



Randy E. Hayman, Water Commissioner

Stormwater Management Fee-in-Lieu Frequently Asked Questions

I. What is Fee-in-Lieu?

As defined in 600.3 of [Philadelphia Water Department \(PWD\) Stormwater Regulations](#), PWD may grant a request for a development project to pay a onetime fee in lieu (FIL) of providing stormwater management for all or a portion of the development site.

II. When can it be used?

All applicable projects are required to design, construct, and maintain stormwater management systems on-site. However, PWD recognizes that conditions may exist preventing the reasonable implementation of SMPs. Payment of FIL is a “last-resort” option, accepted only when all strategies outlined in the Stormwater Management Guidance Manual [Section 3.2](#) have been exhausted. This includes, but is not limited to, traditional Stormwater Management Practices (SMPs) described in Manual [Section 4](#) as well as Non-Structural Design, Disconnected Impervious Cover, and Stormwater Management Trading.

FIL may only be used to offset the Water Quality requirement, either in full or in part, of the PWD Regulations. It cannot be used as an alternative to meeting Flood Control, Channel Protection, Public Health and Safety Release Rates, NPDES Permit requirements, or any other federal, state, or local stormwater management regulation or requirements.

III. How do I apply?

Applicants requesting to pay FIL must submit to PWD a letter signed by a Licensed Professional that formalizes the FIL request and includes, at minimum, the following information:

- General project information including applicable stormwater management requirements.
- A summary of all options that have been considered for stormwater management and why they were determined to be infeasible. All strategies detailed in Section II of this FAQ should be outlined.
- Demonstration that the project, as proposed, will not adversely affect flooding, stream protection, or neighboring properties.
- Demonstration that the project, as proposed, will be consistent with requirements under any other federal, state, or local law.

The FIL request letter may be included with the Post-Construction Stormwater Management Plan (PCSMP) Report or submitted as a stand-alone document. Applicants are encouraged to reach out to PWD Stormwater Plan Review at pwd.planreview@phila.gov or 215-685-6387, prior to submitting a formal FIL request.

If PWD approves the request, the FIL total will be invoiced to the applicant along with the Hourly Review Fee invoice at the conclusion of the PCSMP Review. The FIL invoice must be paid in full before PCSMP Approval will be issued and construction may commence.

IV. How much does FIL cost?

The FIL rate is set forth in the Department’s [Rates and Charges](#). The FIL amount is calculated based on the square footage of directly connected impervious area within the limit of earth disturbance that is not being managed for the Water Quality Requirement.