CONTRA COSTA CLEAN WATER PROGRAM

Updated Stormwater Management Design Requirements:

New Development/Redevelopment Projects

Changes stemming from San Francisco Bay Municipal Regional Permit (MRP) 3.0, effective July 1, 2022

Developers Engineers Planners Project Applicants

Background

The San Francisco Bay Regional Water Quality Control Board mandates stormwater pollution prevention measures for certain development projects. In May 2022, the San Francisco Bay Regional Water Quality Control Board adopted a new Municipal Regional Stormwater Permit (MRP 3.0), which included significant changes to thresholds that determine which parcel-based development and redevelopment projects are regulated. **The purpose of this handout is to communicate MRP 3.0 Provision C.3 updates that impact parcel-based projects.**

TABLE 1. CHANGES TO REGULATED PROJECT THRESHOLDS

Old (MRP 2.0) and new (MRP 3.0) development and redevelopment threshold areas that determine parcel-based projects. Threshold areas are cumulative.

Project Type	MRP 2.0 Threshold, sq ft	MRP 3.0 Threshold, sq ft
• Parking lots • Auto service facilities • Retail gasoline outlets • Restaurants	5,000	5,000
Other development or redevelopment	10,000	5,000
Parking lot renovation	Exempt*	5,000
Detached single-family (not part of larger plan)	Exempt	10,000

** Application of C.3 requirements to parking lot renovations has varied by jurisdiction and by project.*

View or download the NPDES Municipal Regional Permit:
(Order No. R2-2022-0018)
https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2022/R2-2022-0018.pdf

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TABLE 2. THRESHOLDS AND REQUIREMENTS FOR PARCEL-BASED PROJECTS
(excluding roads and public trails)*

Non-Regulated Projects	
Impervious Area Threshold	**Requirement**
All projects requiring municipal approvals or permits (includes single-family residences)	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 pavements, include micro-detention in landscaped and other areas, and direct runoff to vegetated areas. Use Bay-friendly landscaping features and techniques. Include Source Controls specified in Appendix D**.
Projects creating or replacing more than 2,500 square feet that are not Regulated Projects	Using the template in Appendix C**, prepare and submit a Stormwater Control Plan for a Small Land Development Project. Implement one of four options: (1) Disperse runoff roof or paved area to a vegetated area; (2) incorporate permeable pavement into your project; (3) include a cistern or rain barrel if allowed by your municipality, or (4) incorporate a bioretention facility or planter box.

Regulated Projects	
Impervious Area Threshold	**Requirement**
One single-family home, not part of a larger plan of development, creating or replacing 10,000 square feet	Prepare and submit a Stormwater Control Plan as described in Chapter 2**, including features and facilities to ensure runoff is treated before leaving the site. Use the LID Design Guide in Chapter 3 and the design criteria in Chapter 4**.
All other projects creating or replacing between 5,000 square feet (10,000 square feet for projects approved before 7/1/2023) and one acre	
Projects creating or replacing one acre or more, unless exempted.	Design LID features and facilities for hydromodification management (HM) as well as stormwater treatment. Prepare and submit a Stormwater Control Plan as described in Chapter 2** and use the LID Design Guide in Chapter 3**.

** Summary only. Requirements for your project are determined by your municipality.*
*** CCCWP Stormwater C.3 Guidebook*

FAQs

Q - Why does this requirement matter?

A - Development is a major contributor to stormwater pollution due to increases in impervious surfaces like roads, parking lots, and rooftops preventing stormwater from infiltrating into the ground. Storm drain systems collect and convey this urban runoff and, in most cases, discharge directly to surface waters without treatment, contributing significant quantities of pollutants to surface waters. However, if runoff is properly managed, stormwater pollutants can be attenuated and stormwater can be a valuable resource. MRP 3.0 requirements promote low impact development (LID) techniques and green infrastructure (GI) designs, aimed to encourage stormwater as a resource and prevent or minimize the discharge of pollutants contained in stormwater runoff.

Q - What are the new regulated project thresholds for parcel-based projects?

A -
- Impervious surface threshold for most projects will drop from 10,000 to 5,000 sq ft.
- New categories of regulated projects include:
  - Road and sidewalk repair projects ≥ 5,000 contiguous sq ft
  - Detached single family home that creates or replaces ≥ 10,000 sq ft

Q - Are threshold areas cumulative or contiguous?

A - Thresholds are cumulative for parcel-based projects.

Q - When are the requirements in effect, and how will this impact projects already underway?

A - Changes are in effect July 1, 2023. Until July 1, 2023, MRP 2.0 thresholds and requirements will still apply to:
- Projects with approved or conditionally approved Tentative Maps.
- Projects with applications deemed complete.
- Housing projects for which a preliminary application has been submitted (per SB 330 and SB 8).

Q - Is there updated guidance that details these requirements?

A - The CCCWP Stormwater C.3 Guidebook and related resources are in the process of being updated to reflect new permit requirements. Stay tuned! The current guidebook can be found on our website (below). Stormwater C.3 Guidebook - Contra Costa Clean Water Program (cccleanwater.org)

Q - Where can I obtain further information?

A - For any additional questions regarding this new guidance, please contact the Contra Costa Clean Water Program at (925) 313-2360 or visit us online at: https://www.cccleanwater.org/development-infrastructure/development.

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