

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

Stormwater Management and Soil Erosion and Sediment Control Fees and Exemption

Effective Close of Business January 31, 2019

Chapter 5 of Title 21 of the District of Columbia Municipal Regulations

Section 501 FEES

- 501.1 The District Department of the Environment (Department) shall adjust the fees in this section for inflation annually, using the Urban Consumer Price Index published by the United States Bureau of Labor Statistics.
- 501.2 An applicant shall pay a supplemental review fee for each Department review after the review for the first resubmission of a plan, and the fee shall be paid before a building permit may be issued, except that a project or portion of a project entirely in the existing public right of way shall not be required to pay a supplemental review fee for a review specified for a design phase under the Maximum Extent Practicable (MEP)
- 501.3 An applicant for Department approval of a soil erosion and sediment control plan shall pay the fees in Table 1 for Department services at the indicated time, as applicable:

Table 1. Fees for Soil Erosion and Sediment Control Plan Review

Payment Type	Payment Requirement	Fees by Land Disturbance Type		
		Residential	All Other	
		≥ 50 ft ² and < 500 ft ²	≥ 50ft ² and < 5,000 ft ²	≥ 5,000 ft ²
Initial	Due upon filing for building permit	\$53.96	\$469.44	\$1,154.70
Final • Clearing and grading > 5,000 ft ² • Excavation base fee • Excavation > 66 yd ³ • Filling > 66 yd ³	Due before building permit is issued	n/a		\$0.16 per 100 ft ²
		n/a	\$469.44	
		\$0.11 per yd ³		
		\$0.11 per yd ³		
Supplemental	Due before building permit is issued	\$107.92	\$107.92	\$1,079.16

- 501.4 An applicant for Department approval of a Stormwater Management Plan (SWMP) shall pay the fees in Table 2 for Department services at the indicated time, as applicable:

Table 2. Fees for Stormwater Management Plan Review

Payment Type	Payment Requirement	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
		≥ 5,000 ft ² and ≤ 10,000 ft ²	> 10,000 ft ²
Initial	Due upon filing for building permit	\$3,561.24	\$6,582.90
Final	Due before building permit is issued	\$1,618.75	\$2,589.99
Supplemental	Due before building permit is issued	\$1,079.16	\$2,158.33

501.5 An applicant for Department approval of a plan and any other person requesting the services in Table 3 shall pay the additional fees in Table 3 for Department services before issuance of a building permit, except:

- (a) If a person is applying for relief from extraordinarily difficult site conditions, the person shall pay the fee upon applying for relief; and
- (b) If a person is not applying

501.6 An applicant shall be required to pay the fees in Table 3 for review of a Stormwater Pollution Prevention Plan only if the site is regulated under the Construction General Permit issued by Region III of the Environmental Protection Agency.

Table 3. Additional Fees

Review or Inspection Type	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
	≤ 10,000 ft ²	> 10,000 ft ²
Soil characteristics inquiry	\$161.87	
Geotechnical report review	\$75.54 per hour	
Pre-development review meeting	No charge for first hour \$75.54 per additional hour	
After-hours inspection fee	\$53.96 per hour	
Stormwater pollution plan review	\$1,187.08	
Dewatering pollution reduction plan review	\$1,187.08	\$2,266.24
Application for relief from extraordinarily difficult site conditions	\$539.58	\$1,079.16

501.7 An applicant for Department approval of a SWMP for a project being conducted solely to install a Best Management Practice (BMP) or land cover for Department certification of a Stormwater Retention Credit (SRC) shall pay the fees in Table 4 for Department services at the indicated time, as applicable, except that:

- (a) A person who is paying a review fee in Table 2 for a major regulated project shall not be required to pay a review fee in Table 4 for the same project; and

- (b) A person who has paid each applicable fee to the Department for its review of a SWMP shall not be required to pay a review fee in Table 4 for the same project:

Table 4. Fees for Review of Stormwater Management Plan to Certify Stormwater Retention Credits

Payment Type	Payment Requirement	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
		≤ 10,000 ft ²	> 10,000 ft ²
Initial	Due upon filing for building permit	\$620.52	\$917.29
Final	Due before building permit is issued	\$134.90	\$215.83
Supplemental	Due before building permit is issued	\$539.58	

501.8 A person who requires Departmental approval of an as-built SWMP for SRC certification for a BMP or land cover for which a plan review fee has not been paid to the Department shall pay each applicable fee for initial and final SWMP review in Table 4.

501.9 A person who requires the Department’s review of a proposed or as-built SWMP solely for the purpose of applying for a stormwater fee discount under this Chapter shall not be required to pay a plan review fee to the Department for that project, except that a person who subsequently applies for SRC certification for the same project shall pay each applicable fee for initial and final plan review before the Department will consider the application for SRC certification.

501.10 An applicant for Department approval of a Green Area Ratio plan shall pay the fees in Table 5 for Department services at the indicated time:

Table 5. Fees for Review of Green Area Ratio Plan

Payment Type	Payment Requirement	Fees by Combined Area of Land Disturbance and Substantial Improvement Building Footprint	
		≤ 10,000 ft ²	> 10,000 ft ²
Initial	Due upon filing for building permit	\$620.52	\$917.29
Final	Due before building permit is issued	\$134.90	\$215.83
Supplemental	For reviews after first resubmission	\$539.58	

501.11 The in lieu fee shall be three dollars and seventy-eight cents (\$3.78) per year for each gallon of Off-Site Retention Volume (Offv). In accordance with the court-approved consent decree, including court-approved modifications, for reducing Combined Sewer Overflows (CSOs) in the District of Columbia:

- (a) In-lieu fees paid by regulated projects in drainage areas that are targeted for green infrastructure implementation under a court-approved consent decree will be used to fund construction of green infrastructure in those drainage areas; and
- (b) In-lieu fees paid by regulated projects in combined sewersheds will not be used to fund projects in combined sewersheds controlled by Gray CSO Controls required by a court-approved consent decree.

501.12 The administrative late fee for an in-lieu fee payment shall be ten percent (10%) of the late payment.

501.13 A person shall pay the fees in Table 6 for the indicated resource before receipt of the resource:

Table 6. Fees for Resources

Paper Copies of Documents	Cost
District Standards and Specifications for Soil Erosion and Sediment Control	\$53.96
District Stormwater Management Guidebook	\$94.34
District Erosion and Sediment Control Standard Notes and Details (24 in x 36 in)	\$26.98
District Erosion and Sediment Control Manual	\$45.00
District Erosion and Sediment Control Handbook	\$45.00

Section 541 SOIL EROSION AND SEDIMENT CONTROL: EXEMPTIONS

541.1 The following land-disturbing activities are exempt from the requirement to comply with the soil erosion and sediment control provisions of this chapter, except as noted below and in Section 540 (Soil Erosion and Sediment Control: Applicability):

- (a) For an individual house, townhouse, or rowhouse:
 - (1) Gardening;
 - (2) Landscaping;
 - (3) Repairs;
 - (4) Maintenance;
 - (5) Stormwater retrofits, provided that:
 - (A) The soil allows for percolation; and
 - (B) The retrofit location is no closer than ten feet (10 ft.) from a building foundation;

- (6) Utility service connection, repair, or upgrade;
- (b) A project for which the total cost is less than nine thousand eight hundred twenty-two dollars and twenty-nine cents (\$9,822.29);
- (c) Tilling, planting, or harvesting of agricultural or horticultural crops;
- (d) Installation of fencing, a gate, signpost, or a pole;
- (e) Emergency work to protect life, limb or property, and emergency repairs, except that the following is not exempted to the extent described:
 - (1) The land disturbed must still be shaped and stabilized in accordance with the requirements of this chapter;
 - (2) Generally applicable control measures shall be used; and
 - (3) A plan shall be submitted within three (3) weeks after beginning the emergency work; and
- (f) Activities that disturb less than fifty square feet (50 ft²).