

Chapter 5 Administration of Stormwater Management Rules

5.1 Stormwater Management Plans

For all major regulated projects, projects for the generation of Stormwater Retention Credit (SRC), and submissions for the Stormwater Fee Discount, the applicant is responsible for submitting a Stormwater Management Plan (SWMP) which meets the requirements defined within the Stormwater Management and Soil Erosion and Sediment Control Regulation (District of Columbia Municipal Regulations (DCMR) Title 21, Chapter 5), and the details outlined within this guidebook. Each SWMP submitted must be signed and sealed by a registered professional engineer, licensed in the District. All SWMP applications are reviewed by DDOE to determine compliance with the requirements of 21 DCMR, Chapter 5. A series of flow charts at the end of this chapter illustrate the SWMP review and approval process, within the overall context of the permitting process.

5.1.1 Submittal and Review Process of Stormwater Management Plans

A SWMP contains supporting computations, drawings, and sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed development on water resources, the effectiveness and acceptability of best management practices (BMPs) and land covers for managing stormwater runoff, and maintenance and construction schedules. If the applicant proposes to use off-site retention the SWMP must indicate the number of gallons the applicant is required to retain off-site, termed Off-Site Retention Volume (Offv).

The applicant submits the SWMP, including two sets carrying the stamp of a registered professional engineer licensed in the District of Columbia with all supporting documentation, to the District of Columbia Regulatory and Consumer Affairs (DCRA). Projects may be submitted in person at the DCRA headquarters at 1100 4th Street SW, Second Floor, or through the DCRA online intake form available at <http://cpms.dcr.dc.gov/OCPI/PermitMenu.aspx>.

Some projects, for example, when the application is limited to Soil Erosion and Sediment Control Plans or Green Area Ratio, may be handled by DDOE staff located at the DCRA intake counter. All other projects will be forwarded for review to DDOE Headquarters at 1200 First Street NW, Fifth Floor. Other District agencies with review authority will also evaluate a project's SWMP. For each project the applicant has the choice of submitting the SWMP electronically or in paper form. If the SWMP is submitted in paper form, then two plan sets of the project are required.

Upon receiving an application, DDOE will determine if the application is complete and acceptable for review, accept it for review with conditions, or reject the application.

Within 10 to 30 working days of the submission date of an accepted complete application DDOE will review the SWMP, and make a determination to approve, approve with conditions, or disapprove the SWMP. Relatively large and/or complicated projects tend to require longer review time than smaller and less complicated projects.

If it is determined that more information is needed or that a significant number of changes must be made before the SWMP can be approved, the applicant may withdraw the SWMP, make the necessary changes, and re-submit the SWMP. DDOE requires that all re-submissions contain a list of the changes made. A new 10–30 day review period begins on the date of the resubmission.

If SWMP approval is denied, the reasons for the denial will be communicated to the applicant in writing.

When a SWMP approval is granted, a final submission package is required, including

- One Mylar copy of the SWMP, certified by a registered professional engineer licensed in the District of Columbia.
- Seven paper copies of the SWMP, certified by a registered professional engineer licensed in the District of Columbia.
- All supporting documents specified within this SWMG or as requested during the review process by DDOE.

Note: The District of Columbia is in the process of creating a single electronic submission, review, and approval process for all DCRA building permit applicants. When DCRA migrates to the electronic submission process, this will become an alternate option for item 2 above in the final SWMP submission.

After the applicant submits a final package that meets the requirements for DDOE's approval, DDOE provides the applicant with one approved copy of the SWMP for the applicant to file at the Recorder of Deeds with the declaration of covenants and, if applicable, an easement.

Note: The applicant must submit the SWMP declaration of covenants to the Office of Attorney General (OAG) for legal sufficiency review. OAG approval is required before the SWMP can be filed with the Recorder of Deeds. Government Properties are exempt from this requirement but evidence of a maintenance partnership agreement or a maintenance memorandum of understanding is required prior to SWMP approval. There are six additional types of SWMP submissions that are not required to file a declaration of covenants, nor are they required to file easements. These are detailed in the exemptions Section 5.5 Exemptions.

The remaining approved paper copies of the approved SWMP are issued to the applicant after the submission of proof of filing the declaration of covenants, or evidence of a maintenance partnership agreement or a maintenance memorandum of understanding in the case of a government owned project, and each applicable easement with the Recorder of Deeds and proof of payment of applicable fee(s) for DDOE services.

Upon job completion, the applicant must certify on the approved SWMP that all activities including clearing, grading, site stabilization, the preservation or creation of pervious land cover,

the construction of drainage conveyance systems, the construction of BMPs, and all other stormwater related components of the project were accomplished in strict accordance with the approved SWMP.

Within 21 days of the final inspection, the applicant must submit an as-built package, including one 1 Mylar copy of the as-built SWMP certified by a registered professional engineer licensed in the District of Columbia and one as-built form from Section 5.6 For a project consisting entirely of work in the public right-of-way, the submission of a Record Drawing certified by an officer of the project contracting company is acceptable if it details the as-built construction of the BMPs, related stormwater infrastructure and land covers.

The submission of a SWMP is supported by these documents:

1. Site Development Submittal Information Form
2. DC Water Storm Sewer Verification Form
3. DCRA Application for Construction Permit on Private Property
4. Environmental Intake Screening Form (EISF)
5. Environmental Questionnaire
6. DC Green Building Act Permit Application Intact Form
7. Contract Agreement
8. Lead Permit Screening Form
9. Zoning Data Summary Form
10. Reasonable Accommodations and Modifications for Persons with Disabilities Form

The forms 1 and 2 are found in Section 5.6. Supporting. Forms 3 through 10 are available at the DCRA intake counter, or they can be downloaded at <http://dcra.dc.gov/DC/DCRA/Permits/Building+Permit+Application+Supplemental+Documents>.

Note: In general, filing a Notice of Intent Form with US EPA is required if the project will disturb 1 or more acres of land, or part of a common plan of development or sale that will ultimately disturb 1 or more acres of land must file. Consult US EPA's web site for details, http://cfpub.epa.gov/npdes/stormwater/application_coverage.cfm

A Stormwater Management Plan (SWMP) includes the following:

Site Plan

The following information must be submitted on a standard drawing size of 24 inches by 36 inches. The site drawing will provide details of existing and proposed conditions:

- a. A plan showing property boundaries and the complete address of the property.
- b. Lot number, square number or parcel number designation (if applicable).
- c. North arrow, scale, date.

- d. Property lines (include longitude and latitude).
- e. Location of easements (if applicable).
- f. Existing and proposed structures, utilities, roads and other paved areas.
- g. Existing and proposed topographic contours.
- h. Soil information for design purposes.
- i. Area(s) of soil disturbance.
- j. Volume(s) of excavation.
- k. Volume(s) of fill.
- l. Volume(s) of backfill.
- m. Drainage area(s) within the limits of disturbance (LOD) and contributing to LOD.
- n. Delineation of existing and proposed land covers including natural cover, compacted cover and impervious surfaces. Consult Appendix N for details on land cover designations.
- o. Location of existing stream(s), wetlands, or other natural features within the project area.
- p. All plans and profiles must be drawn at a scale of 1 in. = 10 ft, 1 in. = 20 ft, 1 in. = 30 ft, 1 in. = 40 ft, 1 in. = 50 ft, or 1 in. = 80ft. Although, 1 in. = 10 ft, 1 in. = 20 ft, and 1 in. = 30 ft, are the most commonly used scales. Vertical scale for profiles must be 1 in. = 2 ft, 1 in. = 4 ft, 1 in. = 5 ft, or 1 in. = 10ft.
- q. Drafting media that yield first or second generation reproducible drawings with a minimum letter size of No. 4 (1/8 inch).
- r. Location and size of existing utility lines including gas lines, sanitary lines, telephone lines or poles, and water mains.
- s. A legend identifying all symbols used on the plan.
- t. Applicable flood boundaries for sites lying wholly or partially within the 100-year floodplain.
- u. Information regarding the mitigation of any off-site impacts anticipated as a result of the proposed development.
- v. Stormwater Pollution Prevention Plan (SWPPP_{CGP}) (for projects disturbing over an acre) or Good House Keeping Stamp (SWPPP_{min}), details provided in Appendix Q (for sites under an acre).
- w. Stormwater Hotspot Cover Sheet and Checklists, details provided in Appendix P.
- x. Integrated Pest Management Plan for sites in the AWDZ governed by the by the Anacostia Waterfront Environmental Standards Amendment Act of 2012. Consult Appendix R for details on the IPM plan submission format.
- y. Construction specifications.
- z. Design and “As-Built” Certification.

- i Certification by a registered professional engineer licensed in the District that the site design, land covers, and design of the BMPs conforms to engineering principles applicable to the treatment and disposal of stormwater pollutants.
 - ii Certification and submission of the As-Built Certification by Professional Engineer form (provided in at the end of this chapter) and one set of the “As-Built” plans within 21 days after completion of construction of the site, all BMPs, land covers, covers and stormwater conveyances. For a project consisting entirely of work in the public right-of-way, the submission of a Record Drawing certified by an officer of the project contracting company is acceptable if it details the as-built construction of the BMP and related stormwater infrastructure.
- aa. Maintenance of best management practices
- i A maintenance plan that identifies routine and long-term maintenance needs and a maintenance schedule must be submitted as part of the SWMP.
 - ii A declaration of covenants stating the owner’s specific maintenance responsibilities identified in the maintenance plan and maintenance schedule. These must be exhibits recorded with the property deed, at the Recorder of Deeds. An example of a Declaration of Covenants is provided at the end of this chapter. Government owned properties are exempt from the declaration of covenants requirement but evidence of a maintenance partnership agreement or a maintenance memorandum of understanding is required that identifies who will implement the maintenance plan and maintenance schedule.
 - iii For applicants using BMP Group 2, Rainwater Harvesting, submission of third party testing of end use water quality may be required at equipment commissioning as determined by the Tiered Risk Assessment Management (TRAM) analysis. Additional regular water quality reports certifying compliance for the life of the BMP may also be required based on the TRAM analysis.

Stormwater Retention Volume Computations

- a. Calculation(s) of required Stormwater Retention Volume (SWRv) for entire site within the limits of disturbance (LOD) and each individual drainage area contained within the LOD.
- b. Calculation(s) for each proposed BMP demonstrating retention value towards SWRv in accordance with Chapter 3.
- c. For BMP Group 2, Rainwater Harvesting, calculations demonstrating the annual water balance between collection, storage and demand.
- d. For proprietary and non-proprietary BMPs outside the Stormwater Management Guidebook, complete documentation defined in Appendix S for BMP Group 12, Proprietary Practices, in Section 3.13 Proprietary Practices to identify/receive approval or denial to use these practice(s).

- e. Deficit SWR_v gallons requiring off-site mitigation.
- f. Statement of participation in off-site mitigation program(s), in-lieu fee or retention credit trading to manage SWR_v deficit.
- g. For PROW projects (Type 1) complete MEP stormwater report as defined in Appendix B.
- h. For PROW portions of projects (Type 2) complete MEP memo with supporting documentation as defined in Appendix B.

Pre/Post-Development Hydrologic Computations

The pre-/post-runoff analysis must include the following:

- a. A summary of soil conditions and field data.
- b. Pre-/post-project curve number computation.
- c. Time of concentration calculation.
- d. Travel time calculation.
- e. Peak discharge computation for each drainage area within the project's limits of disturbance for the 24-hour storms of 2-year and 15-year frequencies. All hydrologic computations must be included on the plan.

Hydraulic Computations

Hydraulic computations for the final design of water quality and quantity control structures may be accomplished by hand or through the use of software using equations/formulae generally accepted in the water resources industry. The summary of collection or management systems will include the following:

- a. Existing and proposed drainage area must be delineated on separate plans with the flow paths used for calculation of the times of concentration.
- b. Hydraulic capacity and flow velocity for drainage conveyance, including ditch, swales, pipes, inlets, and gutter. Plan profiles for all open conveyance and pipelines, with energy and hydraulic gradients shown thereon.
- c. The proposed development layout including the following:
 - i Location and design of BMP(s) on site.
 - ii Stormwater lines and inlets.
 - iii Location and design of BMP(s) on site.
 - iv A list of design assumptions (e.g., design basis, 15-year return period).
 - v The boundary of the contributing drainage area to the BMP.
 - vi Schedule of structures (a listing of the structures, details, or elevations including inverts

- vii Manhole to manhole listing of pipe size, pipe type, slope, computed velocity, and computed flow rate (i.e., a storm drain pipe schedule).

5.1.2 Resubmission of Stormwater Management Plans

If a SWMP is accepted but changes occur in the design or construction, the applicant may be required to resubmit the SWMP for approval. Examples of changes during design and construction that may require re-submission include the following:

- A document in the original submission requires significant correction
- A document in the original submission is missing
- A document in the original submission has changed sufficiently to require replacement
- Relocation of an on-site storm sewer or conveyance
- Revision to methodology used for design of BMP(s)
- Modification to an approved BMP design, such as infiltration rates and contributing drainage areas
- Changes to the proposed land cover
- Changes to the selection, location or sizing of BMP(s)
- Changes to the size, invert, elevation and slopes of pipes and conveyances
- Installation of new drains and conveyance structures
- Installation or relocation of the sediment trap or basin
- Revision to the approved grading and drainage divides
- Removal of contaminated soil from the site
- Revision to the boundaries of the floodplain
- Revision to the property boundary
- New storm sewer outlet connection to the main storm or sanitary sewer
- Abandonment, removal or demolition of a BMP

If the applicant resubmits a SWMP after making changes, the re-submission must contain a list of the changes made. After DDOE's initial review and its review of the first resubmission, an applicant will pay the supplemental review fee for each subsequent review. Supplemental fees will not be assessed when a submission is for a project, or portion of a project, that is entirely in the existing public right-of-way and is following the Maximum Extent Practicable (MEP) process (see Appendix B).

5.2 Administration

5.2.1 Approval Requirements

A DDOE approved SWMP meeting the requirements of 21 DCMR, Chapter 5 is required before a building permit for any District project requiring stormwater management, as defined in Chapter 2 of this guidance manual is issued by the District of Columbia Department of Consumer and Regulatory Affairs (DCRA)

5.2.2 Fees

An applicant is responsible for paying fees that provide for the cost of review, administration, and management of the stormwater permitting process and inspection of all projects subject to the requirements of Chapter 5 of Title 21 of the District of Columbia Municipal Regulations Sections 516 through 539. These fees are posted on DDOE's website at <http://ddoe.dc.gov/swregs> and will be adjusted for inflation annually, using the Urban Consumer Price Index published by the United States Bureau of Labor Statistics.

Note: A supplemental plan review fee is required for each DDOE review after first resubmission of a plan. Phased review requirements that follow the Maximum Extent Practicable (MEP) process (see Appendix B) for a project, or portion of a project, entirely in the existing public right-of-way are not required to pay a supplemental review fee.

Note: There is no fee charged for the plan review of a SWMP submitted solely to obtain the Stormwater Fee Discount.

5.3 Inspection Requirements

5.3.1 Inspection Schedule and Reports

Prior to the approval of a SWMP, the applicant will submit a proposed construction and inspection control schedule. DDOE will review the schedule to determine if changes are required. The construction schedule should reflect the construction sequences defined in each BMP section of Chapter 3 of this guidebook. The construction and inspection schedule must be included in the SWMP. DDOE will conduct inspections at the construction stages specified in the provisions, and file reports of inspections during construction of BMPs and site stormwater conveyance systems to ensure compliance with the approved plans.

Note: No stormwater management work may proceed past the stage of construction that DDOE has identified as requiring an inspection unless,

- DDOE has issued an “approved” or “passed” report;
- DDOE has approved a plan modification that eliminates the inspection requirement; or
- DDOE has eliminated or modified the inspection requirement in writing.

DDOE may require that the professional engineer responsible for sealing the approved SWMP, the professional engineer responsible for certifying the "As-Built" SWMP, or, for a project

entirely in the PROW, the officer of the contracting company responsible for certifying the Record Drawing be present during inspections.

A written notice from DDOE of an inspection finding work not in compliance with the approved SWMP requires the applicant to take prompt corrective action. The written notice provide details on the nature of corrections required and the time frame within which corrections must be made.

5.3.2 Inspection Requirements Before and During Construction

DDOE's construction inspection checklists for each BMP are provided in Appendix K.

Preconstruction Meetings. These meetings are required prior to the commencement of any land-disturbing activities and prior to the construction of any on-site or off-site BMPs.

The applicant is required to contact DDOE to schedule preconstruction meetings 3 days prior to beginning any construction activity subject to the requirements of 21 DCMR, Chapter 5.

Inspections During Construction. The applicant is required to contact DDOE to schedule inspection 3 days prior to any stage of BMP construction, or other construction activity, requiring an inspection. For large, complicated projects the applicant and DDOE may agree during the preconstruction meeting to an alternative approach such as a weekly notification schedule. Any such agreement must be made in writing and signed by all parties. DDOE will revert to the 3 day notification procedure if the agreement is not followed.

DDOE may require the professional engineer responsible for sealing the approved SWMP, or the professional engineer responsible for certifying the "As-Built" SWMP, or for a project entirely in the PROW, the officer of the contracting company responsible for certifying the Record Drawing be present during inspections.

Final Inspection. The applicant is required to contact DDOE to schedule a final inspection 1 week prior to the completion of a BMP construction to schedule a final inspection of the BMP.

A final inspection will be conducted by DDOE upon completion of the BMP to determine if the completed work is constructed in accordance with approved plans.

Inspection Requirements by BMP Type. Chapter 3 of this Guidance Manual provides details about the construction sequences for each BMP. After holding a preconstruction meeting, regular inspections will be made at the following specified stages of construction:

- **Infiltration Systems and Bioretention Areas.** shall be inspected at the following stages so as to ensure proper placement and allow for infiltration into the subgrade:
 - (a) During on-site/off-site percolation/infiltration test
 - (b) Upon completion of stripping, stockpiling, construction of temporary sediment control and drainage facilities
 - (c) Upon completion of excavation to subgrade

- (d) Throughout the placement of perforated PVC/HDPE pipes (for underdrains and observation wells) including bypass pipes (where applicable), geotextile materials, gravel, or crushed stone course and backfill
- (e) Upon completion of final grading and establishment of permanent stabilization
- **Flow Attenuation Devices**, such as open vegetated swales upon completion of construction
- **Retention and Detention Structures**, at the following stages:
 - (a) Upon completion of excavation to sub-foundation and where required, installation of structural supports or reinforcement for structures, including but not limited to the following:
 - ◆ Core trenches for structural embankments
 - ◆ Inlet-outlet structures and anti-seep structures
 - ◆ Watertight connectors on pipes
 - ◆ Trenches for enclosed stormwater drainage facilities
 - (b) During testing of the structure watertightness
 - (c) During placement of structural fill, concrete and installation of piping and catch basins
 - (d) During backfill of foundations and trenches
 - (e) During embankment construction
 - (f) Upon completion of final grading and establishment of permanent stabilization
- **Stormwater Filtering Systems**, at the following stages:
 - (a) Upon completion of excavation to sub-foundation and installation of structural supports or reinforcement for the structure
 - (b) During testing of the structure watertightness
 - (c) During placement of concrete and installation of piping and catch basins;
 - (d) During backfill around the structure
 - (e) During prefabrication of structure at manufacturing plant
 - (f) During pouring of floors, walls and top slab;
 - (g) During installation of manholes/trap doors, steps, orifices/weirs, bypass pipes, and sump pit (when applicable)
 - (h) During placement of filter bed
 - (i) Upon completion of final grading and establishment of permanent stabilization
- **Green Roof Systems**, at the following stages:
 - (a) During placement of the waterproofing layer, to ensure that it is properly installed and watertight

- (b) During placement of the drainage layer and drainage system
- (c) During placement of the growing media, to confirm that it meets the specifications and is applied to the correct depth (certification for vendor or source must be provided)
- (d) Upon installation of plants, to ensure they conform to the planting plan (certification from vendor or source must be provided)
- (e) At the end of the first or second growing season, to ensure desired surface cover specified in the Care and Replacement Warranty has been achieved

5.3.3 Final Construction Inspection Reports

DDOE will conduct a final inspection to determine if the completed work is constructed in accordance with approved plans and the intent of 21 DCMR, Chapter 5. A registered professional engineer licensed in the District is required to certify "As-Built" plans and state that the BMP has been constructed in accordance with the approved plans and specifications (the As-Built Certification by Professional Engineer form is provided in Appendix A. The "As-Built" certification must be on the original SWMP. Upon completion, these plans will be submitted to the DDOE for processing. The estimated time for processing will be two weeks (ten working days), after which the plans will be returned to the engineer. DDOE will provide the applicant with written notification of the final inspection results. DDOE will maintain a permanent file of inspection reports.

5.3.4 Inspection for Preventive Maintenance

Preventive maintenance will be ensured through inspection of all BMPs by DDOE. The inspection will occur at least once every three years. Maintenance inspection forms are provided in Appendix L.

Preventive maintenance inspection reports will be maintained by DDOE on all BMPs. The reports will evaluate BMP functionality based on the detailed BMP requirements of Chapter 3 and inspection forms found in Appendix L.

If, after an inspection by DDOE, the condition of a BMP presents an immediate danger to the public safety or health because of an unsafe condition or improper maintenance, the DDOE will take such action as may be necessary to protect the public and make the BMP safe. Any costs incurred by DDOE will be assessed against the owner(s).

5.4 Maintenance

5.4.1 Maintenance Responsibility

A site with an approved SWMP must maintain the BMPs and land covers according to the maintenance schedule in the SWMP. Land covers must be maintained in type and extent as approved. Approved BMPs must be kept in good condition all the engineered and natural elements of each practice, as well as conveyance features (e.g., grade surfaces, walls, drains, structures, vegetation, soil erosion and sediment control measures, and other protective devices). All repairs or restorations must be in accordance with the approved SWMP.

A declaration of covenants including an exhibit stating the owner's specific maintenance responsibilities must be recorded with the property deed, at the Record of Deeds. A maintenance schedule for any BMP will be developed for the life of the project and shall state the maintenance to be completed, the time for completion, and who will perform the maintenance including provisions for normal and abnormal maintenance. The maintenance schedule will be printed on the SWMP and will appear as an exhibit in the declaration of covenants.

5.4.2 Maintenance Agreement

DDOE will not issue final approval of a complete set of the SWMP for private parcels until the applicant has executed a declaration of covenants binding current and subsequent owners of the land served by the BMP(s) and land covers to an inspection and maintenance agreement. Such agreement shall provide for access to the site and the BMP(s) at reasonable times, and for regular inspection by DDOE, and for regular or special assessments of property owners, as needed, to ensure that the BMP(s) is maintained in proper working condition and the land covers are retained as approved in the SWMP. An example of the declaration of covenants for a site with BMPs and designated land covers is provided at the end of this chapter.

The agreement must be recorded as a declaration of covenants with the Recorder of Deeds of the District by the applicant. The agreement must also provide that, if after written notice by DDOE to correct a violation requiring maintenance work, satisfactory corrections are not made by the owner(s) of the land served by the BMP within a reasonable period of time, not to exceed 45-60 days unless extended for good cause shown, DDOE may perform all necessary work to place the BMP in proper working condition. The owner(s) of property served by the BMP will be assessed the cost of the work and any penalties and there will be a lien on any property served by the BMP, which may be placed on the tax bill and collected as ordinary taxes by the District.

5.5 Exemptions

If a major substantial improvement activity demonstrates that it is not part of a common plan of development with a major land-disturbing activity, then it is exempt from the 2-year and 15-year storm-control requirements.

If DDOE determines that a land-disturbing activity is conducted solely to install a BMP or land cover for any of the following six reasons:

1. To generate a Stormwater Retention Credit,
2. To earn a stormwater fee discount under the provisions of this chapter,
3. To provide for off-site retention through in-lieu fee payments,
4. To comply with a Watershed Implementation Plan established under a Total Maximum Daily Load for the Chesapeake Bay, or
5. To reduce Combined Sewer Overflows (CSOs) in compliance with a court-approved consent decree, including court-approved modifications, for reducing CSOs in the District of Columbia, or in compliance with a National Pollutant Discharge Elimination System permit,

then these SWMPs are exempt from stormwater performance requirements for major land disturbing activities and stormwater performance requirements for major substantial improvements activities, as well as requirements for covenants and easements. The stormwater obligations for these sites generating SRCs are detailed in Chapter 7 of this guidance manual.

Note: While the declaration of covenants and easements are not required with these projects, an executed maintenance contract or a signed promise to follow the Department-approved maintenance plan for the period of time for which the certification of SRCs is requested is required for SWMP approval. If the site fails to maintain these retention practices DDOE has recourse that is spelled out in Chapter 5 and Chapter 7 of this guidance manual.

Land-disturbing activities that consist solely of cutting a trench for utility work and related replacement of sidewalks and ramps are exempt from stormwater management requirements if the activity does not involve the reconstruction of a roadway from curb to curb or curb to centerline of roadway.

Land-disturbing activities conducted solely to respond to an emergency need to protect life, limb, or property or to conduct emergency repairs are exempt from most stormwater management requirements. These activities are not required to submit a SWMP, but they are subject to inspections to ensure the proper use of soil erosion and sediment control measures.

5.6 Supporting Forms

- Site Development Submittal Information Form
- DC Water DDOE WPD Storm Sewer Verification Form
- As-Built Certification Stamp
- Declaration of Covenants Template

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of the Environment



Site Development Submittal Form

Property Location: _____

Development Review Type: _____

Lot # _____ Square # _____ Parcel # _____

Type/Description of Work: ☐ Single Family, ☐ Duplex, ☐ Townhouses, ☐ Condominium, ☐ Office Building
☐ Apartment Building ☐ Industrial Building ☐ Parking Lot ☐ Foreign Govt. Office/Residence
☐ Federal land/property ☐ District land/property ☐ District roadway ☐ Other (specify) _____

Property Owner:
Name: _____ Phone#: _____ Fax#: _____


Applicant:
Name (First): _____ (Last): _____ Phone# _____
Fax#: _____ E-Mail: _____
Street Address: _____ City: _____ State: _____ Zip: _____

☐ **Designer** ☐ **Engineer** ☐ **Architect: (Check one or more)**
Firm: _____ Phone# _____ Fax# _____
Street Address: _____ City: _____ State: _____ Zip: _____
Contact Person: _____ E-Mail _____

Check List:
☐ Initial review submission, two sets of civil drawings
☐ Copy of Department of Consumer Regulatory Affairs (DCRA) permit application
☐ Signed Department of Consumer Regulatory Affairs (DCRA) Environmental Intake Form


My signature attests that the attached application package is complete and accurate to the best of my knowledge. I understand that property review of this plan depends upon the accuracy of the information, and that inaccurate information submitted by me, my firm, or agent may delay this project.

Signature: _____ Date: _____



DISTRICT
DEPARTMENT
OF THE
ENVIRONMENT

1200 First St. NE, 5th Floor, Washington, DC 20002 | tel: 202.535.2600 | web:ddoe.dc.gov



ONE
CITY

Figure 5.1 Site Development Submittal Information form.

GOVERNMENT OF THE DISTRICT OF COLUMBIA DISTRICT DEPARTMENT OF THE ENVIRONMENT	
Application for Discharge from New Stormwater Management BMP	
<p>1. <i>Proposed Discharge from Stormwater Best Management Practice (BMP) By Applicant:</i></p> <p>A. BMP Type: _____</p> <p>B. Project Location: _____ Square: _____ Lot: _____</p> <p>C. Post-development Peak Flows:</p> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> 15-Year _____ cfs; <input type="checkbox"/> 2-Year _____ cfs. </div> <p>D. Receiving System Type, Location, Slope, and Depth:</p> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Combined Sewer <input type="checkbox"/> Separate Sewer </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Depth: 5ft <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Specify: _____ </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Slope: 2% <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Specify: _____ </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Groundwater Depth: _____ ft. </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Surface Water Ways: _____ Discharge Location Or Name Of The Surface Waterways: _____ </div> <p>E. The proposed Invert Connection Elevation: _____ ft.</p>	
<p>2. <i>Hydraulic Sewer System Verification By DCWater:</i></p> <div style="display: flex; justify-content: space-between;"> A. Combined Sewer Area <input type="checkbox"/> Yes <input type="checkbox"/> No. B. Separate Sewer Area: <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>C. The Sewer System Is Within _____ ft.</p> <div style="display: flex; justify-content: space-between;"> D. Maximum Depth 5 ft. <input type="checkbox"/> Yes <input type="checkbox"/> No E. Slope \geq 2% <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> _____ </div>	
<p>3. <i>Surface Water & Groundwater Ways Verification By Watershed Protection Division:</i></p> <p>A. Surface Water Ways:</p> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Max. Flow Allowed: _____ cfs <input type="checkbox"/> Max. Velocity Allowed: _____ ft/sec </div> <p>B. Groundwater:</p> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Minimum Infiltration Allowed: _____ ft/hr </div> <p>Requested By: _____ <input type="checkbox"/> Agent <input type="checkbox"/> Owner</p> <p>Address : _____</p> <p>Tel: () _____ Fax: () _____ Date Requested: _____</p>	
<p>DC Water Verification: By: (Name) _____, Title _____</p> <p>Tel: () _____ Fax: () _____ Date Verified: _____</p> <p>DDOE WPD Verification By: (Name) _____, Title _____</p> <p>Tel: () _____ Fax: () _____ Date Verified: _____</p> <p>Notes: _____</p>	

Figure 5.2 DC Water DDOE WPD storm sewer verification form.

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER	
<p>Within 21 days after completion of construction of the Stormwater discharge facility, please send this page to the Watershed Protection Division of the District Department of the Environment.</p>	
<p>1. <i>Stormwater discharge facility information:</i></p>	
<p>Source Name: _____</p>	
<p>Source Location: Street: _____</p>	
<p>City: _____</p>	
<p>DCRA Permit No.: _____</p>	
<p>Date Issued: _____</p>	
<p>2. <i>As Built Certification</i></p>	
<p>I hereby certify that Stormwater discharge facility has been built substantially in accordance with the approved plans and specifications, and that any substantial deviations (noted below) will not prevent the system from functioning in compliance with the requirements of Section 526 through 535 of DCMR-21, Chapter 5 when properly maintained and operated. These determinations have been based upon on-site observation of construction, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.</p>	
<p>_____ Signature of Engineer</p>	<p>_____ Name (Please Type) D.C. Reg. No.</p>
<div style="border: 1px solid black; height: 150px; width: 100%; position: relative;"> <div style="position: absolute; top: 5px; left: 5px;">Affix Seal:</div> </div>	<p>_____ Company Name</p> <p>_____ Company Address</p> <p>_____ Date: _____ Phone No. _____</p>
<p>Substantial deviations from the approved plans and specifications (attach additional sheets if required).</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	

Figure 5.3 As-built certification stamp.

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

**District Department of the Environment
NATURAL RESOURCES ADMINISTRATION
WATERSHED PROTECTION DIVISION**

**DECLARATION OF COVENANTS
For a Storm Water Management Facility**

THIS DECLARATION OF COVENANTS (the “**Declaration**”) is made as of this _____ day of _____, 20____, by and between LIST NAME OF OWNER, a LIST TYPE OF CORPORATION/PROPERTY OWNER, and its successors and assigns (“**Owner**”), for the benefit of the DISTRICT OF COLUMBIA, a municipal corporation (the “**District**”).

RECITALS

A. The Owner is the owner in fee simple of certain real property and improvements (collectively, the “**Property**”) located in the District of Columbia and more particularly described in **Exhibit A** attached hereto and made a part hereof. No other person or entity has an ownership interest in the Property.

B. In order to accommodate and regulate changes in storm water flow conditions resulting from certain improvements Owner will make to the property, Owner shall construct and agrees to maintain, at its sole expense, a storm water management facility and sustainable design features (collectively, the “**Facility**”) identified as _____, pursuant to the plans approved by the District (and as the same may be amended after District’s approval) attached hereto as **Exhibit B** as the Site Plan.

C. Title 21 of the District of Columbia Municipal Regulations (“**DCMR**”) Sections 534.2, 534.3, and 534.4 require that an owner maintain any storm water management facility on its property in good condition, develop and submit for approval a maintenance schedule for any such storm water management facility, and execute and record with the Recorder of Deeds of the District a covenant setting forth the owner’s aforementioned maintenance responsibilities with specificity.

NOW, THEREFORE, for and in consideration of the issuance of construction permits and approval of Owner’s plans by the District, and other good and valuable consideration the sufficiency of which is hereby acknowledged, for the benefit of and limitation upon Owner and all future owners of the Property, and for the benefit of the District, Owner for itself, its successors and assigns, does hereby acknowledge, represent, covenant, agree, and warrant to the District as follows:

1. The foregoing Recitals and attached Exhibits are all hereby incorporated in and made a part of this Declaration to the same extent as if herein set forth in full, provided however, that said Recitals shall not be deemed to modify the express provisions hereinafter set forth.

Figure 5.4 Declaration of Covenants template.

2. Owner shall construct and perpetually operate and maintain the Facility in such manner as to comply with the provisions of Title 21, Chapter 5 of DCMR at its sole expense and in strict accordance with the development and maintenance plan approved by the District. Specifically, Owner shall be responsible for the maintenance of the Facility in accordance with the maintenance standards attached hereto as Exhibit C.

3. Owner shall, at its sole expense, make such changes or modifications to the Facility as may, in the District's discretion, be determined necessary to insure that the Facility is maintained in good condition and continues to operate as designed and approved.

4. The District and its agents, employees and contractors shall have the right to enter the Property for the purpose of inspecting the Facility in accordance with established inspection procedures and Section 16 of the Water Pollution Control Act of 1984 (D.C. Law 5-188; 32 DCR 919; D.C. Official Code §8-103.01, *et seq.* (2007 Supp.), and as amended, (the "Act"), at reasonable times and in a reasonable manner, in order to insure that the Facility is being properly maintained and is continuing to perform in the manner approved by the District.

5. Should Owner fail to perform its maintenance responsibilities as set forth herein and as contained in any and all plans submitted to and approved by the District, or fail to operate and, where necessary, restore the Facility in accordance with the approved design standards, as the same may be amended from time to time, and in accordance with all applicable laws and regulations, the District shall be entitled to pursue any and all enforcement actions available to it pursuant to the Act and Title 21, Chapter 22 of the DCMR, as the same may be amended or revised from time to time. Without limiting the generality of the foregoing, in the event that a discharge or threat of discharge from the Facility poses an imminent and substantial danger to the public health or welfare, the District may take immediate action against Owner pursuant to either Section 21-2207 or Section 21-2211.2 of the DCMR.

6. If Owner's failure or refusal to maintain the Facility in accordance with the covenants and warranties contained in this Declaration ultimately results in duly authorized corrective action by the District, Owner shall bear all costs incurred by the District for such corrective measures, such costs may be assessed against the Property, and Owner may be fined in accordance with the Act and Title 21, Chapter 5 of the DCMR.

7. The provisions of this Declaration shall be deemed warranties by the Owner and covenants running with the land and shall bind and inure to the benefit of Owner and the District, their respective heirs, successors and/or assigns. When Owner ceases to own an interest in the Property, the rights, warranties, and obligations under this Declaration shall become the rights, warranties, and obligations of the successor-in-ownership and interest as to the Property.

8. Owner shall, at its cost and expense, properly record this Declaration with the Recorder of Deeds and furnish the District's Department of the Environment and Office of the Attorney General with a copy of this Declaration, certified by the Recorder of Deeds as a true copy of the recorded instrument.

9. Owner shall indemnify, save harmless, and defend the District, and all its officers, agents, and employees from and against all claims or liabilities that may arise out of or in

Figure 5.4 (continued)

connection with, either directly or indirectly, any of Owner's actions or omissions with regard to the construction, operation, maintenance and/or restoration of the Facility.

10. Owner shall insure that all prior liens recorded against the Property are subordinate to this Declaration. Failure to subordinate any such liens may give rise to termination of any building permits and/or invalidation of any certificate of occupancy relating to the Property.

11. Owner shall, at its sole expense, comply with all provisions of this Declaration regardless of any conflicting requirements in any other covenant, easement, or other legal document recorded or unrecorded against the Property. Neither the entering into of this Declaration nor performance hereunder will constitute or result in a violation or breach by Owner of any other agreement or order which is binding on the Owner.

12. To the extent the Owner is an entity, the Owner warrants that it is (i) duly organized, validly existing and in good standing under the laws of its state of jurisdiction and is qualified to do business and is in good standing under the laws of the District of Columbia, (ii) is authorized to perform under this Declaration and (iii) has all necessary power to execute and deliver this Declaration.

13. The form of this Declaration has been approved by the District of Columbia Office of the Attorney General for legal sufficiency pursuant to Title 12A, Section 106.6 of the D.C.M.R. This Declaration, and the provisions contained herein, may not be modified, amended, or terminated without the prior written consent of the District and legal sufficiency approval by the District of Columbia Office of the Attorney General, such agreement to be evidenced by a document duly executed and delivered in recordable form and recorded with the Recorder of Deeds at no expense to the District.

14. The District has the right to specifically enforce this Declaration.

15. This Declaration shall be governed by, construed and enforced in accordance with, the laws of the District of Columbia.

16. This Declaration has been duly executed and delivered by the Owner, and constitutes the legal, valid, and binding obligations of the Owner, enforceable against the Owner and its successors and assigns, in accordance with its terms.

17. If any of the covenants, warranties, conditions or terms of this Declaration shall be found void or unenforceable for whatever reason by any court of law or of equity, then every other covenant, condition or term herein set forth shall remain valid and binding.

[SIGNATURES FOLLOW]

Figure 5.4 (continued)

APPROVED AS TO TECHNICAL SUFFICIENCY:

District of Columbia
District Department of the Environment
Natural Resources Administration
Watershed Protection Division

By: _____
Name: _____
Title: _____
Date: _____

APPROVED AS TO LEGAL SUFFICIENCY:

District of Columbia Office of the Attorney General
Real Estate Section

By: _____
Assistant Attorney General
Date: _____

Figure 5.4 (continued)

EXHIBIT A
[LEGAL DESCRIPTION]

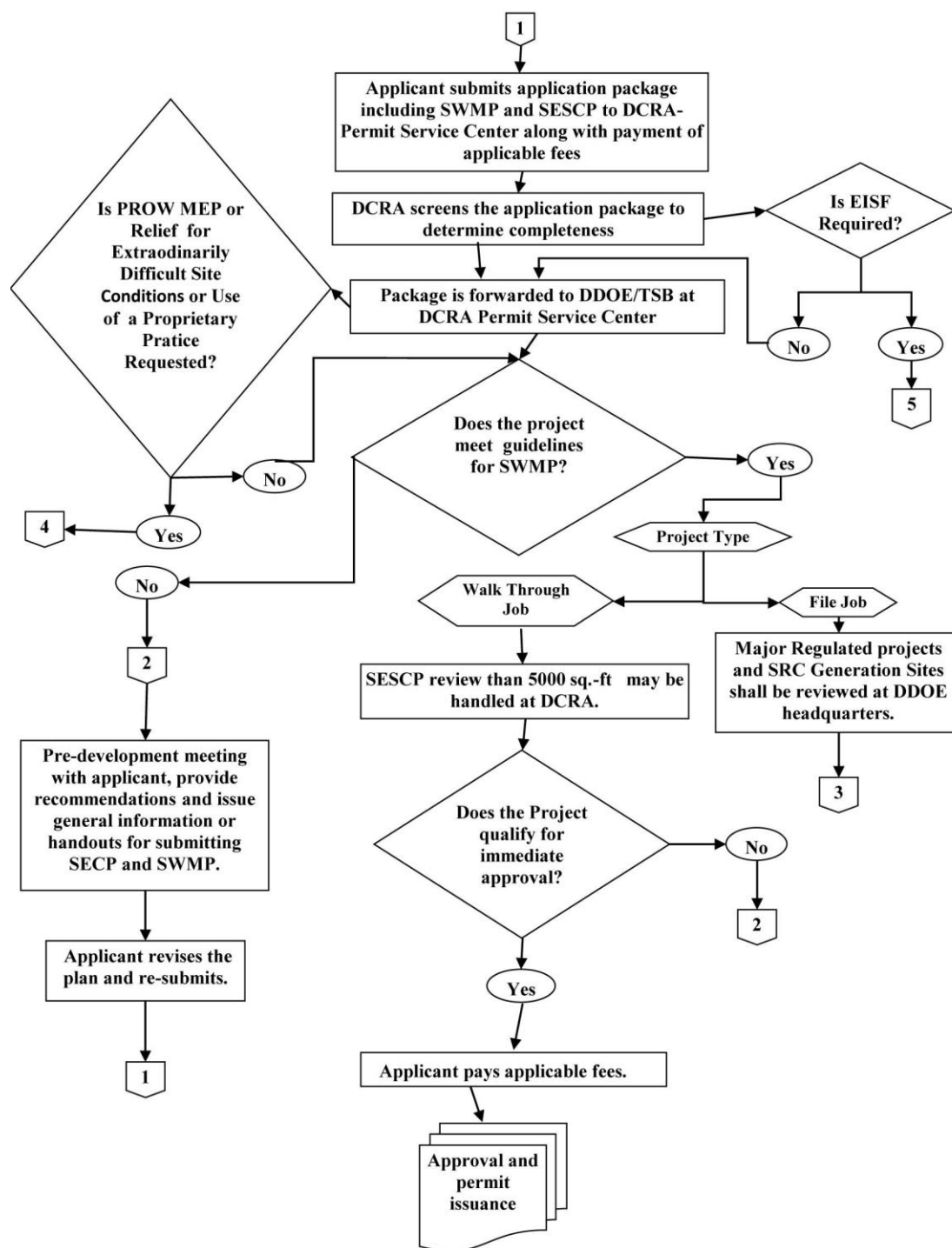
EXHIBIT B
[SITE PLAN]

EXHIBIT C
[MAINTENANCE SCHEDULE]

Figure 5.4 (continued)

5.7 Flow Diagram of Plan Review Process

Flow charts, in Figures 5.1 through 5.4 illustrate the five steps in DDOE's review of a Stormwater Management Plan (SWMP) and Soil Erosion and Sediment Control Plan in the context of the overall permitting process, which includes the Environmental Impact Statement Form (EISF) process.



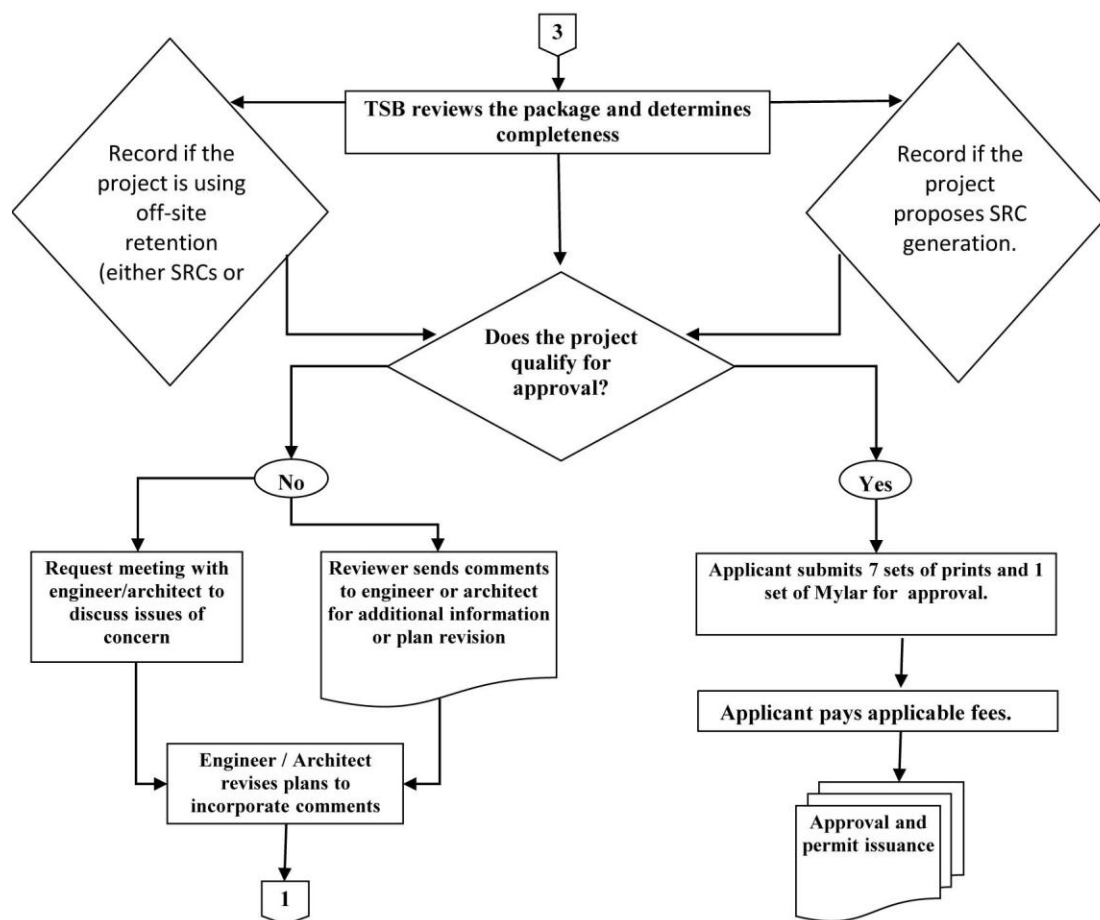
Note:

SESCP : Soil Erosion and Sediment Control Plan
 SWMP : Storm Water Management Plan
 ERC : Environmental Review Coordinator
 PROW: Public Right of Way
 SRC: Stormwater Retention Credit

DCRA: Department of Consumer and Regulatory Affairs
 EISF: Environmental Impact Screening Form
 TSB: Technical Services Branch
 MEP: Maximum Exent Practicable

Revision Date: 08/15/2012

Figure 5.5 Stormwater Management and Soil Erosion and Sediment Control Plan Review, Steps 1 and 2.



Note:

SESCP : Soil Erosion and Sediment Control Plan

SWMP : Storm Water Management Plan

ERC : Environmental Review Coordinator

PROW: Public Right of Way

SRC: Stormwater Retention Credit

DCRA: Department of Consumer and Regulatory Affairs

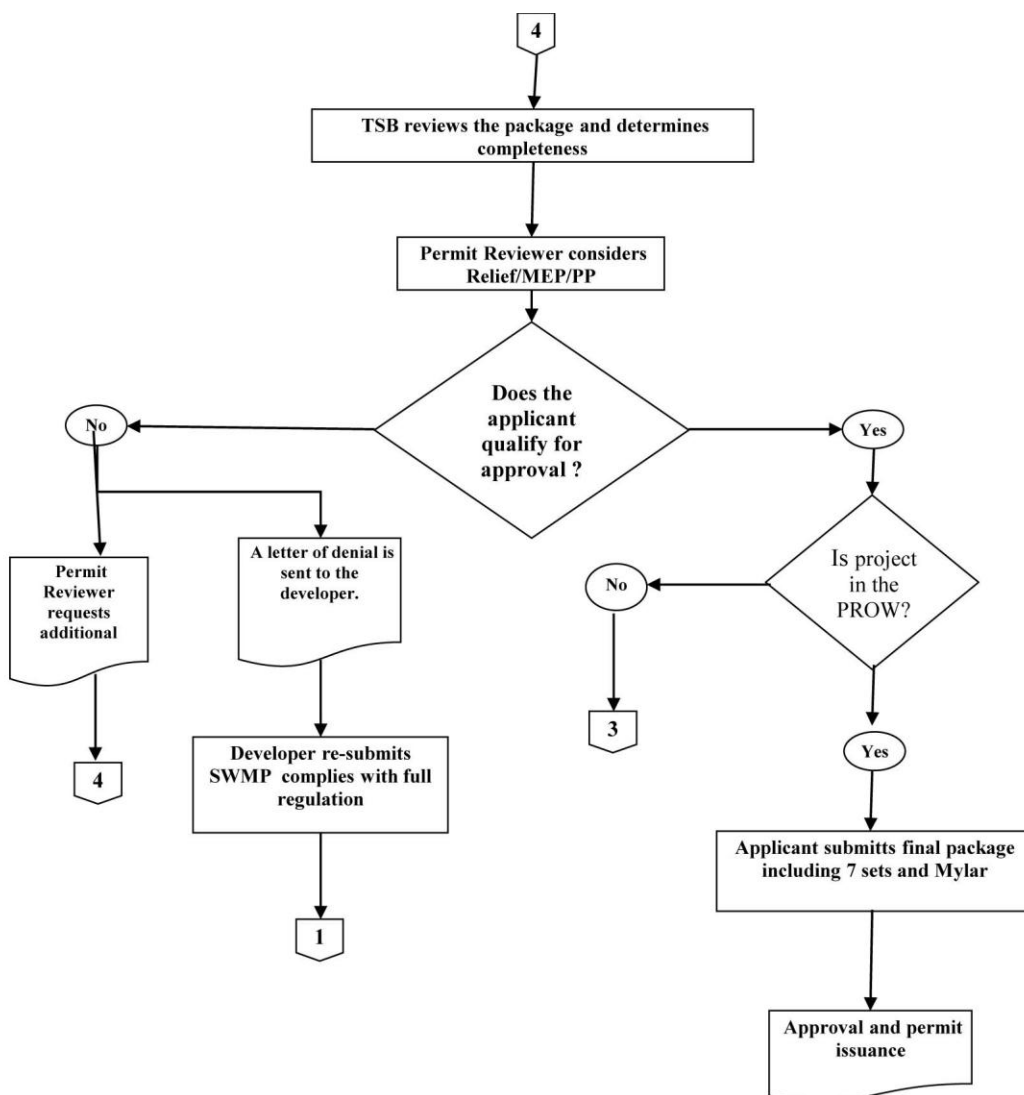
EISF: Environmental Impact Screening Form

TSB: Technical Services Branch

MEP: Maximum Exent Practicable

Revision Date: 08/15/2012

Figure 5.6 Stormwater Management and Soil Erosion and Sediment Control Plan Review, Step 3.



Note:

SESCP : Soil Erosion and Sediment Control Plan

SWMP : Storm Water Management Plan

ERC : Environmental Review Coordinator

PROW: Public Right of Way

Relief: Relief for Extraordinarily Difficult Site Conditions

PP: Proprietary Practice

SRC: Stormwater Retention Credit

DCRA: Department of Consumer and Regulatory Affairs

EISF: Environmental Impact Screening Form

TSB: Technical Services Branch

MEP: Maximum Exent Practicable

Revision Date: 08/15/2012

Figure 5.7 Stormwater Management and Soil Erosion and Sediment Control Plan Review, Step 4.

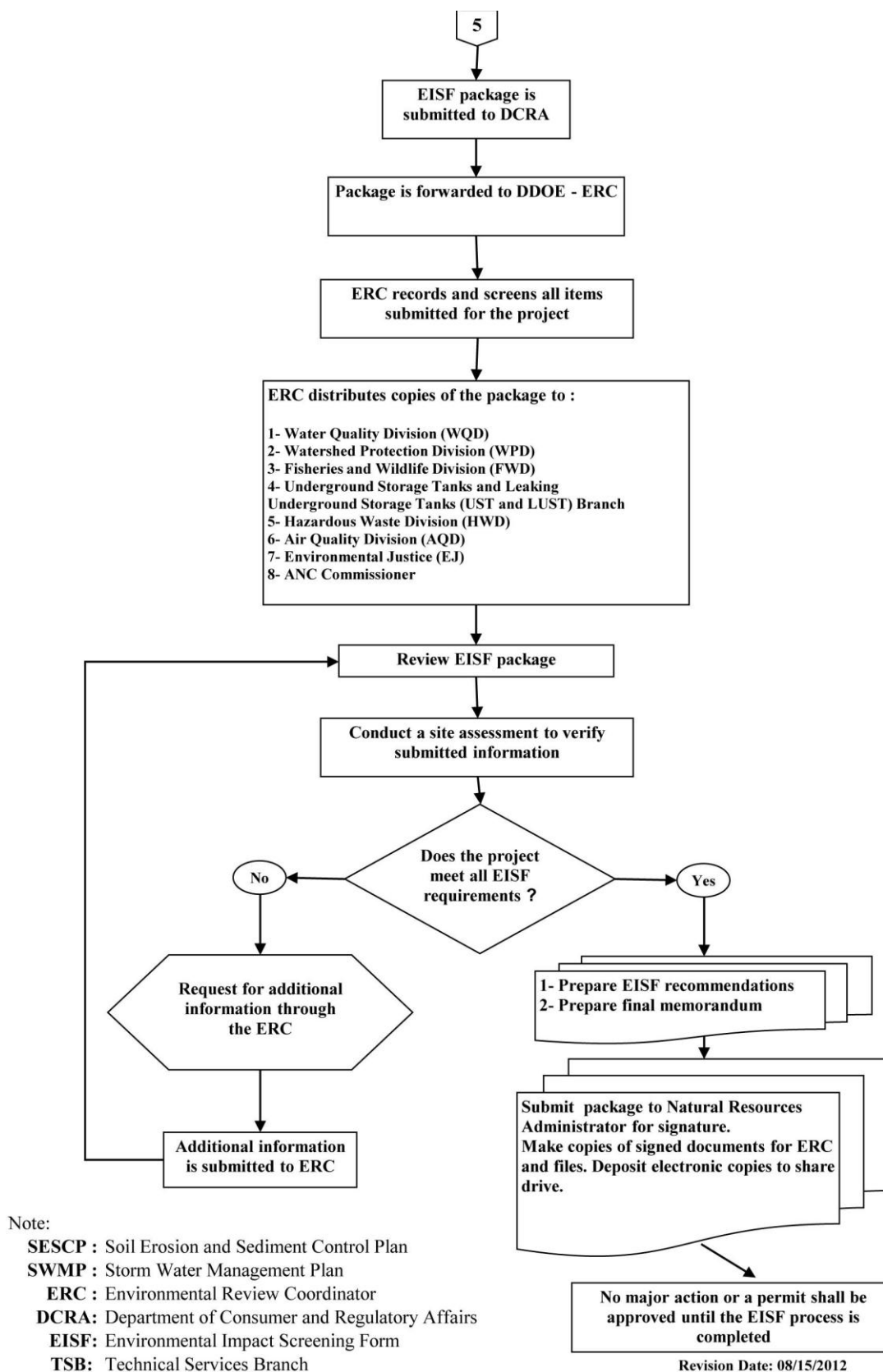


Figure 5.8 Stormwater Management and Soil Erosion and Sediment Control Plan Review, Step 5.

