

Stormwater Quality Control Requirements: Information for Developers, Builders, and Project Applicants

Why Are Stormwater Quality Controls Needed?

Stormwater runoff from urbanized areas carries large amounts of pollution to creeks and San Francisco Bay. Local agencies in urbanized portions of the Bay Area are responsible for controlling stormwater pollution by complying with the [Municipal Regional Stormwater Permit \(MRP\)¹](#), reissued by the Regional Water Quality Control Board in May 2022.

Overview of Stormwater Requirements for Development Projects

Since 2011, projects that create and/or replace 10,000 square feet or more of impervious surface have been required to install properly sized, **permanent LID treatment measures** as well as **site design measures, source controls, hydromodification management measures, and construction site controls**, as appropriate for the project, based on MRP requirements. These projects are called **Regulated Projects**.

Beginning July 1, 2023, the threshold for most Regulated Projects will be **5,000 square feet** of impervious surface area created and/or replaced, and **single-family homes** that create and/or replace **10,000 square feet** or more of impervious surface will also become Regulated Projects. Runoff from portions of the public right of way, such as the street frontage, that are constructed or reconstructed as part of the Regulated Project will also need to be treated using LID treatment measures. These features should be incorporated into the project design as early as possible.

Site Design Measures

Measures to reduce water quality impacts include:

- Preserving existing vegetation;
- Reducing impervious surfaces;
- Directing runoff from impervious surfaces to vegetated areas;
- Using pervious pavement to allow stormwater to infiltrate into soil.



Pervious pavement area

Source Controls

Source controls prevent potential pollutant sources from contacting rainfall and stormwater. Examples include:

- Covered trash enclosures with drains to sanitary sewers;
- Covered outdoor materials handling and storage areas;
- “No Dumping, Flows to Bay” labels on storm drain inlets;
- Sanitary sewer drains for vehicle wash areas (where approved).



Covered trash enclosure

LID Treatment Measures

LID treatment measures reduce stormwater runoff and mimic the site’s predevelopment hydrology by infiltrating, storing, and/or biotreating stormwater runoff. LID measures include the following:

- Bioretention areas;
- Flow-through planters;
- Pervious pavement;
- Infiltration trenches or subsurface infiltration systems;
- Rainwater harvesting systems.



Bioretention area

¹ Visit <http://www.scvurppp.org/mrp3-0> (pages C.3-1 to C.3-54)

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) [C.3 Stormwater Handbook](#) provides guidance on the selection and design of appropriate LID treatment measures. The use of non-LID vault-based treatment systems is only allowed at projects that meet Special Projects and LID infeasibility criteria described in Appendix J of the C.3 Stormwater Handbook. Using existing or new trees to address treatment requirements for impervious surfaces (known as Interceptor Tree Credits) is no longer allowed.

Hydromodification Management

When land is covered with buildings and pavement, runoff enters creeks more frequently and at higher flow rates and volumes, resulting in channel erosion and habitat loss. These changes in runoff characteristics are known as hydromodification. Hydromodification management (HM) measures are detention and/or infiltration facilities that are constructed with special discharge structures to match pre-project and post-project stormwater runoff patterns. HM requirements are different from flood control requirements.

If a project creates and/or replaces one acre or more of impervious surface, increases impervious surface area over the pre-project condition, AND is located in a susceptible area, HM requirements will apply. Maps of susceptible areas (see [Local Hydromodification Management Applicability Maps](#)) and a fact sheet on HM requirements is available on the SCVURPPP [Hydromodification Controls webpage](#).

Construction Site Controls

All development project sites are required to use construction best management practices (BMPs), such as:

- Implementing sediment and erosion control plans;
- Minimizing exposed soil by stabilizing slopes;
- Managing construction materials and wastes onsite;
- Protecting storm drain inlets and keeping materials/wastes out of storm drain systems.

Projects disturbing one acre or more of land must obtain coverage under the Statewide Construction General Permit. For more information, visit the State Water Resources Control Board [website](#).



Storm drain inlet protection

Maintaining Stormwater Treatment and HM Measures

Both treatment and HM measures need ongoing maintenance to function properly. Applicants must prepare a maintenance plan and sign, with the applicable local agency, a maintenance agreement or equivalent document that designates responsibility to the property owner or other entity.

What is Required for My Project?

Check with your local Planning Department for information on which stormwater requirements apply to your project and what information is required to be submitted with the project application. You may be required to submit a Stormwater Control Plan prior to project approval.

