

Permittees Guide on Permanent BMPs

What is stormwater runoff?

Stormwater runoff occurs when rain falls on impervious surfaces (e.g. driveways, sidewalks, streets, and roofs) and finds its way to the ocean through streams or the storm drain system. Urban development adds significant amounts of impervious surfaces, which increases stormwater flow because less rain is able to infiltrate into the ground.

Stormwater runoff may also carry surface pollutants such as dirt, oil, chemicals, fertilizer and pesticides, bacteria from pet waste, soaps, etc. into Hawaii's state waters.

As stewards of our natural resources, the State of Hawaii, Department of Transportation, Highways Division, Maui District (HWY-M) requires minimizing impervious surfaces and maximizing areas where stormwater runoff can infiltrate before entering the HWY-M storm drain system. As such, **HWY-M implements criteria for Permanent Best Management Practices (BMPs) that apply to new development and redevelopment projects.**



What are Permanent BMPs? Do I need to implement one?

Permanent BMPs are procedures or devices which reduce stormwater runoff from a site and provide a positive impact on water quality.

All non-exempt projects (new development or redevelopment) that disturb an area of one (1) acre or more of land are required to be reviewed for the inclusion of Permanent BMPs.

If you are applying for a Permit to Perform Work within the HWY-M Right-of-Way, you are also required to complete the **Stormwater Design Checklist Tool** (left) that determines if Permanent BMPs are required for your project. The Stormwater Best Management Practices Manual and the Stormwater Design Checklist Tool may be found on our website at www.stormwatermaui.com.

Once completed, the Stormwater Design Checklist Tool shall be submitted to Ty Fukuroku, Maui District Environmental Engineer at ty.fukuroku@hawaii.gov. If you have any questions, please contact Ty Fukuroku at (808) 873-3535.

STORM WATER CONTROL DESIGN CHECKLIST TOOL	
Project Name: _____	
Project Number: _____	Project Route/Milepost: _____
Advertise Date: _____	
Exemptions (check all that apply)	
<input type="checkbox"/> Projects that do not generate 1 acre or more of new permanent impervious and are not a retail gasoline outlet, auto repair shop, restaurant, parking lot with at least 10,000 square feet of total impervious surface area	
<input type="checkbox"/> Project returns the area to pre-development runoff conditions.	
<input type="checkbox"/> Project is a utility project (check applicable type)	
<input type="checkbox"/> Pipeline <input type="checkbox"/> Conduit <input type="checkbox"/> Traffic Sign/Signal	
<input type="checkbox"/> Projects that are not continuous or involve several locations which may collectively generate 1 acre or more of new permanent impervious surface.	
<input type="checkbox"/> Projects that do not discharge runoff into any waters of the United States.	
If none of the above is checked, the project must provide water quality controls	
Water Quality Control:	
Water quality volume required: _____ cubic feet	
Water quality volume provided by LID: _____ cubic feet	
Type of BMP used: _____	
* In the event that water quality volume cannot be treated via LID alone for safety concerns, hydrogeological constraints, physical constraints, or operational constraints alternate approved treatment BMPs will be used	
** For new gasoline outlets, auto repair shops, restaurants, and parking lots, all with at least 10,000 square feet of total impervious surface area, consider LID and apply Source Control BMPs	
Water Quality Control: (Where applicable)	
Existing Site Runoff:	
10-year: _____	cubic feet per second
25-year: _____	cubic feet per second
50-year: _____	cubic feet per second
100-year: _____	cubic feet per second
Proposed Site Runoff:	
10-year: _____	cubic feet per second
25-year: _____	cubic feet per second
50-year: _____	cubic feet per second
100-year: _____	cubic feet per second
Type of Treatment used: _____	
Description: _____	
Signatory: _____	



PERMIT TO PERFORM WORK UPON STATE HIGHWAYS

Application date _____, 20____

Pursuant to the provisions of Chapter 264, Hawaii Revised Statutes as amended, Application is hereby made to perform the following work upon the State Highway and at the location(s) specified below and at no other place.

POLICE CHECKLIST: ITEMS 1 THRU 5.

1. Name of Highway _____ Route No./Section _____

2. Locations or limits on said highway _____

3. Work to be performed per attached plans approved by _____ date _____

() Access connection () Utility () Drainage Improvement () Other

4. Dates between which work will be performed: _____, 20____ to _____, 20____

5. General Notes for Construction

- a. All lanes shall be open to traffic during the hours from 6:00 AM to 8:30 AM, during the hours of 3:00 PM to 6:00 PM, and when no work is being done under this permit. Only one lane of traffic shall be closed at any other time unless otherwise approved in writing by the District Engineer.
- b. When trenching in pavement areas, safe, non-skid bridging material adequate, to handle all vehicular traffic shall be placed and securely anchored over the trench.
- c. Longitudinal drainage along the highway shall be maintained.
- d. Ductlines shall have 3-feet minimum cover if no other depth is shown on the approved plan.
- e. No material and/or equipment shall be stockpiled and/or stored within the State Highway right-of-way except at locations approved in writing by the District Engineer, or those shown on the approved plans.
- f. All regulatory, guide, and construction signs and barricades shall be of high intensity reflective sheeting.

6. Submittals required

a. Initial and date utility clearances as checked below. Contractor to also check with all other utility companies, etc. for verification of all other utility lines.

- () Electric Co. _____ () Water Supply _____ () Gas Co. _____
- () GTE—HAW'N _____ () Sewers _____ () Cable TV _____
- () AT&T _____ () _____

b. Proof of State Indemnity

() Certificate of Insurance naming the State of Hawaii as an additional insured, having respective minimum coverages for Bodily Injury or Death Per Person; Bodily Injury or Death Per Accident; and Property Damages Per Accident of:

- () \$ 100,000; \$ 300,000; \$ 50,000;
- () \$ 250,000; \$ 500,000; \$ 100,000; 30 day notice of
- () \$ _____; \$ _____; \$ _____; cancellation to the State required.

() Federal Non Liability Clause (See Item 13 on the back of this permit.)

c. \$ _____ Fee (Make check payable to the Dept. of Transportation, State of Hawaii)

Computed as follows: \$10.00 + \$0.10 x (Quantity in excess of first 20 sq. yd. and/or lineal feet)
= \$10.00 + \$0.10 x (_____ sq. yd. and/or lineal feet)

d. Performance Bond

- () \$ _____ : By Bond No. _____ ; or Other _____
- () Letter of Guarantee on file () Waived

The applicant hereby agrees that any agreement heretofore made or hereafter to be made, and the covenants and conditions stated on the reverse side hereof shall be binding upon the applicant, the applicant's heirs, personal representatives, successors, contractors and assigns. The applicant acknowledges that the applicant has read the completed form, understands its provisions, and agrees to its terms and conditions.

CONTRACTOR: _____

APPLICANT _____
(Name of applicant whether individual, firm, partnership, corporation, governmental agency, etc.)

ADDRESS: _____

TELEPHONE NUMBER: _____

(Print Name & Title of Applicant or Authorized Rep.)

EMERGENCY NOS.:

(1) NAME _____ Phone No. _____

(Signature)

(2) NAME _____ Phone No. _____

ADDRESS: _____

TELEPHONE NO.: _____

PERMIT NO.: _____

DATE: _____, 20____

Permission to perform the above described work at the location(s) stated in items 1 and 2 between the dates set forth in item 4 of the application is hereby granted. The applicant shall notify the issuing office at least 48 hours before commencing work. Any extension of completion date must be approved in writing by the issuing office. This permit expires if work is not started within 90 days of issuance date.

Director of Transportation or Authorized Representative

IN CONSIDERATION OF A PERMIT BEING ISSUED TO THE APPLICANT, THE APPLICANT HEREBY AGREES AS FOLLOWS:

Rules & Regulations

1. To perform all work in conformity with the specifications for Installation of Miscellaneous Improvements Within State Highways dated May 1, 1984, or any revision thereof, issued by the Highways Division, Department of Transportation prior to the date of this application; with applicable sections of the Standard Specifications for Road and Bridge Construction, Hawaii Highways Division, Department of Transportation, 1985, or any revision thereof effective prior to the date of the application; and with applicable statutes, ordinances and directions of the Director of Transportation or his authorized representative.
2. To comply with the provisions of the Federal Highway Administration's Federal-aid Highway Program Manual (FHPM) 6-6-3-2 and Chapter 105, Title 19* of State Administrative Rules entitled Accommodation and Installation of Utilities on State Highways and Federal-aid County Highways; and of all laws, ordinances and rules and regulations having the effect of law.
3. To install, provide, and maintain all traffic control devices in accordance with the Administrative Rules Governing the Use of Traffic Control Devices at Work Sites on or Adjacent to Public Streets and Highways as adopted by the Director of Transportation, and the FHWA Manual on Uniform Traffic Control Devices for Streets and Highways, Part VI, Traffic Controls for Highway Construction and Maintenance Operations, dated 1984.
4. To safeguard and facilitate the movement of vehicular and pedestrian traffic in accordance with the Administrative Rules Governing the Design, Construction and Maintenance of Public Streets and Highways as adopted by the Director of Transportation; to place signs or barricades informing motorists or pedestrians of work to be done in a safe manner and to remove same upon completion of work.

Workmanship: Responsibility & Warranty

5. To diligently prosecute the work to completion, in a neat and workmanlike manner, within the dates set forth in said permit.
6. To undertake, for a period of one (1) year after the satisfactory completion of such work, any necessary repairs to highway facilities disturbed by the work performed under said permit; or to pay the actual cost of such repairs made by the Department of Transportation.
7. To remove, relocate, replace, reconstruct, or adjust, at the applicant's expense, any work or facility constructed or placed by the applicant on or under the right of way of a state highway whenever and as often as may be required by the Director or the Director's authorized representative in order to undertake the construction, reconstruction, or maintenance of said highway.
8. To keep all facilities installed under said permit in good repair so that the presence of such facility on or under the highway will in no way impair the use or usefulness of any highway improvement which may now exist or hereinafter come into existence.
9. To make all repairs in such manner as may be required by Chapter 264, Hawaii Revised Statutes.

State Indemnity

10. To protect, defend, indemnify and save harmless, the State and its agents and representatives, against any claim, liability, suit, or action of every manner and description, for any injury to or death of persons or for property damage, whenever such injury, death, or damage shall be inflicted or caused by the applicant, the applicant's agents, contractors, or representatives in connection with the work covered by said permit.
11. To procure, at the applicant's own expense, and keep in force at all times when work permitted under said permit is being done, a policy or policies of public liability and property damage insurance, naming the State as an additional insured, covering the entire work to be done under said permit and for at least the minimum coverages set forth on the reverse side hereof, the State is to be given 30 days written notice of cancellation of said insurance.
12. To supply evidence satisfactory to the State that the required insurance has been procured and is in force prior to commencing the work under said permit.
13. If the death or injury to any person, or the loss or damage to any property, is caused by the United States Government in the course of its use of the property, the liability, if any, of the U.S. Government thereof shall be determined in accordance with the applicable provisions of the Federal Tort Claims Act (62 Stat. 869,982;28 USC 2671-2680).

Nondiscrimination Covenants

14. No person on the grounds of race, color, religion, sex, or national origin shall be excluded from participating in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
15. In the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, religion, sex, or national origin shall be excluded from participating in, denied the benefits of, or otherwise be subjected to discrimination.
16. The applicant shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulation may be amended.

Agreements

17. To surrender the permit herein applied for and surrender all rights thereunder whenever notified to do so because of a default in any of these conditions agreed above.
18. To keep a copy of said permit in the hands of the working crew for exhibit upon request of any authorized representative of the Department of Transportation.
19. Permit fee is not refundable under any condition.

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