

9. FACT SHEET FOR ROAD PROJECTS IN THE MUNICIPAL REGIONAL PERMIT

Provision C.3.b (Regulated Projects) in the MRP establishes the different categories of new development and redevelopment projects that Permittees must regulate under Provision C.3. It includes road projects that add and/or replace 10,000 square feet of newly constructed contiguous impervious surface, and are under the building and planning authority of a Permittee. These projects will be required to implement Low Impact Development source control, site design, and stormwater treatment onsite or at a joint stormwater treatment facility.

Specific projects that this provision applies to are explained below:

Construction of New Streets or Roads

- Effective December 1, 2009, construction of new streets or roads, including sidewalks and bicycle lanes built as part of the new streets or roads will be regulated under Provision C.3. as Regulated Projects. The following projects will be excluded:
 - Sidewalks built as part of new streets or roads and built to direct stormwater runoff to adjacent vegetated areas.
 - Bicycle lanes those are built as part of new streets or roads but are not hydraulically connected to the new streets or roads and that direct stormwater runoff to adjacent vegetated areas.
 - Sidewalks and bicycle lanes constructed with permeable surfaces including pervious concrete, porous asphalt, unit pavers, and granular materials.

Widening of Existing Streets or Roads

- Effective December 1, 2011, projects that widen existing streets or roads with additional traffic lanes will be regulated under Provision C.3. The following conditions will apply:
 - If the addition of traffic lanes results in an alteration of **more than 50 percent** of the impervious surface of an existing street or road that was not subject to Provision C.3, **the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included in the treatment system design** (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from the entire street or road that had additional traffic lanes added).
 - If the addition of traffic lanes results in an alteration of **less than 50 percent** of the impervious surface of an existing street or road that was not subject to Provision C.3, **only the new and/or replaced impervious surface of the project must be included in the treatment system design** (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from only the new traffic lanes). However, if the stormwater runoff from the existing traffic lanes and the added traffic lanes cannot be separated, any onsite treatment system must be designed and sized to treat stormwater runoff from the entire street or road. If an offsite treatment system is installed or in-lieu fees paid in accordance with the requirements for Alternative Compliance, the offsite treatment system or in-lieu fees must address only the stormwater runoff from the added traffic lanes.
- Projects that widen streets or roads with bicycle lanes or sidewalks are exempt.

Construction of Impervious Trails

- Effective December 1, 2011, construction of impervious trails that are greater than 10 feet wide or are creek-side (within 50 feet of the top of bank) will be regulated under Provision C.3. Specific exclusions are:
 - Impervious trails built to direct stormwater runoff to adjacent vegetated areas, or other non-erodible permeable areas, preferably away from creeks or towards the outboard side of levees.
 - Trails constructed with permeable surfaces.

Overall Exclusions

- Private road or trail projects for which a planning application has been deemed complete before December 1, 2009 are exempt, so long as the project applicant is diligently pursuing the project.
- Private road or trail projects with an application deemed complete after December 1, 2009 are exempt if the project has received final discretionary approval before December 1, 2011.
- Public road projects for which funding has been committed and construction is scheduled to begin by December 1, 2012.
- Caltrans highway projects and associated facilities.
- Routine maintenance or repair activities such as pavement resurfacing within the existing footprint