

2021 Performance Oversight Pre-Hearing Questions
Department of Energy and Environment

A. ORGANIZATION AND OPERATIONS

1. Please provide a complete, up-to-date **organizational chart** for the agency and each division within the agency, including the names and titles of all senior personnel. Please include an explanation of the roles and responsibilities for each division and subdivision within the agency.
 - Please include a list of the employees (name and title) for each subdivision and the number of vacant, frozen, and filled positions. For vacant positions, please indicate how long the position has been vacant.
 - Please provide a narrative explanation of any changes to the organizational chart made during the previous year.

See attachments I-Q1a and I-Q1b.

2. Please list each **new program** implemented by the agency during FY 2020 and FY 2021, to date. For each initiative please provide:
 - A description of the initiative, including when begun and when completed (or expected to be completed);
 - The funding required to implement the initiative;
 - Any documented results of the initiative.

Transportation Electrification Program

In FY20, DOEE led the development of the Mayor’s Transportation Electrification Program pursuant to the CleanEnergy DC Omnibus Amendment Act of 2018. The Electrification Coalition was selected to help develop the Transportation Electrification Roadmap to transition public fleets to zero emission vehicles and has begun developing a framework. DOEE is forming a stakeholder group, with emphasis on equity and inclusion, and helped improve Pepco’s Transportation Electrification Plan offerings for residential Single-family and multi-family, public, taxi/rideshare, and bus charging & residential EV rates.

Lead Pipe Replacement Assistance Program (LPRAP)

In FY20, DOEE worked with DC Water to establish a Lead Pipe Replacement Assistance Program (LPRAP), to provide financial assistance to income eligible residents who choose to replace the portion of a lead water service line located on their private property, if the portion of the water service line on public property is not a lead water service line. DOEE administers LPRAP pursuant to the Lead Water Service Line Replacement and Disclosure Amendment Act of 2019. LPRAP was fully established in FY20 and DOEE saw significant growth and improvements in the program through each of the four quarters. LPRAP is well poised to continue this level of success in FY21.

Building Energy Performance Standards program (BEPS)

In FY20, DOEE began the process of implementing the Building Energy Performance Standards (BEPS) by convening and soliciting feedback from the Mayor's BEPS Task Force, undertaking the rulemaking process for Title III of the Act, and hiring staff to support the program. DOEE issued the BEPS standards on January 1, 2021, and proposed rules to implement the BEPS program in December 2020. DOEE engaged in a contract with the DC Sustainable Energy Utility (DCSEU) to provide free data verification services and created an educational strategy for new benchmarkers that will be implemented starting in Q1 2021.

Low-Income Decarbonization Pilot Program

The Low-Income Decarbonization Pilot ("LIDP") provided deep energy retrofits and installed solar photovoltaic (PV) systems on single-family homes owned or rented by low-income District residents that utilized natural gas or fuel oil as the primary source of heating and cooling. LIDP was designed and implemented in close coordination with the DCSEU to determine costs, lifecycle energy and greenhouse gas (GHG) savings, and roadblocks encountered when converting natural-gas or oil-fired heating systems to electric heat pumps in single family homes. The LIDP also provided for the installation of energy efficiency measures to reduce energy consumption, and installation of PV systems to offset any increases in household electricity costs. The LIDP was funded by the Sustainable Energy Trust Fund (\$550K) and completed energy retrofits in 10 single-family homes. The DCSEU hired qualified HVAC contractors to install high efficiency mini split heat pumps, LED lights, air sealing, electric stoves, weatherization measures, and smart thermostats. The DCSEU is currently drafting a white paper that will detail the lessons learned and help improve general understanding of the overall costs and other resources needed to implement the LIDP at scale.

Sustainable Energy Infrastructure Capacity Building and Pipeline Program (SEICBP Program)

In Spring 2020, DOEE in coordination with the DCSEU, launched the Sustainable Energy Infrastructure Capacity Building and Pipeline Program (SEICBP Program). The SEICBP Program provides workforce development initiatives for District residents in energy-related fields, and implements a training and certification program to increase the participation and capacity of Certified Business Enterprises (CBEs) and CBE-eligible firms to engage in contracts and procurements related to professional services, energy efficiency and renewable energy design, construction, inspection, and maintenance. The SEICBP Program was designed to offset the challenges impacting the local green workforce including a shortage of skilled workers, lack of understanding of green job pathways and business opportunities, misalignment between District building needs and qualified contractors, and lack of coordination within training and credentialing opportunities. The SEICBP Program was funded by the Sustainable Energy Trust Fund (\$440K) and provided 19 training courses for CBEs and CBE-eligible firms interested in energy efficiency, renewable energy, sustainability, building energy performance standards, and

benchmarking data verification protocols. Staff from 46 different CBEs and 26 Non-CBE firms registered for at least one training course. The overall post-training survey responses about the courses offered and knowledge gained have been overwhelmingly positive.

Transfer of the authority of the Gas Station Advisory Board to DOEE

In FY20, DOEE reestablished the responsibilities of the former Gas Station Advisory Board (GSAB) within DOEE, pursuant to the Gas Station Advisory Board Abolishment Amendment Act of 2018. DOEE reviewed the existing regulations for this program, hired a Program Analyst, established Standard Operating Procedures (SOP), and developed processes to receive and review applications from gas station owners seeking to convert, redevelop, or structurally alter a full-service station. DOEE will leverage this new role to identify opportunities to utilize gas stations as potential resiliency centers and/or EV charging stations. DOEE is working on new draft regulations for the program.

Mold Inspection Program

In FY 2020, DOEE initiated the development of the Mold Program funded by a \$175,000 enhancement from DC Council. DOEE has hired one Mold inspector for the Program, adopted standard operating procedures, and the program has begun virtual inspections and will move into in-person inspections in the coming year.

Anacostia River Mussels Restoration Project:

DOEE issued a \$400,000 grant in July 2019 for an Anacostia River Mussels Restoration project. The project will reintroduce about 35,000 native, freshwater mussels at multiple locations within the Anacostia River. The mussels will be monitored as an indicator of water quality and partners will study the effect mussels have on reducing nutrient and sediment pollution. DOEE, through our grantee, has added over 25,000 freshwater mussels back to the Anacostia River in FY20. Work will continue into FY21. DOEE anticipates exceeding the 35,000 mussel goal and will complete all monitoring and educational activities that were slowed by the COVID-19 work delays.

Office of Urban Agriculture:

In FY2020 the inaugural Director of the Office of Urban Agriculture was hired to lead and start up the program. The Office of Urban Agriculture works to be a national model for urban farming by increasing food production in all eight wards of the District and supporting a more sustainable, equitable, and resilient food system. By boosting urban agriculture on public and private lands, the Office of Urban Agriculture works to improve access to fresh, healthy local foods that improve public health, reduce health-related disparities, reduce the environmental impact of food production, and empower District communities by shaping farms that support local priorities. It will also create educational, small business and green jobs opportunities for District residents.

3. Please provide a complete, up-to-date **position listing** for your agency, ordered by program and activity, and including the following information for each position:

- Title of position;
- Name of employee or statement that the position is vacant, unfunded, or proposed;
- Date employee began in position;
- Salary and fringe benefits (separately), including the specific grade, series, and step of position;
- Job status (continuing/term/temporary/contract);
- Whether the position must be filled to comply with federal or local law.

Please note the date that the information was collected

See attachment I-Q3.

4. Does the agency conduct annual **performance evaluations** of all of its employees, and was this done in FY 2020? Who conducts such evaluations? What are the performance measures by which employees are evaluated? What steps are taken to ensure that all agency employees are meeting individual job requirements? What steps are taken when an employee does not meet individual job requirements?

The agency has an ongoing commitment to encourage employee development, promote fairness, and support the District's strategic goals and objectives. This is accomplished through performance management. Performance management is processed and documented through the "e-Performance" system. For FY 2020, the agency was 100% compliant with a total of 352 total eligible performance evaluations completed.

Performance Management, through the e-Performance system focuses on planning and communicating employee expectations at the beginning of the rating period. Managers/Supervisors discuss with the employee how competencies relate to the employee's job, set S.M.A.R.T (specific, measurable, attainable, realistic, time-related) goals and individual development plans to accomplish performance expectations and development objectives during the performance management period. There are five (5) core competencies for all employees, including accountability, communication, customer service, goal attainment, and job knowledge. There are three additional core competencies for management—they are leadership, management of others, and operational and strategic planning. In collaboration with the employee, the Individual Development Plan (IDP) is a development tool that identifies areas for growth and development. The IDP is for development purposes only and not part of the evaluation at the end of the performance management period. The objectives of IDP is designed to improve the knowledge, skills, and abilities of the employee, focus on areas of ongoing

professional development or address areas of development from preceding review years.

Managers/Supervisors are committed to providing continuous feedback to staff throughout the performance period through one-on-one communications and mid-year progress discussions. Benefits of the e-Performance system include being totally paperless, narrative justification for ratings, rating categories, and flexibility for departments to develop their own job specific competencies. The review period is based on the fiscal year.

A Performance Improvement Plan (PIP) is designed to facilitate constructive discussion between an employee and the immediate supervisor to clarify areas of work performance that must be improved. The PIP provides the employee the opportunity to demonstrate improvement in those areas identified.

A PIP issued to an employee may last for a period of thirty (30) to ninety (90) days and must include the specific performance areas in which the employee is deficient and provide concrete, measurable action steps the employee can take to improve in those areas. At the end of the PIP period, the immediate supervisor issues a written decision to the employee within ten business days as to whether the employee has met or failed to meet the requirements of the PIP. If the employee fails to meet the PIP's requirements, the immediate supervisor can extend the PIP for an additional period (no more than 90 days inclusive of any extension(s)) or reassign, reduce in grade, or remove the employee from the position, subject to collective bargaining agreements and District Personnel Manual.

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

Lynora Hall and Karen Gordon are supporting DHS as Assessment Specialists, providing critical, coordinated, emergency support to people with the greatest needs by working with residents to complete a short screener designed to capture a resident's rental assistance or mortgage relief needs, starting January 4, 2021, for 120 days.

DOEE had several employees supporting the Board of Elections (BOE) to assist with election efforts for two weeks from October 13, 2020 to November 4, 2020, serving as ballot sorters and ballot processors. The employees included: Matthew Gallagher, Steve Saari, Alvin Jones, Alisa Atkinson, Barbara Moore, Robert Kelsey, Lynnetta Gibson, and Tyrone Strong.

6. Please provide the position name, organization unit to which it is assigned, and hourly rate of any **contract workers** in your agency, and the company from which they are contracted.

See attachment I-Q6.

7. Please provide the Committee with:

- A list of all employees who receive cellphones or similar communications devices at agency expense.
 - ◆ Please provide the total cost for mobile communications and devices at the agency for FY 2020 and FY 2021 to date, including equipment and service plans.

See attachment I-Q7a.

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

See attachment I-Q7b.

- A list of employee bonuses or special award pay granted in FY 2020 and FY 2021, to date.

There were no special award or bonus payments in FY20 or FY21, to date.

- A list of travel expenses, arranged by employee.

See attachment I-Q7d1 and I-Q7d2.

- A list of the total overtime and worker's compensation payments paid in FY 2020 and FY 2021, to date.

No worker's compensation payments were made in FY20 or FY21 to date. For overtime payments, see attachment I-Q7e.

8. Please provide a list of each **collective bargaining agreement** that is currently in effect for agency employees.

- Please include the bargaining unit (name and local number), the duration of each agreement, and the number of employees covered.
- Please provide, for each union, the union leader's name, title, and his or her contact information, including e-mail, phone, and address if available.
- Please note if the agency is currently in bargaining and its anticipated completion date.

AFGE Local 2725

Miranda Gillis, President, mgillis@AFGE2725.com 202-442-7136

185 employees covered

Union agreement effective through September 20, 1990

AFGE Local 631

Barbara Milton, President, barbara.milton@dcwater.com 202-236-0500

63 employees covered

Union agreement effective through September 30, 2017

AFGE Local 2978

Carroll Ward, President, carroll.ward@dc.gov 240-893-8349

9 employees covered

Union agreement effective through September 30, 2017

AFGE Local 1403

Bob Deberadinis, President, Robert.deberadinis@dc.gov 202-724-6642

8 employees covered

Union agreement effective through September 30, 2020

AFSCME Local 2401

Wayne Enoch, President, Enoch2401@gmail.com 202-570-3136

1 employee covered

Union agreement effective through September 30, 2017

9. Please identify all **electronic databases** maintained by your agency, including the following:
- A detailed description of the information tracked within each system;
 - The age of the system and any discussion of substantial upgrades that have been made or are planned to the system;
 - Whether the public can be granted access to all or part of each system.

See attachment I-Q9.

10. Please describe the agency's procedures for investigating allegations of **sexual harassment** or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY 2020 and FY 2021, to date, and whether and how those allegations were resolved.

Allegations of sexual harassment or misconduct committed by or against employees of DOEE are handled in accordance with the procedures established in Mayor's Order 2017-313, "Sexual Harassment Policy, Guidance and Procedures." The complaints are investigated by Sexual Harassment Officers designated by the Department. The investigations must be done within 60 days of the report of the complaint. A notification of findings of fact and conclusions in the investigation report are provided to the complainant(s) and the alleged harasser(s). Violations are acted upon by the Director in accordance with the provisions of the Mayor's Order and the Personnel Manual.

Sexual Harassment Officers (SHOs) meet with the complainant and acknowledge the complaint. SHO's also notify witnesses and the harasser that may be subject to investigation, and alert General Counsel immediately. The SHO then documents the complaint and the investigation takes place, with the harasser being interviewed last. At this point, evidence is gathered, organized and evaluated. Based on the interviews and evidence gathered, a conclusion is reached and a draft investigatory report is given to the General Counsel. The report is then finalized and the parties are notified.

There were no sexual harassment allegations at DOEE in FY 20 or FY 21 to date.

11. For any **boards or commissions** associated with your agency, please provide a chart listing the following for each member:
- The member's name;
 - Confirmation date;
 - Term expiration date;
 - Whether the member is a District resident or not;
 - Attendance at each meeting in FY 2020 and FY 2021, to date.
 - Please also identify any vacancies

See attachment I-Q11.

12. Please list the **task forces and organizations**, including those inside the government such as interagency task forces, of which the agency is a member and any associated membership dues paid.

See attachment I-Q12.

13. What has the agency done in the past year to make the activities of the agency more **transparent** to the public?

DOEE took steps over the past year to ensure that a many of its public meetings as possible could take place virtually, despite the difficulties posed by the public health emergency. For example, we have continued our Quarterly Environmental Stakeholder Meetings, converting them into to virtual events at which participants can ask DOEE staff questions directly or through the chat function of the software. In some cases, we've seen participation improve.

14. How does the agency solicit **feedback** from customers? Please describe.
- What is the nature of comments received? Please describe.
 - How has the agency changed its practices as a result of such feedback?

The agency solicits feedback through social media, notices of public comment, and open houses. DOEE receives public comments on draft regulations and reports from

environmental advocates, business owners, and residents, and incorporates the feedback into its final documents and operating procedures.

15. What has the agency done to reduce agency **energy use** in FY 2020? Did the agency’s energy use increase or decrease in FY 2020? Please identify how much energy use increased or decreased in terms of kWh and therms, and what percentage increase/decrease that is compared to FY 2017.

DOEE’s consumption of electricity at 1200 First St NE decreased from 976,023 kWh in FY2019 to 828,128 kWh in FY 2020. The total change of 147,895 kWh represents a 15% decrease in electricity consumption from FY2019 to FY2020. DOEE anecdotally attributes this to the mandated telework policy due to the public health emergency. Prior to COVID-19 and through the teleworking process, DOEE continued adjusting lighting to use less energy in workspaces and common areas. Using natural day light has been beneficial; we worked with building management to ensure that lighting being used is energy efficient.

There is no natural gas consumption in the DOEE space at 1200 First St NE.

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

Number of Employees Hired in FY 2020 and FY 2021, to date

<i>Position Type</i>	<i>Total Number</i>	<i>Number who are District Residents</i>
Continuing	FY20: 4; FY21: 3	FY20: 3; FY21: 1
Term	FY20: 34; FY21: 1	FY20: 17; FY21: 1
Temporary	FY20: 14; FY21: 5	FY20: 9; FY21: 0
Contract		

17. Please provide the agency’s FY 2020 Performance Accountability Report.

See attachment I-Q17.

B. BUDGET AND FINANCE

18. Please provide a chart showing the agency’s **approved budget and actual spending**, by division, for FY 2020 and FY 2021, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures for each program and activity code.

See attachments I-Q18a and I-Q18b.

19. Please list any **reprogrammings**, in, out, or within, related to FY 2020 or FY 2021 funds. For each reprogramming, please list:

- The reprogramming number;
- The total amount of the reprogramming and the funding source (i.e., local, federal, SPR);
- The sending or receiving agency name, if applicable;
- The original purposes for which the funds were dedicated;
- The reprogrammed use of funds.
- The Mayor is currently planning a reprogramming of FY 2021 funds; what funds, if any, will come from DOEE or DOEE projects?

See attachment I-Q19.

20. Please provide a complete accounting for all **intra-District transfers** received by or transferred from the agency during FY 2020 and FY 2021, to date, including:

- Buyer agency and Seller agency;
- The program and activity codes and names in the sending and receiving agencies' budgets;
- Funding source (i.e. local, federal, SPR);
- Description of MOU services;
- Total MOU amount, including any modifications;
- The date funds were transferred to the receiving agency.

See attachment I-Q20.

21. Please provide a list of all **MOUs** in place during FY 2020 and FY 2021, to date, that are not listed in response to the question above.

See attachment I-Q21.

22. Please identify any **special purpose revenue accounts** maintained by, used by, or available for use by your agency during FY 2020 and FY 2021, to date. For each account, please list the following:

- The revenue source name and code;
- The source of funding;
- A description of the program that generates the funds;
- The amount of funds generated by each source or program in FY 2020 and FY 2021, to date;
- Expenditures of funds, including the purpose of each expenditure, for FY 2020 and FY 2021, to date.

See attachment I-Q22a.

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

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

See attachment I-Q23.

24. Please provide a complete accounting of all **federal grants** received for FY 2020 and FY 2021, to date, including the amount, the purpose for which the funds were granted, whether those purposes were achieved and, for FY 2020, the amount of any unspent funds that did not carry over.

See attachments I-Q24a and I-Q24b.

25. Please list each contract, procurement, lease, and grant ("**contract**") awarded, entered into, extended and option years exercised, by your agency during FY 2020 and FY 2021, to date. For each contract, please provide the following information, where applicable:

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

See attachment I-Q25.

26. Please provide the details of any **surplus** in the agency's budget for FY 2020, including:

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

See attachment I-Q26.

C. LAWS, AUDITS, AND STUDIES

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

The Department has no underfunded initiatives or legislative requirements to report at this time.

28. Please identify any statutory or regulatory **impediments** to your agency's operations or mission.

The Department has no statutory or regulatory impediments to report at this time.

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

See attachment I-Q29.

30. Please explain the impact on your agency of any **federal legislation or regulations** adopted during FY 2020 that significantly affect agency operations or resources.

The CARES Act increased DOEE's LIHEAP funding from the U.S. Department of Health and Human Services by \$2.7 million. These funds are being used to provide assistance with utility bills, emergency HVAC services, and energy-efficiency services for low-income households.

In June 2020, the EPA rolled back regulations requiring permits and mitigation for impacts to wetlands, resulting in approximately 60-70% of District wetlands becoming unprotected. As a result, DOEE issued emergency regulations to fill the gap left in federal regulation with a state wetlands permitting program.

31. Please provide a list of all **MOUs** in place during FY 2020.

See attachment I-Q21.

32. Please provide a list of all studies, research papers, and analyses ("**studies**") the agency requested, prepared, or contracted for during FY 2020. Please state the status and purpose of each study.

See attachment I-Q32.

33. Please list and describe any ongoing **investigations**, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY 2020 and FY 2021, to date.

See answer to Question 34.

34. Please identify all **recommendations** identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on what actions have been taken to address these recommendations. If the recommendation has not been implemented, please explain why.

ODCA Audit of the Clean and Affordable Energy Act of 2008

ODCA completed its audit of the Clean and Affordable Energy Act of 2008 on February 27, 2020. The audit report included 12 recommendations with prescribed actions for DOEE and DC Council. DOEE submitted its comments to these recommendations, indicating areas of agreement and disagreement. For the recommendations that listed DOEE as the responsible party, and with which DOEE agreed, DOEE has begun implementation. These include recommendations related to DCSEU (such as prioritizing GHG reductions), and seeking continuous collaboration and coordination with DC Green Bank. DOEE is not pursuing activities for which it disagreed, such as the recommendation related to establishing a zero carbon electricity standard and examining the cost-effectiveness of local solar relative to other mechanisms for reducing carbon emissions. However, DOEE is pursuing other studies related to transportation electrification as mandated in CleanEnergy DC Omnibus Amendment Act of 2018, as well as the Carbon Neutrality Strategy. DOEE will pursue other recommendations as they become applicable, such as working to appoint knowledgeable and committed SEU Advisory Board members and seeking opportunities to incentive green leases.

OIG Audit of the DCSEU Contract

OIG completed its evaluation of the DCSEU contract on September 12, 2018, and the evaluation report identified 9 recommendations. DOEE implemented all the recommendations and has taken appropriate actions in response to OIG's evaluation report, as seen in DOEE's most recent status update to OIG, dated September 17, 2019.

OIG Audit of Anacostia River Programs:

The DC Office of the Inspector General completed the audit of DOEE programs to restore the Anacostia River, as described in the report "Anacostia 2032: Plan for a Fishable and Swimmable Anacostia River." The audit report titled "Department of Energy and Environment and DC Water and Sewer Authority, The District has Made Progress Restoring the Anacostia River" was published on September 18, 2020.

DOEE sent a response broadly agreeing with the general focus of the report. The audit report recommendations and DOEE's response are: 1. Develop an alternative plan to address combined sewer overflows not captured by the Anacostia River tunnels. DOEE did not agree with this recommendation due to cost and financial burden to rate payers. 2. Develop procedures to track suitability for contact

recreation and advise the public when and where the Anacostia River is safe to swim. Completed: swimming ban, with an exceptions process; weekly sampling and analysis of water; citizen science program; and posting of data and installation of warning lights. 3. Develop a plan to identify and address legacy toxins. Completed: Anacostia Sediment Project. 4. Adopt a management strategy to implement the remediation plan that addresses the riverbed sediment pollutants. Ongoing: Anacostia Sediment Project. 5. Establish specific performance goals for planting trees, installing green roofs, and retrofitting impervious surfaces. DOEE does not agree with recommendation. Metrics for these goals would reduce flexibility to meet water quality goals cost-effectively. Current implementation has also been deemed appropriate by EPA under the MS4 Permit. 6. Develop a plan or adopt the 2008 Plan to serve as a guide to achieve the goal of a fishable and swimmable Anacostia River by 2032 or a revised estimated milestone date. Ongoing: updated milestone will be based on findings from Anacostia Sediment Project, interjurisdictional cooperation, and other ongoing efforts. 7. Develop and implement an environmental management system. DOEE disagrees that an Environmental Management System (EMS) is the best approach. The complexity of creating such an EMS would divert resources from project implementation. 8. Collectively report all activities to restore the Anacostia River to a fishable and swimmable state, at least annually. Ongoing: DOEE agreed to create an online “portal” which will organize and present documents and information relevant to water quality, stormwater management, and sediment remediation.

USFWS Compliance Review

The Fisheries and Wildlife Division completed a U.S. Fish and Wildlife Service desk compliance review, the purpose of which was to ensure that DOEE, a recipient of federal assistance from the Service, was in compliance with Title VI of the Civil Rights Act of 1964. All recommendations have been implemented.

Recommendations included: 1. Develop a process to collect and track race and gender statistics of students who participate in educational activities and other programs sponsored by your Agency. – Complete 2. Create a complaints log to ensure complaints filed by the public are processed. At a minimum, a complaints log must include the name of the complainant, date complaint was received, basis of complaint, contact information for the complainant, issues, disposition, and completion date. - Complete

Additionally, as a result of a FY 2019 Fisheries and Wildlife Division audit, the US Department of the Interior Office of the Inspector General recommended that DOEE 1. Accurately identify, record, and maintain an inventory of all capital, realty, and inventory items purchased with USFWS grant funds - In Progress. 2. Create a supplemental inventory list that reconciles to the official FAS inventory when the Department conducts the biannual physical count and note any exceptions, such as realty affixed to leased buildings - In Progress. 3) Affix property tags to all capital assets - In Progress.

EPA Non-point Source Grant Monitoring Review

EPA Non-point Source Grant. EPA completed an advanced monitoring review for the DC DOEE Non-point Source 2018 Grant. There were no findings and corrective actions were required.

Federal Emergency Management Reviews

FEMA completed a level one desk review for DOEE's financial management of the Community Assistance Program - State Support Services Element, and Cooperating Technical Partners grants between September and December 2020. FEMA found no areas of concern that would result in a finding or recommendation.

FEMA completed a Community Assistance Visit (CAV) in March 2016. The CAV Report was issued in December 2016 and the Final Close-Out Report was issued March 2019. Corrective Actions noted:

1. Ordinance Update - Appendix G of the 2017 DC Construction Codes updated May 2020; Flood Hazard Rules (Title 20 Chapter 31 DCMR) - update in progress; Stakeholder meetings and District agency coordination held in 2020; Additional stakeholder working groups planned for Spring 2021.
2. Provide Compliance Documentation - Complete
3. Mitigate Violations - Complete
4. Collect As-Built Documentation - Process updates with DCRA in progress
5. Develop Administrative Process to review all development projects in the floodplain - Process updates in progress in coordination with DCRA

FEMA conducted a National Flood Insurance Program (NFIP) State Assessment in 2019-2020 to ensure compliance with minimum NFIP standards and the administration of existing floodplain management programs. The Summary of Findings was provided October 28, 2020 and identified one gap: Updating and adopting floodplain management regulations to incorporate all the minimum standards for participation in the NFIP. Status: Floodplain management regulations draft and stakeholder outreach in process; Draft Rules planned for Fall 2021.

ODCA Audit of Lead Safe and Healthy Housing Division

On November 18, 2020, the DC Auditor completed their audit of Lead Safe and Healthy Housing Division's Lead Compliance and Enforcement Branch and issued their final report titled, "More Urgency Needed to Fix Lead-Based Paint Hazards." Recommendations included:

- DOEE should continue to advocate for the D.C. Council to expand the definition of "owner" to include the District government and its independent agencies like DCHA within its enforcement powers. This is under review with the Council.

- CEB, the Office of the General Counsel, and OEEJ should jointly examine the enforcement process to see where time can be saved, steps eliminated, and update internal procedures accordingly. The Lead Compliance and Enforcement Branch (CEB) has now specified time frames for processing of enforcement notices by the Branch in applicable SOPs. DOEE is also considering eliminating the enforcement notice step for lead violations, and OEEJ is implementing a new system to track enforcement notices received for issuances.
- DOEE should establish deadlines for each step and team involved in the enforcement process and add an indicator to the PAR that gives information on the percentage of cases in which lead hazards are remediated in a given amount of time. DOEE acknowledges the recommendation and it is under consideration, as it involves modifying program and agency-wide QuickBase databases.
- CEB should develop a formal policy to regulate the issuance of follow up letters. On June 13, 2019, the CEB discontinued the issuance of follow up letters in the manner described in the draft audit report and started issuing them less frequently. The CEB has also now specifies circumstances and time frames for issuance of follow up letters by the Branch in applicable SOPs.
- CEB should enforce deadlines for requesting extensions as required by the 20 DCMR 3318.9. The CEB has now specified criteria for granting deadline extension requests in applicable SOPs, which addresses the timeliness of the request.
- DOEE should use additional authority granted in the law to include remediating lead hazards and issuing a lien on the owner's property, denying rental permits to owners to ensure lead hazard are remediated, issuing multiday fines, and collaborating with other agencies as needed to use this authority. DOEE's has taken this under consideration.
- OEEJ should include language when issuing an Enforcement Notice or a Notice of Infraction to remind owners that lead hazards need to be remediated and a clearance report submitted to DOEE in addition to paying the fine. DOEE is concerned about the timeliness of compliance with administrative orders issued for lead remediation. Language can be added to the "Inspector Comment" section of Enforcement Notices and Notices of Infraction reminding owners that lead hazards need to be remediated and a clearance report submitted in addition to paying the fine. DOEE is also considering other steps that can be taken that may help ensure compliance with Administrative Orders, including withholding fine reduction offers until compliance is verified.

35. Please list any **reporting** requirements required by Council legislation and whether the agency has met these requirements.

The agency has submitted the below reports to the Council as required by legislation:

- CAEA Annual and Quarterly Reports
- Electronic Waste Annual and 3-Year Reports
- Childhood Lead Screening Report
- Solar for All Annual Report
- Green Building Report

36. Please list all pending **lawsuits** that name the agency as a party, and provide the case name, court where claim was filed, case docket number, and a brief description of the case.

Kimberly-Clark Corp. v. District of Columbia et al., Case 1:17-cv-01901-JEB, U.S. District Court for the District of Columbia (complaint filed Sept. 15, 2017). Kimberly-Clark Corp. (KCC) sued the District, DC Water, and the Mayor, the Attorney General, and DOEE Director Wells in their official capacities seeking injunctive and declaratory relief to prevent the enforcement of the Nonwoven Disposable Products Act of 2016, which became law on March 11, 2017, and became enforceable on January 1, 2018. KCC alleged the Act violated the Commerce Clause, the First Amendment, and the Fifth Amendment of the U.S. Constitution. On Dec. 22, 2017, the Court granted KCC motion for a preliminary injunction, finding that the Act “likely treads impermissibly on Plaintiff’s First Amendment rights.” The injunction only bars enforcement of the Act as to Kimberly-Clark’s “flushable” wipes. The Court will reassess whether an injunction remains necessary once DOEE regulations implementing the Act become final. It also has left open the issues associated with the Commerce Clause and Fifth Amendment, basing the preliminary injunction solely on the First Amendment issue.

37. Please list all **settlements** entered into by the agency or by the District on behalf of the agency in FY 2020 or FY 2021, to date, including any covered by D.C. Code § 2-402(a)(3), and provide the parties’ names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

See attachment I-Q37.

38. Please list any **administrative complaints or grievances** that the agency received in FY 2020 and FY 2021, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY 2020 or FY 2021, to date, describe the resolution.

[Redacted] v. DOEE – Complaint made to Office of Employee Appeals for action taken by DOEE to put employee on enforced leave – case withdrawn.

[Redacted] v. District of Columbia Government - DOEE – MSS employee terminated at will filed complaint with District OHR alleging disparate treatment and discrimination because she was fired after she had informed her supervisor that she was pregnant. Case went to mandatory mediation where DOEE disagreed with allegations. No further action has been taken at this time.

[Redacted] v. DOEE –Employee alleged she had been discriminated against because of her sex and retaliated against for engaging in protected activity based on the fact that her term was not extended. Complainant alleged she had been harassed by a male co-worker and her work environment worsened after she reported harassment to her supervisor. Parties engaged in EEOC mediation and settled. Settlement was a \$10,000 payment to Complainant and a neutral employment referral.

Local Unions 2725, 631, and 2978 requested to bargain over the coronavirus in the workplace and changes made by the agencies related to the coronavirus. The Office Labor Relations and Collecting Bargaining is currently handling the bargaining negotiations. DOEE implemented a full-time telework policy for agency staff. Also, DOEE continues to provide regularly updates to union officials of their members that tested positive for Covid-19 during the health emergency.

2021 Performance Oversight Pre-Hearing Questions – Part II
Department of Energy and Environment

Safe and Healthy Housing

1. How many environmental complaints did DOEE receive from the public in FY 2020? Please break these down by topic, including air quality (broken into asbestos, indoor mold, engine idling, major sources, minor sources, odor, and other); illegal discharges into District stormwater sewers or waterways; illegal pesticide and fertilizer application; improper e-waste disposal, bag bill violations; coal tar ban violations; violations of the ban on polystyrene foam and the requirement to use compostable or recyclable food service ware; lead paint violations; lead-safe work practices; and any other categories in which the agency receives complaints.
 - Please identify how many complaints in each category resulted in a written warning, notice of violation, or notice of infraction from DOEE.
 - Please also identify how many proactive inspections DOEE did in each category, and how many resulted in a written warning, notice of violation, or notice of infraction from DOEE.

See attachment II-Q1.

2. Please provide the Committee with the compliance rate under the Pesticide Education and Control Amendment Act of 2016, and a short analysis of the results from the annual reports pesticide applicators as required to submit to DOEE by §8 of the law.

The Pesticides' Program IPM team continues to review and approve all IPM Plans. We received 15 IPM Plans for review and approval this FY. COVID-19 drastically reduced the number of plans and stalled outreach events. As a result, we received fewer IPM plans and outreach opportunities. We continue to reach out to facilities that have not submitted IPM plans and facilitate virtual outreach demonstrations.

Each year, on or before February 1, operators are required to submit the amounts of pesticide products applied for the prior year. Operators are required to report EPA Number, Amount, Measurement (lbs, oz, gallons, etc.), and form of pesticide applied during the calendar year 2017. Failure to report by February 1, 2020 may result in a fine of \$1,000. Due to COVID-19, we allowed extensions to 63 operators that were not in compliance. We have since sent further communication and operators who do not respond will be sent an enforcement notice with the \$1,000 fine.

3. During the Council's review of the FY 2020 budget, DOEE noted that the agency was forced to reverse plans to expand the agency's work on mold inspection and remediation.

- Does DOEE still plan to expand its mold inspection and remediation work? If so, when does the agency anticipate it might begin looking into doing so—once funding permits, or a later date?

Currently DOEE is implementing the mold inspection program based on available resources. The Mold Inspection Program plans to restart in-person inspections by March 1, 2021. DOEE will assess complaints, following the program’s standard operating procedures and ensure remediators are in compliance. The program will also continue to focus on its mandate of certification and licensing of mold remediators and inspectors.

- How many mold inspectors did DOEE have on staff in FY 2020 and FY 2021, to date? How did they conduct mold inspections during the public health emergency?

One (1) Mold Inspector to date in FY 2020 and FY 2021; During the Public Health Emergency, mold inspections were conducted virtually.

4. How many inspectors does DOEE currently have on its staff who conduct lead-based paint inspections or clearance examinations in rental housing?

DOEE has six (6) inspectors who conduct lead risk assessments and clearance examinations. DOEE inspectors do not conduct lead-based paint inspections.

- How did it conduct these inspections during the public health emergency?

During FY 2020, DOEE conducted seven (7) virtual assessments using FaceTime and Google Duo in lieu of lead risk assessments. Some of the assessments were a hybrid of interior virtual assessment and in-person exterior visual assessments and sampling. There were six (6) virtual assessments conducted at rental housing. An in-person lead risk assessment was conducted at a vacant unit. A clearance examination was conducted in-person. During both visits, the property owners remained away from the inspectors in order to adhere to all safety and sanitation protocols. A complete clearance examination cannot be conducted virtually due to the risk of not visually assessing the property accurately and sampling requirements. During FY 2021, DOEE has conducted five (5) virtual assessments so far. Some owners or tenants hired a DC certified consultant company to perform the in-person assessments. Later, the reports were submitted to DOEE for review. DOEE worked with the property owner providing compliance assistance and, if needed, enforcement actions were issued for failure to remediate the identified lead-based paint hazard(s) and any other violation(s).

SEU & Special Purpose Revenue Funds Oversight

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

- How did DOEE work with the SEU achieve its statutory goals in FY 2020? Please identify and describe any programs that DOEE implements in coordination with the SEU.

DOEE Oversight of DCSEU Contract: DOEE provided advice, strategic guidance and technical assistance to help the DCSEU achieve its statutory goals and contract deliverables in FY 2020. DOEE held weekly meetings with DCSEU senior managers and subject matter experts to review and discuss new and existing program designs; performance metrics; opportunities for collaboration and leveraging of available resources; and strategic implementation approaches to ensure successful launch of new programs and/or initiatives.

In FY 2020, DOEE provided \$550,000 for the DCSEU to implement a Low-Income Decarbonization Pilot Program ("LIDP") that provided deep energy retrofits and installed solar photovoltaic (PV) systems on single-family homes owned or rented by low-income District residents that utilized natural gas or fuel oil as the primary source of heating and cooling. LIDP was designed and implemented in close coordination with the DCSEU to determine costs, lifecycle energy and GHG savings, and roadblocks encountered when converting natural-gas or oil-fired heating systems to electric heat pumps in single family homes. The LIDP also provided for the installation of energy efficiency measures to reduce energy consumption, and installation of solar photovoltaic (PV) systems to offset any increases in household electricity costs. The LIDP completed energy retrofits in 10 single-family homes. The DCSEU hired qualified HVAC contractors to install high efficiency mini split heat pumps, LED lights, air sealing, electric stoves, weatherization measures, and smart thermostats. The DCSEU is currently drafting a white paper that will detail the lessons learned and help improve general understanding of the overall costs and other resources needed to implement the LIDP at scale.

DOEE also coordinated with the DCSEU to launch the Sustainable Energy Infrastructure Capacity Building and Pipeline Program (SEICBP Program) to provide workforce development initiatives for District residents in energy-related fields, and implement a training and certification program to increase the participation and capacity of Certified Business Enterprises (CBEs) and CBE-eligible firms to engage in contracts and procurements related to professional services, energy efficiency and renewable energy design, construction, inspection, and maintenance. The SEICBP Program was designed to offset the challenges impacting the local green workforce including a shortage of skilled workers, lack of understanding of green job pathways and business opportunities, misalignment between District building needs and qualified contractors, and lack of coordination within training and credentialing opportunities. The SEICBP Program was funded

by the Sustainable Energy Trust Fund (\$440K) and provided 19 training courses for CBEs and CBE-eligible firms interested in energy efficiency, renewable energy, sustainability, building energy performance standards, and benchmarking data verification protocols. Staff from 46 different CBEs and 26 Non-CBE firms registered for at least one training course. The overall post-training survey responses about the courses offered and the knowledge gained have been overwhelmingly positive.

- Please identify whether the SEU met its benchmark minimums and maximums in FY 2020. For any minimum benchmarks not met, please identify any barriers to the achievement and ways DOEE can help address those issues.

Attachment II-Q5b shows the DCSEU's reported FY 2020 achievements against established minimum and maximum performance benchmark targets. The DCSEU exceeded the minimum performance targets for all benchmarks and exceeded the maximum performance targets for 4 of the 5 benchmarks. DOEE has commissioned an independent review and evaluation of the DCSEU's reported FY 2020 results and will publish the final draft of the report on DOEE's webpage once completed.

- What, if any, effect did the public health emergency have on the SEU's ability to meet its statutory goals in FY 2020 and FY 2021, to date

The public health emergency limited the DCSEU's ability to fully achieve the maximum energy savings performance target for the Low-income benchmark. In several instances, DCSEU subcontractors were unable to enter multi-family buildings to complete pre- and post-installation assessments/inspections and install recommended energy savings measures.

6. Please outline the results of the Solar for All program in FY 2020 and FY 2021, including:
 - The amount of renewable energy development fund dollars spent on each project;
 - A list of the agencies or organizations receiving such funds, whether each organization is a nonprofit or a CBE, and whether the funds were issued through a contract, grant, or other funding mechanism.

In FY 2020, the Solar for All program installed 11.01 MW of new solar generation, providing the benefits of solar to 3,103 low-and-moderate-income District households. Thus far in FY 2021, the Solar for All program has completed an additional 6 MW of solar, benefitting approximately 1,683 District residents. By the end of FY 2021, DOEE expects the Solar for All program to produce an additional 10.5 MW of solar, serving roughly 3,000 LMI households. DOEE has one project under the current phase of Solar for All – a \$10 million contract with the DCSEU.

Solar for All Program funding allocations

For FY 2020:

MOU – Department of General Services - \$4,761,517.23
MOU – DC Public Library - \$ 558,202.93
Grant – Pendragwn Productions LLC (CBE) - \$25,000
Grant – Groudswell Inc. (Nonprofit) - \$319,433
Grant – University of the District of Columbia - \$885,535
Contract – DC Sustainable Energy Utility (Nonprofit) - \$10,000,000
Contract – Toucan Printing (CBE) - \$9,776.33
Contract – The Coles Group (CBE) - \$85,470.24
Contract – Tetra Tech - \$255,537.80
Contract – Urban Energy Advisors - \$35,000
Contract – Urban One Inc. - \$40,000
Contract – Howard University (WHUR) - \$10,000
Contract – Entercomm communications - \$10,000
Contract – Apprise Inc. - \$16,000

For FY 2021:

Contract – DCSEU (Nonprofit) - \$10,000,000
Contract – Tetra Tech - \$35,178.19
Grant – Groundswell (Nonprofit)- \$34,078
Contract – USPS - \$10,000

7. Please describe all other expenditures from the Renewable Energy Development Fund in FY 2020 and FY 2021, to date. Please describe how those expenditures differed from planned expenditures, if at all, due to the public health emergency.

FY2020: No significant differences in expenditures due to PHE

Contract - Cadmus Group – Carbon Neutrality Study - \$64,122.50
Grant – Integral Group – Climate Ready DC Study - \$30,000
Grant – Institute for Market Transformation – Green Building Hub - \$150,000
Contract – Synapse Energy Economics – PSC case consulting - \$89,940
Contract – Computer Aid Inc – software services - \$2,472
Contract – JAI – software services - \$115,681
Grant – Grid Alternatives – Solar Works DC - \$882,448.28
Contract – American Business Supply – office materials - \$5,000
Contract – Harcourt Brown & Carey – PSC case consulting - \$50,000
Grant – Advanced Energy Group – membership - \$5,000
Contract – USPS – mailing - \$12,000
Contract – XEROX – copying - \$13,706.04
Contract - Clean Energy States Alliance – membership - \$10,000
Contract – Mapdwell – membership - \$9,235

Contract – Dell – computers - \$5,391.81
Contract – Solar Foundation – future of solar study - \$4,967.77
Contract – Sydar of DC LLC – PSC case consulting - \$10,728
Contract – Eighty2Degrees – CEDC plan annual report - \$7,700
Contract – Center for Renewables Integration – PSC case consulting – \$14,543

FY21: Thus far, no difference in expenditures due to PHE

Grant - Electrification Coalition – Transportation Electrification Roadmap per CEDC Act – \$215,388.72
Contract - BeyondTrust Corporation – privileged access management - \$1,334
Grant - Institute for Market Reform – the Green Building Hub - \$100,000
Contract - Clean Energy States Alliance – membership - \$10,000
Contract - Cadmus Group – Carbon Neutrality Study - \$29,539.44
Grant - GridAlternatives Mid Atlantic – SolarWorks DC - \$950,000
Contract – Synapse Energy Economics – PSC case consulting - \$59,780
Grant – ACEEE – membership - \$19,712
Contract – XEROX – copying - \$3,229.88
Contract – Dell – computers - \$4,137.93
Contract – Avid Systems – consulting - \$1,325

8. Please describe all expenditures from the Sustainable Energy Trust Fund in FY 2020 and FY 2021, to date. Please describe how those expenditures differed from planned expenditures, if at all, due to the public health emergency.

See attachments II-Q8a and II-Q8b.

9. Please describe all expenditures from the Stormwater Permit Review Fund in FY 2020 and FY 2021, to date. Please describe how those expenditures differed from planned expenditures, if at all, due to the public health emergency.

The Stormwater Permit Review Fund (Fund 654) is utilized to fulfill the requirements of the District’s Municipal Separate Storm Sewer System (MS4) Permit. The MS4 Permit is issued by the federal Environmental Protection Agency and includes numerous functions and metrics that must be achieved during the five-year permit term. Examples of these requirements include: retrofitting 1,038 acres of impervious surfaces with stormwater management practices that capture stormwater runoff, planting over 6,075 trees per year, installing over 350,000 square feet of green roofs, sweeping more than 8,000 miles of roads, preventing 108,347 pounds of trash from entering the Anacostia River each year, and numerous administrative and technical functions.

In FY20, approximately \$12 Million was utilized to pay for personnel expenses for staff whose responsibilities address MS4 Permit requirements and to issue

contracts, grants, and interagency MOUs for projects that meet MS4 Permit requirements. Finally, the fund is also used as matching funds for federal grants to implement stormwater management projects.

The FY20 expenditures were approximately \$5 million less than planned largely due to contracts and grants procurements and activities being delayed as well as spending freezes related to the public health emergency that prevented DOEE from filling some vacant positions. These efforts and expenditures will be revisited in future fiscal years to ensure all current MS4 Permit obligations are met during the current permit term that ends in 2023.

To date in FY21, no such differences from planned expenditures have occurred.

Green Infrastructure

10. How many PACE projects were completed in FY 2020 and FY 2021, to date? Are any PACE projects still in the pipeline, prior to the program’s transfer to the Green Bank?

In FY20, DC PACE closed 5 projects for a total of \$3.2M in financing and has closed 3 projects to date in FY21 with a total of \$3.7M in financing. There are still a number of projects in the pipeline and DOEE is working closely with the DC Green Bank to ensure a seamless transition as it prepares to take responsibility for the program.

11. Please provide a list of all of the Sustainable DC Innovation Challenge projects, the amount of funding allocated to each, and their status and results.

See attachment II-Q11.

12. The Sustainable DC Plan includes a goal of using 75% of the District’s landscape to capture rainwater through the increased use of green roofs and green infrastructure. Please provide a chart indicating the amount of land capturing rainwater in FY 2019, FY 2020, and FY 2021, to date, broken down by permeable surface and stormwater best management practices.

Year	Permeable surface	Impervious area managed w/ GI	Combined	Total District Area	Percent Managed
FY19 *	951,520,682	47,479,800	999,000,482	1,707,897,957	58.5%
FY20 *	951,520,682	51,778,758	1,003,299,440	1,707,897,957	58.7%
FY21 (to-date)	951,520,682	53,870,585	1,005,391,267	1,707,897,957	58.9%

*Numbers highlighted in red indicate that the number has changed from past responses. These changes are due to new installations, continued data validation, and the continued

migration of data to the Surface and Ground Water System (SGS), formerly known as the Stormwater Database. One significant source of change has been the migration of historical RiverSmart Homes data into the Stormwater Database.

- Please provide the number of home audits completed in the RiverSmart Homes program for FY 2020 broken down by Ward.

Ward 1: 46

Ward 2: 7

Ward 3: 120

Ward 4: 192

Ward 5: 219

Ward 6: 114

Ward 7: 143

Ward 8: 50

Total = 891

Please note that audits were down significantly from FY19 due to COVID.

- DOEE uses a database to track and account for installation of stormwater management practices in the District. Based on the data, by how many square feet did the amount of landscape treated with BMPs increase in FY 2020, broken down by watershed? How does that compare to FY 2019?

In FY20, DOEE approved 208 Stormwater Management Plans under the District's Stormwater Rule, which will result in 5.77 million square feet (ft²) draining to green infrastructure practices:

- 4,216,566 ft² in the Anacostia watershed
- 2,234,136 ft² in the Potomac watershed
- 1,322,114 ft² in the Rock Creek watershed

In FY19, DOEE approved 195 Stormwater Management Plans under the District's Stormwater Rule, which will result in 8.0 million square feet (ft²) draining to green infrastructure practices:

- 3,739,491 ft² in the Anacostia watershed
- 1,184,716 ft² in the Potomac watershed
- 3,084,493 ft² in the Rock Creek watershed

- Please provide an update on the implementation of DOEE's stormwater retention credit trading system. How many properties listed credits and how many trades occurred in FY 2020?

The Stormwater Retention Credit (SRC) Trading Program has successfully encouraged properties to install and maintain green infrastructure (GI) voluntarily. In FY20, the category "High-Impact SRC's" was introduced to include voluntarily-

installed GI in the MS4 which provides the highest water quality benefits and enables private financing to fund stormwater management retrofits.

FY20 Summary:

- SRC Certified: 441,503 (1 SRC = 1 gal retained/year)
- Certified in MS4 Area: 46%, CSS Area: 54%
- By Watershed: Anacostia: 81%, Potomac: 16%, Rock Creek: 3%
- Properties listing credits for sale: 16
- Total credits for sale: > 1 million
- SRC Trades Approved: 44
- Total SRC sold or transferred: 617,879
- SRC traded from GI in the MS4: 75%
- High-Impact SRC's traded (MS4 voluntary project): 32%

13. How many trees were planted in the District through DOEE programs in FY 2019, FY 2020 and FY 2021, to date? Please break this down by program and by trees planted on private land vs. public land.

Through FY19 & FY20 approximately 64% of DOEE-funded tree planting was on private lands while 36% was on public lands.

	FY19	FY20	FY21*
			*1st Quarter
DOEE-funded Trees			
RiverSmart Homes (+RiverSmart Communities)	1,207	704	427
Tree Rebate Program	238	339	82
Stream Restoration	389	50	124
Large Parcel Planting Grant (Casey Trees)	2,432	1859	380
Subtotal	4,266	2,952	1,013
DOEE-Regulated Trees			
Stormwater Management Plan (SWMP) Trees (including SRC)	995	510	486
Other Partners Additional Trees			
Casey Trees Tree Plantings (including TFGT + NCBF)	457	358	
Pepco Tree Planting Programs	155	274	
National Park Service Planting	554	118	

GSA	188	206	
Other Programs (including ECC)	7	0	
Subtotal	1,361	956	
DDOT-UFD Trees			
UFD Street Tree Planting	9,070	8556	
Total Trees Planted	15,692	12,974	

14. How many District parks and schools have tree planting plans to date? What percentage is that of the total number of park and school sites?

DOEE has a grant in place with a focus to plant on large public and private parcels, including DCPS and DPR lands. The grantee has a partnership agreement in place with DPR and has continued an aggressive effort to conduct tree inventories on park land. Over a two-and-a-half-year period, 1,169 trees have been planted on DPR parcels, 483 trees on DCPS parcels, 1,303 trees on NPS parcels and 2,566 on large privately-owned parcels.

With the 2016 Tree Canopy Protection Amendment Act, DDOT's Urban Forestry Division was granted additional authority to manage trees, and has been ramping up their activities, including receiving tree inventories from DOEE's grantee, and updating them going forward with new 311 work orders for maintenance, removals and replanting. Through the Urban Forest Advisory Council, DOEE and DDOT are coordinating plantings on all public lands.

As DDOT Urban Forestry Division has been given authority over the planting and maintenance of trees on schools and parks, this question may be better directed to them in the future.

15. Please provide an update on implementation of the Green Yards Recognition Act of 2017. Namely, how many signs have been requested, and how many distributed?

342 Clean Water Starts Here signs were distributed to residents in FY20 to identify their green yards and RiverSmart Homes installations. It is DOEE procedure to install a sign at every new RiverSmart Homes installation unless the customer opts out.

16. Please provide an update on the status of the new Office of Urban Agriculture.

- Please describe the Office’s major accomplishments in FY 2020 and FY 2021, to date.

In this time frame, we have hired a Director of the Office of Urban Agriculture, who joined DOEE in March 2020. Since then, we have released an RFA for urban farm infrastructure, recruited the second OUA staff member, and established regular coordination meetings with urban agriculture staff in other US cities. We have also released a growers’ survey to establish baseline data on urban agriculture in the District, coordinated with USDA to explore the resources available through their newly established Office of Urban Agriculture and Innovative Production, and strengthened our collaboration with UDC to ensure that our respective offerings to DC growers are complementary.

- The Committee secured funding in the FY 2021 budget for an additional FTE in the Office. Has this position been filled?

We anticipate that the position will be filled in February 2021.

- The Committee secured funding for urban agriculture grants in FY 2021. Have those grants been administered? Does the Office believe additional funding should be provided for this purpose in FY 2022?

The RFA for these grants was published in the DC Register on January 22, 2021. We are eager to begin assisting District growers with their infrastructure needs and look forward to reporting back on the results.

- In DOEE’s responses to the Committee’s 2020 performance oversight questions, the agency noted that the manager of the Office would be developing priorities for the office during FY 2020. Please provide an update on that work, and a copy of any priorities document.

The Director of the Office of Urban Agriculture has created a vision and mission statement based on the statute and has developed a set of goals for the initial years of the office. **See attachment II-Q16.**

Water Quality & CRIAC

17. Please provide an update on DOEE’s progress toward completing the Anacostia River Hazardous Material Remediation, including a timeline outlining completion of major milestones that have been met or remain to be met along the way.

On September 30, 2020, DOEE issued the Interim Record of Decision (ROD) for the Anacostia River Sediment Project (ARSP) that specifies the selected interim remedy for the Anacostia River, Washington Channel, and Kingman Lake.

DOEE identified early clean up actions to remediate 11 “hot spots” based on analyzing almost 4,000 environmental samples and conducting companion studies. The hot spots target reductions in PCBs and will reduce other contaminants as well. The resulting Interim ROD focuses on sediment cleanup as follows:

- **Anacostia River and Kingman Lake:** Approximately 50 acres will be remediated by removing (dredging) and covering (capping) contaminated sediment.
- **Washington Channel:** Approximately 27 acres of contaminated sediment will be capped.

In total, an area of approximately 77 acres will be cleaned up at an estimated cost of \$35.5 million, greatly reducing the human health risk from PCBs.

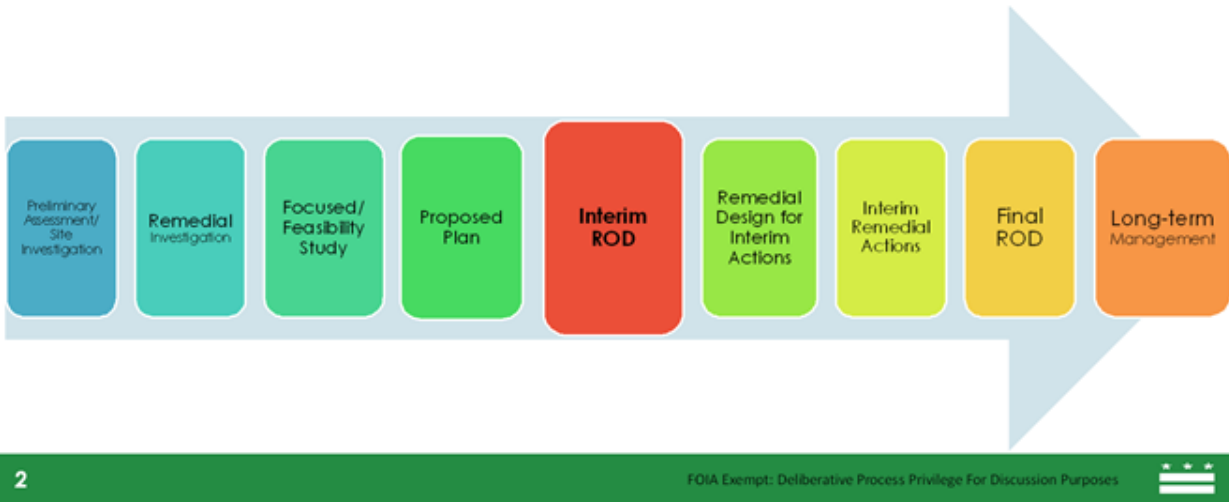
All activities in FY20 supported issuing the ARSP Interim ROD. Notable activities included:

- ARSP Proposed Plan released for public comment (Dec. 27, 2019 - March 2, 2020)
- Four public meetings to describe Propose Plan (January and February 2020)
- ARSP website: <https://www.anacostiasedimentproject.com/>
- Launch of Natural Resource Damage Assessment and Restoration process

Below is a graphic illustrating the milestones we’ve met and the ones that remain ahead of us:

ANACOSTIA RIVER SEDIMENT PROJECT SCHEDULE

Interim ROD: September 30, 2020



- What, if any, effect did the public health emergency have on this remediation work? Did the public health emergency effect funding for the project, or its timeline?

The public health emergency did not significantly affect the ARSP because the Proposed Plan public comment period ended on March 2, 2020. The project team, many whom had been working together since 2015 on the ARSP, then began preparing the Interim ROD, which was well suited to remote work and virtual meetings. The ROD was issued by its legislative deadline of September 30, 2020. A press event was held to announce the ARSP Interim ROD milestone, although it likely would have been a larger public event but for the public health emergency.

18. Please update the Committee on the expenditure of CRIAC relief funds allocated to DOEE in FY 2021.

- How much funding remained in the CRIAC relief special fund at the end of FY 2020?

The CRIAC Residential and Non-profit programs had \$4,489,354 in funding remaining at the end of FY20.

- How much funding does DOEE anticipate will remain in the fund at the end of FY 2021?

At the end of FY21, the CRIAC Residential Relief Program does not anticipate that there will be any remaining funding, and the CRIAC Non-profit Relief Program estimates that \$1.34M in relief funding will be remaining.

19. Please update the Committee on the status and results of the RiverCorps program in FY 2020 and FY 2021, to date.

In FY2020, 14 young people completed the River Corps program. In the face of the COVID-19 pandemic, Corps members participated in a hybrid program model. This model allowed them to engage in workforce training and environmental education course virtually and to participate in hands-on training experience at 12 District streams. Trainees completed project work related to maintenance of low impact development installations, stream photo monitoring, trash clean-ups, and RiverSmart Homes inspections. Trainees also received certification in OSHA-10, First Aid/CPR, EPA watershed management, and erosion and sediment control. Additionally, the grantee provided housing and food assistance to support Corps members adversely impacted COVID-19. The next RiverCorps cohort will start February 2021.

Waste Diversion

20. What are the results of the DOEE's Paint Stewardship Program in FY 2020 and FY 2021, to date? Please list the locations of any retail drop-off locations for paint recycling established through the program.

There are currently eight retail drop-off locations available to DC residents, listed below. Additionally, this year, for a limited time, PaintCare has offered direct door-to-door pickup for households with over 5 gallons of paint for collection. DOEE receives official data from PaintCare, the operator of the District's paint stewardship program on April 1 of each year. However, the unaudited paint numbers from January 1, 2020-December 22, 2020 are as follows: 36,647 gallons of paint were collected; 26,047 gallons of latex paint were recycled, 5,223 gallons of latex paint were no longer in a condition that could be recycled and therefore were landfilled, 5,377 gallons of oil-based paint went to energy recovery.

The locations of the paint drop off sites are:

1. McCormick Paints (Ward 1, 3124 Mount Pleasant St NW)
2. Sherwin-Williams (Ward 1, 2511 14th St NW)
3. Sherwin-Williams (Ward 2, 1805 Wisconsin Ave NW)
4. Sherwin-Williams (Ward 3, 5023 Connecticut Ave NW; Became drop-off site in Mar 2020)
5. Galliher & Huguely (Ward 4, 5925 Blair Rd NW; Closed February 2020)
6. Annie's Ace Hardware (Ward 5, 3405 8th St NE)
7. W S Jenks & Son (Ward 5, 910 Bladensburg Rd NE)

- 8. McCormick Paints (Ward 6, 1442 Pennsylvania Ave SE)
- 9. Sherwin-Williams (Ward 6, 1120 Third St NE 6)

21. How much revenue did the District collect pursuant to the bag fee in FY 2020? How did this amount compare to FY 2019?

In FY2020, the District collected \$2,068,208.73 in bag fees. In FY2019 the District collected \$2,282,879.44. This is nine percent decline year over year.

- Since its implementation in 2010, how has single-use bag usage changed in the District? Is the District still seeing a meaningful, year-to-year reduction in use of single-use bags, or the effect of the law on use of single-use bags leveled off?

The use and distribution of single-use bags in the District cannot specifically be tracked through analysis of Bag Law compliance data. Businesses report total remittances on their Sales and Use tax forms, which are calculated differently based on whether or not they participate in the optional fee rebate program. That being said, we have seen a steady increase in compliance among businesses who properly charge the fee between FY11 (40%) and FY19 (77%). Annual remittance amounts have increased since 2010 and leveled off to approximately \$2,300,000 between 2015 and 2019. The increase in compliance coupled with the leveling off of remittances in recent years implies that disposable bag usage has also settled, rather than declined or waivered considerably in either direction.

In FY20, annual fee revenue dropped by 9% compared to FY19, likely a product of changes in consumer behavior as well as a drop in compliance with the fee requirements during COVID. The largest drops in revenue began in May of 2020 and have persisted into FY21.

- How does DOEE monitor compliance with the bag law at self-checkouts? At smaller retailers? Does DOEE have an estimated rate of compliance for FY 2020 or FY 2019?

DOEE Bag Law inspectors conduct random inspections at any type of business regulated under the law. Routine inspections include self-checkouts, corner stores, grocery and pharmacy chains, restaurants, and any other establishment serving food or liquor. Routine inspections have been suspended since Q2 of FY20. DOEE Bag Law inspectors can process inspections from their own personal shopping and targeted compliance is expected to restart during the District's Phase III COVID-19 reopening.

Of the 554 businesses inspected in FY19, 77% were in compliance. Of the 217 inspected in FY20, 76% were compliant.

Climate Resilience

22. In 2020, DOEE shared with the Committee that it had completed a strategic roadmap for implementation of the action and sub-action items included in the Climate Ready DC Plan.

- Please provide the Committee with a copy of the strategic roadmap.

The strategic roadmap is available here:

[https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/Climate%20Ready%20DC StrategicRoadmap%28FINAL%29.pdf](https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/Climate%20Ready%20DC%20StrategicRoadmap%28FINAL%29.pdf)

- Did the District meet the goals set by the roadmap for FY 2020? If not, what items were not met, and why?

The roadmap did not set explicit goals for FY20, however highlights of progress on the priority actions include:

- DOEE finalized the first Resilient Design Guidelines for the District, which explains how to incorporate future climate risks into design decisions for buildings and landscapes. The guidelines include strategies for addressing climate hazards including flooding, extreme heat, and power outages. DOEE also facilitated design charettes with DCPS and DPR to test incorporating the guidelines into District projects.
 - DOEE made progress developing a comprehensive heat strategy to identify ways to cool the District down and keep residents safe. To support this plan, DOEE produced a heat sensitivity-exposure index to identify the most at-risk neighborhoods. DOEE also collected resident input through a representative survey and focus groups.
 - DOEE continues to make progress towards piloting community resilience hubs, which are trusted community facilities that are resourced to respond to disasters. DOEE is currently in the third year of a community engagement process in Ward 7 aimed at developing community-driven climate solutions. In the first year, residents identified resilience hubs as a top priority solution. In subsequent years, they collaborated on a vision for these hubs and identified potential sites for a pilot resilience hub. DOEE is currently exploring ways to install solar and storage at the pilot hub to ensure it can maintain power during outages.
- Will DOEE update the plan to indicate progress on these items? If so, when, and how frequently will updates be made?

DOEE publishes regular Climate Ready DC Progress Reports. The 2020 progress report is available here:

https://sustainable.dc.gov/sites/default/files/dc/sites/sustainable/page_content/attachments/DOEE_ClimateReadyDC_2020.pdf

- What progress has been made, in particular, on to identify funding sources for each action/subaction item?

For many of the actions in Climate Ready DC, DOEE has made steps to incorporate climate change into existing policy and planning efforts to minimize the need for additional funding. Additionally, DOEE has successfully leveraged federal hazard mitigation planning grants to support the development of the resilient design guidelines and the comprehensive heat plan. While developing the strategic roadmap, DOEE analyzed a number of potential new funding sources including Community Development Block Grants (CDBG), tax-increment financing (TIF), and leveraging Property Assessed Clean Energy Program (PACE) financing.

DOEE has partnered with the Homeland Security and Emergency Management Agency to apply for funding through the FEMA Building Resilient Infrastructure and Communities (BRIC) program. The grant applications include proposals to support a microgrid at St. Elizabeth's hospital campus, scope and implement blue green stormwater flood mitigation in Southwest and along the Watts Branch tributary, develop a resilience vision for the Office of Planning's Resilient Focus Areas, and develop a tool to identify resilience opportunities within small parks and open spaces.

23. Please provide an update on implementation of the Clean Energy DC Omnibus Amendment Act of 2018. What steps has the Agency taken in FY 2021, to date, to implement the law? Has the Agency faced any unanticipated delays or hurdles?

See attachment II-Q23.

24. On January 1, 2021, the first set of Building Energy Performance Standards went into effect via emergency rulemaking. That emergency rulemaking was paired with a proposed rulemaking, which DOEE will be accepting comments on through January 30th.

- When does DOEE anticipate the final rulemaking will be issued?

DOEE anticipates that the final rulemaking will be issued before the expiration of the emergency rulemaking.

- Now that BEPS have been issued, how does DOEE intend to encourage compliance with the standards prior to the official six-year deadline?

DOEE is currently supporting many efforts to assist building owners in complying with the energy efficiency requirements that are triggered when a building does not meet the Building Energy Performance Standards (BEPS). First, DOEE has continuously engaged stakeholders through educational events and public meetings held with the BEPS Task Force, to ensure that the regulated community is informed of the requirements. DOEE has hosted monthly educational webinars since July 2020 and plans to continue these webinars into early 2021. Second, DOEE continues to fund the Building Innovation Hub, an entity established to assist building industry professionals in DC with creating and operating high performing buildings. The Hub has focused much of its energy on assisting the regulated community with understanding BEPS and connecting them to critical resources needed to prepare for the implementation of BEPS. Third, DOEE works closely with the DC Green Bank and the DCSEU to ensure that the financing and rebate programs are aligned properly with the requirements of BEPS. DOEE is also a member of the Task Force formed under Public Service Commission FC1148, and is helping to guide the program implementation of Pepco's Whole Building Deep Energy Retrofit program targeted towards affordable multifamily properties, with a goal to assist with their compliance with BEPS.

Public Health Emergency

25. What programs and services offered by DOEE were cut or reduced in FY 2020 and FY 2021, to date, due to the public health emergency?

Benchmarking Help Center: The service offered through the Benchmarking Help Center was adjusted in FY2020 due to the public health emergency. We previously fielded many phone calls through a centralized phone number. However, DOEE now points all customers to our email inbox at info.benchmark@dc.gov, and the majority of the compliance assistance provided is through email. DOEE does still offer live support through a video chat with escalated or very complex cases. This adjustment did not reduce the level of service, however. The benchmarking program still provided compliance assistance to hundreds of building owners and the submission rate for building owners in FY2020 was 96%.

State Energy Program: The in-person aspects of the Electric Vehicle Grand Prix, K-12 Energy Education Program, and Pop-up Bikeshop Clinics had to be cancelled in FY20. The Department of Energy allowed for DC and other states to carryover the FY20 federal grant money into FY21 with the goal of fulfilling those programs once the public health emergency has lifted or subsided.

The following **Natural Resources Administration programs** were cut or reduced due to the public health emergency in FY20 and FY21:

- Public facing fishing programs and fishing clinics were temporarily suspended. Public fishing events resumed in August 2020. The Fisheries and

Wildlife Division expects these programs to continue in accordance with seasonal fishing in FY21.

- Aquatic Resources Education Center- These programs have yet to resume.
- Stormwater Retention Credit (SRC) Price Lock program put new purchase agreements on-hold; existing purchase agreements are not affected; options to re-open the purchase agreements are being explored to maximize the funding to support GI construction.
- Anacostia River Explorers Boat tours were suspended. Tours have resumed, but by canoe and kayak only so that people can maintain social distancing.
- Anacostia Youth Summit was cancelled in FY20.
- Overnight Meaningful Watershed Education Experiences continue to be suspended.
- RiverSmart Homes audits were temporarily suspended in FY2020 but have resumed. Some audits are now being performed virtually.
- RiverSmart Homes installations were temporarily suspended in FY2020 but have resumed with precautions for workers in place.
- RiverSmart Rooftops - this rebate program was temporarily suspended. It has resumed but is now available only in the separated storm sewer area of the District as a cost savings measure.
- RiverCorps Green Jobs Training - was suspended in FY2020 but has resumed with COVID protocols in place.
- RiverSmart Schools Teacher Training - was suspended in FY2020 but has resumed remotely.

26. What new programs or services did the agency offer during FY 2020 and FY 2021, to date, to respond to the public health emergency?

Utility Affordability - Under DOEE's utility affordability programs, DOEE changed their assistance policies to provide for emergency utility assistance under the moratorium, launched the CRIAC Emergency Residential Relief Program in partnership with DC Water to provide up to \$2K to eligible households for assistance with their water bills, partnered with the Department of Aging and Community Living to provide air-conditioners to seniors, and identified additional funding to ensure that the emergency HVAC program could reopen during the winter months.

No-Cost Energy Data Verification Services to Building Owners: In partnership with DCSEU, DOEE provided no-cost data verification to building owners that are subject to the District's benchmarking requirements. Third party data verification is a requirement established under Title III of the Clean Energy DC Omnibus Act. DOEE recognized the importance of ensuring that the CY2019 benchmarking data was as accurate as possible, considering that the 2021 BEPS is based on CY2019 benchmarking data. As such, DOEE worked with a contractor hired through the DCSEU to engage over 300 properties with verifying their

benchmarking data and successfully verified 120 properties from August through December 2020.

DC Electric Vehicle Grand Prix: The Electric Vehicle Grand Prix program normally culminates in an outdoor racing event involving dozens of high schools and hundreds of people at the end of the academic year. The event was cancelled due to the PHE, but was re-envisioned as an online virtual racing event. The contractor went on to develop a sophisticated online virtual electric car racing simulator that allowed for high schools to compete. The event was held on December 12, 2020. Going forward the virtual racing tool will be used as a training and teaching tool for students throughout the school year.

- What, if any, revenue loss did the agency see in FY 2020 and FY 2021, to date?

Sustainable Energy Trust Fund (SETF) - In FY 2020, DOEE lost about \$5.9 million of revenue due to reductions in overall energy usage caused by the COVID-19 pandemic. Funding for most of the programs, contracts, and other initiatives administered by DOEE Energy Administration is derived through assessments on the sales of electricity, natural gas, fuel-oil that are deposited into the Sustainable Energy Trust Fund, which is a Special Purpose Revenue Fund. The loss of revenue has force DOEE to cut funding for some programs and initiatives, such as fully funding the DC Green Bank to support energy efficiency projects. Pursuant to the CleanEnergy DC Omnibus Amendment Act of 2018, DOEE should have transferred \$15 million to the DC Green Bank in FY 2020. However, DOEE was only able to transfer \$12 million due to reductions in revenue collected utility companies.

DOEE has seen a significant decline in revenue in Bag Fee collections, as discussed above. The losses began in FY20 and have continued in FY21.

- What impact did the public health emergency have on the various Special Purpose Revenue Funds administered by the agency?

See above for a description of reduced revenue to the SETF. Additionally, DOEE's Bag Fee SPR Fund has seen a significant decline in revenue in FY20 and FY21. This decline has likely been compounded by the misconception by retailers that the Bag Law has been suspended and reduced inspection and enforcement of Bag Law regulations due to the public health emergency.

- Was DOEE forced to reduce any FTEs due to budget shortfalls stemming from the public health emergency? If so, please note that division and program of those FTEs, and whether the position was filled or vacant.

DOEE has not had to reduce any FTEs due to budget shortfalls. However, DOEE has delayed the hiring of new FTEs budgeted to manage and implement workforce development and training initiatives/programs for DC residents and businesses, funded by SETF. DOEE also reduced the scope of workforce development and training programs offered in FY 2020 due to projected cutbacks in available funding as a result of the COVID-19 pandemic.

27. During FY 2020 and FY 2021, to date, what percentage of agency staff are working virtually, and how many are required to work on site/in-person? Please provide a copy of the agency's Continuing Operations Plan and any remote working protocol.

In FY20, 96% of staff worked virtually; in FY21, 94.5%. Staff are not required to work onsite. At the onset of the public health emergency, DOEE submitted its COOP to the Office of the City Administrator. We defer questions about the specific of DOEE's COOP to CA Donahue.

28. How has the agency ensured that all staff that are working virtually have access to appropriate technology and internet connectivity? How did the agency respond to staff working at home, but who were without a stable internet connection?

The following measures were established for staff to effectively telework during the public health emergency to ensure the continuity of agency operations:

- The agency purchased additional laptops, cellular and MiFi devices. These components all work together to enable the employee to virtual access to the DCGov network environment. Employees with no home internet connection are provided with a MiFi device or enabled tethering on their cell phones. The MiFi provides internet connection, and the enabled cell phone tethering allows internet by way of cell phone.
- Employees were also provided Virtual Private Network (VPN) access to allow them to work in the agency network environment. It allows them to connect to their desktops and work using their files and folders. They can also access DOEE servers with shared files to work on with another employee and get their task done on daily basis.
- DOEE IT has in place an QuickBase IT Request database form that work like Help Desk to receive employee system issues and concerns for their virtual experience. To resolve the request, as a management tool the IT Division invested in the Bomgar Remote Desk Top software tool. The remote tool allows the IT Team to take control of an employee system virtually and assist with troubleshooting employee system problems, loading of software, drive mapping and provide system updates.

- The agency purchased DocuSign Enterprise Software to allow the continuous flow of business that require signatures and routing of documents through virtual processing. Therefore, business goes on as usual.
- The agency has also provided employees with video, WebEx training, literature, and guides for Teleworking. Employees also received training for the use of Meeting Conference Applications such as Teams and WebEx.
- For most employees this has been a successful virtual work experience and we are continuing to find ways to improve.

29. How much federal stimulus relief has DOEE received, and for what purpose has it been used?

DOEE received \$2.7M in additional LIHEAP funding from the U.S. Department of Health and Human Services through the CARES Act. These funds are being used to provide assistance with utility bills, emergency HVAC services, and energy-efficiency services for low-income households.

- Is the agency anticipating any funding from the most recent stimulus bill, and how will that be factored into the upcoming budget submission or supplemental?

DOEE is coordinating with DHCD for the use of the Emergency Rental Assistance funding from U.S. Treasury. While the final spending plan has not been approved, DOEE expects that some portion of that award will be set aside for assistance with utility bills. The stimulus bill also included funding for a new household water assistance program similar to LIHEAP, but the U.S. Department of Health and Human Services has not provided an estimated award amount at this time.

- Was the agency a recipient of any other federal grants stemming related to the public health emergency?

The State Energy Program grant did not receive additional funding from the federal government, however, DOEE was allowed to roll over unspent FY20 funds into FY21, due to the cancellation of many public-facing programs involving schools and community events, which resulted in underspending in these market sectors and initiatives.

30. Did DOEE reduce any grants, or seek to reduce any grants, to agency grantees during FY 2020 and FY 2021, to date? If so, please list the name of the grant recipient, and the amount of any reduction requested.

DOEE did not reduce any grants in FY20 or FY21.

31. How did DOEE update its methods of communications and public engagement to connect with residents during the public health emergency? Please provide a list of community meetings, and an account of measures implement to virtually connect with residents.

DOEE utilized various available technologies to connect with residents during the PHE. The agency has embraced the use of WebEx for public meetings, webinars and events, as well as leaned heavily on social media platforms - Facebook, Twitter, and Instagram - to keep residents and businesses up to date on programmatic information. We revised our internal communications policies and procedures to streamline requests that now include new variables - like WebEx, Teams, etc., and have formalized the deliverables process making it far easier for staff to produce online events. Additionally, our outreach team has attended virtual ANC and community meetings. Furthermore, we have mandated that all outgoing video content from grantees as well as internal programs utilize/showcase masks and distancing measures.

Social Media Platform Links:

Twitter: [doee_dc](#)

Facebook: [facebook.com/doee.dc](#)

Instagram: [doee_dc](#)

Below is a list of the webinars and virtual public meetings thus far:

BEPS Monthly Webinar Series

7/30/20; 8/27/20; 9/24/20; 10/29/20; 12/10/20

GZEP Virtual Youth Discussion

7/28/20

LEAD Abatement Webinar

8/4/20

Civic League - North Portal Estates Meeting:

9/23/20

Green Building Webinar Series

10/14/20; 11/12/20; 12/9/20; 1/13/21

Healthy Homes Webinar

11/18/20

Douglass Stormwater Retrofit Public Meeting

11/19/20

Wetland and Stream Regulations Webinar
11/17/20

Solar financing Webinar
11/18/20

Lead Reduction Program Webinar
12/3/20

District Solar Financing Webinar
12/3/20

Hickey Lane Stormwater Retrofit Public Meeting
1/5/21

Oxon Run Stream Design Public Meeting
1/6/21

Fort Stevens Stormwater Retrofit Public Meeting
1/13/21

ANC 8D
1/14/21

Additional Questions

1. How does the agency assess whether programs and services are equitably accessible to all District residents?

DOEE does not currently have a formal process of assessing whether programs and services are equitably accessible to all residents. However, the agency has developed a Racial Equity Impact Assessment (REIA) to help with this work. The REIA will require additional training and piloting by staff to be effectively implemented agency-wide, but this work is in progress.

Additionally, individual programs have done assessments on the equity of their programs that provide models as well as important data moving forward. Examples of this work include analysis of the River Smart Homes Program and the Sustainable DC 2.0 plan. The Affordability and Efficiency Division has initiated a grant to conduct a demographic analysis of the population that is served by the affordability programs. One of the activities under this grant (with the American Council for an Energy Efficient Economy) is conducting interviews with individuals in order to better understand the root causes for the need for assistance as well as the individual experience in gaining such assistance.

- a. What were the results of any such assessments in FY 2020?

No formal assessments were completed in FY2020. While DOEE is committed to equity and understanding inequities in programs and services, it is equally committed to ensuring staff is well-trained in such assessments. Based on the experience of cities like Portland, OR and Seattle, WA rushing equity assessments can cause more harm than good, so DOEE is being intentional about its implementation of this project. One immediate result of informal analysis of the Sustainable DC plan implementation was a project in partnership with a Latinx-led local organization to assist Latinx residents impacted by COVID.

- b. What changes did the agency make in FY 2020 and FY 2021, to date, or does the agency plan to make in FY 2021 and beyond, to address identified inequities in access to programs and services?

DOEE's Equity Committee re-launched in January 2021 (formerly the Equity Working Group) with a goal of supporting the agency to identify inequities in program and service delivery, access, and outcomes. The first edition of DOEE's Racial Equity Impact Assessment process and tool was finalized in December 2020.

At that same time, DOEE's new Equity and Engagement Program Analyst (a position in existence since 2015) was hired. In addition to training DOEE staff on equity and the REIA, she will serve as a resource to staff on equity as they begin

new projects and programs. One cohort of staff was trained on the draft REIA in summer 2020, which included over 20 hours of training on racial equity provided by an expert consultant. The DOEE programs that participated in the REIA 2020 training were: Energy Efficiency & Affordability Division, Air Quality Division, and Water Quality Division.

In FY2021, DOEE joined the Government Alliance on Racial Equity (GARE) and has made the tools and programs available to all District Government employees. Three of its staff have joined a District Government-wide cohort focused on racial equity organized by the Consumer Health Foundation that also includes the full staff of the new Council Office on Racial Equity (CORE). Additionally, to better understand DOEE staff's experience with equity and to create a baseline from which to measure future progress, DOEE leadership included equity-focused questions in the 2020 staff survey. The DOEE Equity Committee and agency leadership will use this valuable information to assess the key needs to further equity and equitable practices within the agency.

- c. Does the agency have the resources needed to undertake these assessments? What would be needed for the agency to more effectively identify and address inequities in access to agency programs and services

DOEE has the resources needed to undertake equity assessments. It looks forward to continuing training staff and working with the new Chief Equity Officer on implementation of the Racial Equity Impact Analysis.

2. Does the agency have a racial or social equity statement or policy? Please share that document or policy statement with the Committee.

DOEE does not yet have a formally adopted racial equity statement or policy, however, one is in development. DOEE aims to develop a racial equity framework, building from recommendations from an equity consultant that helped the agency begin the process of developing a Racial Equity Impact Assessment (REIA). The DOEE Equity Committee will help guide the process of developing and implementing the REIA.

In this context, it is important to note the groundwork in equity embodied in Sustainable DC 2.0, and its identified actions: to create an equity committee, develop a racial equity impact assessment, provide equity-focused training for District government employees, and focus community engagement on communities that have been historically under-represented. In addition to the work referenced above, DOEE is committed to advancing employee training and community engagement and has procured a government-wide FY21 membership to

Government Alliance on Race and Equity (GARE) as one mechanism to build capacity.

- a. How was the policy formulated?

A formal, agency-wide policy is in development.

- b. How is the policy used to inform agency decision-making?

A formal, agency-wide policy is in development.

- c. Does the agency have a division or dedicated staff that administer and enforce this policy?

DOEE has a Sustainability and Equity Branch within the Urban Sustainability Administration. Within this team is an Equity and Engagement Program Analyst, who is focused on equity, and a branch chief, who spends approximately 20 percent of his time on equity. Additionally, DOEE has an Equity Committee with a chair who spends a significant amount of their time focusing on equity. None are focused exclusively on the equity policy in development, but are important equity resources.

- d. Does the agency assess its compliance with this policy? If so, how, and what were the results of the most recent assessment?

DOEE does not yet have a formal equity policy and is currently intentionally thinking through what its compliance with the policy will entail.

3. Does the agency have an internal equal employment opportunity statement or policy? Please share that document or policy statement with the Committee.

DOEE follows DC government and the Office of Human Rights (OHR) policy on equal employment opportunity. The statement is posted on DOEE's website, **see attachment III-Q3**.

- a. How was the policy formulated?

The policy was formulated by OHR.

- b. How is the statement or policy used to inform agency decision-making?

The agency has an EEO Officer and Counselors that are available to consult with employees.

- c. Does the agency have a division or dedicated staff that administer and enforce this policy?

Our HR Team oversees our implementation of this policy.

- d. Does the agency assess its compliance with this policy? If so, how, and what were the results of the most recent assessment?

No agency assessment is done; however, OHR conducts mandatory annual training for EEO counselors.