



FHWA/INDOT Joint
Waterway Permits
Stewardship Review
2008



PURPOSE

ENSURE FEDERALLY
FUNDED
PROJECTS ARE IN
COMPLIANCE WITH ALL
APPLICABLE LAWS

SCOPE OF WORK

- Construction field reviews
- Follow-up to action items from 2007 findings

STEWARDSHIP TEAM

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CONSTRUCTION FIELD REVIEWS



Objective of Field Review

- Ensure INDOT in compliance with waterway permits
- Ensure permit conditions match field conditions.

2008 Erosion/Sediment Control Peer Exchange

- INDOT/FHWA traveled to Wisconsin and Minnesota DOTs
- Visited construction sites as well as face to face discussions of each state's methodologies for erosion/sediment control.

2008 Erosion/Sediment Control Peer Exchange

- Focus – demonstrate good in situ erosion/sediment control practices to INDOT.
- Wisconsin and Minnesota were establishing good, accountable criteria for soil erosion/sediment control.

2008 Erosion/Sediment Control Peer Exchange



2008 Erosion/Sediment Control Peer Exchange



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Action Items

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- Need for training
- Revise specs to require all Erosion Control Supervisors to provide credentials showing they meet qualifications (experience) and training requirements

Action Items, Continued

- OES or district environmental staff attend pre-construction conference for discussion of permits
- Revise Design Manual to ensure PE/PS provided copy of permits, NEPA document, and Commitment Form as part of contract document.

Action Items, Continued

- Revise Design Manual and specs to clarify who is responsible for erosion control sequencing, NOI, I & M of erosion control features, how they are to be paid for, and ensure sufficient flexibility in plans to allow for modifications to accommodate changing conditions and permitting agencies requirements.

Action Items, Continued

- OES and District Environmental Staff are available with expert assistance
- OES and District Environmental Staff should visit construction sites to ensure compliance

Action Items, Continued

- Develop method of ensuring utilities comply with permits.
- Prepare good field manual for erosion and sediment control measures.

2008 Erosion/Sediment Control Peer Exchange

- States with sound ESC programs seem to have the following in their process and standard specifications:
- Authority that allows DOT to act and take action
- Conditions that provide the basis for taking action and that assist inspector/contractor/engineer judgment. The more precisely the conditions are spelled out the better.
- Risk analysis (completed before plan approval) that tells DOT where to focus authority and where to be most observant of conditions

2008 Erosion/Sediment Control Peer Exchange

- Upon return to Indiana, the FHWA, Indiana Division and INDOT staff met to discuss those methodologies that could be most helpful to INDOT in improving their erosion/sediment control.
- Following selected for consideration and possible implementation:

2008 Erosion/Sediment Control Peer Exchange

- Continue to develop a better working relationship with the regulatory agencies.
- Assign 1 to 2 persons per district or area to be assigned to erosion/sediment control. This person would be responsible for reviewing erosion/sediment control plans, conduct on-site reviews.

2008 Erosion/Sediment Control Peer Exchange

- Conduct training for certified erosion/sediment control inspectors, designers (INDOT staff and consultants), and contractors. IDEM and the PE/PSs would also be invited.
- Include set prices for BMP. This item list would include all erosion control methods.

2008 Erosion/Sediment Control Peer Exchange

- Develop a per day liquidated damages for non-compliance or inoperative erosion control measures. This would be initiated by an erosion control order with a defined deduction for not responding within a specified time period issued by the PE/PS.

2008 Erosion/Sediment Control Peer Exchange

- Erosion/Sediment Control subcontractors need to be available at all times. Deductions need to be applied to them if they do not respond in a timely manner. Additional erosion/sediment control materials should be stored on site.

2008 Erosion/Sediment Control Peer Exchange

- Place limits on the amount of area that can be exposed without erosion/sediment control protection. If these conditions are not met, the contractor will be liable for deductions. This will also act as an incentive to get to final grade as soon as possible

2008 Erosion/Sediment Control Peer Exchange

- Develop a handbook (pocket guide) for Erosion/Sediment Control.
- Establish a QA/QC performance standard that required ground that will not be disturbed during the winter must be protected by more than just temporary mulch. If this is not done properly, then liquidated damages should be incurred by the contractor.

2008 Erosion/Sediment Control Peer Exchange

- The contractor should develop an erosion/sediment control site plan for problem erosion/sediment control areas. The costs could be covered with a lump sum bid for each area.