



TOWN OF LOS GATOS
NOTICE FOR DEVELOPERS & CONTRACTORS
STATE OF CALIFORNIA STORMWATER REGULATIONS

Stormwater Quality Regulations

In order to comply with the State-issued National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP), Order R2-2015-0049, NPDES Permit No. CAS612008, adopted on November 19, 2015, the Town of Los Gatos & other public agencies in the Santa Clara Valley are required to place additional Conditions of Approval related to storm water quality control on certain “Regulated” development projects.

Regulated Projects

New development projects that create 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single-family home subdivisions, multi-family attached subdivisions (town homes), condominiums, and apartments), mixed-use, and public projects, are generally considered Regulated Projects. Regulated Projects are divided into 4 major groups; *Special Land Use Categories**, *Other Development Projects*, *Other Redevelopment Projects* and *Road Projects*. All Regulated Projects are required to implement Low Impact Development (LID) source control, site design, and storm water treatment in accordance with Provisions C.3.c. and C.3.d. of the NPDES permit. The goal of LID is to reduce runoff and mimic a site’s predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes.

** Note: as of December 1, 2011, the impervious area threshold for new development or redevelopment projects for Special Land Use Categories (Auto service facilities, Retail gasoline outlets, Restaurants, and Parking Lots) was reduced to 5,000 square feet or more of impervious surface (collectively over the entire project site)*

General guidance on the selection and implementation of Best Management Practices (BMPs) and Stormwater Pollution Prevention Plans (SWPPPs) can be found in the C.3 Stormwater Handbook prepared by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP): http://www.scvurppp-w2k.com/c3_handbook_2012.shtml.

Each Regulated Project will be reviewed by the Town’s Stormwater Treatment Consultant to certify the project’s compliance with the Permit requirements. An agreement with the Town outlining the treatment facilities installed and the on-going operation, maintenance and reporting obligations will be the final requirement.



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Hydromodification Management Projects

Regulated projects that create or replace one (1) acre or more of impervious surface are also subject to Hydromodification Management Plan (HMP) requirements. These requirements are designed to control volume and duration of stormwater runoff to prevent erosion of creeks and streams. HMP guidelines and additional information are available through the SCVURPPP website: [scvurppp-w2k.com/pdfs/1011/HM fact sheet July 2010.pdf](http://scvurppp-w2k.com/pdfs/1011/HM%20fact%20sheet%20July%202010.pdf).

Non-Regulated Projects, “Small Projects and Detached Single-Family Homes”

Construction of small projects and detached single-family homes, which are not part of a larger common plan of development, are required to install one or more of the following LID site design measures:

- 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/or uncovered parking lots with permeable surfaces

NPDES Construction General Permit

Current state regulatory actions also require all construction projects disturbing an area of one (1) acre or more to comply with the State of California “Construction General Permit” Order No. 201-0009-DWQ as amended by Order No. 2012-006-DWQ.

The Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permit also requires these projects to submit the SWPPP to the State for review. The Town is required by the NPDES Permit to review the SWPPP for compliance with Town Ordinances and to assure that the applicant has filed an NOI – a valid NOI Number will be required prior to issuance of any Town permits.

For information on the Construction General Permit, the NOI, and permit consult the following State website: [waterboards.ca.gov/water issues/programs/stormwater/construction.shtml](http://waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml).

For more information

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