

# Stormwater C.3 Update

## Regional permit has new rules

### Changes coming

- For some land uses, the threshold for treatment requirements drops to 5,000 (from 10,000) square feet of impervious area created or replaced.
- Applicants must evaluate feasibility of infiltration or on-site use.
- Applicants may propose to provide treatment of runoff from an equivalent amount of impervious area, subject to conditions.
- Use of below-ground vaults and filters is still restricted; exceptions will be updated.
- Low Impact Development (LID) design procedures and criteria for treatment and flow-control facilities will stay the same.
- Applicants for approval of projects smaller than the threshold are encouraged to include site design measures to reduce runoff and source control measures to reduce pollutants in runoff.
- Projects larger than 2,500 square feet of impervious area must include at least one site design feature to reduce runoff.

The San Francisco Bay Regional Water Quality Control Board adopted a Municipal Regional Permit (MRP) on October 14, 2009. The MRP consolidates and updates stormwater pollution prevention requirements for Bay Area municipalities. New requirements are phased in through 2012.

Since 2005, in compliance with previous permits, Contra Costa municipalities have required applicants for development approvals to submit a Stormwater Control Plan. Those plans include controls for on-site sources of pollutants and features and facilities that treat and control the flow of runoff.

Requirements for Stormwater Control Plans are in the Clean Water Program's *Stormwater C.3 Guidebook*, 4th Edition, available at [www.cccleanwater.org](http://www.cccleanwater.org).



Bioretention facility treats runoff. Photo by Scott Wikstrom, City of Walnut Creek

A 5th Edition including new MRP requirements is expected in summer 2010.

Applications deemed complete on or before December 1, 2009 and being diligently pursued and applications receiving final discretionary approval prior to December

1, 2011 are subject to the requirements in the current 4th Edition, at a minimum.

Requirements for specific development projects are determined by the local jurisdiction. Contact your local stormwater coordinator for further information.

## Smaller projects must treat runoff

Facilities to treat runoff will be required for auto service facilities, retail gasoline outlets (gas stations), restaurants, and uncovered parking lots that create or replace as little as 5,000 square feet of impervious area. The threshold for other projects remains at

10,000 square feet.

Smaller projects creating 2,500 square feet or more of impervious surface must include at least one feature that directs a portion of runoff from roofs or pavement into cisterns or rain barrels

for reuse, directs runoff on to vegetated areas, or includes permeable pavements.

A list of these features, and examples, will be included in the 5th Edition of the *Stormwater C.3 Guidebook*.



## Summary of project thresholds, dates, and compliance requirements

Threshold	Effective Date	Requirement
All projects requiring municipal approvals or permits	May 1, 2010	As encouraged or directed by local staff, preserve or restore open space, riparian areas, and wetlands as project amenities, minimize land disturbance and impervious surfaces, cluster structures, and direct runoff to vegetated areas. Use Bay-friendly landscaping features and techniques. Include Source Controls specified in <i>Stormwater C.3 Guidebook</i> Appendix D.
Projects between 2,500 and 10,000 square feet requiring approvals or permits	December 1, 2012	Install one or more of the following: Direct roof runoff into cisterns or rain barrels for reuse; direct roof runoff onto vegetated areas; direct runoff from sidewalks, walkways and/or patios onto vegetated areas; direct runoff from driveways and/or uncovered parking lots onto vegetated areas; construct sidewalks, walkways, and/or patios with permeable surfaces; construct bike lanes, driveways, and uncovered parking lots with permeable surfaces.
Auto service, gas stations, restaurants and parking lots over 5,000 square feet	December 1, 2011	Prepare and submit a Stormwater Control Plan as described in Chapter 3 of the <i>Stormwater C.3 Guidebook</i> , including features and facilities to ensure runoff is treated before leaving the site. Use the LID Design Guide in Chapter 4, including sizing factors and criteria for "treatment only."
All projects between 10,000 square feet and one acre	August 15, 2006	Prepare and submit a Stormwater Control Plan as described in Chapter 3 of the <i>Stormwater C.3 Guidebook</i> , including features and facilities to ensure runoff is treated before leaving the site. Use the LID Design Guide in Chapter 4, including sizing factors and criteria for "treatment only."
Projects an acre and larger	October 14, 2006	Select one of four flow-control compliance options from the <i>Guidebook</i> . Where required, design project features and facilities for hydrograph modification management (flow-control) as well as stormwater treatment. Prepare and submit a Stormwater Control Plan as described in Chapter 3 of the <i>Stormwater C.3 Guidebook</i> , and use the LID Design Guide in Chapter 4, including the sizing factors and criteria for "treatment and flow control."

All thresholds are for impervious area, including roofs or pavement, that is created or replaced in connection with the project.

## Low Impact Development requirements to continue

Chapter 4 of the *Stormwater C.3 Guidebook* includes a design procedure and criteria for Low Impact Development (LID) drainage design. Applicants for development approvals preserve natural drainage features; design buildings and circulation to minimize the amount of roofs and paving; substitute pervious surfaces such as turf, gravel, or pervious pavement for impervious pavement; disperse runoff from impervious surfaces to adjacent landscaping, and drain remaining impervious surfaces to bioretention or infiltration facilities or flow-through planters.

Contra Costa municipalities will continue to require these procedures and criteria be used for regulated development projects, including capital improvement projects implemented by public agencies.

Municipalities in Alameda County and some other Bay Area counties have, until now, allowed non-LID designs, including detention basins and proprietary devices, to treat runoff. Under the MRP,

these municipalities must require LID be used to reduce runoff and to treat remaining runoff before discharge off site.

Contra Costa municipalities have strongly encouraged LID design for stormwater treatment since 2005. In 2006, the San Francisco Bay Regional Water Quality Control Board approved use of Contra Costa's LID approach to meet new hydrograph modification management (flow-control) requirements as well as treatment requirements.

A forthcoming 5th Edition of the *Stormwater C.3 Guidebook* will include the following changes mandated by the MRP:

- Applicants will be required to infiltrate or evapotranspire runoff, or use runoff on-site, where feasible. The *Guidebook* will include criteria—such as highly permeable soils or available space for storage—for determining the extent to which infiltration, evapotranspiration, and

on-site use are feasible on a particular site. The *Guidebook* will continue to emphasize bioretention as a cost-effective and environmentally beneficial way to manage runoff.

- Applicants may propose to build and maintain LID facilities to treat runoff from an equivalent impervious area at another site in the same watershed. In some cases, it may be possible to pay a fee in lieu of providing LID facilities on-site.
- Currently, non-LID designs may be considered only when existing drainage systems must be retrofit and for some projects smaller than an acre built as part of a pedestrian-friendly urban landscape (see page 16 of the *Stormwater C.3 Guidebook*). These requirements may change based on a study and proposals the municipal permittees must submit to the Regional Water Quality Control Board in December 2010.

This fact sheet is a summary only. See the Regional Water Board Order and the Contra Costa Clean Water Program's *Stormwater C.3 Guidebook* for actual requirements.

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