



Board Summary Report

To: SEMSWA Board of Directors

From: Ashley Byerley, WQ and Special Projects Coordinator

Through: Lanae Raymond, WQ and Special Projects Program Manager

Date: June 18, 2012

Re: Amendment to Fee Schedule adopted March 24, 2010

Board Meeting Date: June 27, 2012

Purpose and Recommendation

The purpose of this Amendment to the Review and Permit Services Fee Schedule is to update fees for GESC review and permitting based upon the *GESC Permitting Policy* adopted by the Board pursuant to Resolution 12-20, adopted May 23, 2012. It is recommended that the Board adopt the revised Fee Schedule to clarify and optimize the directive of the Formation IGA to “fix, maintain and revise fees, and charges for functions, services or facilities provided by the Authority.”

Background

SEMSWA's formation agreements grant it the authority to assess and collect reasonable fees to cover or offset the cost of its review and permit services. In 2010, SEMSWA established its methodology for calculating review and permit fees (Resolution No.18, Series of 2010 “*Adoption of Fee Schedule for Review and Permit Services*”). With the adoption of the *GESC Permitting Policy* in May of 2012, the Small Site GESC process has been expanded to include up to 5 acres. This expedited review and permitting process for these sites requires that the fee schedule be adjusted to reflect this change. In addition, the *GESC Permitting Policy* outlined an Annual Permitting process that was not previously reflected in the Fee Schedule.

Discussion

In an effort to make the GESC permitting process more consistent with potential impacts to the drainageway, the *GESC Permitting Policy* outlined a framework to permit land disturbances regulated by the GESC Manual with the intent of a permitting program that promotes environmentally-sound construction practices in the City while using staff resources suitably and efficiently. These changes result in a need for the following updates to the Fee Schedule:

1. The Policy resulted in further defining Small Site GESC plans, a streamlined plan and permit process, to include up to five acres, where previously only one acre and smaller sites qualified for this process. The original fee adopted for the GESC plan review associated with small sites was \$470 and was intended to cover the review time associated with small sites under one acre of disturbance. The proposed Small Site GESC Plan review fee is \$1135 and is intended to cover the time associated with the review that will now cover sites up to five acres in disturbance. As a comparison, sites with greater than one acre and up to five acres of disturbance that were previously reviewed as a Standard GESC Review would have been

charged \$1,270 - \$1,595. The proposed amended fee of \$1135 is consistent with the adopted fee for Standard GESC Reviews for sites less than one acre of disturbance, as the time for review is anticipated to be similar.

2. The Policy resulted in defining an Annual Permit process for routine Land disturbance activities for similar, consistent and repetitive maintenance and installation projects that are relatively short term and typically frequent in occurrence. The Annual Permit allows these types of activities to be permitted on an annual basis utilizing typical plans for the proposed activity. The approved Fee Schedule did not include a category for this activity. The proposed Annual Permit fee is \$2500 per year for more than one site and \$500 a year for one site and is intended to cover the time associated with the reconnaissance inspections, compliance assistance, detail and BMP development and monitoring, and potential enforcement. The fee was developed based on discussions with the City and County Staff, reviewing the cases over the past year that might have qualified for the Annual Permit, and our estimated staff time. As a comparison, projects that would now qualify for the Annual Permit would have typically paid between \$250 and \$1350 per project on an ongoing basis. These fees will be monitored after implementation to ensure that fee collection is consistent with the intent of the original Fee Schedule adoption.

Fiscal Impacts

1. It is anticipated that the Small Site GESC process will result in SEMSWA collecting less review fees. However, the intent of the streamlined process is to allow for a proportionately lesser review time by SEMSWA staff, ideally balancing the loss of fee revenue.
2. It is anticipated that the Annual Permit process will result in SEMSWA collecting less review and permit fees. However, the permit process is intended to better represent the potential impact that Annual Permit activities pose, and as such the lesser fee revenue might be of lesser importance than updating the process to have a fee that reflects the simplified process.

Concurrence

Discussions with the SEMSWA Attorney and Executive Director, as well as City Engineering staff indicate concurrence with adopting the Amendment to the Fee Schedule.

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 12-24

Approval of an Amendment to the Fee Schedule for Review, Permit and other Related Services adopted
Pursuant to Resolution No. 10-18 and Amended as Resolution No. 10-51

WHEREAS, the Southeast Metro Stormwater Authority (SEMSWA) adopted Resolution No. 10-18 in regard to a Fee Schedule for review, permit, and other related SEMSWA services and adopted an Amendment to the Fee Schedule as Resolution No. 10-51; and

WHEREAS, in accordance with the Board's desire to recover the estimated cost of performing review and permit services in a consistent, equitable, and fair manner, SEMSWA has determined to revise the Fee Schedule to reflect the GESC Permitting Policy adopted as Resolution No. 12-10.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of SEMSWA acting by and through SEMSWA Water Activity Enterprise hereby approves and adopts the attached Amended Fee Schedule for review, permit and other related services.
2. The Executive Director is authorized and directed to implement the Amended Fee Schedule as of July 1, 2012 for services in which payment of fee is required in accordance with the Amended Fee Schedule.

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor



SEMSWA AMENDED FEE SCHEDULE

Effective April, 2010

Amended July 2012

Review Fee Category	Fee in City	Fee in County
Construction Drawings		
< 1 acre	\$1,000	\$605
1-2.99 acres	\$1,195	\$720
3-4.99 acres	\$1,535	\$925
5-9.99 acres	\$1,660	\$995
10-14.99 acres	\$1,860	\$1,120
15-19.99 acres	\$2,065	\$1,235
20-24.99 acres	\$2,190	\$1,315
25-49.99 acres	\$2,660	\$1,595
>50 acres	\$2,660+\$20/acre	\$1,595+\$15/acre
Drainage Report		
Phase III		
< 1 acre	\$1,000	\$605
1-2.99 acres	\$1,195	\$720
3-4.99 acres	\$1,535	\$925
5-9.99 acres	\$1,660	\$995
10-14.99 acres	\$1,860	\$1,120
15-19.99 acres	\$2,065	\$1,235
20-24.99 acres	\$2,190	\$1,315
25-49.99 acres	\$2,660	\$1,595
>50 acres	\$2,660+\$20/acre	\$1,595+\$15/acre
Letter of Compliance	\$735	\$440
Technical Letter	\$940	\$565
Phase II or Transition		
< 1 acre	\$735	\$440
1-2.99 acres	\$860	\$515
3-4.99 acres	\$1,135	\$680
5-9.99 acres	\$1,270	\$760
10-14.99 acres	\$1,410	\$845
15-19.99 acres	\$1,535	\$925
20-24.99 acres	\$1,660	\$995
25-49.99 acres	\$1,995	\$1,195
>50 acres	\$1,995+\$15/acre	\$1,195+\$10/acre
Phase I		
< 5 acres	\$530	\$320
5 to 25 acres	\$665	\$400
Greater than 25 acres	\$800	\$475
Operations and Maintenance		
O&M	\$665	\$665
Maintenance Agreement	\$155	NA



SEMSWA AMENDED FEE SCHEDULE

Effective April, 2010

Amended July 2012

Review Fee Category	Fee in City	Fee County
GESC Plan and Report		
Low Impact GESC	\$470	\$470
Small Site	\$1,135	\$1,135
Standard GESC Fee:		
< 1 acre	\$1,135	\$1,135
1-2.99 acres	\$1,270	\$1,270
3-4.99 acres	\$1,410	\$1,410
5-9.99 acres	\$1,595	\$1,595
10-14.99 acres	\$1,800	\$1,800
15-19.99 acres	\$1,995	\$1,995
20-24.99 acres	\$2,130	\$2,130
25-49.99 acres	\$2,925	\$2,925
>50 acres	\$2,925+\$20/acre	\$2,925+\$20/acre
Temporary Batch Plant Review	\$1,135	\$1,135
Floodplain Modification Analysis		
Floodplain Modification Study/CLOMR	\$3,195	\$3,195
LOMR	\$1,595	\$1,595
Floodplain Study Only (no CLOMR)	\$2,395	\$2,395
No Impact Analysis ¹	\$450	\$450
Easements		
Legal Description and Exhibit	\$665	N.A.
Easement Agreement	\$205	N.A.
Non-Standard	Actual Cost	N.A.
Easement Agreement	(Attorney)	N.A.
Agreements		
Subdivision Improvement Agreement	\$800	N.A.
Engineer's Cost Estimate	\$235	N.A.
License Agreement	\$550	N.A.
Offsite Easement	\$550	N.A.
Intergovernmental Agreement	\$550 + Actual Cost (Attorney)	N.A.
Non-Standard Agreement	\$550 + Actual Cost (Attorney)	N.A.
Site Plans and Plats		
Site Plans	\$1,000	N.A.
Plats	\$400	N.A.
Expedited Reviews		
Half of Assigned Time	2 x the review fee	2 x the review fee
Other (Exceeding Half Time)	2 x the review fee, <u>or</u> Actual Cost whichever is greater	2 x the review fee, <u>or</u> Actual Cost whichever is greater
Recordation Charges		
O&M Manuals	Actual Cost	Actual Cost
SIAs, Easements, or other Documents	Actual Cost	N.A.

¹ Analysis is defined as submittal and staff time required to determine if "No Impact"



SEMSWA AMENDED FEE SCHEDULE

Effective April, 2010

Amended July 2012

Permit Fee Category	Fee in City	Fee in County
Grading, Erosion & Sediment Control (GESC)		
Low Impact GESC	\$250	\$250
Annual Permit:		
Single Site	\$500	\$500
Multiple Sites	\$2,500	\$2,500
Standard Permit:		
< 1 acre	\$1,135	\$1,135
1 - 4.99 acres	\$1,760	\$1,760
5 - 9.99 acres	\$2,620	\$2,620
10 - 14.99 acres	\$3,245	\$3,245
15 - 19.99 acres	\$3,640	\$3,640
20 - 49.99 acres	\$4,485	\$4,485
>50 acres	\$4,485 + \$20/acre	\$4,485 + \$20/acre
Stormwater Public Improvement Permit (SPI)		
Cost from	Percent of SPI Cost	Percent of SPI Cost
Engineers Estimate:		
0-\$9,999	8.6%	N.A.
\$10,000-\$19,999	7.7%	N.A.
\$20,000-\$29,999	6.3%	N.A.
\$30,000-\$39,999	5.3%	N.A.
\$40,000-\$49,999	4.2%	N.A.
\$50,000-\$59,999	3.6%	N.A.
\$60,000-\$69,999	3.3%	N.A.
\$70,000-\$149,999	2.7%	N.A.
\$150,000-\$199,999	2.3%	N.A.
\$200,000-\$249,999	2.2%	N.A.
>\$250,000	1.7%	N.A.
Floodplain Development Permit		
No Impact Permit	\$315	\$315
Standard Permit	\$720	\$720

Miscellaneous Fees	
Fee Category	SEMSWA Fee
GESC Permit	
Re-inspection Fee	1 st occurrence: \$160; 2 nd : \$500; 3 rd and subsequent: \$1,000
Permit Renewal-Low Impact	\$250 if prior to Initial Close Out
Permit Renewal-Standard	½ original amount prior to Initial Close Out, <u>or</u> \$250 if after Initial Close Out
Permit Transfer	\$250
Failure to obtain permit	½ permit value per day of work without permit (max)
Permit Reinstatement	½ original permit
Permit Amendment	½ original permit or
Stormwater Public Improvement Permit	
Permit Transfer	\$250
Failure to obtain permit	½ permit value per day of work without permit (max)
Permit Renewal	½ original amount prior to Probationary Acceptance, <u>or</u> \$250 if after Probationary Acceptance
Permit Amendment	½ original amount
Floodplain Development Permit	
Permit Renewal	½ original amount
Permit Amendment	½ original amount
Failure to obtain permit (construction started, permit application complete)	½ permit value per day of work without permit (max)
Failure to obtain permit (construction started without a permit application)	½ permit value
Plan Renewal	
GESC Plan Renewal	½ original amount, <u>or</u> if no required changes to plan, \$250
Drainage Report & CD's	½ original amount, <u>or</u> if no required changes to plan, \$250
Plan Amendment	
GESC Plan Amendment	½ original amount
Drainage Report & CD's	½ original amount

Transfer: Change in responsible party identified on Permit

Reinstatement: Permit renewal after Stop Work Order and/or Notice of

Renewal: Re-approval after expiration

Amendment: Re-approval prior to expiration