for allocation of the COLA special fund appropriation as authorized in the fiscal 2008 budget bill and a grant from the Campbell Foundation to establish and lead a volunteer enforcement corps addressing nonpoint source pollution on construction sites;
- cost containment – a decrease of \$0.1 million for salaries, wages, and fringe benefits to reflect the overall reduction of 13.0 positions in MDE as part of the statewide 500.15 position reduction; and
- reversions and cancellations – a decrease of \$10.5 million mostly due to cancellation of unneeded debt service and debt service reserve appropriation (\$5.5 million), contract delays in Waste Management Administration (\$3.1 million), and unneeded appropriation for and delays in awarding contracts for the Early Warning System project, Wetland Compensation projects and Non-tidal Wetlands contracts (\$1.6 million).

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MDE's federal fund appropriation decreased by a net of \$3.1 million. The changes are as follows:

- deficiency appropriation – an increase of \$0.3 million for the development and implementation of the Environmental Information Exchange framework in Coordinating Offices and for the replacement of air monitoring equipment for the Air Quality Monitoring Program in Air and Radiation Management Administration;
- cost containment – a decrease of \$0.2 million to reflect the reduction of appropriation for salaries, wages, and fringe benefits as part of the overall reduction of 13.0 positions in MDE as part of the statewide 500.15 position reduction; and
- reversions and cancellations – a decrease of \$3.2 million mostly due to a surplus associated with a Leaking Underground Storage Tank grant turnover and contract issues in Waste Management Administration (\$1.1 million), anticipated procurements of contractual services relating to major information technology development that were not completed prior to the end of fiscal 2008 (\$0.5 million), delayed and cancelled nonpoint source implementation grant projects in Science Services Administration (\$0.4 million), and grant contracts that were not completed by the end of the year and that will be continued in fiscal 2009 in Coordinating Offices (\$0.3 million).

MDE's reimbursable fund appropriation increased by a net of \$1.2 million. The changes are as follows:

- budget amendments – an increase of \$1.5 million primarily for contractual services to assist Maryland communities develop growth accommodation strategies as part of the Base Realignment and Closure process from the Department of Business and Economic Development (\$1.2 million), transportation-related air pollution prevention activities and University of Maryland air quality forecasting and modeling from the Department of Transportation (\$0.2 million); and
- reversions and cancellations – a decrease of \$0.3 million primarily due to reduced Motor Vehicle Administration revenues in Air and Radiation Management Administration and appropriations exceeding revenues in Science Services Administration, Water Management Administration, and Coordinating Offices.

## **Fiscal 2009**

The general fund appropriation decreases by a net of \$2.1 million. The changes are as follows:

- cost containment – a decrease of \$3.3 million due to salaries, wages, and fringe benefits reductions at the June 25, 2008, BPW meeting (\$0.2 million); reductions of general funds supplanted by special funds including deferred vehicle replacement and cancellation of funding for a web site revamp project, out-of-state travel and training, and elimination of 20 positions at the October 15, 2008, BPW meeting (\$2.5 million); and fringe benefit appropriations being reduced as OPEB prefunding of \$0.5 million was ceased and statewide employee health insurance balances of \$0.2 million were used in lieu of budgeted funds, also at the October 15, 2008, BPW meeting; and
- budget amendments – an increase of \$1.2 million for allocation of the Annual Salary Review and other salary adjustments for the scientist and engineer series (\$0.7 million), and allocation of the COLA general fund appropriation as authorized in the fiscal 2009 budget bill (\$0.5 million).

The special fund appropriation increases by a net of \$0.6 million. The changes are as follows:

- cost containment – a decrease of \$0.1 million for cost containment actions relating to salaries, wages, and fringe benefits as part of the BPW actions taken on June 25, 2008; and
- budget amendments – an increase of \$0.7 million for allocation of the Annual Salary Review and other salary adjustments for the scientist and engineer series (\$0.4 million), and allocation of the COLA general fund appropriation as authorized in the fiscal 2009 budget bill (\$0.3 million).

The federal fund appropriation increases by \$0.7 million. The changes are as follows:

- cost containment – a decrease of \$0.1 million for cost containment actions relating to salaries, wages, and fringe benefits as part of the BPW actions taken on June 25, 2008; and;
- budget amendments – an increase of \$0.9 million for the fourth and final release of the Tools for Environmental Management and Protection Organizations contract which is part of the Enterprise Environmental Management System that MDE has contracted to provide an overarching management structure for its permitting and enforcement databases.

The reimbursable fund appropriation increases by \$30,315 to reflect the transfer of funds from the Judiciary's Medication and Conflict Resolution Office to enable MDE to offer alternative dispute resolution for environmental conflicts.

**U00A**  
**Department of the Environment**

***Major Information Technology Projects***

**Maryland Department of the Environment**  
**Enterprise Environmental Management System (EEMS)**

<b>Project Description:</b>	To create a common data platform for the State's environmental regulatory processes using the Tools for Environmental Management and Protection Organizations (TEMPO) commercial-off-the-shelf (COTS) system. The system will allow for agency permitting, inspection and enforcement of regulatory obligations in replacement of 170 disparate legacy databases and associated business applications.							
<b>Project Business Goals:</b>	The Maryland Department of the Environment (MDE) initially suggested a return on investment in terms of efficiencies and personnel savings, but has since retracted this goal.							
<b>Estimated Total Project Cost:</b>	\$5,200,000 in the fiscal 2004 Governor's Budget Books, but now estimated to be \$7,351,000 through July 30, 2009				<b>New/Ongoing Project:</b>		Ongoing	
<b>Project Start Date:</b>	Project team established June 1, 2001; approved by the Board of Public Works in December 2003; master contract may have been signed in January 2004.				<b>Projected Completion Data:</b>		July 30, 2009	
<b>Schedule Status:</b>	MDE requested and received a one-year no cost extension in fiscal 2008. Phase 3, release 4 was planned to be finished in November 2008, but actually started in November 2008.							
<b>Cost Status:</b>	The General Assembly capped EEMS spending at \$6,784,000 in fiscal 2006; however, the current estimated total spending at the end of fiscal 2009 is \$7,277,250. An additional \$73,750 in spending is projected for fiscal 2010 for a total of \$7,351,000.							
<b>Scope Status:</b>	An April 2007 Office of Legislative Audits audit found that 18 programs – over half the programs intended to use EEMS – had been removed from the project scope. In December 1, 2008, MDE noted that it was unable to incorporate 2 of the 3 planned programs into the final phase of the project. Overall, the project has experienced a substantial decrease in functionality relative to the initial plan.							
<b>Project Management Oversight Status:</b>	An independent verification and validation was performed by information technology personnel from other State agencies for the period between March 2006 and May 2006; however, the full results were not disclosed.							
<b>Identifiable Risks:</b>	Lack of sufficient resources and skill sets to complete work by internal staff and user acceptance of the system are risks.							
<b>Additional Comments:</b>	MDE advises that EEMS is just the first component of the larger TEMPO project. For instance, the web site revamp planned for fiscal 2010 is intended to make the information collected, managed and reported internally by EEMS available through the web.							
<b>Fiscal Year Funding (\$ in Thousands)</b>	<b>Prior Years</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>Balance to Complete</b>	<b>Total</b>
Personnel Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Professional and Outside Services	7,351.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Expenditures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total Funding</b>	<b>\$7,351.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$7,351.0</b>

## Maryland Department of the Environment Web Site Revamp

<b>Project Description:</b>	To expand web site functionality to include online payments, permit tracking and to automate the processes involved with Public Information Act requests, permits, notifications and customer service processes.							
<b>Project Business Goals:</b>	To replace the current Content Management System (CMS), which is undocumented and unsupported and thus could jeopardize continuity of operations should it fail.							
<b>Estimated Total Project Cost:</b>	\$3,900,000 (however, funding of \$1,000,000 in fiscal 2009 has not yet been received)				<b>New/Ongoing Project:</b>		New as of January 2009	
<b>Project Start Date:</b>	July 1, 2008 (web revamp feasibility study)			<b>Projected Completion Data:</b>		Fiscal 2011		
<b>Schedule Status:</b>	A consultant has been hired but the request for proposals process is on hold until a fiscal 2009 budget amendment is considered by the General Assembly's budget committees. The Department of Information Technology (DoIT) plans to review the Maryland Department of the Environment's (MDE) request for proposals plans on February 20, 2009.							
<b>Cost Status:</b>	MDE submitted a budget amendment to increase its general fund appropriation by \$1.0 million in the fall of fiscal 2009, but this amendment was retracted and the funding cut by the Board of Public Works at its October 15, 2008 meeting. A second budget amendment for \$1.0 million in special funds was submitted in January 2009. The fiscal 2010 allowance includes \$1,200,000 in special funds as follows: Maryland Clean Water Fund (\$400,000), Maryland Clean Air Fund (\$200,000), Oil Disaster Containment, Clean-up and Contingency Fund (\$200,000), Water Quality Financing Administrative Fees (\$200,000), Used Tire Cleanup and Recycling Fund (\$150,000), and State Radiation Control Fund (\$50,000).							
<b>Scope Status:</b>	The project has not begun.							
<b>Project Management Oversight Status:</b>	DoIT has approved the information technology request.							
<b>Identifiable Risks:</b>	Security and privacy will need to be ensured for online fee payments, online permit applications, and ePermits.							
<b>Additional Comments:</b>	The ITPR indicates that an additional position is to be provided to the Office of Informational Management and Technology. MDE also will need to outsource the web services to complement its current staff. Both of these actions reflect an increase in costs.							
<b>Fiscal Year Funding (\$ in Thousands)</b>	<b>Prior Years</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>Balance to Complete</b>	<b>Total</b>
Personnel Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Professional and Outside Services	1.0	1,200.0	1,700.0	0.0	0.0	0.0	0.0	3,900.0
Other Expenditures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total Funding</b>	<b>\$1,000.0</b>	<b>\$1,200.0</b>	<b>\$1,700.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$3,900.0</b>

**Object/Fund Difference Report  
Department of the Environment**

<u>Object/Fund</u>	<u>FY08 Actual</u>	<u>FY09 Working Appropriation</u>	<u>FY10 Allowance</u>	<u>FY09 - FY10 Amount Change</u>	<u>Percent Change</u>
<b>Positions</b>					
01 Regular	957.00	937.00	958.00	21.00	2.2%
02 Contractual	20.38	47.50	44.50	-3.00	-6.3%
<b>Total Positions</b>	<b>977.38</b>	<b>984.50</b>	<b>1,002.50</b>	<b>18.00</b>	<b>1.8%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 66,223,568	\$ 68,940,997	\$ 75,013,593	\$ 6,072,596	8.8%
02 Technical and Spec. Fees	940,305	1,671,786	1,665,443	-6,343	-0.4%
03 Communication	822,816	821,292	836,164	14,872	1.8%
04 Travel	396,316	477,272	503,841	26,569	5.6%
06 Fuel and Utilities	598,401	602,268	716,658	114,390	19.0%
07 Motor Vehicles	1,913,767	1,530,725	1,720,256	189,531	12.4%
08 Contractual Services	6,168,243	11,882,605	14,874,010	2,991,405	25.2%
09 Supplies and Materials	1,439,700	1,212,402	1,619,148	406,746	33.5%
10 Equipment – Replacement	1,380,099	798,783	1,035,485	236,702	29.6%
11 Equipment – Additional	415,785	191,507	173,983	-17,524	-9.2%
12 Grants, Subsidies, and Contributions	16,210,549	19,917,804	21,076,870	1,159,066	5.8%
13 Fixed Charges	4,145,268	4,115,436	4,149,135	33,699	0.8%
14 Land and Structures	0	12,050,000	11,770,000	-280,000	-2.3%
<b>Total Objects</b>	<b>\$ 100,654,817</b>	<b>\$ 124,212,877</b>	<b>\$ 135,154,586</b>	<b>\$ 10,941,709</b>	<b>8.8%</b>
<b>Funds</b>					
01 General Fund	\$ 37,141,192	\$ 37,950,056	\$ 40,747,089	\$ 2,797,033	7.4%
03 Special Fund	31,474,915	49,139,333	59,780,754	10,641,421	21.7%
05 Federal Fund	26,874,962	32,043,732	30,459,711	-1,584,021	-4.9%
09 Reimbursable Fund	5,163,748	5,079,756	4,167,032	-912,724	-18.0%
<b>Total Funds</b>	<b>\$ 100,654,817</b>	<b>\$ 124,212,877</b>	<b>\$ 135,154,586</b>	<b>\$ 10,941,709</b>	<b>8.8%</b>

Note: The fiscal 2009 appropriation does not include deficiencies. The fiscal 2010 allowance does not include contingent reductions.

**Fiscal Summary  
Department of the Environment**

<u>Program/Unit</u>	<u>FY08 Actual</u>	<u>FY09 Wrk Approp</u>	<u>FY10 Allowance</u>	<u>Change</u>	<u>FY09 - FY10 % Change</u>
01 Office of the Secretary	\$ 1,787,429	\$ 1,698,730	\$ 1,930,766	\$ 232,036	13.7%
02 Administrative Services Admin.	7,739,492	7,725,918	7,852,688	126,770	1.6%
04 Water Management Administration	32,065,024	33,377,498	38,373,386	4,995,888	15.0%
05 Science Services Administration	12,933,704	13,998,371	14,332,706	334,335	2.4%
06 Waste Management Administration	20,305,858	28,830,928	28,461,799	-369,129	-1.3%
07 Air and Radiation Management Administration	15,209,412	14,339,159	20,080,971	5,741,812	40.0%
10 Coordinating Offices	10,613,898	24,242,273	24,122,270	-120,003	-0.5%
<b>Total Expenditures</b>	<b>\$ 100,654,817</b>	<b>\$ 124,212,877</b>	<b>\$ 135,154,586</b>	<b>\$ 10,941,709</b>	<b>8.8%</b>
General Fund	\$ 37,141,192	\$ 37,950,056	\$ 40,747,089	\$ 2,797,033	7.4%
Special Fund	31,474,915	49,139,333	59,780,754	10,641,421	21.7%
Federal Fund	26,874,962	32,043,732	30,459,711	-1,584,021	-4.9%
<b>Total Appropriations</b>	<b>\$ 95,491,069</b>	<b>\$ 119,133,121</b>	<b>\$ 130,987,554</b>	<b>\$ 11,854,433</b>	<b>10.0%</b>
Reimbursable Fund	\$ 5,163,748	\$ 5,079,756	\$ 4,167,032	-\$ 912,724	-18.0%
<b>Total Funds</b>	<b>\$ 100,654,817</b>	<b>\$ 124,212,877</b>	<b>\$ 135,154,586</b>	<b>\$ 10,941,709</b>	<b>8.8%</b>

Note: The fiscal 2009 appropriation does not include deficiencies. The fiscal 2010 allowance does not include contingent reductions.