



1. Introduction

1.1 Overview

This Plan describes the Storm Water Management Program (SWMP) proposed by the County of Maui (County) in conjunction with their Notice of Intent (NOI) for coverage under the State of Hawai'i's National Pollutant Discharge Elimination System (NPDES) General Permit for discharge of storm water from a Small Municipal Separate Storm Sewer System (MS4).

An MS4 is defined by the United States Environmental Protection Agency (EPA) as a conveyance, or system of conveyances, designed to collect or move storm water off the land. MS4 components may include municipal streets, catch basins, curbs, gutters, ditches, or storm drains. Storm water is commonly transported through MS4s and discharged untreated to local water bodies.

EPA's NPDES Program regulates "large," "medium," and "regulated small" MS4s. Phase I of the NPDES Program regulated large MS4s (located in an incorporated place or county with a population of 250,000 or more) and medium MS4s (population of 100,000 to 249,999). EPA's Phase II Storm Water Rule covers a subset of small MS4s that are called "regulated small MS4s." Small MS4s are automatically designated as regulated if they are defined by the Bureau of the Census as an "urbanized area" (a land area comprising one or more places and the adjacent densely settled surrounding area that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile).

The 2010 census identified Kahului- Pā'ia as an urbanized area (Figure 1). The boundary of the

Kahului-Pā'ia Urbanized Area (UA) generally includes all of Kahului and Wailuku extending south to Waikapu and from Wai'ehu to Pā'ia along the windward coast (Figure 1).

The County's SWMP is intended to reduce the discharge of pollutants from the regulated MS4 to the maximum extent practicable in order to protect water quality and satisfy the requirements of the CWA. The County of Maui's SWMP focuses on the implementation of measures to prevent pollution from entering the MS4. Many of the measures put in place by the County to meet the requirements of the MS4 permit will also benefit other areas of the County. These measures include ordinance revisions, standard operating procedures (SOPs) for County operations, public outreach and education.

This document represents the County's proposed Best Management Practices (BMPs) for initial implementation of the permit. The County anticipates that this SWMP will progress over the life of the permit and with future permit periods.

1.2 Regulatory Requirement

The County's MS4 in the Kahului-Pā'ia UA has been identified as a small MS4, as regulated by the Clean Water Act (CWA) storm water permitting requirements of 40 Code of Federal Regulations (CFR) § 122.32.

In Hawai'i, the NPDES program management is delegated by the EPA to the Hawai'i Department of Health (HDOH) Clean Water Branch (CWB), which administers the program under Hawai'i Administrative Rules (HAR) Chapter 11-55, Water Pollution Control. HDOH's General Permit for Small MS4s was renewed on December 6, 2013, and expires on December 5, 2016. Applicants for coverage under the State's general permit must

meet the requirements of Appendices A and K of HAR Chapter 11-55.

1.3 Hawai'i General Permit Requirements

This SWMP Plan is intended as a guide for the County's protection of storm water quality through the reduction of pollutant discharge while balancing the different uses and demands of the community. The State's General Permit requires the SWMP to include the six control measures identified below with implementation dates and rationales for each measure:

(1) Public Education and Outreach

Develop and implement a public education program to distribute educational materials to users of the permittee's small municipal separate storm sewer system or equivalent outreach activities.

(2) Public Involvement/Participation

Include users of the permittee's small municipal separate storm sewer system in developing, implementing, and reviewing the storm water management plan.

(3) Illicit Discharge Detection and Elimination

Develop, implement, and enforce a program to detect and eliminate illicit discharges.

(4) Construction Site Runoff Control

Develop, implement, and enforce a program to reduce pollutants in storm water runoff entering the permittee's small municipal separate storm sewer system from construction activities disturbing one acre or more, including construction activities less than one acre that are part of a larger common plan of development or sale that would disturb one acre or more.

(5) Post-Construction Storm Water Management in New Development and Redevelopment

Develop, implement, and enforce a program to reduce pollutants in storm water runoff entering the permittee's small municipal separate storm sewer system from new development and redevelopment projects that disturb greater than or equal to one acre, including construction sites less than one acre that are part of a larger common plan of development or sale that would disturb one acre or more.

(6) Pollution Prevention/Good Housekeeping

Develop, implement, and enforce an operation and maintenance program to prevent and reduce storm water pollution from activities, including but not limited to, park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

1.4 Measurement of Program Effectiveness

For each of the above six control measures, the permittee must also develop measurable goals to gauge permit compliance and program effectiveness. Measurable goals are to be selected using an integrated approach that fully addresses the requirements and intent of the control measure.

According to the EPA¹, "maximum extent practicable is a standard that establishes the level of pollutant reductions that MS4 operators must achieve through implementation of a storm water management program." The EPA allows that the strategies appropriate for each regulated MS4 will depend on unique local hydrologic, geologic, and water quality concerns. They recommend that permittees determine appropriate BMPs to satisfy each of the control measures through an evaluative process. BMPs should be adjusted to adapt to conditions and BMP effectiveness. Ultimately, successive iterations of the mix of BMPs and

¹ EPA Measurable Goals Guidance for Phase II Small MS4s

measurable goals should be made to achieve the objective of meeting water quality standards. If, after implementing the control measures, water quality is impaired due to discharges from the MS4, the permittee must expand or refine their BMPs.

This SWMP Plan contains a discussion of actions and BMPs proposed under each of the six control measures. Following each section of the SWMP Plan is a table with a proposed development and implementation schedule, and the quantifiable goal for each item. Per recommendation of EPA/DOH, the action calendar is aligned with the DOH reporting calendar. While the State's General Permit expires in December 2016, the County has programmed initial permit tasks to the end of 2017, assuming that the UA will continue to be subject to an MS4 permit.

The County has many storm water BMPs already in place; however, others are prompted by the new permit requirement. Because the County will be developing, implementing and/or documenting many of the actions for the first time, they have proposed to phase the development and implementation of some of the measures over a period of three years. The County believes that they will be able to better "fine-tune" their program after gathering data following development and implementation of these initial measures.

1.5 Reporting Requirements

This SWMP Plan outlines the activities to be performed and tracked during the permit period and was effective upon submittal to the HDOH. The Hawai'i General Permit reporting requirements are as follows:

The submittal of the annual report by the permittee shall be postmarked or received by the HDOH by the twenty-eighth day of January of the following year. The annual report shall cover each calendar year during the term of this permit and include the following:

- Status of compliance with conditions of the permit;
- Assessment of the storm water management plan, including progress towards implementing each control measure and achieving goals;
- Modifications made to the storm water management plan and implementation schedule during the calendar year, including justifications;
- Summary of the storm water management activities planned to be undertaken during the next calendar year; and
- Major modifications made to the permittee's small municipal separate storm sewer system, including but not limited to, addition and removal of outfalls, drainage lines, and treatment facilities.

1.6 Modification of the SWMP Plan

The State's General Permit states that significant modifications to this Plan that would result in a major reduction of the overall scope or level of effort or both of the SWMP must be made for cause and in compliance with 40 CFR §122.62 and 40 CFR Part 124. The permittee must report in writing any proposed significant modification to the Director of Health for approval at least thirty days prior to the initiation date of the modification.

Other modifications to the SWMP shall be reported and justified by the permittee in the annual report for the year in which the modification was made.

In a program assessment report provided January 12, 2015, an EPA/HDOH Technical Program Assessment Team suggested several areas of improvement for the SWMP. Recommendations for each control measure have been incorporated into the SWMP, as described in revisions to the SWMP Plan. These modifications do not result in any reduction in the overall scope or level of effort of the SWMP; rather, they serve to clarify and

provide additional information on the County's existing programs or, in a few cases, increase the scope of the SWMP.

1.7 Roles and Responsibilities of County Departments

The County's Department of Public Works (DPW) is the designated applicant, will administer the County's MS4 SWMP, and is responsible for the preparation of this Plan. Day-to-day program management is currently the role a DPW Engineering Division Project Engineer. The County is considering a variety of organizational options, including establishing a separate storm water division within DPW.

A comprehensive SWMP will be possible only through the cooperative efforts of all departments within the COM. DPW is the primary contact for the MS4 SWMP and will coordinate program activities with other County departments.

In development of the SWMP, DPW held two meetings of a "storm water steering committee" that included all County department directors or their representatives. DPW continues to work with this group to develop and implement the program. DPW regularly updates the Mayor and County Council on the SWMP and program resource needs, and has strong support from the Mayor and County executives.

The roles and missions of key County departments are described below:

Department of Environmental Management (DEM): To protect the public's health, safety, property, and environment by developing and operating the County's solid waste and wastewater infrastructure.

Department of Fire and Public Safety (DFPS): To protect and preserve life, environment, and property.

Department of Housing and Human Concerns (DHHC): To support and enhance the social well-being of the citizens of Maui County.

Department of Management (DOM): To serve as the principal management aide to the Mayor. Responsibilities include coordination of the Geographic Analysis and Cartographic Services (GACS) Division and Information Technology Services Division.

Department of Transportation (DOT): To facilitate the rapid, safe, and economical movement of people and goods in Maui County.

Department of Parks and Recreation (DPR): To provide safe, satisfying and cost effective recreational opportunities for the residents of and visitors to Maui County.

Department of Planning (DP): To manage growth in a sustainable manner that balances the County's economy, culture and environment.

Department of Public Works (DPW): To protect the public's health, safety, property and environment by developing and operating the County's infrastructure and administering its building codes.

Department of Water Supply (DWS): To provide clean water efficiently.

Maui Police Department (MPD): To protect community safety through law enforcement.

Appendix A contains a "Responsibility Matrix" that defines department roles and responsibilities for the SWMP. The Responsibility Matrix will be updated if reorganization occurs.

Because this is a new program, the County will need to develop a program management structure that allows the SWMP to be effectively carried out. Funding and staffing needs will be evaluated to assess additional resources needed to manage and enforce the program.

1.8 Program Funding

The County is evaluating a variety of funding mechanisms, including cost sharing between departments and sharing costs for some programs with other permittees in the Kahului-Pā‘ia UA. Other potential funding sources such as permit and utility fees are being considered.

outline the SWMP responsibilities of each County department. The County is also in discussions with the Hawai‘i Department of Transportation (HDOT) with respect to developing an MOA for joint efforts to coordinate the implementation of the SWMP in the UA. A proposed implementation schedule for the County’s program management activities is presented in Table 1-1 (items 1-1 and 1-2).

1.9 Coordination with Other Permittees

The County plans to develop and execute a Memorandum of Agreement (MOA) that will

Table 1-1. Proposed Schedule and Goals – Program Management

Item No.	Proposed Activity or BMP	Proposed Development and Implementation Schedule			Quantifiable Target
		2014/15	2016	2017	
1-1	Develop an organization chart identifying department roles and responsibilities for SWMP activities and BMPs.	Evaluate program requirements and develop organization to support program implementation, and an organizational chart that assigns responsibilities to departments.	In conjunction with the annual report, assess whether organizational changes are required to aid in program effectiveness.	In conjunction with the annual report, assess whether organizational changes are required to aid in program effectiveness.	<ul style="list-style-type: none"> • Develop an organization chart within the first year of the program
1-2	Develop and execute a MOA that assigns County Department responsibilities for SWMP implementation.	Finalize and execute the MOA.	Evaluate whether the MOA needs to be updated based on changes to County Department structure or role.	Evaluate whether the MOA needs to be updated based on changes to County Department structure or role.	<ul style="list-style-type: none"> • Develop and execute the MOA within the first year of the program.
1-3	Evaluate potential coordination with other permittees, and execute MOAs with other permittees as appropriate	Evaluate program coordination opportunities with other permittees; finalize and sign MOAs as appropriate.	Evaluate whether the MOAs need to be updated based on changes to relationship between County and other permittees.	Evaluate whether the MOAs need to be updated based on changes to relationship between County and other permittees.	<ul style="list-style-type: none"> • Assess and develop the MOAs within the first year of the program.