



Santa Clara Valley
Urban Runoff
Pollution Prevention Program



C.3. Workshop, June 17, 2009

What's New in Stormwater Regulations?

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Bay Area Municipal Regional Permit (MRP)

- **Consolidates 6 Phase 1 municipal permits into one regional permit (77 permittees)**
- **Developed to ensure consistent level of implementation and reporting**
- **C.3. requirements are more specific and will apply to more projects**
- **More specific requirements for Low Impact Development (LID) measures to retain, infiltrate and treat stormwater**



MRP Timeline

- **Regional permit discussions began – 2004**
- **Draft permit public noticed – Dec 2007**
- **Water Board workshop – March 2008**
- **Revised draft permit – Feb 2009**
- **Water Board hearing – May 2009**
- **Adopt September 2009?**



C.3. New and Redevelopment

- **Status quo for most new/redevelopment projects (threshold is 10,000 ft² impervious area (IA))**
- **Size threshold for special land uses (automotive, gas stations, restaurants, parking lots) drops to 5,000 ft² IA in 2 years**
- **Small projects (2,500-10,000 ft² IA) must include at least one of six site design measures**
- **Threshold for hydromodification controls drops to 1 acre IA and area of applicability increases**



C.3. New and Redevelopment

- **LID (landscaped-based) treatment measures required for new runoff**
- **Replaced road reconstruction treatment requirement (in draft MRP) with “green streets” pilot projects requirement**
- **Revised grandfathering language for new 5,000 ft² threshold requirements**
- **Alternative Compliance opportunity for all projects (off-site/in-lieu fee)**



Potential Changes to Low Impact Development Requirements

- Define LID design elements
- Set LID hydraulic sizing standard
- Set site-based LID infeasibility criteria
- Allow off-site mitigation and/or in-lieu fee system for net LID benefit
- Establish a LID credit system
 - Projects with infeasibility and other development environmental benefits
 - transit-oriented development, Brownfield development, or high density urban infill




Construction General Permit – Background

- **Statewide permit that must be obtained to cover construction activities for projects that disturb 1 acre or more of land**
- **Requires development / implementation of a Storm Water Pollution Prevention Plan (SWPPP) during construction**
- **Owner must submit notice of intent (NOI), annual reports, monitoring data, notice of termination (NOT)**



Construction General Permit – Timeline

- **Current permit adopted 1999, expired 2004, still in effect**
- **Drafts issued March 2007, March 2008**
- **Revised Draft issued April 23, 2009**
- **Public hearing June 3, 9:00 am**
- **Comments due June 24, 5:00 pm**
- **Adopt September 2009? (will not take effect during 2009-2010 wet season)**




Construction General Permit – Key Requirements

- **Four phases of construction:
Grading, Streets/Utilities, Vertical, Post-
Construction**
- **Includes Linear Underground/ Overhead
Projects under same permit**
- **Requires electronic filing of documents:
(NOI, map, SWPPP, fee, certification, etc.)**
- **Existing projects must file within 100 days of
permit adoption**



Construction General Permit – Key Requirements

- **Numeric Action Levels (NALs):
Turbidity 250 NTU, pH 6.5 – 8.5**
- **Numeric Effluent Limits (NELs):
Turbidity 500 NTU, pH 6.0 – 9.0**
- **Design Storm: 5 year, 24 hr for NEL
compliance**
- **Exceedance of NEL is a violation of
the permit**



Construction General Permit – Key Requirements

- **Non-stormwater discharges must also be monitored for NALs & NELs**
- **Rain Event Action Plans (REAPs) required to protect exposed areas of site within 48 hours of rain event**
- **Special training and experience required for:**
 - **Qualified SWPPP Developer (QSD)**
 - **Qualified SWPPP Practitioner (QSP)**

Simplified Risk Categories

Table 7 - Combined Risk Level Matrix

Combined Risk Level Matrix			
Receiving Water Risk		Sediment Risk	
		Low	Medium
	Low	Level 1	Level 2
High	Level 2		Level 3

- Level 1: Narrative standards (BAT/BCT)
- Level 2: Narrative plus NALs
- Level 3: Narrative plus NALs and NELs



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For More Information:

■ **Municipal Regional Permit**

- http://www.swrcb.ca.gov/rwqcb2/water_issues/programs/stormwater/mrp.shtml

■ **Construction General Permit**

- http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml