



City of Fairhope, Alabama
MS4 Program
Phase II General Permit # ALR040040

2021 Annual Report
(April 1, 2021– March 31, 2022)



Report Prepared By:
City of Fairhope
Planning and Zoning Department
555 South Section Street
Fairhope, AL 36532

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Figure 1 Fairhope Pier at North Beach Park

1.0 CONTACT LIST AND INTRODUCTION

1.1 Certification

I certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Name and Title (type or print)

Sherry Sullivan, Mayor (Signature)

Date

1.2 List of Contacts

Address: City of Fairhope
Post Office Drawer 429
Fairhope, AL 36533

Phone: (251) 928-2136

Contact Person: Mrs. Kim Burmeister
Code Enforcement Officer
City of Fairhope
Planning and Zoning Department
Post Office Box 429
Fairhope, AL 36533

Phone: (251) 990-2877

1.3 General Introduction

The City of Fairhope operates under the MS4 Phase II General Permit ALR040040. The MS4 2021 Annual Report reporting dates are April 1, 2021, through March 31, 2022. The Fairhope MS4 area, also the city annexed area, encompasses approximately 9902 acres, or 15 square miles. An updated Stormwater Management Program Plan (SWMPP) is submitted to ADEM yearly, most recently in January 2022 (SWMPP 2022). The Storm Sewer Outfall Inventory and Mapping project, a permit requirement completed in 2012, is being updated in hard copy form yearly by the Planning and Zoning Department as new stormwater facilities are added. A hard copy of this inventory (organized by watershed) is available in the Planning and Zoning Department. The original 2012 inventory is available on-line.

There are three main receiving streams within these area limits (Fly Creek, Rock Creek and Cowpen Creek). As of January 1, 2022, there are (3) 303(d) impaired streams listed by ADEM:

1. Cowpen Creek is identified as a 303 (d) stream due to the presence of atmospheric mercury deposition. It is not anticipated that the land uses in the City of Fairhope MS4 watersheds are contributors to the atmospheric deposition of mercury.
2. Fly Creek is identified as a 303 (d) stream due to presence of pathogens from “pasture grazing”. It is not anticipated that the land uses in the City of Fairhope are contributors to this impairment since the Fly Creek watershed has no listed “agricultural” (district R-A) uses in the City limits.
3. Turkey Branch is identified as a 303 (d) stream due to the presence of pathogens, likely from cattle grazing, and atmospheric mercury deposition.

There are no known cattle grazing activities in the Fly Creek or Turkey Branch watersheds within the city limits. There are no known activities which might contribute to atmospheric mercury deposition.

<http://adem.alabama.gov/programs/water/wquality/2020AL303dList.pdf>

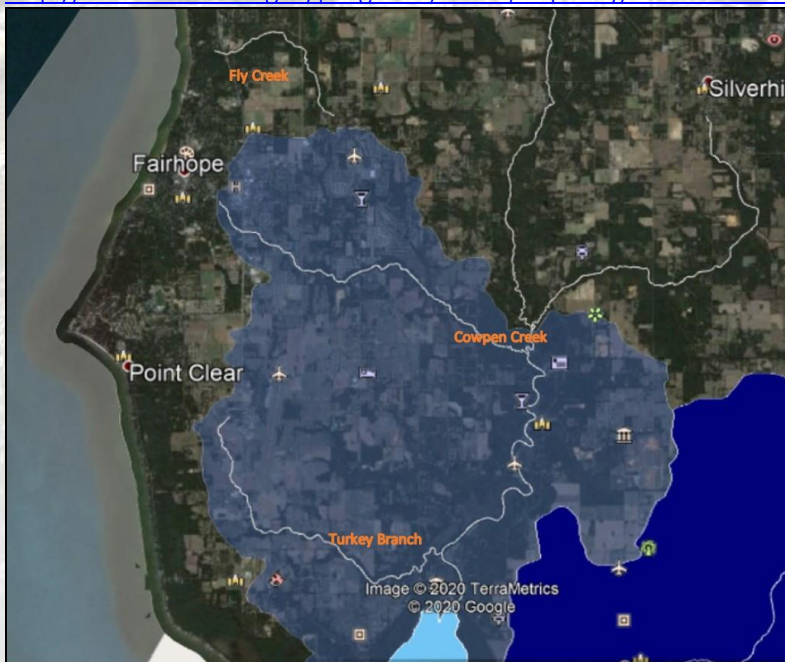
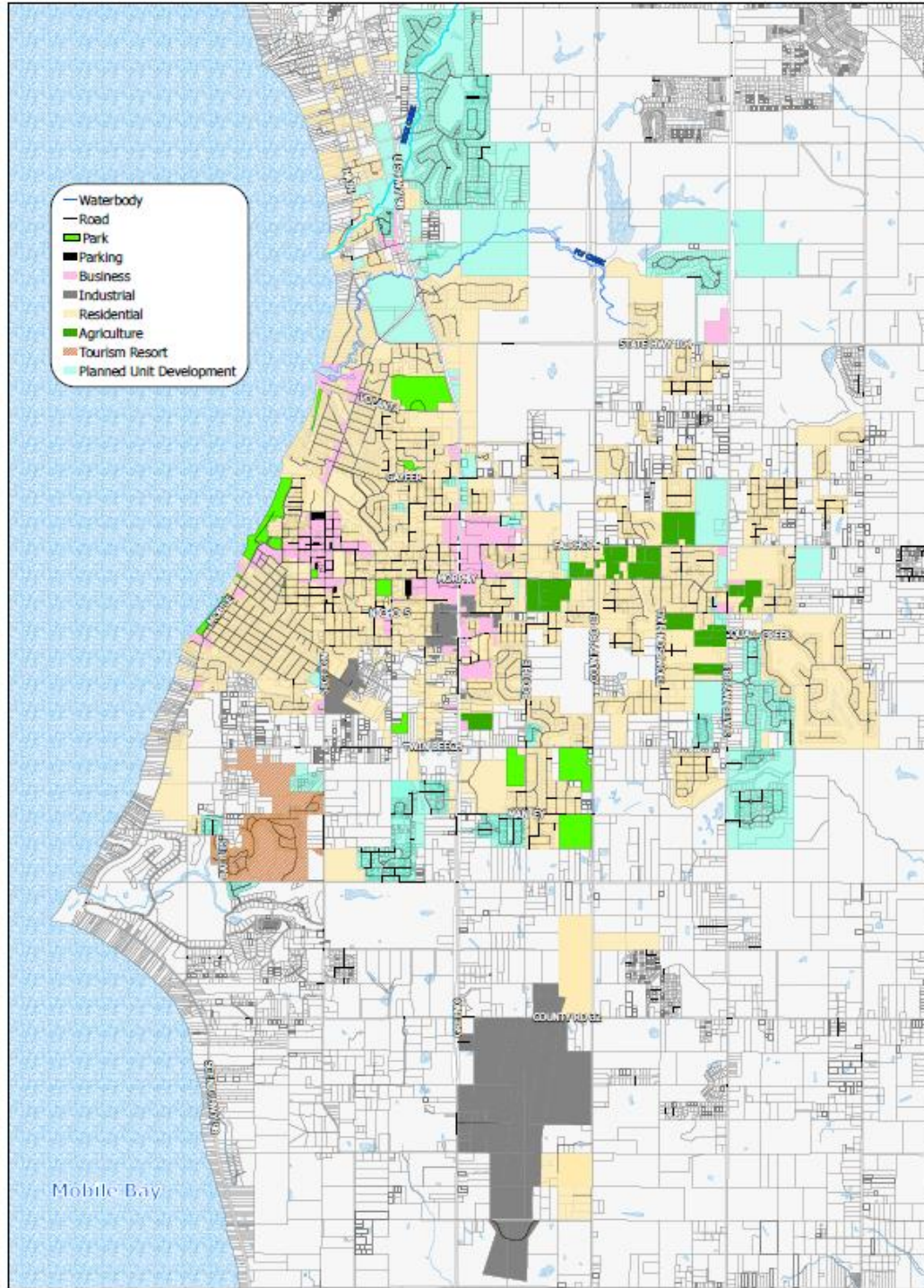


Figure 2 Locations of Fairhope's 303 (d) impaired streams



City of Fairhope Land Use



Planning Department
CAA
APR 2022



This map is for informational purposes only and does not constitute a contract or any other legal instrument. It is subject to change without notice and is not intended to be used for any purpose other than that for which it was prepared.



Figure 3 Fairhope Land Use Map, including agricultural districts

1.4 Background

The City of Fairhope is situated on the eastern shore of Mobile Bay in Baldwin County, in southwest Alabama. Fairhope's rainfall averages more than 74" inches per year, according to a 5-year average (Jan. – Dec.) as reported by the Wastewater Treatment Plant on N. Church Street. The 2020 US Decennial Census Bureau projects the City's population to be 22,477. The annexed limits, which are also the MS4 area limits, comprises roughly 15 square miles. It is part of the Eastern Shore area with Daphne, Montrose and Spanish Fort to the North.

Sustainable development continues to be a priority in preserving Fairhope's natural resources. Of primary concern is stormwater quality, and ultimately the protection of the aquatic resources in Fairhope. Conservation of public property, critical areas and wetland and stream buffers is a priority.

Three significant land purchases in the past 10 years by the City of Fairhope have helped to preserve or limit development in natural areas:

1. Dyas Triangle Property @ 104 and Veteran's Drive (Fly Creek watershed) – 105 acres
2. CR 13 at CR 32, agricultural area (Waterhole Branch / Cowpen Creek) – 113 acres
3. Rivermill Park: Rivermill @ Highway 48: A 1.8 acre drainage area in the Cowpen Creek watershed was donated to the city by the Fairhope Single Tax Corporation. Drainage has been improved with plans for parklands in the future.

In October 2021, the City of Fairhope was awarded Gulf of Mexico Energy Security Act of 2006 (GOMESA) funding for the Dyas Triangle Property, North tract. According to Mayor Sullivan:

"The City of Fairhope is honored to have been selected for GOMESA funding to develop one of our most beautiful natural assets in the North Triangle Nature Park. With multi-use trails and plans to construct an outdoor classroom, we believe this greenspace preservation project will not only protect the Fly Creek watershed but also offer endless opportunities for residents and visitors alike to become more acquainted with the diverse ecosystem the property offers".

[Governor Ivey Announces 17 GOMESA-funded Projects - Office of the Governor of Alabama](#)



Figure 4 North Triangle Property Trail Layout (2021)

Three of the thirteen watersheds in Fairhope have undergone formal studies in the past ten years (Tatumville, Volanta and Fly Creek), giving a path to better environmental stewardship and stormwater management. Additionally, the City of Fairhope has participated on steering committees for the Mobile Bay NEP Weeks Bay Watershed Study (2017) and the current Eastern Shore Watershed Study (2021-present). Collectively, the watershed studies will include all watersheds and sub-watersheds within Fairhope.

The aquatic resources of the Fairhope Region, including Mobile Bay, Cowpen Creek, Fly Creek and Rock Creek, are essential to the area’s economy and the attractiveness of the community to both residents and visitors. Preserving these resources and keeping them healthy is of primary interest to the community and to area leaders. Fairhope staff is active on the Steering Committee of the Eastern Shore Watershed Management Plan which encompasses (for Fairhope) the Rock Creek, Fly Creek, Volanta, Big Mouth Gully, Stack Gully, Tatumville Gully and Point Clear Creek watersheds. [Eastern Shore Watershed Management Planning - Mobile Bay NEP](#)

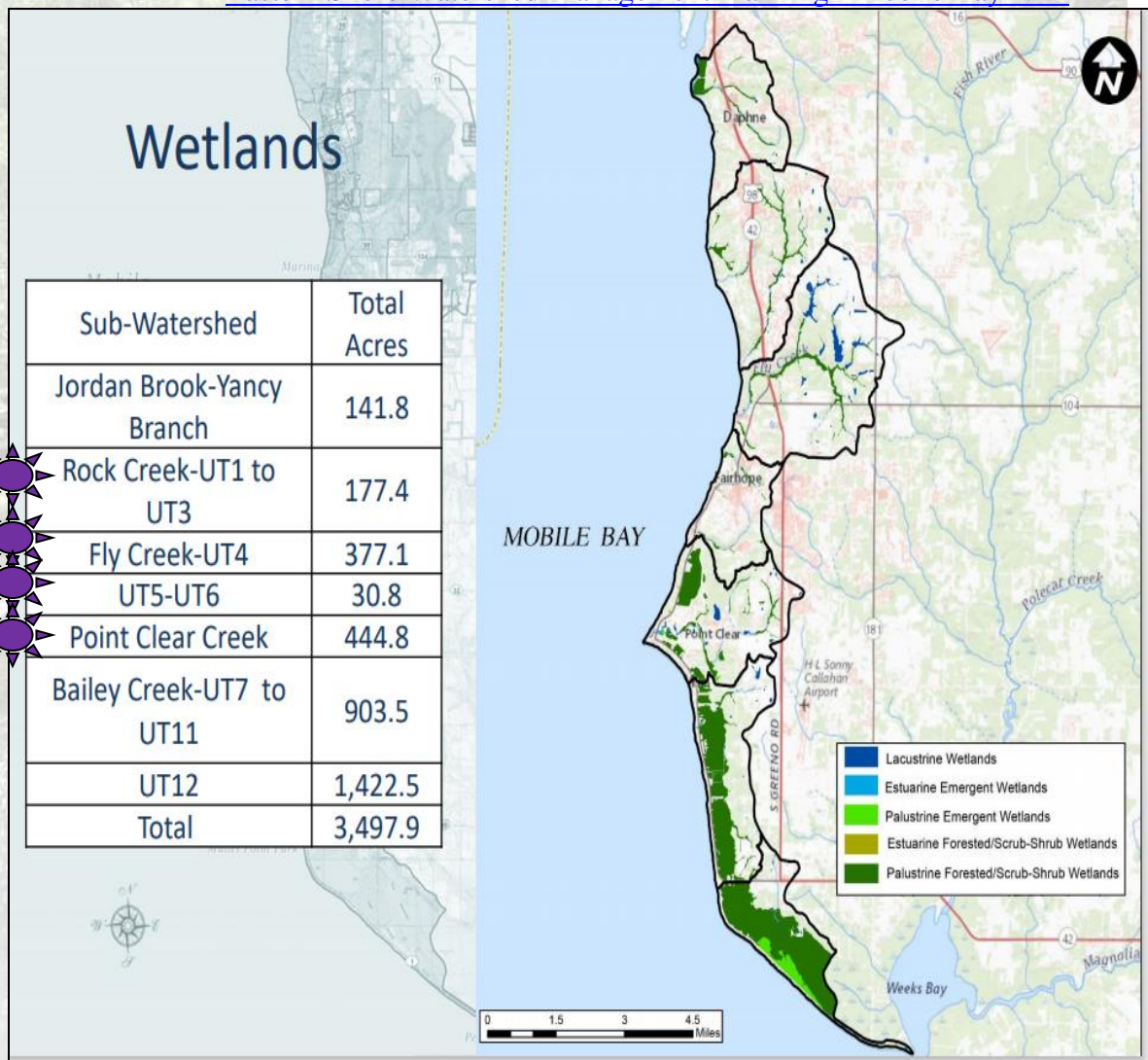

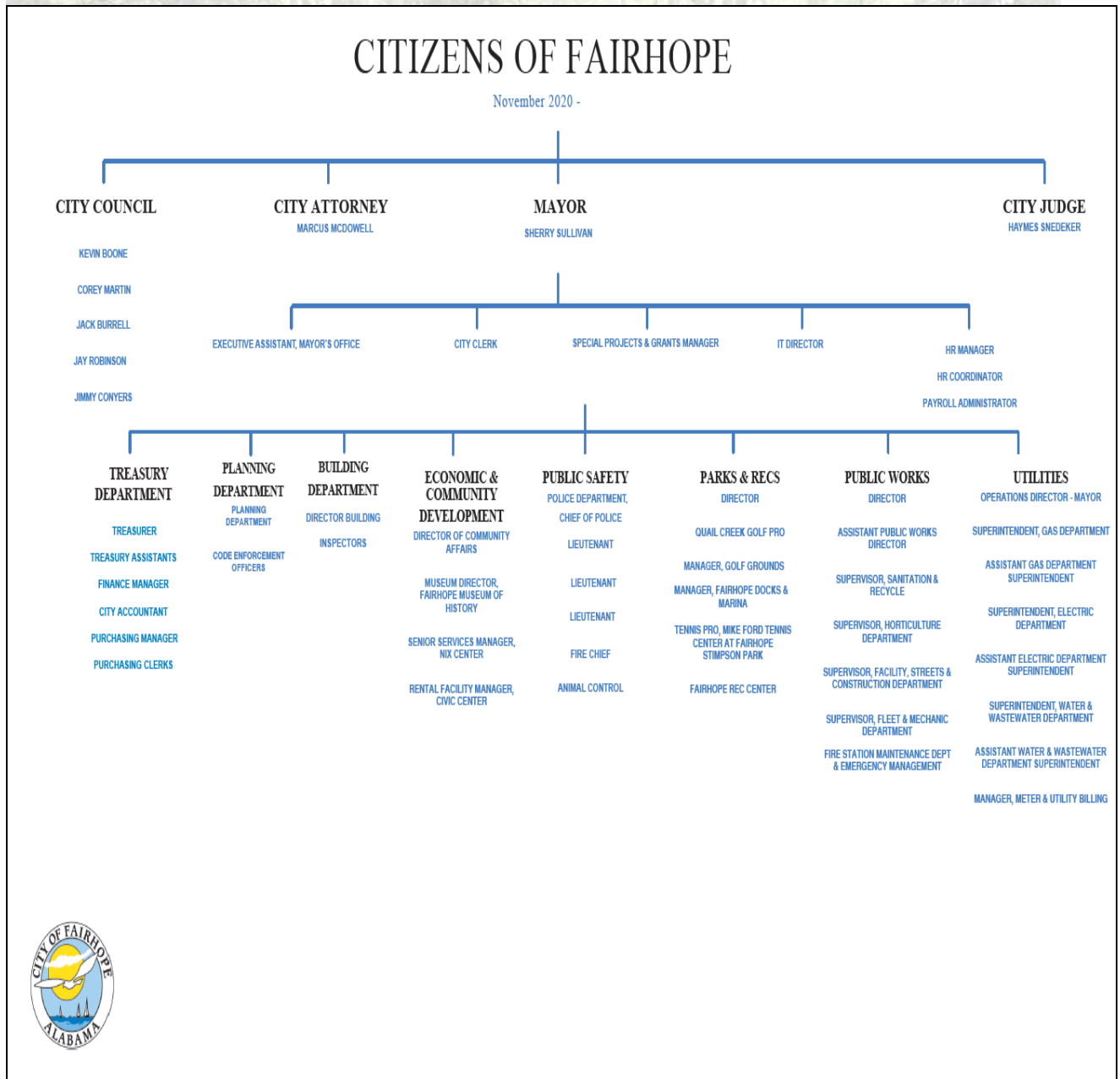


Figure 5 ESWMP area of study (2021). Source: MBNEP ESWMP Stakeholder Workshop Presentation 12/9/2021.  = Represents watershed areas of Fairhope included in the study

1.5 Program Management

Several departments within the City of Fairhope have a role in Fairhope's MS4 program. The City of Fairhope Planning and Zoning Department serves as the lead coordinator of the MS4 program, including the Stormwater Management Program Plan. The Public Works Department is also a key player in the MS4 program. The Public Works Department includes several sub-departments: Horticulture/Landscape, Waste Management and Streets/Construction. The City of Fairhope has one engineer on staff, Public Works Director. The current Mayor serves as the Utility Director for the City of Fairhope. A general contact number for everyone is: (251) 928-8003. Management flow chart as of 3/31/21:

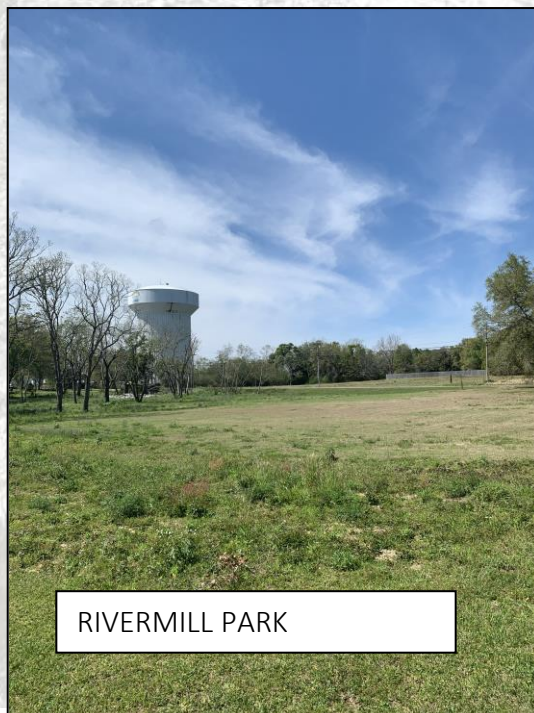


The City of Fairhope reduces the discharge of pollutants on construction sites by requiring structural and non-structural controls, as set forth in plan reviews, stormwater standards (within the Subdivision Regulations), *BMP Minimum Requirements*, and BMP inspections. In the 2021 permit period, the City of Fairhope Planning and Zoning Department conducted fifty-six (56) significant site reviews, including informal reviews, site plan reviews, utility reviews and preliminary /final reviews of major, minor, and multi-occupancy projects.

The Building Department issued approximately 505 new construction/site work permits. This includes approximately 48 land disturbance permits, 83 right of way permits, 15 commercial site work permits, and 118 commercial building permits were issued. Two-hundred and forty one (241) single family permit were issued. Effective land use planning (through the Subdivision Regulation, Zoning Regulations and town hall meetings to engage the community) aids in stormwater management.

Crucial 2021 stormwater initiatives include:

1. \$1M GOMESA Grant Award for multi-purpose trail at North Triangle property
2. Major utility and stormwater infrastructure upgrades in downtown Fairhope-Church Street project (Stack Gully, Big Mouth Gully)
3. Big Mouth Gully bluff stabilization on North Summit Street @ Oak Street.
4. 12 month moratorium on new development outside of the city limits to allow staff time to work on the comprehensive plan updates and regulation/ordinance reviews (December 2021)
5. Comprehensive Plan Community meetings (14)
6. Renewed 5 year MS4 General permit (October 2021)
7. Acquired Rivermill Park, 1.8 acres of property in the Cowpen Creek Watershed, Hwy. 48 @ Rivermill (pictured below)
8. Acquired 113 acres of agricultural property in the Waterhole and Cowpen Creek watersheds.



RIVERMILL PARK

City of Fairhope's Stormwater Management Program Plan (SWMPP) is available for public review on the City of Fairhope website, as is the current MS4 Annual Report:

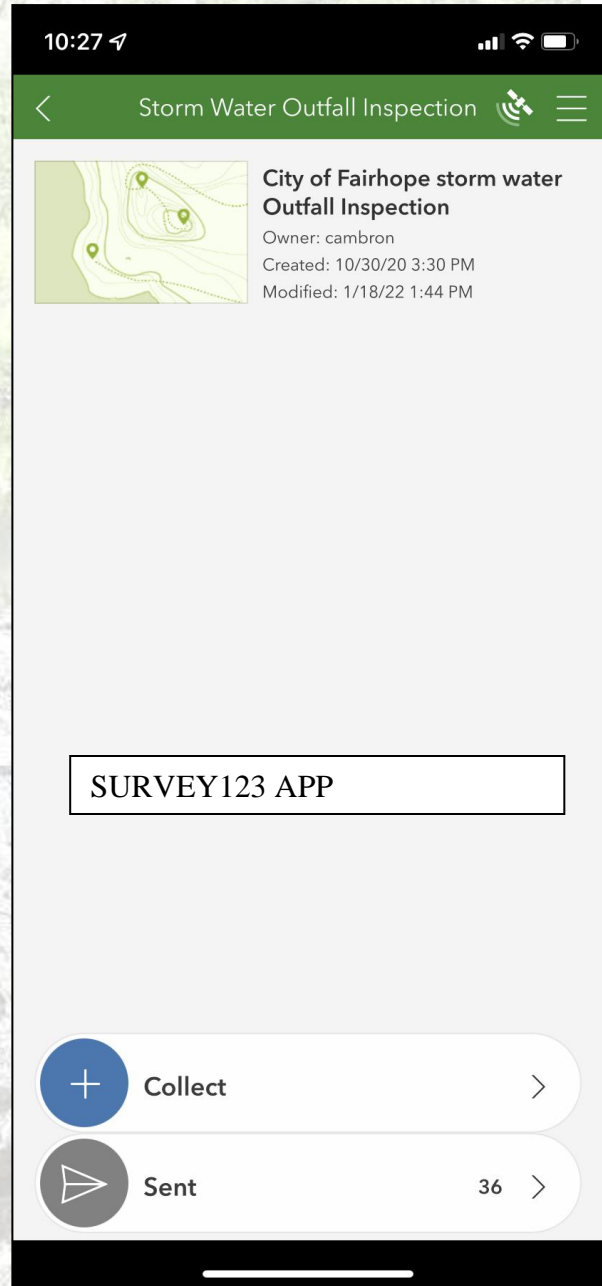
www.cofairhope.com/departments/planning-and-zoning/publications-and-forms

The SWMPP is reviewed annually in a public forum, most recently on January 3, 2022 at the City of Fairhope Planning Commission Meeting at City Hall.

The City GIS database (using ESRI ArcMap 10.0) continues to be used as an important planning tool and is extremely useful in making future land use decisions. Specific applications relative to stormwater include but are not limited to calculating acreage for watersheds, data collation and entry, mapping, etc. The Planning and Zoning Department initially coordinated with GIS to create the Storm Sewer Inventory. The Planning and Zoning Department GIS team has customized the Survey 123 application as one means of data entry and collection (Stormwater outfall mapping, wetland buffer sign mapping, etc.)

The City of Fairhope Natural Resource Inventory, compiled in 2003, as well as three watershed studies (Tatumville, Fly Creek and Volanta Gully) are all planning tools used as reference and guidance on development and stormwater upgrades. These are available for public review on the City of Fairhope website www.cofairhope.com/departments/planning-and-zoning/publications-and-forms Critical areas (wetlands and flood zones) are researched prior to permit issuance, to further determine the need for special planning and building directives. Another on-line resource frequently used is Web Soil Survey: www.websoilsurvey.nrcs.usda.gov

Web Soil Survey is an on-line soil survey resource used to indicate approximate locations and boundaries of hydric soils and streams. This is used, in part, to determine if a wetland delineation will be required (hydric soils are one indication of wetlands).



2.0 PROGRAM EVALUATION

2.1 Overview of MS4 Program Area

The City of Fairhope uses a watershed-based approach to stormwater management. The MS4 area limits (also the annexed City limits) encompass 13 watersheds and 9,902 acres, roughly 15 square miles. Fairhope watersheds include:

(drains to directly to Mobile Bay):

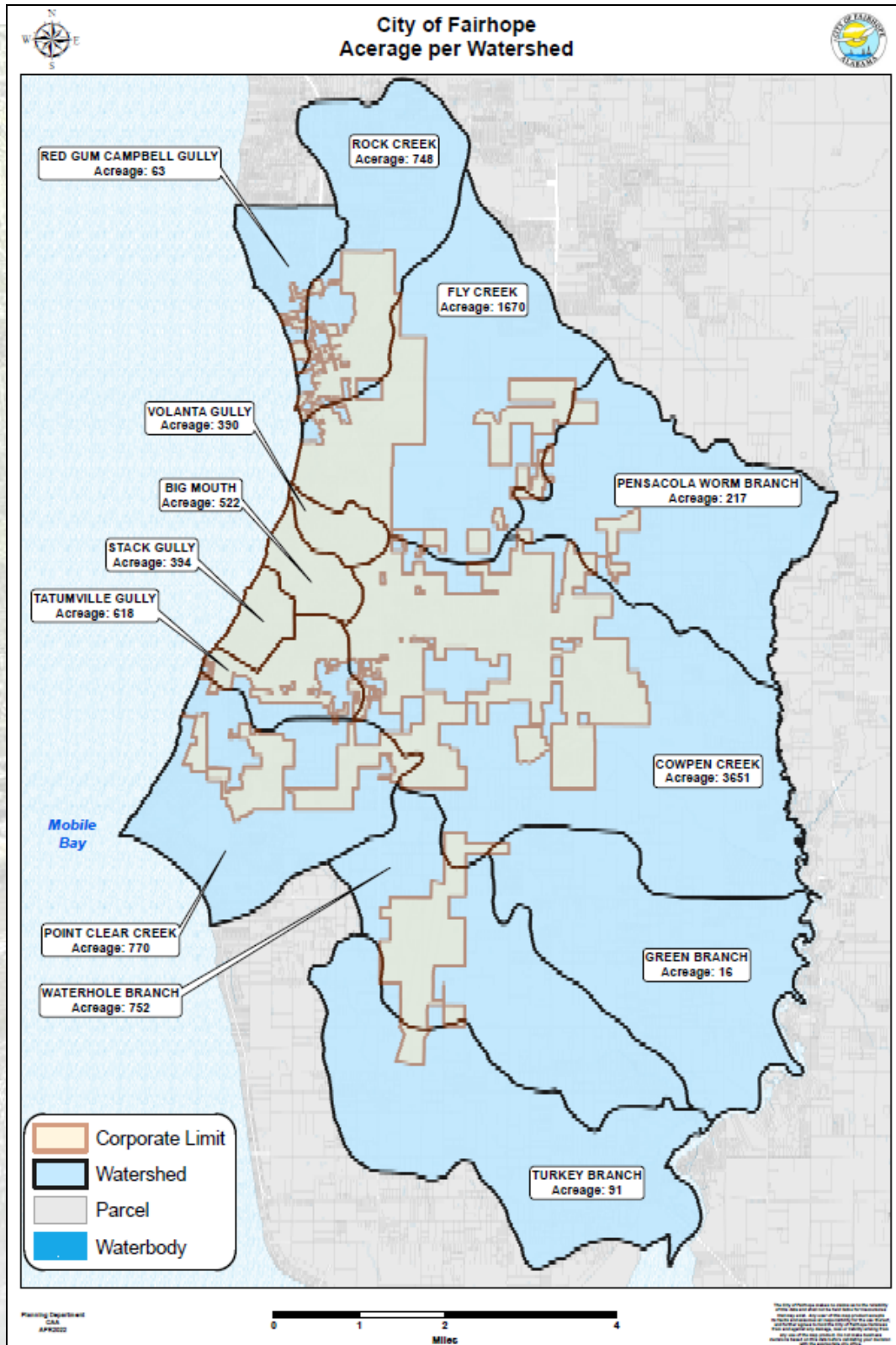
- a. Fly Creek
- b. Rock Creek
- c. Red Gum Gully
- d. Volanta Gully
- e. Big Mouth Gully
- f. Stack Gully
- g. Tatumville Gully
- h. Point Clear Creek

(drains to Weeks Bay before entering Mobile Bay):

- i. Pensacola Branch
- j. Cowpen Creek
- k. Turkey Branch
- l. Waterhole Branch
- m. Green Branch

The city limits/annexed areas increased by 298 acres in the past year, including *the 113 acre agricultural tract in the Waterhole Branch and Cowpen Creek watersheds, pictured below*. City of Fairhope has conducted formal watershed studies within the Volanta, Tatumville and Fly Creek watersheds. This Fairhope watershed map was last updated in April 2022.





2.2 Reporting Requirements: Compliance with MS4 Requirements

Compliance mechanisms and goals regarding the five minimum control requirements are listed in Section 3.0, 4.0, 5.0, 6.0 and 7.0. Non-compliance issues, as addressed in Section 4.0 (Illicit Discharge Detection and Elimination) and Section 5.0 (Construction Site Stormwater Runoff Control) were addressed as per Standard Operating Procedures for Illicit Discharges and Standard Operating Procedures for Non-compliant Construction Sites. Over 400 stormwater enforcement actions (Stop Work Orders and Notice of Violations) were issued from the Planning and Zoning Department in the report period for non-compliant BMPs on job sites. Nine (9) illicit discharge complaints were received by the Planning and Zoning Department in the report period, and all were investigated and resolved. One resulted in a municipal offense ticket for intentional discharge into Cowpen Creek. This does not include illicit discharges from sanitary sewer overflows (SSOs) which the city is addressing through sewer upgrades. The City of Fairhope effectively reduces, to the maximum extent practicable, the discharge of pollutants, including sediment on construction sites, by requiring structural and non-structural controls, as set forth in plan and development reviews, BMP Inspections, enforcement of the Erosion and Sediment Control Ordinance, *BMP Minimum Requirements*, and the stormwater standards (within the Subdivision Regulations). Approximately 540 BMP inspections (initial and follow-up) were conducted by the Planning and Zoning Department in the reporting period, averaging 45 per month.

2.3 Reporting Requirement: Monitoring – Water Sampling

The City of Fairhope's Phase II General Permit did not have monitoring requirements. Bacteriological (pathogen) stream monitoring by Planning and Zoning and Fairhope Docks staff continued for the 2nd year in January 2022. Certified through the Alabama Water Watch voluntary monitoring program, three sampling sites were tested within the Fly Creek Watershed (Fairhope Docks, The Retreat Apartments wetlands, and the Woodlands lift station). For more information, see Section 4.0 IDDE.



Figure 6 City staff monitoring Fly Creek (April 2021)

The City conducts yearly visual screenings (outfall assessments), observing effluent water quality, condition of outfall structure, etc. as required by the MS4 permit. There are currently 635 outfalls identified including thirteen major outfalls (2012 Storm Sewer Inventory to date). This includes private and public (city) outfalls. Outfalls in the inventory found to be maintained by Baldwin County have been forwarded to Baldwin County and removed from the City of Fairhope Inventory. Five new outfalls were added in 2021, including the Hermitage Court outfall pictured below. Approximately 20% of all outfalls are assessed each year with a goal to have all outfalls assessed every five (5) years. The target areas in 2021 were Cowpen Creek, Pensacola Branch and Waterhole Branch outfalls. The major bay outfalls into Mobile Bay are:

1. Fly Creek
2. Rock Creek
3. Pecan Street Pier (south)
4. Pecan Street Pier (north)
5. South Mobile at Orange
6. Magnolia Beach Condos (north)
7. Magnolia Beach Condos (south)
8. South Mobile at Fig
9. Magnolia Beach Condos (center flume)
10. Volanta Avenue tributary
11. South Beach Park
12. Fairhope Pier
13. Gayfer Court tributary



City of Fairhope MS4 Outfalls, by watershed (includes five new outfalls added in 2021)

Watershed	Number of outfalls inventoried
Big Mouth	69 <i>(includes one Major Outfall @ Mobile Bay)</i>
Cowpen Creek*	190
Fly Creek	98 <i>(includes one Major Outfall @ Mobile Bay)</i>
Pensacola Worm Branch	14
Point Clear Creek	29
Red Gum	0
Rock Creek	101 <i>(includes one Major Outfall @ Mobile Bay)</i>
Stack Gully	22 <i>(includes six Major Outfalls @ Mobile Bay)</i>
Tatumville Gully	55 <i>(includes three Major Outfalls @ Mobile Bay)</i>
Turkey Branch*	4
Volanta	36 <i>(Includes one Major Outfall @ Mobile Bay)</i>
Waterhole Branch*	17
TOTAL	635 OUTFALLS (INCLUDES 13 MAJOR OUTFALLS)

*Priority Construction Area (Drains to Weeks Bay, an ONRW: Outstanding National Resource Water)
 NOTE: HARD COPY DATA SHEET AVAILABLE IN PLANNING AND ZONING DEPARTMENT OF COMPLETE STORM SEWER INVENTORY FOR EACH OUTFALL LISTED

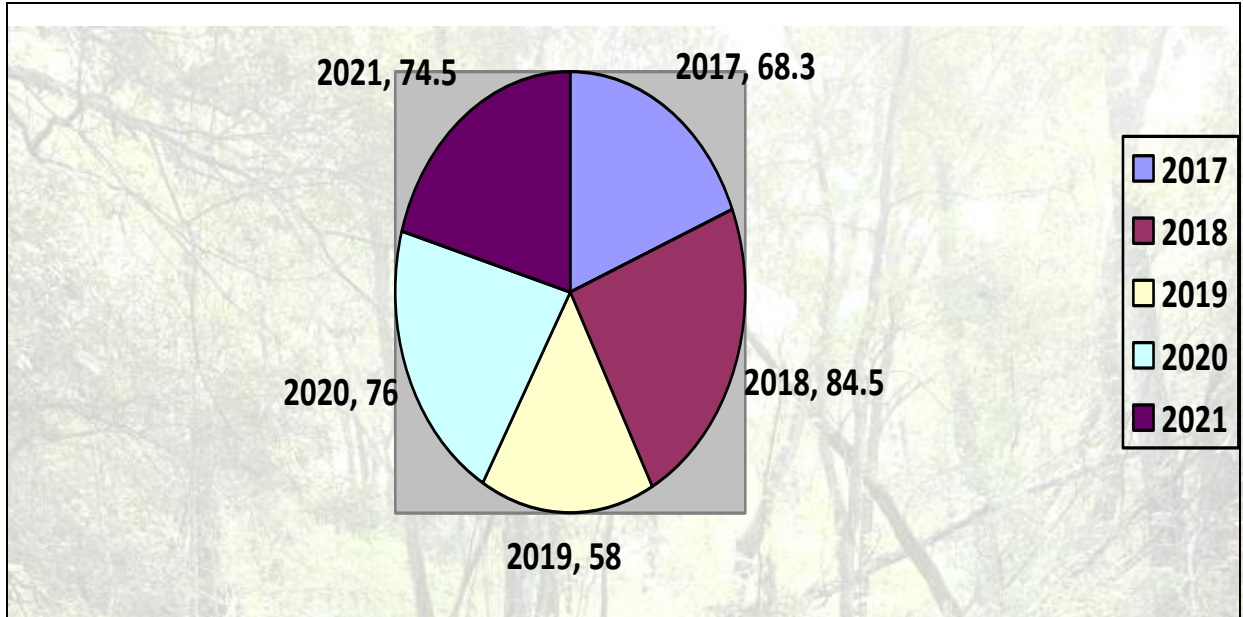


Figure 7 City of Fairhope Rainfall for 5 Years; Source: Fairhope Wastewater Plant on North Church St.



Figure 8 Fly Creek culverts at U. S. Highway 98

2.4 Reporting Requirement: Stormwater Activities

In the 2021, the City of Fairhope received 74" of rainfall with two named storms. There are six (6) stormwater projects reported for this period. The Public Works (PW) Department performs general maintenance, installation and repair on infrastructure, as well as bluff stabilization. The major stormwater projects are in the Cowpen Creek, Big Mouth Gully, Volanta Gully, Fly Creek and Stack Gully watersheds. The projects are listed below (by watershed):

Volanta Gully:

1. Volanta Sports Park – Public Works updated and retrofitted existing detention pond on the property (pond on north side that abuts Colonial Drive).

Big Mouth Gully

1. North Summit Street at Oak Street – NRCS project to restore bluff and update infrastructure
2. Fairwood @ Fairhope Avenue – NRCS project, drainage upgrades
3. N. Church Street – RESTORE funding; bluff stabilization and infrastructure upgrades including stormwater infrastructure

Cowpen Creek

1. Updated drainage area in unnamed tributary on Quail Creek Drive, NRCS project (pictured below, after completion)

Fly Creek:

1. Fairhope Docks parking lot regrade (raising elevation), bulkhead repair and dredging project: Dredging of existing marina basins was initiated in 2021, under USACE NWP 35. Suitable material spoils from dredge were authorized for placement on the beach area on the north side of Sea Cliff Drive. As of March 31, 2022, project is still underway.



Figure 9 Quail Creek drainage improvement project, 2021

Anticipated projects for 2022:

1. Stack Gully Watershed: Fels Avenue, Pier Avenue: Drainage Improvement project was approved in 2021, scheduled to start in 2022; Roughly 280 linear feet of drainage infrastructure will be upgraded in 2022.

DRAINAGE IMPROVEMENT PROJECT

FELS AND PIER AVENUES

CITY OF FAIRHOPE

OCTOBER 2021

INDEX TO SHEETS

SHEET	DESCRIPTION
1	Title
2	Project Notes
3	Fels Ave Drainage Demo Plan & Notes
4	Fels Ave Drainage Proposed Improvements
5	Fels & Pier Ave Drainage Profile and Details
6	Pier Ave Drainage Plans and Profile
7	Erosion Control Details
8	Traffic Control Plan
9	ALDOT Standard Drawing - Inlets (1/3)
10	ALDOT Standard Drawing - Inlets (2/3)
11	ALDOT Standard Drawing - Inlets (3/3)

Vicinity Map

MAYOR
Sherry Sullivan

CITY COUNCIL
Kevin G. Boone
Jay Robinson
Jack Burrell, ACOMO
Jimmy Conyers
Corey Martin

DIRECTOR OF PUBLIC WORKS
Richard D. Johnson, PE

CITY CLERK
Lisa A. Hanks, MMC

Richard D. Johnson
AL. REG. NO. 30405
Project Management

10-15-2021
Date

**Project: 2021 - PWD 001
Bid Set Drawings**



Figure 10 Big Mouth Gully stabilization project (Church and Oak Street) from 2021 continues into the 2022 program period

2.5 SWMP: Changes for 2022

The City of Fairhope Stormwater Management Program Plan 2022 reflects the following changes from 2021 (as approved at Planning Commission January 3, 2022):

MEMORANDUM

DATE: January 2022
TO: Planning Commission Members
FROM: Hunter Simmons, Planning and Zoning Manager
RE: Review of Storm Water Management Program Plan 2022 (SWMPP)/Ordinances

The City of Fairhope operates under Municipal Separate Storm Sewer System (MS4) Phase II General Permit Number ALR040040. The MS4 general permit was recently renewed in September 2021.

A Storm Water Management Program Plan (SWMPP), submitted yearly to the ADEM, is a MS4 permit requirement. Assessment and public review of this plan is also a requirement and is specified in the current plan as being evaluated by the Planning Commission.

The current SWMPP (2021) is available for public review on the City of Fairhope website:

<https://www.fairhopeal.gov/home/showdocument?id=17999>

Proposed changes (other than language clean up and picture updates) reflected from the 2021 SWMPP are:

1. 1.3 General Introduction
 - a. Updated Watershed Map
2. 2.1 Listed Requirements
 - a. Added new requirement language as listed in the general permit; added watershed outfall map and list of outfalls from 2012 inventory; moved City of Fairhope BMP Workshop from Public Education Minimal Control Measure Section to Construction Site Minimum Control Measure Section
 - b. Added updated outfall map and inventory, to include points added since 2012
3. 2.2 SWMPP Management:
 - a. Updated Management Flow Chart
4. 2.3 SWMPP – Watersheds of Fairhope
 - a. Revised watershed acreage to 9,613 acres, adding 9 acres to the watersheds in the city limits
5. 3.0 Public Education and Public Involvement on Storm Water Impacts
 - a. Requirements: Added new requirement language as listed in general permit
 - b. Rationale Statement:
 - i. Added Eastern Shore Watershed Management Plan Steering Committee as a stormwater alliance (Mobile Bay NEP, Thompson Engineering)
 - c. Removed BMP Workshop as a Public Education BMP (added this as a BMP in construction site section)
 - d. Removed Rain Garden as an active demonstration project (rain garden was removed from City Hall in 2021 during drainage reconstruction project on Church Street)
 - e. BMP #2: Added Tatumville Gully Watershed study (2019) as an on-line educational item resource
 - f. BMP #4: Added Landscape Staff as fourth certified pesticide applicator in the city; updated QCI certified building inspector staff to include the right of way inspector
 - g. BMP #14: Added "Sewage Spill" signage as new BMP for public education and awareness
6. 4.0 Illicit Discharge Detection and Elimination
 - a. Requirements: Added new requirement language as listed in the general permit
 - b. Rationale Statement:
 - i. Updated Outfall Assessment 5-year Schedule (2022-2026)
 - c. Added outfall assessments as a new BMP
 - d. Added "No feeding of ducks/geese" per city ordinance as new BMP
7. 5.0 Construction Site Stormwater Run Off Control

Figure 11 SWMPP Memo to Planning Commission, Page 1, January 3, 2022


SWMPP MEMO TO PLANNING COMMISSION, PG.

2

- a. Requirements: Added new requirement language as listed in the general permit
 - b. BMP# 1: Design Review: General procedure of submittal review: Added "Drainage and structural BMPs are reviewed by the Building Department and the Public Works Department".
 - c. BMP #2: BMP Inspections: Added Citizen Serve as 2nd tracking system in addition to Munis
 - d. BMP #3: Code Enforcement: Added "Escalation of enforcement is outlined in the SOP".
 - e. BMP #6: Added QCI (Qualified Credentialed Inspector) as new BMP
 - f. BMP #7: Added Fairhope BMP (Erosion and Sediment Control) Workshop as new BMP (moved from Public Education)
8. 6.0 Post-Construction Stormwater Management
- a. Requirements: Added new requirement language as listed in the general permit
9. 7.0 Good Housekeeping for Municipal Operations
- a. Requirements: Added new requirement language as listed in the general permit
 - b. Rationale Statement: Added Landfill Regulations (2019); added Fire Station #4 (Parker Road) as new facility
 - c. BMP #7: Dedicated Wash Racks for vehicles/equipment: Updated number of wash racks to eight (to include fire station #4

The proposed 2022 Storm Water Management Program Plan (which includes the Illicit Discharge ordinance) is attached for your review.

Figure 12 SWMPP Memo to Planning Commission, Page 2; January 2022



**City of Fairhope
Planning Commission Agenda
5:00 PM
Council Chambers
January 3, 2022**

Sherry Sullivan
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACOM

Jimmy Convers

1. Call to Order
2. Approval of Minutes
 - December 6, 2021
3. Consideration of Agenda Items
 - A. Storm Water Management Program Plan (SWMPP) Review and Approval.**

Figure 13 Planning Commission Agenda portion, January 2022

January 3, 2022
Planning Commission Minutes

AYE: Lee Turner, Art Dyas, Jason Langley, Harry Kohler, John Worsham, and Clarice Hall-Black.
NAY: None

Storm Water Management Program Plan (SWMPP) Review and Approval.

Summary:
Kim Burmeister, Code Enforcement Officer, played a five-minute video regarding SWMPP.

Motion:
Art Dyas made a motion to **approve** SWMPP.

John Worsham seconded the motion and the motion carried unanimously with the following vote:

AYE: Lee Turner, Art Dyas, Jason Langley, Harry Kohler, John Worsham, and Clarice Hall-Black.
NAY: None.

Figure 14 PC Minutes, January 2022

2.6 Reporting Requirement: Government Entity Alliances (City, County, etc.)

While the City of Fairhope is under an individual Phase II general permit separate from any other municipality or county entity, education and data will frequently be shared with Daphne, Spanish Fort, Baldwin County and AL-DOT (our MS4 neighboring partners). Mobile Bay National Estuary Program is an area alliance which plays a critical role in stormwater management in Fairhope, in part through watershed studies such as the current one on going in 2021/2022, Eastern Shore Watershed Management Plan. Fairhope in turn supports the MBNEP. \$15,000 in funds were submitted to the MBNEP in 2021. The City of Fairhope also has partnerships with the Weeks Bay Implementation Team (WBIT), Alabama Water Watch, the Master Environmental Educators program, the Baldwin County Board of Education, Clear Water Alabama (industry stormwater training), and the Create a Clean Water Future program. As a collective community, we will rely on information being shared on a regular basis.

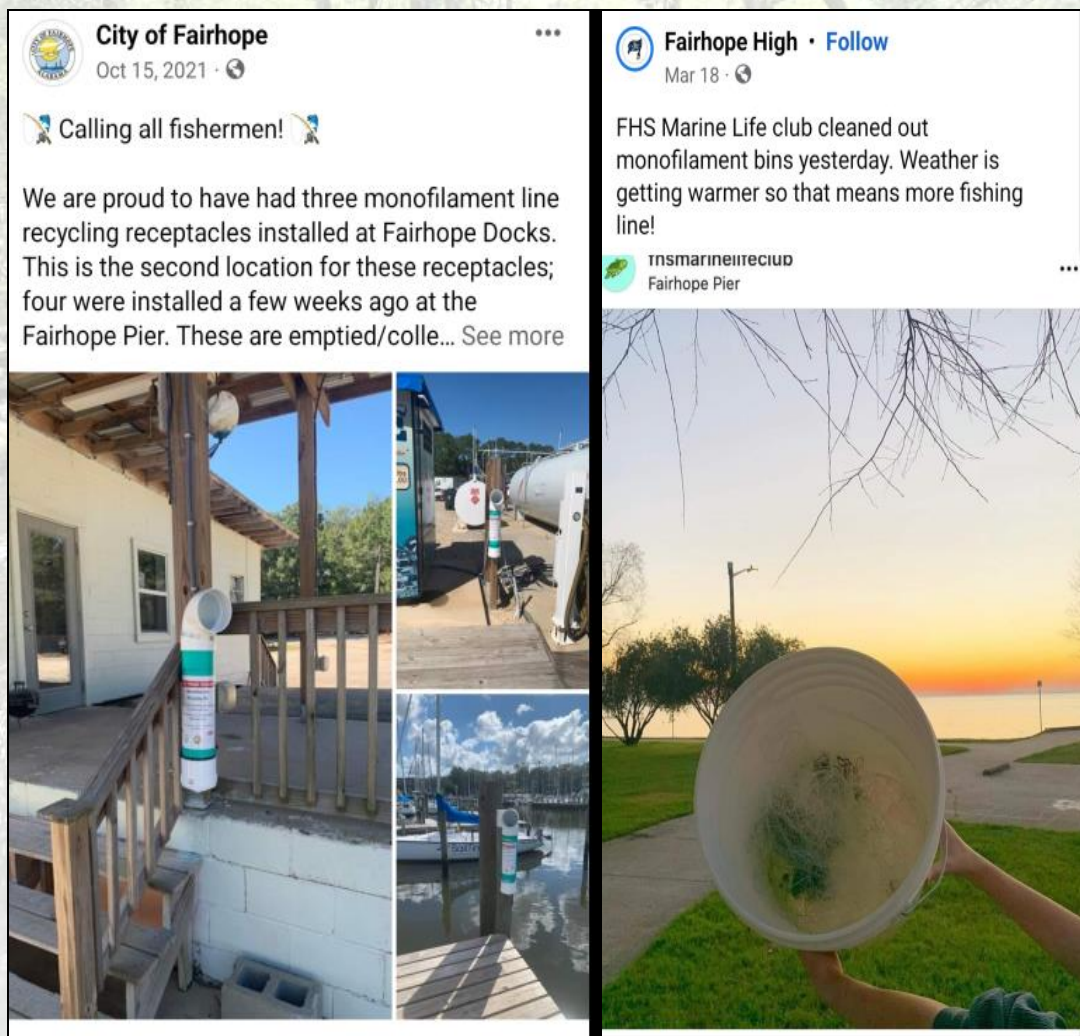


Figure 15 Fairhope's monofilament line recycling program addresses water pollution

Reporting Requirement: Five Minimum Control Measures

The SWMPP addresses the five Minimum Control Measure (MCM) requirements:

- a. Public Education and Involvement on Stormwater Impacts
- b. Illicit Discharge Detection and Elimination (IDDE)
- c. Construction Site Run Off Control
- d. Post Construction Stormwater Management in New Development and Re-development
- e. Pollution Prevention / Good Housekeeping for Municipal Operations

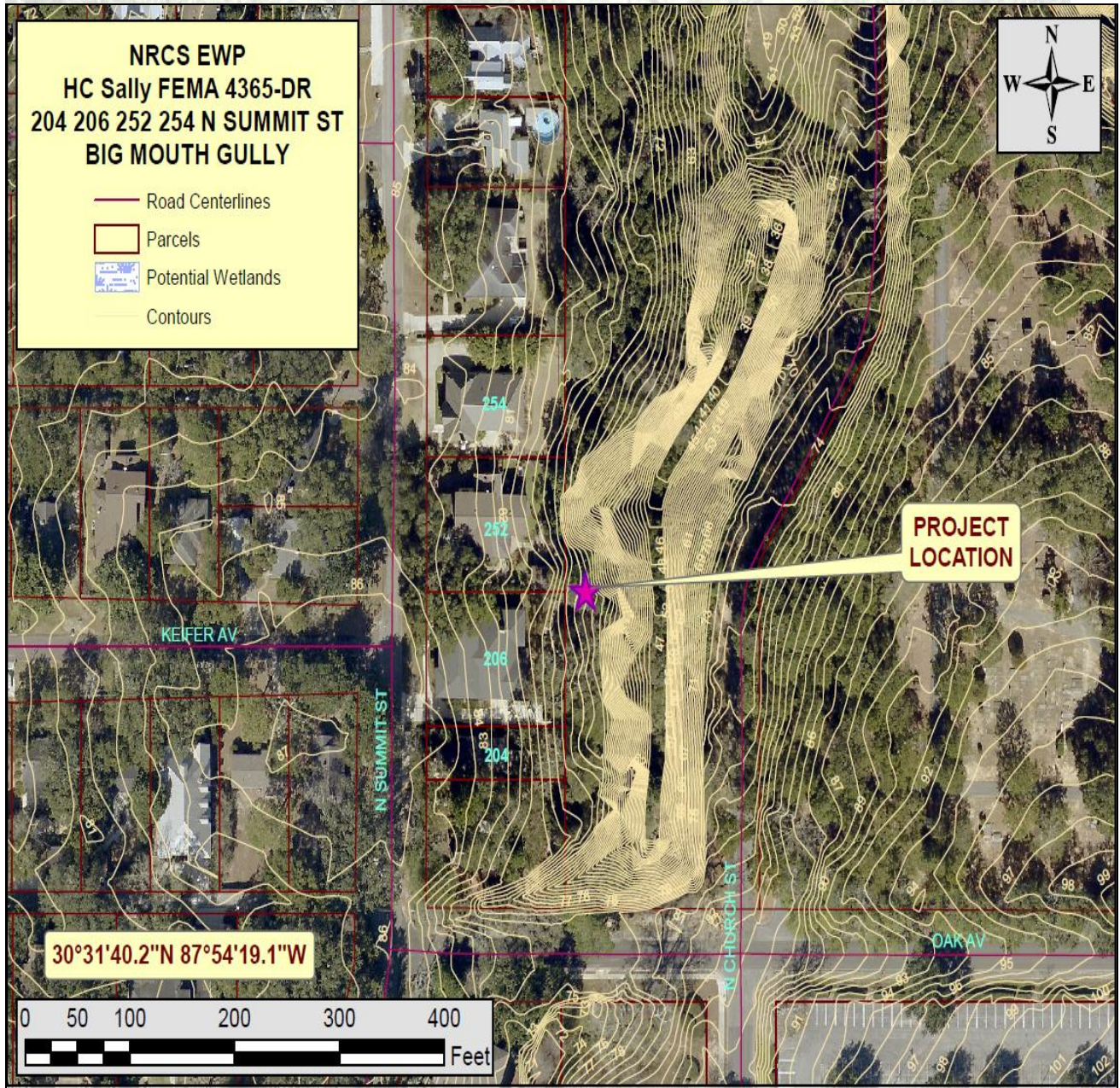


Figure 16 Stormwater projects such as the Big Mouth Gully bluff stabilization project in 2021 help to prevent and reduce sediment loading in Mobile Bay downstream

The Minimum Control Measures with Measurable Goals for 2021:

1. *Public Education and Public Involvement on Storm Water Impacts* (5)

a. Stormwater Education / Seminar for Planning and Zoning Dept.

Status: Complete

Comment:

- i. April: Virtual Coastal NPS Coastal Basin Meeting - ADEM
- ii. August: Virtual Installing Stormwater Wetlands (with Public Works)- Auburn
- iii. November: Virtual Coastal AL Stormwater Team meeting
- iv. December: MS4 Virtual Seminar by AL Stormwater Association
- v. January 2022: AL NPS Virtual Conference
- vi. March 2022: Eastern Shore MS4 Partners Meeting @ Satellite Courthouse, Fairhope
- vii. October 2021; March 2022: On-line QCI Recertification training (2)
- viii. March (2022) : MBNEP Govt. Networks Committee, virtual

b. Stormwater Article on social media – Facebook

- i. October: Monofilament Line Recycling on municipal pier
- ii. October: Lawn clipping placement to protect storm drains
- iii. November: Knolls Park tree replanting event with Girl Scouts
- iv. November: Advisory on keeping grease and oil out of drains to prevent sewer line overflows
- v. March (2022): Knoll Park, controlled burns and seed growth
- vi. March (2022): Fairhope High School monofilament line collection on municipal pier

Status: Complete

c. BMP Workshop for City Employees

Status: Complete

Comment: November 4, 2021 @ Nix Center

d. Public Educational / Input Meeting for Stormwater Issues

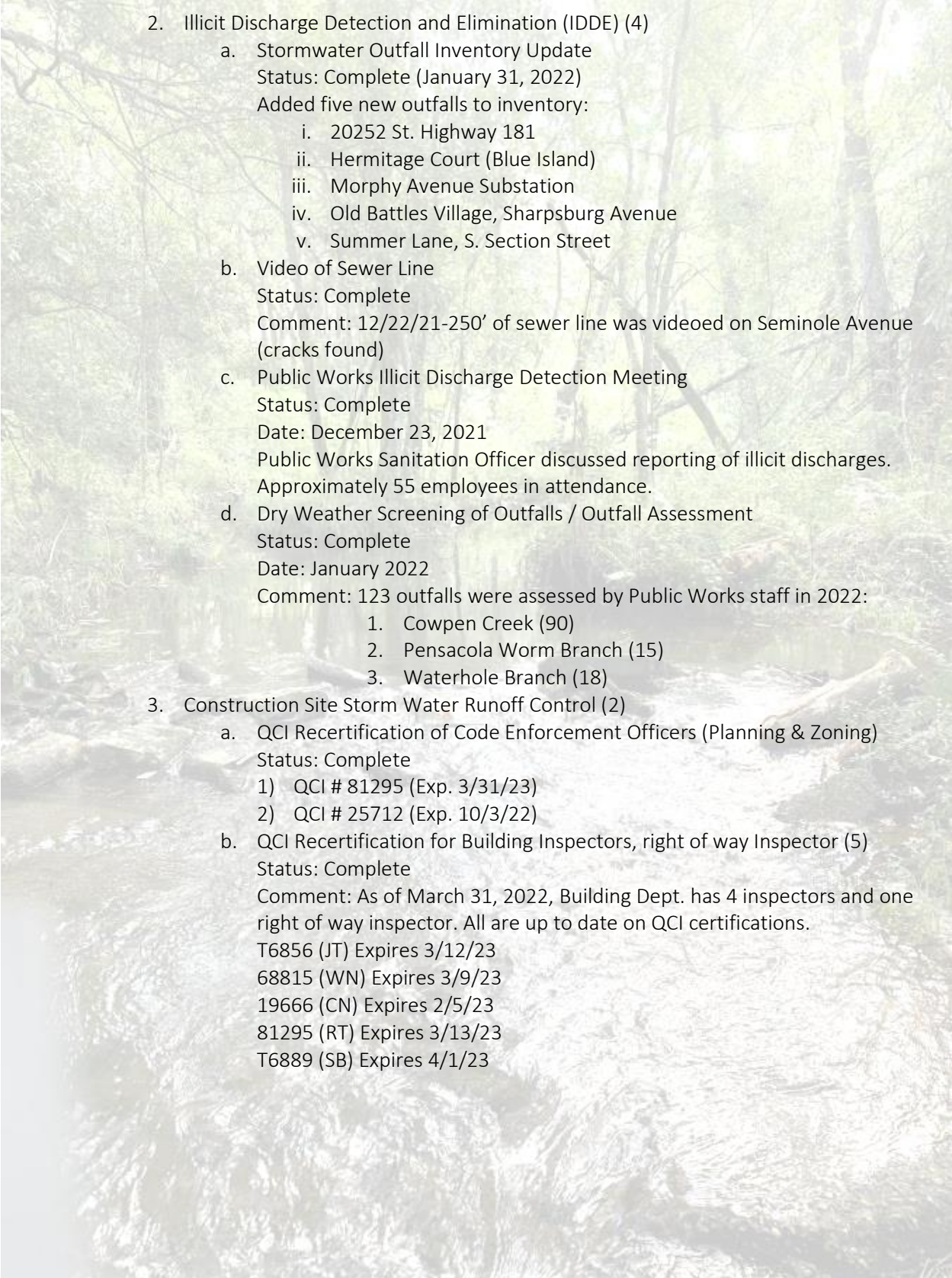
Status: Complete

- i. FEAB (Fairhope Environmental Advisory Committee met 12 times)
- ii. Comprehensive Plan Community Meetings:
 1. 12 times for input
 2. 2 times for presenting information
 3. Passed eight (8) action item motions for stormwater improvement

e. SWMPP Public Review

Status: Complete

Comment: January 3, 2022

- 
2. Illicit Discharge Detection and Elimination (IDDE) (4)
 - a. Stormwater Outfall Inventory Update
Status: Complete (January 31, 2022)
Added five new outfalls to inventory:
 - i. 20252 St. Highway 181
 - ii. Hermitage Court (Blue Island)
 - iii. Morphy Avenue Substation
 - iv. Old Battles Village, Sharpsburg Avenue
 - v. Summer Lane, S. Section Street
 - b. Video of Sewer Line
Status: Complete
Comment: 12/22/21-250' of sewer line was videoed on Seminole Avenue (cracks found)
 - c. Public Works Illicit Discharge Detection Meeting
Status: Complete
Date: December 23, 2021
Public Works Sanitation Officer discussed reporting of illicit discharges. Approximately 55 employees in attendance.
 - d. Dry Weather Screening of Outfalls / Outfall Assessment
Status: Complete
Date: January 2022
Comment: 123 outfalls were assessed by Public Works staff in 2022:
 1. Cowpen Creek (90)
 2. Pensacola Worm Branch (15)
 3. Waterhole Branch (18)
 3. Construction Site Storm Water Runoff Control (2)
 - a. QCI Recertification of Code Enforcement Officers (Planning & Zoning)
Status: Complete
 - 1) QCI # 81295 (Exp. 3/31/23)
 - 2) QCI # 25712 (Exp. 10/3/22)
 - b. QCI Recertification for Building Inspectors, right of way Inspector (5)
Status: Complete
Comment: As of March 31, 2022, Building Dept. has 4 inspectors and one right of way inspector. All are up to date on QCI certifications.
T6856 (JT) Expires 3/12/23
68815 (WN) Expires 3/9/23
19666 (CN) Expires 2/5/23
81295 (RT) Expires 3/13/23
T6889 (SB) Expires 4/1/23

4. Post Construction Storm Water Management in New Development and Redevelopment (2)

- a. Community Hands-on Event for Stormwater Education (Master Environmental Educator Program – MEE- events)

Status: Complete

Comment: Planning and Zoning staff certified as a Master Environmental Educator provided 15 hours of environmental presentation in 14 classroom events in Baldwin County schools. Course work included:

1. Ground water pollution (Jan. 26th, Feb. 9th, March 23)
2. Alabama Water Watch (March 9th)
3. Backyard wildlife habitat (March 29th and 30th)

- b. Creek/Shoreline Assessment of MS4 area via kayak

Status: Complete

Comments: June 13, 2022: Planning and Zoning/Fairhope Docks staff paddled 1.5 miles of the MS4 shoreline from the Fairhope Docks (Fly Creek) to Gayfer Court (Mobile Bay), inspecting (4) major outfalls along the way. Also removed monofilament from underneath piers along the way.

5. Pollution Prevention / Good Housekeeping for Municipal Operations (2)

- a. Good Housekeeping / Pollution Prevention Memo to all departments

Status: Complete

Date: February 23, 2022

Email to all department heads regarding SOP for Illicit Discharge and recent paint spill downtown, procedures for reporting, etc.

- b. Dry Weather Screening of Public Works Facility

Status: Complete

Date: January 10, 2022



Figure 17 Mobile Bay near North Mobile Street, part of the Fairhope MS4 area shoreline assessment for 2021; and monofilament line recovered from underneath piers during the assessment.

The City of Fairhope completed fifteen (15) of the fifteen (15) measurable goals for 2021.

A summary of the five (5) minimum control measures follow:

3 MINIMUM CONTROL MEASURE # 1: PUBLIC EDUCATION AND INVOLVEMENT ON STORMWATER IMPACTS

- **Requirements:** The City of Fairhope must develop and implement a public education and outreach program to inform the community about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff to the maximum extent practicable. The City of Fairhope shall also comply, at a minimum, with applicable State and local public notice requirements when implementing a public involvement/participation program. SWMPP must include public input method for SWMPP review and must list target pollutants and target audiences; SWMPP must address the reduction of litter, floatables and debris from the MS4 area; SWMPP must show methodology for informing and involving individuals, land use planners, engineers, businesses and property managers in storm water pollution prevention. More information on this requirement can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Special Projects and Grants Manager; Director of Community Affairs
- **Rationale Statement:** In 2021, the City of Fairhope supported community stormwater education through meetings and events:
 - a. Comprehensive Plan meetings
 - b. Fairhope Environmental Advisory Board (FEAB) Meetings
 - c. Planning Commission Meetings
 - d. Master Environmental Educators Program (outreach to Baldwin County schools)
 - e. Coastal Clean Up
 - f. Arbor Day
 - g. America Recycles Day

FEAB currently has 9 members (as of March 31, 2022). FEAB is an environmental advisory board which is scheduled to meet monthly (the second Friday of every month at City Hall). In the 2021 reporting period, FEAB met in person and with quorum twelve (12) times, plus once with a Special Meeting with Mayor and staff. In 2021, FEAB made motions of support for park management plans, stormwater inventory enhancements, community resiliency index modeling, comprehensive land use planning updates, and litter program improvements.



Figure 18 FEAB meeting with staff for annual updates, March 2022

The Planning Commission is a formal public forum which meets monthly offering the community an opportunity to learn more about upcoming development projects. The City of Fairhope Planning and Zoning Department provides notifications and postings for these public meetings, which are held monthly. The Planning Commission met 12 times in the 2021 program period.

Minutes of the Planning Commission and the FEAB, once approved, are posted on-line at: <https://www.fairhopeal.gov/city-government/city-council-committee-minutes-3681>

Fairhope also collaborates with area partners for stormwater planning, since stormwater does not recognize jurisdictional lines. The City of Fairhope participated in and continues to participate in the Eastern Shore Watershed Management Plan through steering committee meeting as the watershed study develops. The MS4 Eastern Shore partners, including Fairhope Planning and Zoning Department staff, met in March 2022 to discuss MS4 permit language changes and program compliance.

Comprehensive Plan Updates: In 2021, the City of Fairhope Planning and Zoning Department engaged the public in fourteen (14) comp plan meetings so the current comp plan can be updated. Twelve (12) public input meetings were held, and two (2) information presentation meetings were held in the 2021 MS4 period in Fairhope. The Planning and Zoning Department is the lead department for this project.

Citizen Complaints / Comments: The City of Fairhope receives complaints and comments, including stormwater issues, from citizens by having a “General Contact” number listed on the City of Fairhope website. The general phone number (251) 928-8003 is available 24/7 (directed to the Police Department after hours). Citizens can also enter a “Request for Service” through the City’s 311 system on-line (city website), which is directed to the appropriate department.

Public Outreach: The City of Fairhope takes part in several environmental themed community events each year, such as Coastal Clean Up, Mobile Area Earth Day and Arbor Day. These events collectively reach over 1,000 residents. Though Earth Day was cancelled in April 2021 due to the pandemic, the other listed community events took place. Public Works coordinates these efforts. Planning Department has staff trained as a Master Environmental Educator and engaged with three different area schools on environmental education. Through this program, Fairhope partnered with area schools in the 2021 program period: J. Larry Newton, Daphne High School and Rockwell Elementary School. This outreach helped educate students on environmental stewardship and stormwater pollution. In the 2021 program period, the City Planning and Zoning staff attended and helped present fourteen (14) classroom events, or 15 hours of presentations, in Baldwin County. Fairhope Planning Department staff is currently working with the Marine Life Club at Fairhope High School on litter pick up projects to help identify areas with litter pick up needs, and in coordination of monofilament line recovery on the municipal pier. In 2021, the Marine Life Club helped with litter pick up at the city-owned “Winn Dixie” pond on Morphy Avenue, a regional detention area for Cowpen Creek stormwater. The Fairhope Marine Life Club also adopted the monofilament recycling containers on the Fairhope Municipal Pier as a regular collection area for the students. The material is brought to the City of Fairhope Public Works Department and is stored for shipment to the Berkley monofilament line recycling program office. The City of Fairhope is taking a pro-active lead in volunteer water testing. Two city staff (Planning Department and Fairhope Docks) are certified for bacteriological (pathogens) water testing, which began in January 2021. The results are posted on the Alabama Water Watch site, which is also linked on the City website. City staff working with the Alabama Water Watch program provides water testing at three locations within the City limits monthly. Testing is for *e. coli*. The sampling locations are all within the Fly Creek watershed.

Target audience for the City educational mechanisms are developers, contractors, landscapers, business owners, landowners, homeowners and City employees.

Target pollutants for this reporting period are:

- a. Pathogens
- b. Oil residue from parking lots
- c. Pesticides, herbicides and fertilizers
- d. Sediment

Pathogens are a high priority stormwater concern; sanitary sewer overflows (SSOs) are taken seriously. The Sewer Capacity Study of 2017 gave a roadmap for improvement. Infrastructure upgrades in 2021 (such as the Church Street project mentioned in stormwater projects) continued to upgrade infrastructure to better manage the municipal sewer system. Other initiatives for pathogen considerations:

1. ADEM Beach Monitoring link is available on the city website to inform residents of most recent pathogen levels tested for the three locations listed above. Signage is available at City Park swimming areas (North Beach Park, Orange Street Pier) notifying visitors of recent testing results.
2. Planning and Zoning / Fairhope Docks staff are testing for pathogens (bacteria) monthly in Fly Creek at three different locations, as part of the Alabama Water Watch program.
3. Educational outreach blasts on Facebook helped to educate citizens on how they can help (keeping grease out of drains, and protection of clean out caps)
4. Sanitary Sewer Overflow signage placement to warn citizens of areas of impacts of SSO's
5. Park signage include "DO NOT FEED THE DUCK OR GEESE" to help discourage the bird population at the swimming areas of beach. Bird fecal matter is suspected to be one source of pathogens in Mobile Bay.

Sediment deposition is a major concern in Fairhope, since it is a terrain bordered by many gully systems, tributaries and three major creeks (Fly Creek, Rock Creek and Cowpen Creek). Rainfall in Fairhope averages more than 74"/year (based on data from the last five years). 74" of rain was received in 2021. With the issuance of over 400 earth-disturbing permits issued in the city limits annually, construction standards are reviewed yearly.

• **ARTICLE VII. - EROSION AND SEDIMENT CONTROL**¹⁶¹

• **Sec. 7-151. - Title.**

This article shall be known as and called the Erosion and Sediment Control Ordinance.
(Ord. No. 1398, § I, 8-10-09)

• **Sec. 7-152. - Jurisdiction.**

The provisions of this article shall apply to all lands within the permitting jurisdiction of the City of Fairhope.
(Ord. No. 1398, § II, 8-10-09)

• **Sec. 7-153. - Purpose.**

During the construction process, soil is most vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches, dredging of watercourses, and causes air quality impacts when sediment particles become entrapped in the atmosphere. In addition, clearing and grading during construction causes the loss of native vegetation. Vegetation holds the soil in place, holds and filters stormwater, provides habitat for terrestrial and aquatic life, and provides a healthy living environment for Fairhope citizens.

As a result, the purpose of this local regulation is to safeguard persons, protect property, prevent damage to the environment and promote the public welfare by guiding and regulating the design, construction, use, and maintenance of land disturbances in the City of Fairhope.
(Ord. No. 1398, § III, 8-10-09)

Figure 19 City of Fairhope, intro to Erosion and Sediment Control Ordinance, #1398 and #1603

Pesticides, herbicides, fertilizers: As a result of an action item from the Weeks Bay Watershed Management Plan, Weeks Bay Foundation and the Weeks Bay National Estuarine Research Reserve worked with Fairhope staff to provide a brochure “A Homeowner Guide to Stormwater Detention Pond Maintenance”. This brochure is available on-line and is also used as a hard copy attachment for drainage/stormwater facility notifications to property owners from the Public Works Department and the Planning and Zoning Department. Additionally, this brochure is being sent out to all subdivision HOA’s, most recently in December 2021. In addition to information on maintaining stormwater facilities, this brochure includes a reference to limiting the use of pesticides and fertilizers. The City of Fairhope also uses the “Greener by the Yard” and “Alabama Smart Yards” publications (link available on-line) which offer advice on green lawn care practices. In 2021, the City of Fairhope currently has on staff five (5) certified Commercial Pesticide Applicators, which regulate the correct use of pesticides, herbicides and fertilizers on City property.

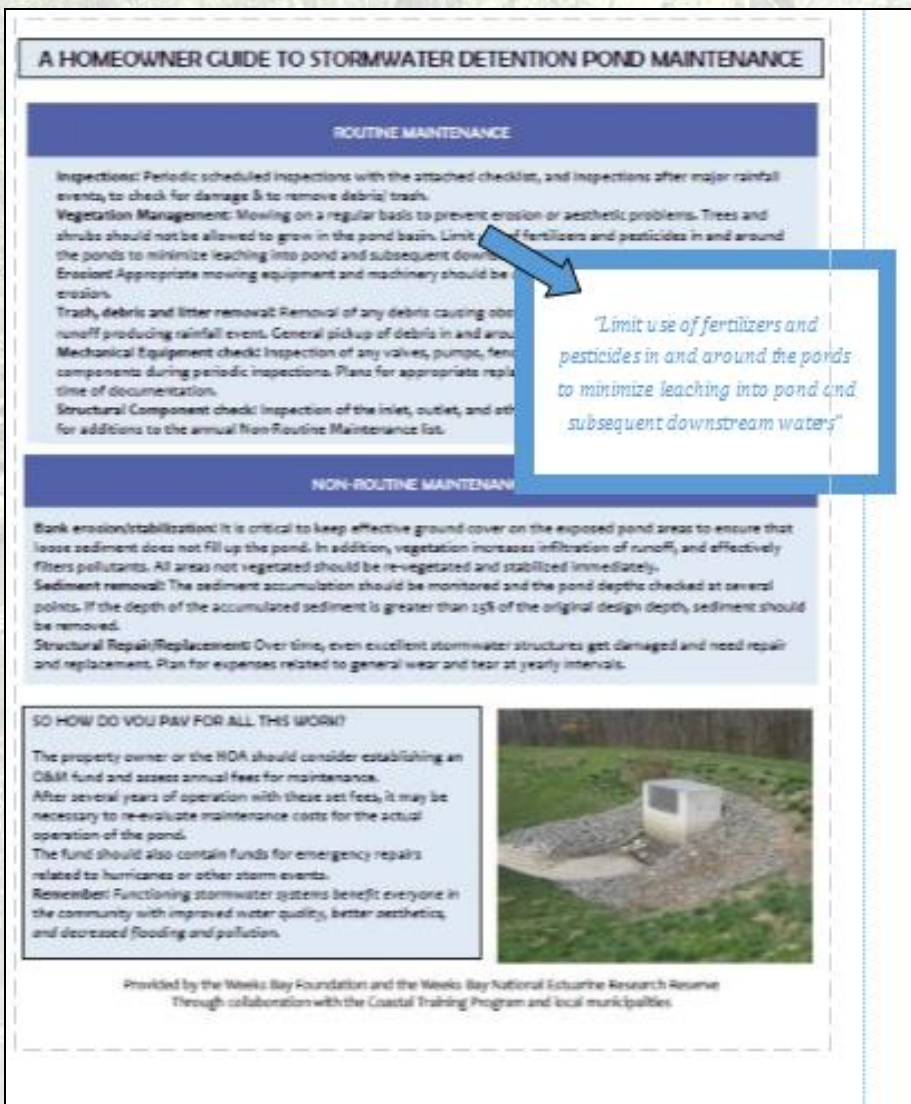



Figure 20 Stormwater Pond Maintenance brochure sent to HOA groups annually

Citizen Stormwater Awareness: An inventory of the City of Fairhope’s storm sewer infrastructure (including private/subdivision stormwater facilities) was conducted in 2012 and is updated in hard copy yearly. In 2021, the city assessed outfalls in the Cowpen Creek, Pensacola Worm Branch and Waterhole Branch watersheds. A total of 133 outfalls were assessed (two were found to be County outfalls and were forwarded to Baldwin County, removing them from the City of Fairhope inventory). As a result, seven (7) courtesy letters were sent out to HOAs and property owners requesting further assessment and/or maintenance of outfalls in need of repair. The Public Works Department staff conducted the inspections.

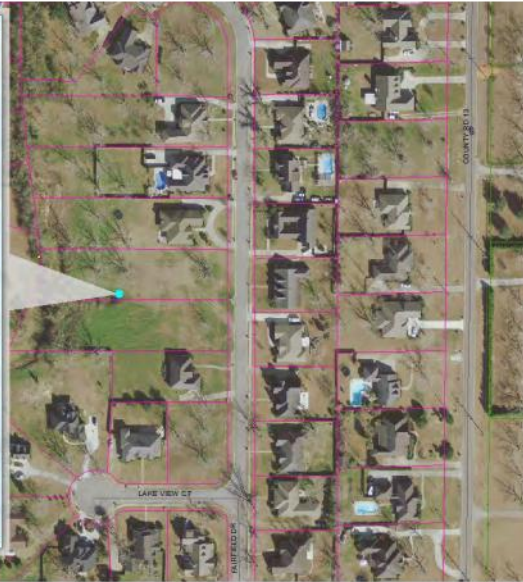
A sample of the property owner notification letter is below. The stormwater pond maintenance guideline brochure developed by the Weeks Bay Reserve Foundation was attached to each notification letter. This project serves as an outreach effort by the Planning and Zoning Department / Public Works Department to correct or assess deficient stormwater facilities, so that downstream properties (including water bodies) are better protected from flooding and runoff. The city receives feedback and requests for additional information, such as engineer of record, as a part of this effort. Usually, the notified property owner is a subdivision Property Owner Associations (POA).

City of Fairhope - Outfall Inventory
Cowpen Creek Watershed



IMG_0035478.jpg

COF MS4 ID	CC-214919-A
Watershed	Cowpen Creek
Material	HDPE
Shape_1	Circular
Depth	0
Top Width	0
Bottom Width	0
Type	Closed Pipe
Category	
Outfall_No	-Null-
Comment	Street discharge
Flow Description	None
Outfall Damage	
Deposits/Stains	
Abnormal Vegetation	
Pipe Post Growth	
Pipe Denting Growth	
Barrels	1
Diameter	30
Submerged in Water	No
Submerged With Sediment	Partially
Date Collected	7/27/2012
2012 Photo 1	0035478
2012 Photo 2	-Null-





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Figure 21 Outfall data sheet from Cowpen Creek outfall, January 2022

➤ **BMP** methods used for educational outreach:

1. Brochures / publications / media
2. Public Educational Meetings (FEAB, Planning Commission, Comp Plan)
3. Community Events
4. Stormwater Alliances
5. Existing Demonstration projects (wetland pond; storm drain markers)
6. City Website
7. Employee Certifications and Training
8. Pet Waste Bags in Parks
9. Create a Clean Water Future program
10. Notifications for Public Meetings
11. Subdivision Property Owners Associations Contact List
12. Sanitary Sewer Overflow On-Site Signage

BMP # 1: Brochures/Publications/Media: promoting green space and stormwater management, available at City offices (and/or on-line): <https://www.fairhopeal.gov/departments/planning-and-zoning/publications-and-forms> or Facebook (City of Fairhope)

- a) *Greener by the Yard*, Weeks Bay Watershed Project
- b) *Fairhope Gullies*, joint effort of Mobile Bay National Estuary Program, Fairhope Single Tax, and the City of Fairhope
- c) *Parks of Fairhope*, joint effort of the FEAB and the City of Fairhope
- d) *Stormwater Management*, by EcoSolutions, created for the City of Fairhope
- e) *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama*, by Alabama Soil and Water Conservation Committee
- f) *City of Fairhope Facebook page*: Fairhope used Facebook as one means of advertising events and releasing information on new policies and procedures.
- g) *What is a Phase II Small MS4?* Brochure compiled by the Eastern Shore MS4 Stormwater Education Outreach Team, available at the City of Fairhope Planning and Zoning Department and Public Works building.
- h) *Understanding Your Stormwater Management Program*; this 5-minute video, produced by the Mobile Bay National Estuary Program, is an informational source for elected officials, and the general public. It briefly explains the importance and requirements of our local MS4 program and is used during SWMPP review for the Planning Commission. Available on the City of Fairhope website.
- i) *Homeowner Guide to Stormwater Detention Pond Maintenance* Developed in 2017 by the Weeks Bay Foundation and the Weeks Bay Estuarine Research Reserve to help Fairhope guide citizens and property owners toward correct stormwater pond maintenance.

BMP #2: Public Educational Meetings

- a. FEAB – “Fairhope Environmental Advisory Board” met twelve times in the 2021 MS4 permit period. This is a group of nine (9) members who are appointed by Council. This public meeting meets monthly. Common areas of study and discussion are wetland protection, coastal resiliency and stormwater pollution and maintenance. This advisory committee reports to City Council with approved motions for items which are deemed worthy of further consideration by City staff, council and Mayor. In 2021, FEAB also meet with Environmental Advisory Committees from Daphne and Baldwin County to discuss local environmental efforts. A Joint Advisory Team was created, with Fairhope’s FEAB co-chair selected as the chairperson for the Joint Advisory Team. As of March 31, 2021, the joint meetings are still in the planning stage, but are likely to meet quarterly every year starting in Summer 2022. Fairhope Planning Staff serves as the secretary/liaison to the FEAB to take and record minutes, which are posted on-line once approved. Motions passed in the 2021 period include:

FEAB approved motions for MS4 2021 period (April 1, 2021 – March 31, 2022)

September 2021:

Motion #1: Amend FEAB by-laws to allow for 11 instead of 9 members *RESCINDED IN OCTOBER

Motion #2: Approve Rick Speight as new member

Motion #3: FEAB approves of City pursuing stormwater infrastructure inventory through funding such as Restore Act Bucket 3 funds

Motion #4: FEAB encourages City of Fairhope to perform a Community Self - Assessment for resiliency

Motion #5: FEAB would like to invite Dale Linder to next meeting to discuss Recycling program

October 2021:

Motion to rescind Motion #1 from Sept. Meeting: Amend FEAB by-laws to allow for 11 instead of 9 members *Rescinded*

Jan. 2022: Motion approved: Gary Gover to continue as chairman for another term

Feb 2022:

Motion #1: Comprehensive Plan / Land Use Plan comments from FEAB were approved and finalized, with request for Kim to send these to Hunter

Motion #2: Amy Paulson was recognized for her hard work with the board and was given the title “Vice Chairperson” of FEAB 3.

Motion #3: FEAB approved the initiation of the Litter Gitter program, initially with the Winn Dixie Pond location (Cowpen Creek watershed)

Motion #4: FEAB encourages the City of Fairhope initiate a comprehensive study of litter and stormwater pollution concerns for all 12 City watersheds.

Motion #5: FEAB advises the City of Fairhope to engage an environmental professional for an up to date park management plan for Colony Park at 44 and 13.

Motion #6: FEAB advises the City of Fairhope to follow current park management plan for Colony Park.

Responsible person: Planning and Zoning – Code Enforcement Officer

- b. Planning Commission – met 12 times in the permit period. This is a group of appointed volunteers who meet monthly. Stormwater and new or improved development is a key topic as new projects are reviewed in a public forum.
Responsible person: Planning and Zoning Department Director
- c. Comprehensive Plan meetings – Fairhope is rewriting the comprehensive plan and is soliciting input from the community. Twelve (12) community input meetings were held (different locations around town) and two (2) presentation meetings were held to show the community the results of input and planning for the comprehensive plan. The City of Fairhope is using a consultant to formulate the plan draft.

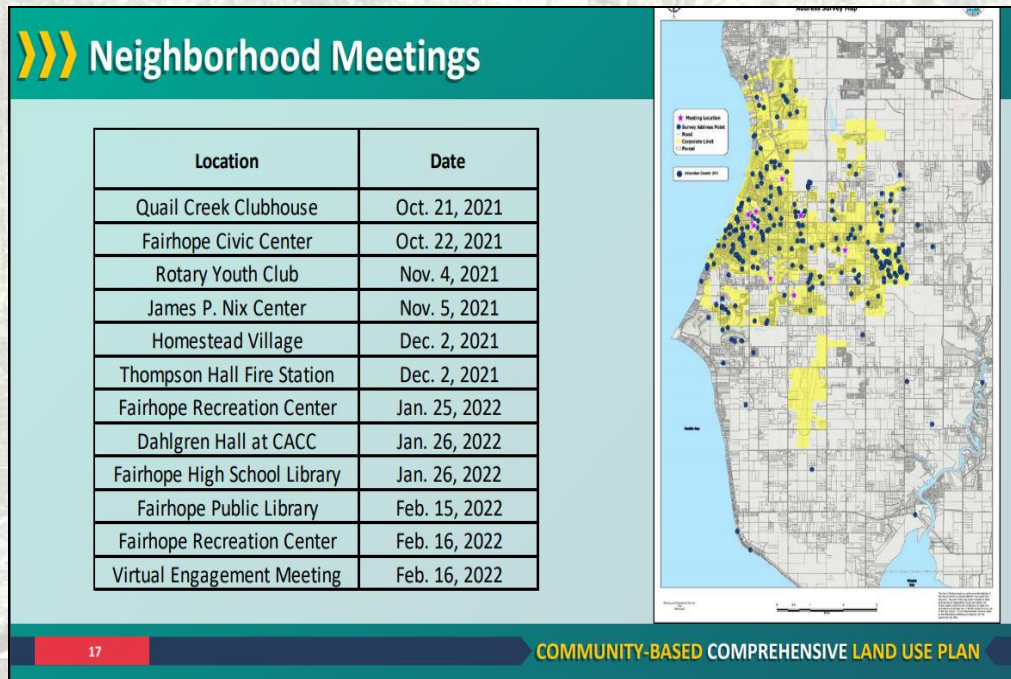


Figure 22 Comprehensive Plan Community Meetings, 2021/2022

Throughout the process, residents can visit www.PlanFairhope.com or email CompPlan@FairhopeAL.gov for more information.

Join a neighborhood meeting with the City of Fairhope so your voice can be heard!

October 21 6:30 p.m.
Quail Creek Clubhouse

October 22 10 a.m.
Fairhope Civic Center

For more information visit www.PlanFairhope.com or email CompPlan@FairhopeAL.gov

BMP #3 Community Events

- a. **Environmental Outreach with schools (MEE):**
Master Environmental Educator Program: Planning and Zoning Staff attended / conducted classroom events in Baldwin County schools. Lesson plans included Ground Water Pollution, Alabama Water Watch and Backyard Wildlife Habitat

- b. **Coastal Clean Up:** City provided garbage pickup for this event. 1500 tons of materials was recovered at the 2021 Coastal Clean UP Event on September 18th. 418 adults and 90 children participated.

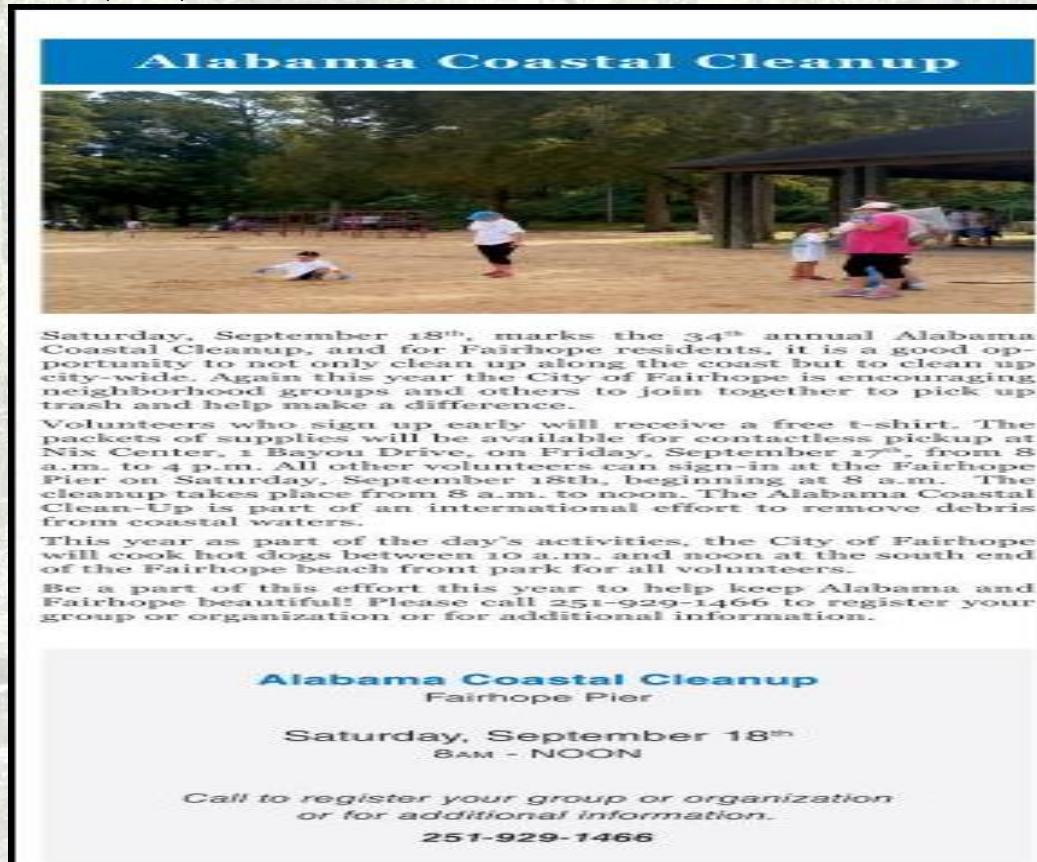


Figure 23 City Sketches

- c. **America Recycles Day**
November 15th, 2021: City hosted America Recycles Day at the Pecan Street Building, shredding, and recycling paper for the community. In November 2021, Public Works received 1800 lbs. of electronics and 2 tons of paper for recycling. Paper was shredded on site for recycling.

- d. **Arbor Day:** City of Fairhope gave away seedlings to the community to encourage tree plantings. Trees are crucial to the environment as they serve to help manage stormwater and also keep soil in place.



Figure 24 Facebook Arbor Day post

BMP #4 Community Alliances

- a. Baldwin County Board of Education:
 1. Pelican Nest – FEEF: City owns the Pelican Nest building on South Summit Street, which serves as a hub for elementary environmental lessons for Baldwin County. There is no cost to Baldwin County Board of Education for this lease of this building. The Pelican Nest is funded by the Fairhope Educational Enrichment Foundation (FEEF).
 2. Fairhope High School Environmental and Marine Life Club: Fairhope partners with these environmental groups offering insight on locations for litter pick up. This group has also adopted the Fairhope monofilament line recycling containers on the municipal pier, removing discarded line from the receptacles on a regular basis. The material is brought to the City of Fairhope for storage and recycling (through the Berkley Fishing Line recycling program).
 3. Master Environmental Educator’s Program
- b. Clear Water Alabama – Fairhope Planning and Zoning, Public Works and Building Department staff served on the steering committee in the 2021 program period to help plan yearly field tours and industry training for construction and development workers in 2022. Erosion and Sediment control training to minimize impact from construction activities is the goal.
- c. Create a Clean Water Future Program – logo is used on stormwater information and some staff business cards.
- d. Eastern Shore Watershed Management Plan – ongoing study (2021/2022) by Mobile Bay NEP. City of Fairhope has staff on the steering committee (Planning and Zoning).

ALABAMA SOIL & WATER CONSERVATION COMMITTEE

The Blue Book ▾ Field Guide ▾ Events & Training ▾ Awards ▾ CAD Files Contact Blog

A Partnership for Alabama's Erosion and Sediment Control Program

Alabama's Erosion and Sediment Control Partnership:

- AL Soil and Water Conservation Committee, Chair
- AL Associated General Contractors
- AL Association of Conservation Districts
- AL Chapter Soil and Water Conservation Society
- AL Department of Environmental Management
- AL Department of Transportation
- AL Cooperative Extension System
- Auburn University
- Auburn University Erosion and Sediment Control Test Facility (AU-ESCTF)
- Home Builders Association of AL
- Natural Resources Conservation Service

The Partnership provides:

- The Blue Book (AL Handbook for Erosion and Sediment Control)
- A pocket Field Guide and App
- Training opportunities
- Clear Water Alabama field day and seminar
- Assistance with stream restoration

Clear Water Alabama™

Field Guide for Android

Field Guide for iPhone

Figure 25 Clear Water Alabama, industry training program for construction professionals (AL Soil & Water Conservation Committee)



Figure 26 Fairhope High School Environmental and Marine Life Club, litter pick up at Winn Dixie detention pond (March 2022)

BMP # 5: Demonstration projects –

- a. **Wetland Pond @ North Beach Park** – this simulated Wetland Pond was created in 2001 to reduce pathogens entering Mobile Bay, from duck pond water run-off. The pond features native plants and is a joint project from the MBNEP and City of Fairhope. Public Works maintains this pond on an as-needed basis. Educational signage on site.



- b. **Storm Drain Markers:** This is a collaborative effort from 2017 between Fairhope High School, a local artist and the City of Fairhope. The decorative markers (pictured below) designed by the local high school art class continue to serve as a reminder that only rain is allowed in city drains. Brochure was also developed as part of this project, and is available on-line:



www.fairhopeal.gov



STORM DRAIN
MEDALLION PROJECT



www.cleanwaterfuture.com

BMP # 6: City Website (www.fairhopeal.gov) has informative links for:

- a) Alabama Water Watch (“Visiting”)
- b) ADEM Water Quality Testing
- c) Create a Clean Water Future
- d) Waste Management (“Public Works”)
- e) MS4 Annual Report / Stormwater Management Program Plan (“Planning and Zoning Dept.”)
- f) Zoning Ordinance / Subdivision Regulations (“Planning and Zoning Department”)—includes LID Component in each.
- g) *Understanding Your Stormwater Management Program*; 5-minute video produced and shared with the permission of the Mobile Bay National Estuary Program. It is an informational source for elected officials and the general public. This media clip briefly explains the importance and requirements of our local MS4 program. Available on the Planning and Zoning Department page.
- h) Municipal Code of Ordinances (“Planning and Zoning Department”)
 - a) Erosion and Sediment Control Ord. (#1398/#1603)
 - b) Red Soils Ordinance (# 1423)
 - c) Wetlands Ordinance (#1370)
 - d) Construction Site Waste Ordinance (#958)
 - e) Illicit Discharge Ordinance (#1516)
- i) Watershed Studies:
 - a) Fly Creek Watershed Restoration Project (2013)
 - b) Fly Creek Water Assessment (2018)
 - c) Volanta Gully (2012)
 - d) Tatumville Gully (2019)
- j) Sewer Capacity Study (2017)

Responsible Person for website postings: Planning and Zoning Director; Director of Community Affairs

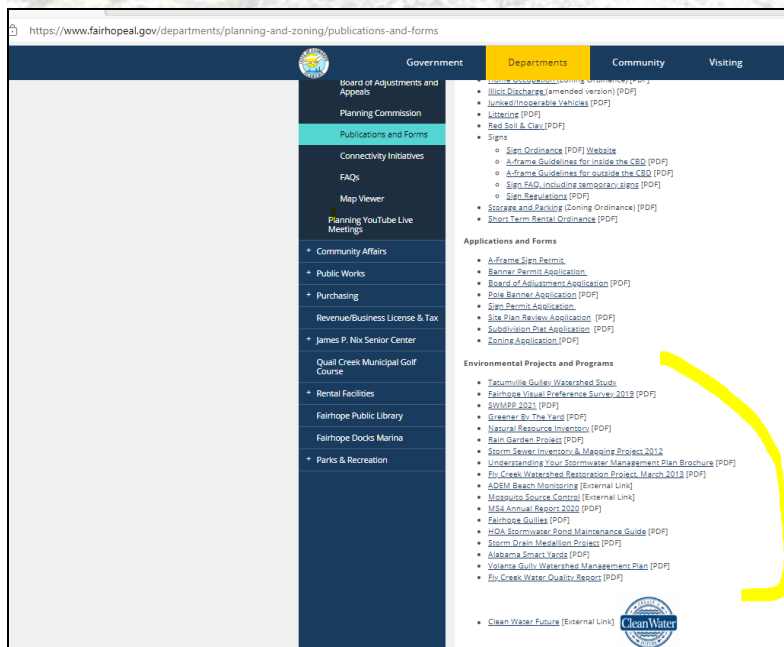


Figure 27 City of Fairhope Planning and Zoning website, "Publications and Forms"

BMP # 7: Employee Certifications / Training

- a) The City of Fairhope has staff certified for the proper application of pesticides and herbicides. This certification by the State of Alabama Department of Agriculture and Industries encourages proper application and use, which contributes to less pesticide and herbicide run off into area waters. Public Works, Golf Course staff and the Recreation and Parks Director have current certifications.

-State of Alabama Department of Agriculture and Industries Pesticide Applicators Certification (3-year certification):

- a. Public Works: Landscape Sup., #2000246
- b. Public Works, Landscape staff #2004627
- c. Golf Course Grounds Supervisor—will acquire in 2022
- e. Parks and Recreation Supervisor, #2004867

- b) As of March 31, 2022: The City of Fairhope has seven (7) inspection employees QCI certified (Stormwater Management / BMP training). The Qualified Credentialed Inspector (QCI) program educates inspectors on correct erosion and sediment control applications and installation techniques. New building inspectors hired are expected to obtain QCI certification within 12 months of employment start date. QCI Yearly recertification is required.

Responsible Person: Building Official; Planning and Zoning Code Enforcement Officer/ Building Official

QCI Certified staff (Planning and Zoning/ Building Department)

P&Z Code Enforcement Officer (KB), Certification # 25712

P&Z Code Enforcement Officer (CL), Certification # 81295

Building Inspector #T6435

Building Inspector #68815

Building Inspector #76249

Building Inspector # T6889

Right of Way/ Building Inspector #T5330

2022 QCI STORMWATER CONTINUING ED

Get your mandatory QCI continuing education at a time and place that is most convenient for you!

If you are a QCI (Qualified Credentialed Inspector), you are required to obtain at least a three continuing education credits each year through your original provider to maintain your certified status. The HBAA (Home Builders Association of Alabama) HBAA offers four ways to obtain your continuing education credits:

Online (e-learning) (HBAA.org)
 The HBAA offers online stormwater certification continuing education. Home training not only saves you the time you would normally spend away from your office, but you will pay just \$95 compared to \$200 for in-classroom training. Take the course at your own pace in the comfort of your home or office.

In-Site
 Online training is not an option for you, the HBAA continues to offer in-site classes throughout the state. See the schedule for upcoming dates and locations. Each classroom course is from 12:30 p.m. to 4:00 p.m. unless otherwise noted. The cost is \$200 per attendee.

Complete the form below and return to the HBAA. One form per applicant. NO REFUNDS ARE GIVEN FOR NON-ATTENDEES.
 For more information, contact Louise Brown at 1-800-745-4222 or louisebrown@hbaa.org.

UPCOMING TRAINING COURSES

Montgomery (Montgomery/Madison Co. HBA Office)
 > March 9

Montgomery (HBA of Montgomery Mobile Office)
 Montgomery 14

Montgomery (Montgomery Eastern Community Office)
 > May 13

Montgomery 9

Montgomery (HBA of Alabama Office)
 > June 15

ALL CLASSES ARE:
 12:30 PM - 4:30 PM

This course has been approved by the State of Alabama Home Builders Licensee Board for 4 hours of continuing education.

2022 Stormwater Continuing Education Class Registration

Name: _____ Date Attending: _____ Time: 12:30 p.m. to 4:30 p.m.

License # _____ HBLB License # _____ (required if using for CE)

Home Address _____ City _____ State _____ Zip _____

Address _____ City _____ State _____ Zip _____

Fax _____ Email _____

Select Payment Option (\$200.00):
 Check enclosed payable to HBAA.
 Please charge my: Visa MasterCard AMEX Discover

Number _____ CVV _____ Billing Zip _____

Return registration form to the HBAA at 334-834-5380 or mail to HBAA, Attn: Louise Brown, P.O. Box 241395
 Montgomery, AL 36124-1395 or email to louisebrown@hbaa.org

BMP # 8: Pet Waste Bags in City Parks and old K-1 Center

Pet waste bag dispensers are available in City parks. Pet waste bags are available free to the public and encourage removal of pet waste from public areas. The Animal Control Officer is responsible for keeping pet waste bag dispensers full, and for enforcement of City Ordinance #988 - Section 5-10 (b), which requires owners to clean up after their pets on public property. This helps keep pet waste (and therefore pathogens) out of storm drains and area waters.



Responsible Person(s): Police Department (Animal Control Officer)

BMP #9 Create a Clean Water Future Campaign

The City of Fairhope adopted the CWF program in July 2014. This logo is used on the City of Fairhope website and publications. It is also on over 60 City of Fairhope vehicles. The website (www.cleanwaterfuture.com) contains valuable resources for our community.

Responsible Person: Planning Dept. Code Enforcement



BMP #10: Advertisement for Public Notices – notices are posted at City Hall for Public Meetings and/or in the newspaper as required by State Law.

Responsible Person(s): Planning and Zoning Department (Administrative Assistant); City Clerk

BMP # 11: Subdivision Property Owners Subdivision Contact List; This list is used internally only; it is a way for the Planning and Zoning Department to reach homeowner groups such as Property Owner and Homeowner Associations via email. As of March 31, 2022, there are 100 subdivisions/contacts listed (City limits). Uses in 2021 included monthly notifications of Planning Commission agendas as well as sharing of the Stormwater Facility Maintenance Guide to POAs and HOAs.
Responsible Person(s): Planning and Zoning Department (Administrative Assistant)

BMP #12: Sanitary Sewer Overflow Signage
Signs are added to areas of SSO as soon as spill is discovered.
Responsible Person: Water and Sewer Director

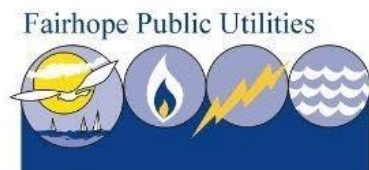
DO YOUR PART: CHECK YOUR CLEANOUT CAP!

Almost all homes and buildings have a sanitary sewer cleanout located between the structure and the road that allows access to the sewer line in case there's a problem.

When caps are missing, stormwater and debris are allowed to enter the wastewater system leading to sanitary sewer overflows (SSOs). THIS IS BAD!

Do your part to help us keep the system healthy. If your cleanout cap is missing or damaged, a new one can be picked up at the hardware store or you can call your local plumber.

For more information or questions, call Fairhope Public Utilities at 251-928-8003.



DO THIS!



NOT THAT!



Figure 28 City of Fairhope Public Utilities Facebook outreach to help prevent SSO's, Jan. 5, 2021

➤ **Public Education and Involvement on Stormwater: Measurable Goals:**

Measurable Goals – Recap For 2021

1. Stormwater Related Workshop, Seminar for Planning and Zoning Department Staff

Status: Complete

Comments: Planning and Zoning Department staff attended eight (8) continuing education seminars/workshops relative to stormwater (as of 3/31/2022)

- a. April: Virtual Coastal NPS Coastal Basin Meeting - ADEM
- b. August: Virtual Installing Stormwater Wetlands (with Public Works)- Auburn
- c. November: Virtual Coastal AL Stormwater Team meeting
- d. December: MS4 Virtual Seminar by AL Stormwater Association
- e. January: AL NPS Virtual Conference
- f. March: Eastern Shore MS4 Partners Meeting @ Satellite Courthouse, Fairhope
- g. October; March 2022: On-line QCI Recertification training (2)
- h. March 2022: MBNEP Govt. Networks Committee, virtual

AL NPS Virtual Conference

January 26, 2022

9:00-9:05	Opening Comments
9:05-9:50	Revegetating Difficult Soils - Lauren Alaniz
9:50-10:35	Florida Department of Environmental Protection: Groundbreaking Initiative on Public Education and Community Engagement - Amanda Peck
10:35-10:45	Break
10:45-11:30	Groundwork: Empowering Youth to Take Local Action to Improve Communities - Todd Reynolds, Barja Wilson, and Katherina Kang
11:30-12:15	East Lake Park: Designing Water Quality and Park Improvements - David Mason
12:15-1:15	Lunch
1:15-2:00	Tree Care in the Urban Environment - Chris Francis
2:00-2:45	Water Quality in the Choctawhatchee River Basin: A Partnership Approach - Brian Underwood and Lisa Harris
2:45-2:50	Closing

Bonus ADEM UPDATES

ADEM
Alabama Department of Environmental Management

Figure 29 Virtual Training Session, January 2022

2. Stormwater Article on social media (such as *Facebook*)

Status: Complete (as of March 31, 2022)

Comments: Fairhope shared at least (4) environmental education articles in the 2021 permit period. This includes:

- a. September: Monofilament Line Recycling containers on the municipal pier
- b. October: Monofilament line recycling at Fairhope Docks
- c. October: Lawn clippings education, do not impact drains with lawn clippings
- d. November: Grease free drains: keep your drains free of grease to help with sewer overflows (pictured below)

Responsible Person: Special Projects and Grants Manager



3. Erosion and Sediment Control (BMP) Workshop for City Employees

Responsible Department: Planning and Zoning Department; Building Dept.

Status: Complete (November 4, 2021)

Comments: City of Fairhope Planning and Zoning / Building Department hosted this 1.5-hour event, which educated City staff (mostly utility workers) on stormwater rules and regulations in our area. Public Works Director (Professional Engineer), Building Official and the Code Enforcement Officer spoke at this event. Sixty-three employees were in attendance (sign in pictured below).

Responsible Person: Planning and Zoning Department Code Enforcement Officer; Building Official; Public Works Director



4. Public Educational / Input Meeting for Stormwater Issues

Responsible Department: Planning and Zoning Department

Status: Complete March 31, 2021

Comments: Planning Commission met twelve (12) times.

5. SWMPP Public Review

Responsible Department: Planning and Zoning Department

Status: Complete (January 3, 2022)

Comment: Staff reviewed the SWMPP 2022 in Planning Commission including related Illicit Discharge Ordinance. Create a Clean Water Future "Understanding your stormwater program" 5 minute video was shown.

Public Education and Involvement on Stormwater Impacts:

Measurable Goals For 2022:

1. Stormwater Education / Seminar

Responsible Department: Planning and Zoning Department

Goal: Staff shall attend at least one stormwater related workshop, conference or seminar annually

Due: December 2022

2. Stormwater Article on social media (FB)

Responsible Department: Public Works

Goal: Ensure there is at least one stormwater related article on social media such as Facebook, per year

Due: December 2022

3. SWMPP Review

Responsible Department: Planning and Zoning Department

Goal: Review the Stormwater Management Program Plan and related ordinances in a public forum such as the Planning Commission meeting.

Due: December 2022

4. Public Educational / Input Meeting for Stormwater Issues

Responsible Department: Planning and Zoning Department

Goal: Facilitate at least one educational meeting per year (such as FEAB, Comprehensive Plan meetings and/or Planning Commission). This meeting will allow the public to offer input on the City of Fairhope's stormwater plans and policies (new and improved development).

Due: December 2022



Figure 30 Comprehensive Plan Community Input Meeting @ Civic Center, 2021

4 MINIMUM CONTROL MEASURE # 2: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

- **Requirements:** Develop, implement and enforce a program to detect and eliminate illicit discharges into the regulated MS4; Develop a storm sewer map and update annually (to include locations of outfalls and structural BMPs); Effectively prohibit to the maximum extent practical under State or local law, through ordinance, or other regulatory mechanism, non-stormwater discharges into the MS4 and implement appropriate enforcement procedures and actions; Develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to the system; develop and list in SWMPP ordinances to effectively prohibit non-stormwater discharges to the MS4; implement a dry weather screening program designed to detect and address non-stormwater discharges to the MS4 (100% of the outfalls every 5 years, priority areas as outlined in the SWMPP), listing outfalls screened; procedures for tracing source of suspect illicit discharges; procedures for eliminating an illicit discharge; procedures for notifying ADEM of illicit discharges; mechanism for the public to report illicit discharges; training program for staff; update MS4 map annually; document illicit discharge complaints and action taken. More information on these requirements can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Building Department, Volunteer Fire Department, Public Works Department; Utility Departments (Electric, Gas, Water/Sewer); Special Projects and Grants Manager
- **Rationale Statement:** Illicit discharges include any discharge into a storm drain system that is not composed entirely of stormwater (or tap water). The City's IDDE program is based on enforcement of our Illicit Discharge Ordinance (Ordinance # 1516). Fairhope performed dry weather screening (outfall assessments) on 123 of 635 delineated outfalls.

*Per ADEM: **Outfall** means: "a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer system discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States." (See 40 CFR 122.26(b)(9)).*

In 2021, the Planning and Zoning Department responded to ten (10) illicit discharge complaints. This does not include Sanitary Sewer Overflows (SSOs) which are managed by the Water and Sewer Department under a separate ADEM permit. Illicit discharge complaints included:

- a) Tile grout discharge into street
- b) Grinder pump failure, overflow
- c) Grease dumping from restaurant
- d) Bay foam (natural, not likely from a discharge)
- e) Intentional chemical rinsing into storm drain (carpet cleaning residual)
- f) Paint spill, unintentional
- g) Paint slurry entering street from paint brush wash out from contractor
- h) Concrete slurry washout from driveway project, entering street and drain
- i) Turbid discharge downstream from detention pond project at Volanta Park

All complaints were investigated and resolved. Most were resolved with education and immediate action. One municipal offense ticket was issued in 2021 for chemical rinsing of carpet cleaning residual rinse into a city drain (Song Grove neighborhood). One \$300 City Street Sweeper charge was issued to a builder for failure to remove paint spill residue from a city street in a adequate time frame (February 2022).



Figure 31 Chemical slurry in Cowpen Creek detention area, intentional rinsing activity (November 2021); resulted in municipal offense ticket issuance.



Figure 32 Bay foam reported as an illicit discharge in 2021. In this case, it was determined to be naturally occurring from wave agitation.

The City of Fairhope Illicit Discharge ordinance states:

(a)

It shall be unlawful for any person, firm, or corporation to discharge a pollutant into the City of Fairhope's Municipal Separate Storm Sewer System (stormwater system) in the City of Fairhope Police Jurisdiction that will have a deleterious impact on the environment. Any pollutant, associated with an industrial or commercial activity that is covered by the National Pollutant Discharge Elimination System as dictated by 40 CFR 122.26, can be discharged to the city stormwater system only if the discharge is covered by, an NPDES permit for stormwater.

(b)

Where an illicit discharge is reasonably believed by the city to be originating from private or public property, structure, or other facility, it shall be the right of the city to designate employees, bearing proper credentials and identification, to enter property or facility grounds for the purpose of inspection, observation, measurement, sampling and testing in accordance with this article.

(c)

Authority is hereby granted to the city by and through its duly designated enforcement officers to halt any discharge from private or public property, structure, or other facility that is reasonably believed by the city to be potentially harmful to human health or the environment.

(d)

All costs incurred by the city in association with the ceasing of a potentially harmful discharge will be reimbursed by the property owner of the discharging property, structure, or facility. The city may charge the cost against the subject land as a municipal lien, charges to be recovered in a suit at law against the owner.

(e)

The penalty for violation of any provision of this ordinance shall be as specified for general penalty in [section 1-8](#) of the Code of Ordinances of the City of Fairhope.

Procedures for tracing and removing the source of the illicit discharge are written into the ordinance, as well as the City of Fairhope Standard Operation Procedure for Illicit Discharge.



Planning Department
Illicit Discharge Standard Operating Procedure (SOP)
(Dry Weather Screening / Field Assessments)

Background and Introduction

Dry weather screening and field assessments of storm water infra-structure is a key element to proper Illicit Discharge Detection and Elimination. Annual dry weather screening is a requirement of the City's NPDES storm water permit # ALR040040. The City's Planning Department, in conjunction with the Public Works Department, conducts annual dry weather screening of 20 to 25% of all outfalls annually as listed in the Storm Water Outfall Inventory. Additionally, the Public Works Department (Street Division) oversees maintenance and year around general field assessments of City right of way and storm water infrastructure, during routine job duties. Additionally, the Planning Department investigates and issues enforcement on general Illicit Discharge complaints, such as commercial / residential rinsing and run off, and construction site rinsing and run off. The Fairhope Voluntary Fire Department responds to and is responsible for follow up on 911 based Illicit Discharges (such as chemical / fuel spills). The Fairhope Voluntary Fire Department is responsible for contacting the Emergency Management Agency on 911-based complaints.

General Concepts

City of Fairhope Public Works Department is continuously maintaining and observing City right of way and storm water infrastructure through routine field assessments (during and after significant rain events). The Planning Department, in coordination with the Public Works Department, conducts a documented annual "Dry Weather Screening" of outfalls within the City of Fairhope MS4 jurisdiction. This screening is documented in the MS4 Annual Report.

Field Assessments / Dry Weather Screening

If a potential illicit discharge is detected during a field assessment, the Public Works supervisor in charge will notify the Planning Department to validate the illicit discharge. The Planning Department Code Enforcement Officer will then follow protocol listed in the flow chart attached for Dry Weather Screening. If a potential illicit discharge is detected during a dry weather screening, protocol will be followed according to the flow chart, attached for Dry Weather Screening.

Dry Weather Screening is conducted by City Staff (Public Works Department and Planning and Zoning Department) at 20% of non-priority outfalls and 25% of priority outfalls annually. Schedule is listed in the current Storm Water Management Program Plan. Priority outfalls are those which ultimately drain to Weeks Bay, a Outstanding National Resource Water. City of Fairhope has over 630 outfalls as per the Storm Water Outfall Inventory (2012) which is updated annually.

Reporting

The Planning Department Code Enforcement Officer will ensure proper notification of other City Departments and environmental agencies (by email, telephone or mail). Non-compliant sites will be handled according to the SOP

for Non-compliant Site Reporting Procedures. All enforcement action such as Municipal Offense Tickets and Court Summons are authorized by the Planning Director before issuance.

Site Inspection

The Planning Department Code Enforcement Officer performs a Site Inspection to validate or dismiss the potential illicit discharge. If it is necessary to look up into a storm drainpipe, the City of Fairhope Water and Sewer Department will be called upon to assist. The Water and Sewer Department owns a sewer camera which is used to look up into pipes, up to 500'. Beyond 500', the City of Fairhope can use an outside contractor for videoing beyond 500' of storm pipe or sewer line. If necessary, Fire Department would be dispatched to provide haz-mat preparation and facilitate clean-up, which would initiate a 911-based response. Otherwise, the Planning Department reports any water body or critical area impact to the appropriate State/Federal agency (ADEM/ USCOE).

Sampling

If a general illicit discharge is observed, and the nature of the discharge is not known, the City of Fairhope Planning Department will sample the discharge to determine what it is. Test America is one company (out of Mobile, AL) the City has used in the past for storm water analysis.

Enforcement & Follow-up

If the report is validated, the Planning Department Code Enforcement Officer will contact the responsible party and take all necessary steps (approved by Planning Director) needed to stop the illicit discharge which may include any and all actions documented in the City's Illicit Discharge Ordinance. **If responsible party does not address the discharge or potential discharge within a reasonable time, corrective action may include the City of Fairhope performing clean up actions as described in the City of Fairhope Erosion and Sediment Control Ordinance: *Should the city, or an agent thereof, undertake needed remedies due to contractor negligence, the city shall bill the permittee or responsible party for an amount based on actual costs of hourly labor and materials, and at a minimum of two (2) hours at a minimum of one hundred fifty dollars (\$150.00) per hour. This fee shall apply to, but not be limited to, city street; sidewalk, right-of-way and storm drain clean up of sedimentation and/or other pollutants. The city may also withhold any forthcoming certificate of occupancies or final inspections that are relative to the clean up charges, until the bill is paid in full.***

Enforcement action such as Municipal Offense Tickets and/or Court Summons may also be issued and must be authorized by the Planning Director **and/or Building Official**. Discharges originating from other areas (outside the City of Fairhope MS4) will be reported to that jurisdictional authority.

Documentation

All observations and actions will be documented in a report which will be tracked in the Planning Department Code Enforcement Officer's database and reported to ADEM in the City's Annual MS4 Phase II Report.

Changes to the SOP in 2021 are highlighted in yellow.

SSO (Sanitary Sewer Overflows)

In the 2021 program period, the City of Fairhope experienced approximately 77 sanitary sewer overflows (SSOs) in and outside the MS4 area. More information on these overflows visit the ADEM e-file portal

[eFile: Main \(alabama.gov\)](https://www.adem.alabama.gov/eFile/Main)

Reference the City of Fairhope permit # AL0020842. In addition to complying with ADEM reporting requirements, the Water and Sewer Director works with the Special Projects and Grants Manager to build community partnerships to help reduce overflows. Information is put out on social media to notify the public of the overflow, as well as offering guidelines for prevention. Signs are also placed on site of recent overflow locations.



Figure 33 SSO Signage

Since there is no industry within Fairhope, monitoring emphasis is placed on municipal activities, restaurants, automobile repair shops, and those areas zoned M-1 (Light Industrial). Non-compliance issues are documented and followed up on with appropriate enforcement action, as per the Illicit Discharge SOP, which is included below.

- **BMPs** used for IDDE program compliance:
 1. BMP#1: Illicit Discharge Ordinance #1516
 2. BMP#2: Code Enforcement Officer (2) (Planning and Zoning Department; Building Department)
 3. BMP#3: Sanitation Officer (Public Works Department)
 4. BMP#4: Residential Curbside Cooking Oil Recycling Program
 5. BMP#5: Household Hazardous Waste drop off site for residents
 6. BMP#6: Pamphlets online: *Greener by the Yard*; *Storm Drain Medallion project*
 7. BMP#7: Staff Meetings
 8. BMP#8: City of Fairhope Watershed Map
 9. BMP#9: City of Fairhope Storm Sewer Inventory Map/GIS Data / Storm Sewer Inventory Booklet
 10. BMP#10: Volunteer Fire Department
 11. BMP #11: Create a Clean Water Future Campaign
 12. BMP # 12: Dry Weather Screening of outfalls (Outfall Assessments)
 13. BMP# 13: Sewer Capacity Study / 5-year plan

- 14. BMP# 14: No Feeding Ducks ordinance #1598 and signage
- 15. BMP# 15: Alabama Water Watch sampling for pathogens



Figure 34 Signage at North Beach Park duck pond (1) and at North Beach Park entrance (2) (March 2021)

BMP # 1: Illicit Discharge Ordinance # 1516 prohibits anything other than rainwater from entering City drains. Penalty for non-compliance: \$500.

Responsible Person(s) for Illicit Discharge Ordinance: Planning and Zoning Department (Code Enforcement Officer); Public Works Department (Sanitation Officer); Building Department (Building Official)

BMP # 2 Code Enforcement Officers (Planning and Zoning Department)

The Planning and Zoning Department has two (2) Code Enforcement Officers on staff full time. in September 2018. Code enforcement investigates and issues corrective action on illicit discharges issues, as per Standard Operating Procedures (SOPs).

BMP #3: Sanitation Officer (Public Works)

The City of Fairhope Public Works Department employees an Environmental Officer (Sanitation Officer) full time, in part to manage the waste management operations, and to enforce waste management laws of the City.

BMP # 4: Cooking Oil Recycling: Sanitation and recycling crews are trained in Public Works staff meetings to report illegal dumping / rinsing activities, including inappropriate disposal of cooking oil. The City of Fairhope has a curbside cooking oil recycling program for residents. In 2021, approximately 300 gallons of cooking oil were reclaimed. Containers for cooking oil collection are

available free upon request to residents. The collection container for used cooking oil is stored at the Transfer Station of Public Works. Restaurants are not allowed to dispose of oil within the City of Fairhope garbage stream. This program is overseen by the Public Works Environmental Officer.

Responsible Person: Public Works Sanitation Officer

BMP # 5: Household Hazardous Waste: The City of Fairhope Public Works Department manages a household hazardous waste (HHW) drop off site for residents, free of charge. Overall, approximately 600 gallons of hazardous materials (paints, thinners, motor oil and anti-freeze) were recycled. The HHW drums are kept secured and closed when not in use. HHW drums are stored at the Transfer Station (which drains to the Waste Water Treatment Plant) as well as a bermed collection area at the Recycle Center. The HHW encourages the correct disposal of paints, motor oil and other chemicals.

Responsible Person: Public Works Sanitation Officer

The City mechanic shop operates under its own ADEM permit number. This shop manages hazardous waste (mineral spirits, motor oil, anti-freeze) from its daily operation. All containers are kept closed, secured and covered at all times (and drums are placed on convex spill proof pallets or other secondary containment measures).

BMP # 6: Greener by the Yard; Storm Drain Medallion Project

Greener by the Bay: publication by the Weeks Bay Watershed Project
 Storm Drain Medallion Project by City of Fairhope Planning and Zoning Department
<https://www.fairhopeal.gov/home/showdocument?id=15343>

Responsible Person: Planning and Zoning Department Code Enforcement Officer

ONLY RAIN GOES IN THE DRAIN!

It's easy to be un-greasy! Recycle cooking oil

Soapy wash and rinse water should not flow into street or storm drain

Keep organic material out of storm drains too!

1. Do not pile, blow or discard organic waste such as leaves or grass clippings on or around storm drains (or into streets). Start a compost pile instead!
2. Keep pet waste out of storm drains: Dispose of pet waste in the garbage if mixed with cat litter. Flushing (into toilet not storm drain) is acceptable if there is no litter waste.
3. Stabilize bare areas/ground in the yard immediately (sow seed, add sod or mulch with pine straw for example). Sediment and sediment-stained (turbid/disclosed) water are pollutants.
4. Wash cars at the car wash or in your grass. Don't allow dirty/sudsy rinse water to enter streets and storm drains.
5. Apply pesticides and fertilizers according to label instructions. More is not necessarily better!
6. Recycle paints, used motor oil, cooking oil and other materials. For more information on Fairhope's Waste Management programs, including recycling and household hazardous waste, call Public Works Waste Management (251) 990-0192 or visit: www.fairhopeal.gov/departments/public-works/waste-management

For more information :
 Storm Drain Medallion Project Contact:
 Richard Johnson, Public Works Director
 (251) 928-8003
 Richard.johnson@fairhopeal.gov

Check out local Storm Water Projects and Programs @ :
www.fairhopeal.gov/departments/planning-and-zoning/publications-and-forms

- *City of Fairhope MS4 Program (Annual Report and SWMPP)
- *Storm Sewer Inventory & Mapping
- *Fairhope Gullies
- *Fairhope Natural Resource Inventory
- *Homeowner Guide to Detention Pond Maintenance
- *Create a Clean Water Future Program

Funding for this project is provided in part by the Alabama Department of Conservation and Natural Resources, State Lands Division, Coastal Section and NOAA's National Coastal Zone Management Program

CITY OF FAIRHOPE ALABAMA
www.fairhopeal.gov

STORM DRAIN MEDALLION PROJECT
CREATE A Clean Water FUTURE
www.cleanwaterfuture.com

Figure 35 Storm Drain Medallion Project brochure targets stormwater pollution (one of two pages shown)



BMP # 7: Staff Meetings

Public Works, Planning and Zoning Department and/or Building Department hold a meeting with staff weekly. Public Works Department holds a meeting with staff weekly. These departments are instrumental in implementing the MS4 / stormwater program.

Responsible Persons: Planning and Zoning Director; Building Official; Public Works Director

BMP # 8: City of Fairhope Watershed Map

This watershed map, available for public viewing in the Planning and Zoning Department and the Public Works Department, is used for staff assessments on drainage and development, over and above on-site evaluations. The watershed map was last updated in 2022 and is featured in Section 2.

Responsible Person: Planning and Zoning Department Planning Tech

BMP # 9: Stormwater Map / Outfall Inventory: The City of Fairhope hired a local engineering firm to locate and collect data at outfalls and structural BMPs (including privately owned stormwater facilities) in 2012. Over 600 data points were shot. Current inventory has 635 outfalls. There are no known outfalls in Red Gum or Green Branch city areas. The City of Fairhope Storm Sewer Inventory consists of:

- a. Mapping of the major outfalls
- b. Mapping of 600+ minor outfalls / stormwater facilities from 2012 (these include gully outfalls, detention ponds, retention ponds, etc.)
- c. Data sheet on each outfall, including new stormwater facilities
- d. Storm Sewer Inventory Booklet (which contains a hard copy sheet of each data sheet for each point of interest).
- e. Planning Department Planning Tech is adding data points to new GIS system for each outfall as they are assessed in the field, rebuilding the electronic mapping of outfalls.

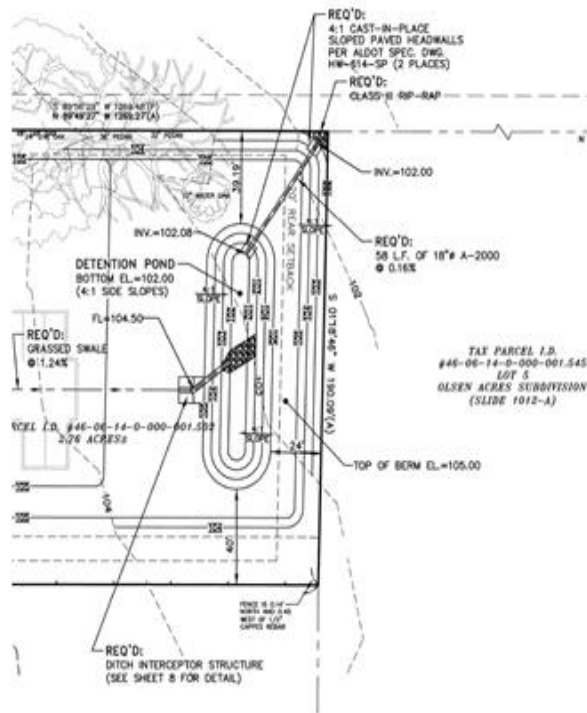
The Planning and Zoning Department updated the Storm Sewer Inventory in January 2022 to include (5) new data sheets, which includes four (4) new development ponds and (1) existing pond / outfall not included in the 2012 survey:

1. State Highway 181 (Dental Office) – Cowpen Creek
2. Morphy Avenue substation – Cowpen Creek
3. Hermitage Court – Big Mouth Gully
4. Old Battles Village Phase 4A – Point Clear Creek
5. Summer Lane – Tatumville Gully

*Source: City of Fairhope "Access": Subdivision Case Index

Responsible Person: Planning and Zoning Department Code Enforcement Officer

City of Fairhope Storm Sewer Inventory
Cowpen Creek Watershed
Data File Name: CC-14894



Advanced Dental

Address of storm water facility: 20252 ST HWY 181 (behind Advanced Dental office)

Property PIN# 14894

Material: Outfall is Earthen

Type: Open Drainage

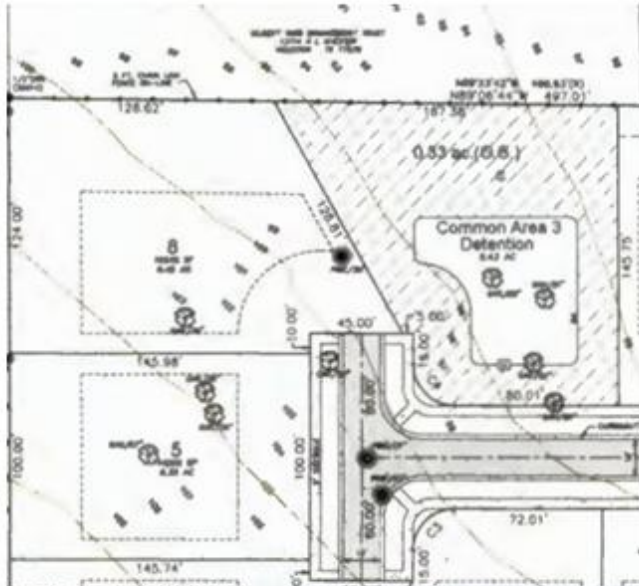
Category: Privately owned

Comment: Advanced Dental Detention Pond

Outfall: Cowpen Creek

*This information was added to GIS/Storm Sewer Inventory on: _____*Hard copy only**

City of Fairhope Storm Sewer Inventory
Big Mouth Gully Watershed
Data File Name: BMG-396305



Hermitage Court Common area

Address of storm water facility: Hermitage CT. Common area 3 (between lots 6 & 7)

Property PIN# 396305

Material: Outfall is Earthen

Type: Open Drainage

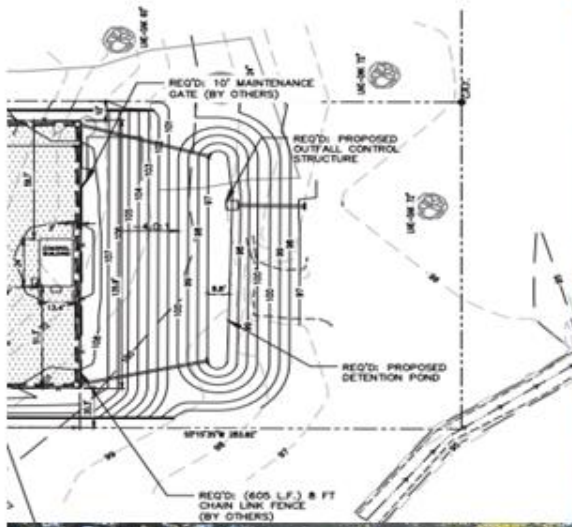
Category: Privately owned

Comment: Hermitage CT Retention Pond

Outfall: Big Mouth Gully

*This information was added to GIS/Storm Sewer Inventory on: _____ *Hard copy only**

**City of Fairhope Storm Sewer Inventory
Cowpen Creek Watershed
Data File Name: CC-108954**



Morphy Substation

Address of storm water facility: 8300 Morphy Ave

Property PIN# 108954

Material: Outfall is Earthen

Type: Open Drainage

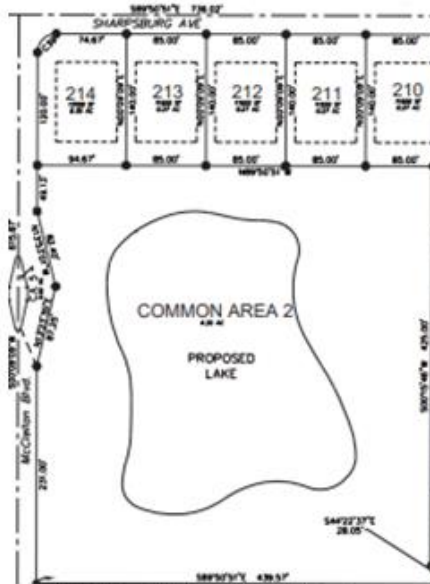
Category: Privately owned

Comment: City of Fairhope Detention Pond at Morphy Substation

Outfall: Cowpen Creek

*This information was added to GIS/Storm Sewer Inventory on: _____ *Hard copy only**

City of Fairhope Storm Sewer Inventory
Point Clear Creek Watershed
Data File Name: PCC-71702

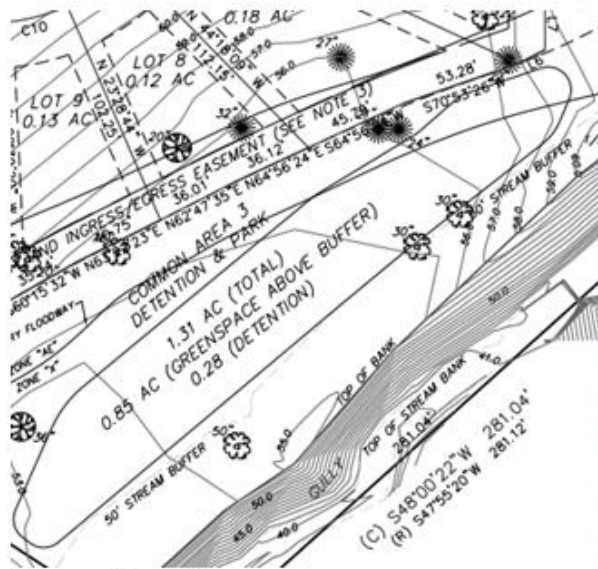


Old Battles Village Wet Pond

Address of storm water facility: Old Battles Village Sharpsburg Ave (behind lot #s 210-214)
Property PIN# 71702
Material: Wet Pond
Type: Open Drainage
Category: Privately owned
Comment: Old Battles Village Retention Pond
Outfall: Point Clear Creek

*This information was added to GIS/Storm Sewer Inventory on: _____ *Hard copy only**

**City of Fairhope Storm Sewer Inventory
Tatumville Gully Watershed
Data File Name: TG-5611**



Summer Lane Common area

Address of storm water facility: S. Section Street (Behind lots 7, 8, and 9)

Property PIN# 5611

Material: Outfall is Earthen

Type: Open drainage

Category: Privately owned

Comment: Summer Lane Detention Pond

Outfall: Tatumville Creek

*This information was added to GIS/Storm Sewer Inventory on: _____ *Hard copy only**

BMP #10: Volunteer Fire Department; Fuel Spills:

The Fairhope Volunteer Fire Department responds to hazardous waste and fuel spills as first response. Fire Department (Chief) reported two spill responses in the 2021 program period. Both were under 2 gallons.

BMP #11: Create a Clean Water Future Campaign

www.cleanwaterfuture.com

(See “Public Education” BMP# 9 for more details on this campaign)

BMP #12: Dry Screening of outfalls (outfall assessments) yearly

One hundred and thirty three outfalls out of 635 inventoried outfalls were assessed in 2021. This includes outfalls in the Cowpen Creek, Waterhole Branch and Pensacola Branch watersheds. Overall, seven (7) outfalls were found deficient and in need of maintenance. Property owners were notified via letter. None of these were city owned outfalls.

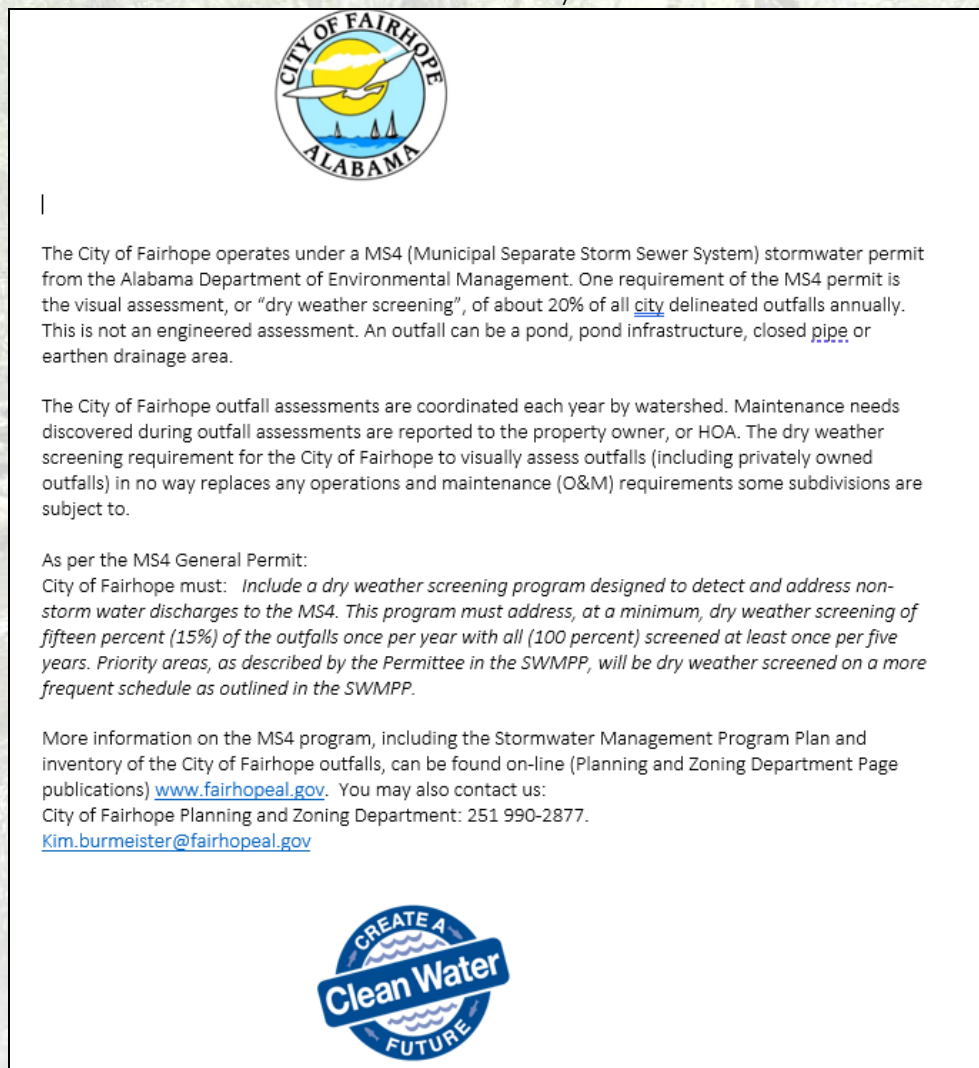


Figure 36 Hand out used for public notification during outfall assessments, 2021

BMP #13: Sewer Capacity Study and 5 Year Utility Plan:

The Sewer Capacity Study 2017 continues to provide insight and direct plans of action for the utility department in part to help address aging infrastructure and SSO's. From the Sewer Capacity Study:

Capacity Study for Gas, Water and Sewer Utilities – Phase I
City of Fairhope, Alabama

August 2017

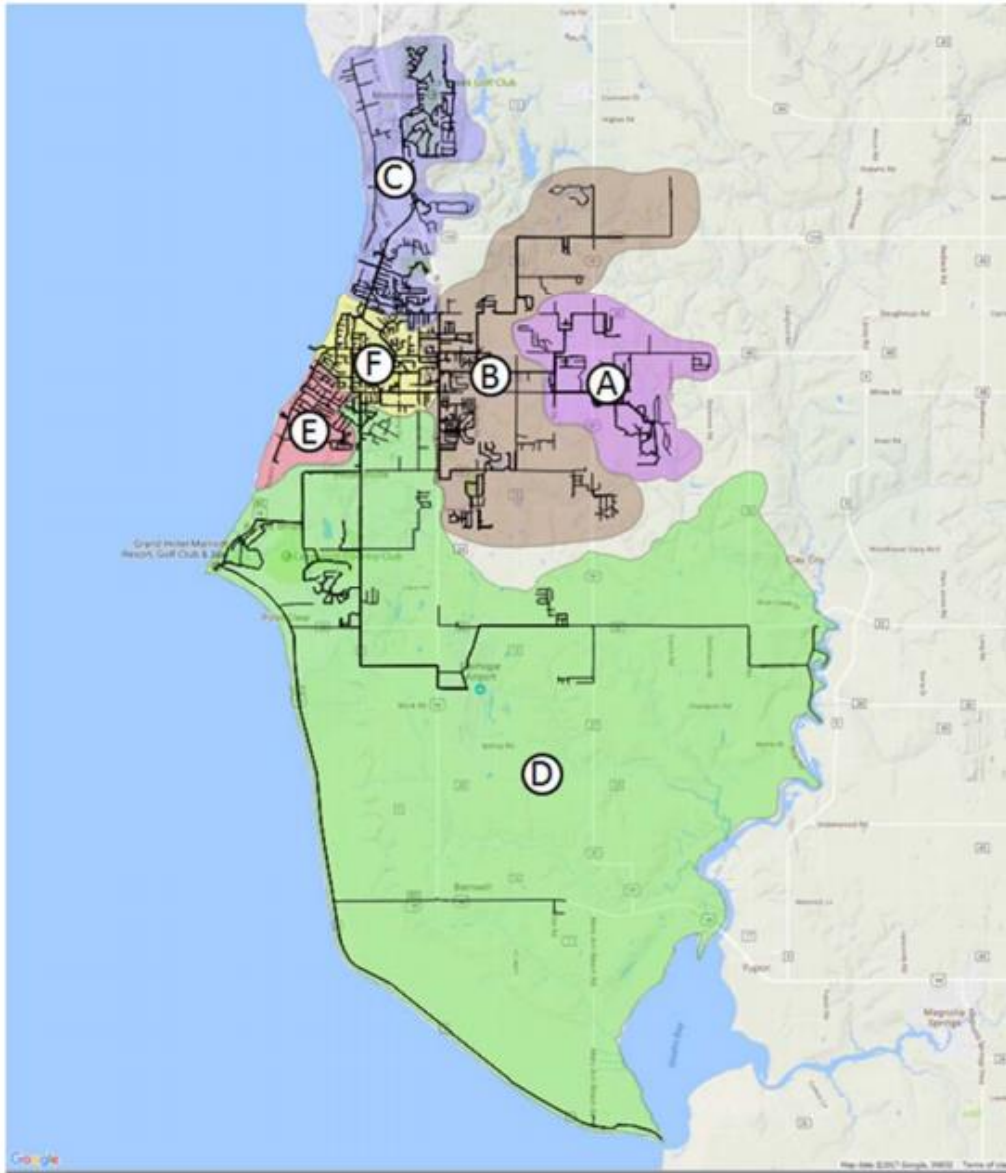


Figure 37 Major sewer basins identified in the Sewer Capacity Study, 2017:

- A Thompson Hall Basin
- B Doghouse Basin
- C North Section Street Basin
- D South Section Street Basin
- E Fels & Mobile Basin
- F City of Fairhope Wastewater Treatment Plant Basin

EXECUTIVE SUMMARY

Baldwin County's population is growing faster than any other county in the state of Alabama, with a current population over 200,000. Fairhope is among the cities within the county experiencing significant growth. On December 22, 2016, the Fairhope City Council approved a six-month moratorium on new, large developments and apartment complexes. As one of the objectives, the moratorium served to provide the City additional time to analyze its infrastructure and determine necessary actions to continue providing quality infrastructure services. In addition, the moratorium served to provide much needed time for the planning and zoning officials to complete local ordinances.

Goodwyn, Mills & Cawood (GMC) was contracted to provide a preliminary engineering study of the infrastructure with specific focus on the sewer system. City officials provided GMC with recently upgraded SCADA information, GIS data, and field information to complete the analysis. Further, GMC was directed to focus on five (5) specific sewer basins where the infrastructure is most critical to the service.

The sewer analysis revealed that four (4) of the five (5) major pump stations in the study area, as well as a significant portion of major gravity lines within these systems are at, near or exceed capacity for average diurnal flow events.

The City has taken proper steps to improve the treatment system providing redundancy and tertiary treatment for discharge. The collection system is strained, and the City's operational staff has worked diligently, avoiding SSOs by making adjustments to pump stations to achieve sewer collection objectives. Preliminary engineering results indicate that numerous pump stations are undersized and operating at a rate that can be destructive to the infrastructure. In addition, it is expected that inflow and infiltration (I&I) are significant in the older portions of town.

The majority of the current sewer flows are directed through a major sewage trunk line through the main corridor of downtown Fairhope to the POTW. The trunk line is at capacity and should be upgraded if substantial additional flows are accepted via the existing route. It is critical that the City maintain capacity in its system for I&I, particularly with its historical annual precipitation. Thus, all infrastructure should be sized appropriately.

It is recommended that the City generate a sewer system master plan based upon the growth projections and significant areas of development. A sewer model of the existing system may provide additional information, improve the efficiency of the system, and provide information to aid in the master planning of the sewer system. The City should consider a collection system serving the proposed large growth areas to the east of US Highway 98 with a treatment system designed for incremental growth. A consistent restoration budget including CCTV, CIPP lining and manhole improvements is necessary to maintain an acceptable collection system within the existing service area.

1.0 INTRODUCTION

The City of Fairhope is a unique and treasured municipality located in south Baldwin County, Alabama. The City has been labeled a resort community from the times when visitors from Mobile would cross to vacation. The environment has been cultivated into a community of artistry, leisure, and accenting of natural beauty. The community draws thousands of visitors each year to observe the natural landscape, as well as enjoy its vibrant downtown.

The City's population has grown over 20% in the last decade. As the community has grown, utility (gas, water & sewer) infrastructure necessary to support the growth has been expanded along the way. The state and county roadways that serve the area have been expanded improving accessibility to the area, allowing for development, and extending these utility systems to serve customers.

A moratorium was placed on large development in December of 2016 to provide planning and zoning officials time necessary to develop ordinances and regulations. The moratorium also allowed for a preliminary study into the existing utility infrastructure with specific focus on the sewer infrastructure.

Indicators suggest that the City of Fairhope will continue to grow steadily. With growth on the horizon, it is imperative that the City review the capacity of its utilities and determine the next logical steps to continue providing quality utility service to its service area. The capacity study herein utilizes general engineering concepts and data provided from the City including, but not limited to, GIS data, SCADA information, vendor information, and field information. The study does not utilize complex engineering computations or modeling, but available, Owner-provided information for review.

The entire Sewer Capacity Study can be viewed on line:
<https://www.fairhopeal.gov/home/showdocument?id=15025>

BMP # 14 No Feeding of Ducks Ordinance 1598 addresses pathogens in swimming water

Discouraging the feeding of fowl is one way the city aims to reduce the amount of pathogens. It is suspected high fowl populations contribute to fecal pollution in swimming waters, therefore, feeding ducks and geese is prohibited at area parks. City ordinance reads:

Policy and procedure for feeding wild ducks, geese and other fowl.

It is expressly declared that the purpose of this regulation is for the safety, health and welfare of the citizens of the City of Fairhope.

No person shall purposely or knowingly feed, bait, or in any manner provide access to food to any wild, undomesticated waterfowl on any public property within the city limits of the City of Fairhope.

A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues.

Penalty for violation. Any person who violates any provision herein shall be subject to a penalty not to exceed that provided in [section 1-8](#) of the Fairhope Code of Ordinances. (Ord. No. 1598, §§ I, II, 7-10-17)

BMP #15: Alabama Water Watch Testing

City of Fairhope Planning and Zoning Dept. staff is the lead coordinator for the city water sampling program which currently includes two certified samplers on staff. Current testing sites are three locations on Fly Creek: Fairhope Docks, Woodlands Lift Station/pedestrian bridge at 98 and The Retreat wetland area. Results are uploaded to the Alabama Water Watch site. In the 2021 program period, there were sixteen (16) water tests performed for *e. coli*. Presence of *e. coli* may indicate the presence of pathogens.



Alabama Water Watch
Community-Based, Science-Based Watershed Stewardship

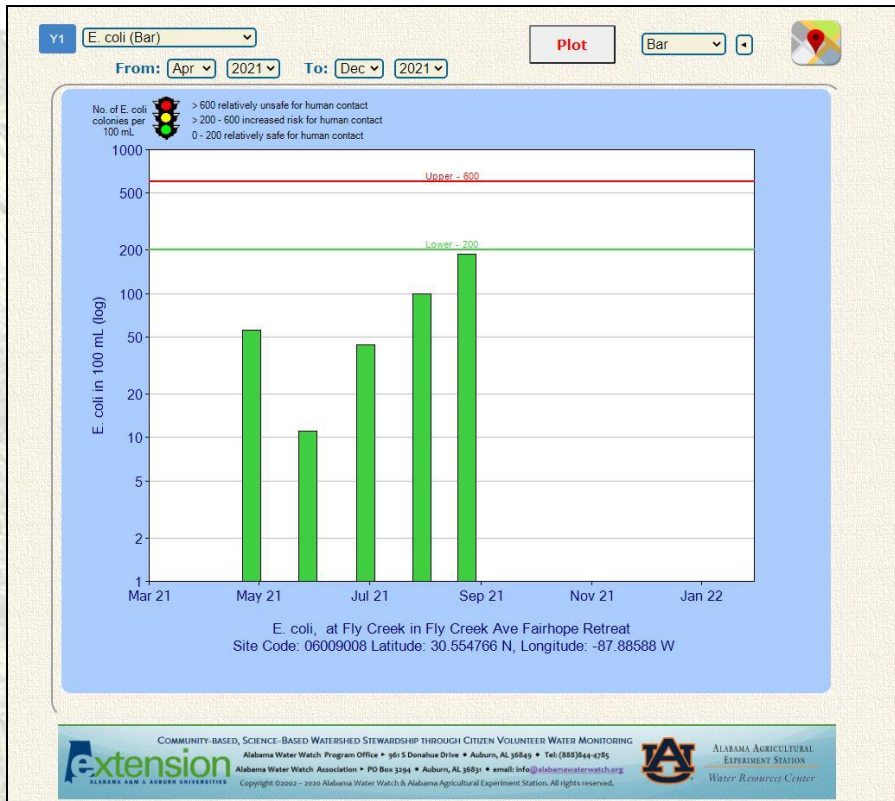
Search data by: AWW Watershed HUC Watershed Data Type: All Sites (6)

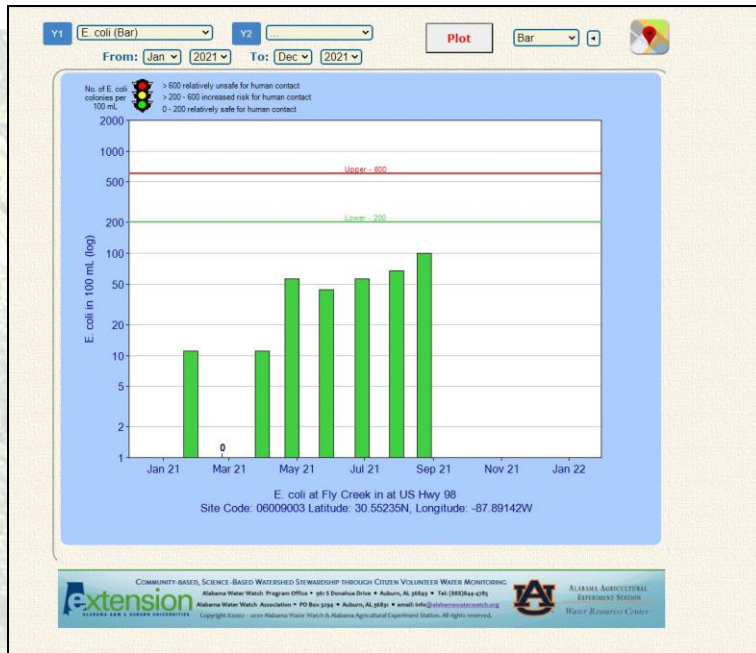
AWW Watershed: Select Group:

Site Code	Waterbody	Site Location	Latitude	Longitude	Last Date	No. Recs	Site Maps
06004015	Fly Creek	Sea Cliff Drive F.H. Docks	30.54286	-87.90121	24 Aug 2021	8	
06009008	Fly Creek	Fly Creek Ave Fairhope Retreat	30.55477	-87.88588	24 Aug 2021	8	
06009007	Fly Creek	at Baldwin CR 13 bridge	30.55399	-87.86926	09 Sep 2014	50	
06009006	Fly Creek	AL Hwy 98 bridge east side	30.55125	-87.89867	09 Sep 2014	60	
06009003	Fly Creek	at US Hwy 98	30.55235	-87.89142	24 Aug 2021	78	
06009001	Rock Creek	Rock Creek at Rockcreek Parkway	30.56789	-87.89213	20 Oct 2014	113	

COMMUNITY-BASED, SCIENCE-BASED WATERSHED STEWARDSHIP THROUGH CITIZEN VOLUNTEER WATER MONITORING
Alabama Water Watch Program Office • 96 S Donahue Drive • Auburn, AL 36849 • Tel: (334) 824-4975
Alabama Water Watch Association • 2010a 20th • Auburn, AL 36849 • Email: aww@alabamawaterwatch.org
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ALABAMA AGRICULTURAL EXPERIMENT STATION
Water Resources Center





(PICTURE OF SAMPLING SITES TO BE ADDED)

Measurable Goals - Recap For 2021:

1. Storm Sewer Outfall Inventory & Mapping Update

Status: Complete (March 2022)

Comments: Watershed Map (showing major outfalls) was updated in March 2022. Major outfall locations did not change, but watershed acreage as increased from 9604 acres to 9902 acres (an increase of 1%. Planning and Zoning Dept. updated the data inventory sheets to include (5) new data points in the inventory. Total inventory now contains 635 outfall data points (private and city owned).

New outfalls added in 2021:

- a. 20252 State Highway 181 (commercial development) – Cowpen Creek
- b. Hermitage Court – Big Mouth Gully
- c. Morphy Substation – Cowpen Creek
- d. Old Battles Village Ph. 4B – Point Clear Creek
- e. Summer Oaks – Tatumville

2. Video or Smoke Test on Sewer Lines

Status: Complete (December 2021) *Video of sewer line

Comments: 350 linear feet of sewer line was videoed in December at or near 305 Seminole (Volanta Gully watershed) to help locate suspected areas of infiltration.

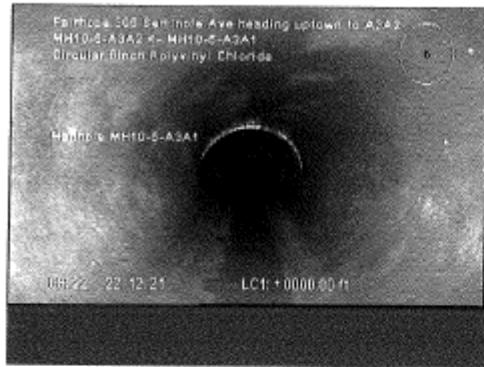


Figure 38 Example of smoke test



Section Pictures - 12/22/2021 - MH10-5-A3A1 to MH10-5-A3A2

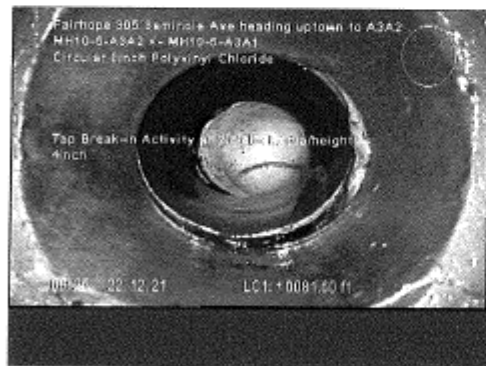
City	Street	Date	Pipe Segment Reference	Section No.
Fairhope	305 Seminole Ave heading	12/22/2021	MH10-5-A3A1 to	4



MH10-5-A3A1 to
MH10-5-A3A2_3b493d4c-1faf-4ae7-8dc7-4a217edeeb52_202
11222_072820_152.jpg, 00:00:00, 0.00ft
Manhole / MH10-5-A3A1



MH10-5-A3A1 to
MH10-5-A3A2_4d864282-e42e-4a74-8f93-69b7d3d3d9cc_20
211222_072838_865.jpg, 00:00:00, 0.00ft
Water Level, 5% of the vertical dimension



MH10-5-A3A1 to
MH10-5-A3A2_d58daef4-c20e-4212-af9f-0622feb22f40_2021
1222_073059_328.jpg, 00:02:09, 81.60ft
Tap Break-in Activity at 2 o'clock, dia/height: 4inch



MH10-5-A3A1 to
MH10-5-A3A2_d46f84b9-c38b-4a15-9556-f266ee6ba2d3_202
11222_073209_047.jpg, 00:03:03, 107.80ft
Crack Multiple from 7 o'clock to 11 o'clock / Cracks

Figure 39 Example of video test December 2021

3. Public Works Employee Educational Meetings on Illicit Discharge

Status: Complete (December 2021)

Comments: Public Works Director / staff conducted a meeting on December 23rd (7 to 8 a.m.) addressing illicit discharge issues and screening and reporting for illicit discharges. Public works staff (approximately 55) were in attendance.

4. Dry Weather Screening of Major Outfalls

Status: Complete (January 2022)

Comments: City Planning and Zoning staff conducted visual inspection of 123 outfalls:

- a. Cowpen Creek (90)
- b. Pensacola Branch (15)
- c. Waterhole Branch (18)

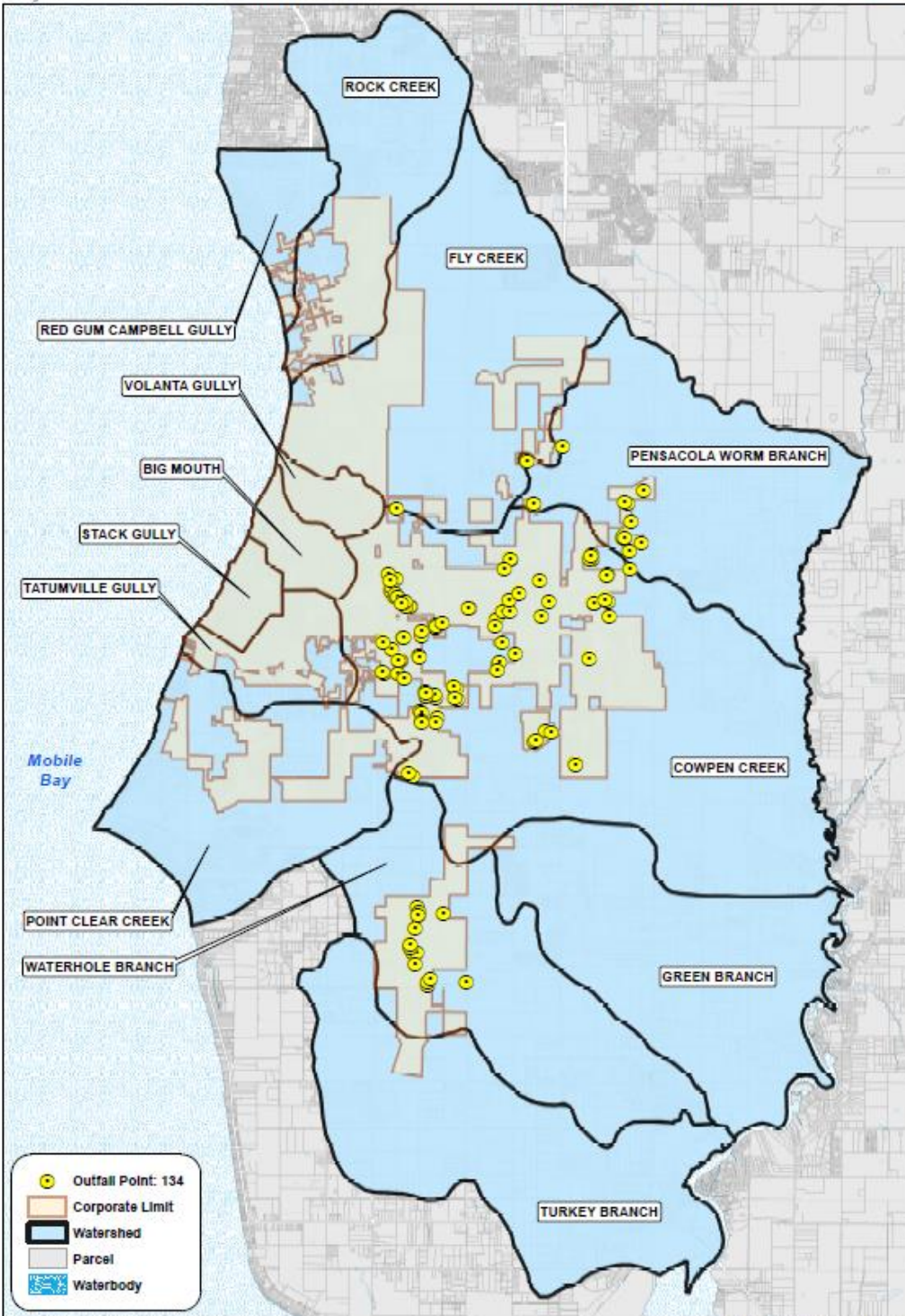
As a result, seven (7) property owners were notified via letter from the Public Works Director of maintenance needs of outfalls.



Figure 40 Example of deficient outfall, CC214919a



City of Fairhope
APR2021 - MAR2022 MS4 Outfall Collection Points



Planning Department
CAA
APR2022

0 1 2 4
Miles

The City of Fairhope makes no claim as to the reliability of this data and shall not be held liable for consequences that may ensue. Any user of this map product accepts the fault and assumes all responsibility for the use thereof, and further agrees to hold the City of Fairhope harmless from and against any damage, loss or liability arising from any use of the map product. Do not make business decisions based on this data without consulting your decision with the appropriate city office.

Figure 41 Outfalls assessed in the 2021 program period (January 2022)





January 24, 2022

[Redacted Address]

Sherry Sullivan
Mayor

Fairhope Property Owner:

Subject Property: [Redacted] HDPE Circular Pipe, City Outfall CC-214919a

Council Members:
Kevin G. Boone
Jay Robinson
Jack Burrell, ACOMO
Jimmy Conyers
Corey Martin

The City of Fairhope operates under a stormwater permit from the Alabama Department of Environmental Management (ADEM). This permit requires the City of Fairhope to report known stormwater infrastructure maintenance needs to property owners, including Homeowner and Property Owner Associations.

Lisa A. Hanks, MMC
City Clerk

A recent assessment of a stormwater facility owned by your subdivision – private retention pond - revealed significant maintenance concerns. Maintenance issues identified:

1. Excessive amount of sediment in pipe
2. Debris in outfall area needs to be removed

Kimberly Creech
Treasurer

The City has no obligation to maintain storm water improvements or facilities located on private property and in private utility and or drainage easements. The City does not have the duty to construct or maintain drainage improvements to protect private property owners within the City from damage caused by flooding or surface water runoff.

The City's Subdivision Regulations place the burden on a developer to create a mechanism for maintaining drainage improvements in private easements and on private property. The upkeep of these facilities is the responsibility of the property owner or Property Owners Association.

A guideline brochure is attached for your convenience. General maintenance will help to ensure that the storm water facility does not negatively impact surrounding properties and/or bodies of water/watersheds, including your property. Significant maintenance / repairs may warrant an engineered assessment of your storm water facility to verify that it is operating as designed. All repairs and maintenance should take place within a reasonable time frame.

Please note that earth disturbing activities or structural maintenance may require a permit from the City of Fairhope and/or from State or Federal agencies. For more information on permitting, please contact the City of Fairhope Building Department at 928-8003.

Should you need any further information, please feel free to contact me at (251) 928-8003.

Respectfully,

161 North Section St.
PO Drawer 429
Fairhope, AL 36533

Richard Johnson, Director of Public Works
Richard.johnson@fairhopeal.gov
251 928-8003

251-928-2136 (p)
251-928-6776 (f)
www.fairhopeal.gov

CC: Planning and Zoning Department



Figure 42 Example of courtesy notice for deficient outfall

IDDE Measurable Goals For 2022:

1. Storm Sewer and Outfall Inventory Update

Responsible Department: Planning and Zoning Department

Goal:

- a. Update hard copy of inventory annually, to include new development, redevelopment and corrections
- b. Add digital pins to GIS outfall map – for outfalls assessed in field
- c. Update Major Outfall map (GIS) if there are changes to legend or outfalls. *(Planning and Zoning Director)*

Due: December 2022

2. Video or Smoke Test on Sewer Lines

Responsible Department: Water and Sewer Department

Goal: Conduct video or smoke test on priority sewer lines annually to detect leaking sewer pipes or illegal connections. Document findings and corrective action taken *(Water and Sewer Superintendent)*

Due: December 2022

3. Public Works Illicit Discharge Detection Meeting

Responsible Department: Public Works

Goal: Alert and remind waste management crews to look for illicit discharge indicators such as sheen in or near storm drains, leaking dumpsters, etc. *(Public Works Director)*

Due: December 2022

4. Dry Weather Screening of 20% of Outfalls (25% of priority construction area)

Responsible Department: Planning and Zoning Department / Public Works Dept.

Goal: Assess outfalls. Scheduled:

Must assess 100% of outfalls every 5 years (4 years for priority area outfalls)

Scheduled for assessment in 2022:

- a. Cowpen Creek (100)
- b. Point Clear Creek (29)
- c. Volanta Gully (36)

Due: December 2022



Figure 43 Volanta Gully outfalls are due for assessment in 2022, including the ones located in Volanta Sports Park

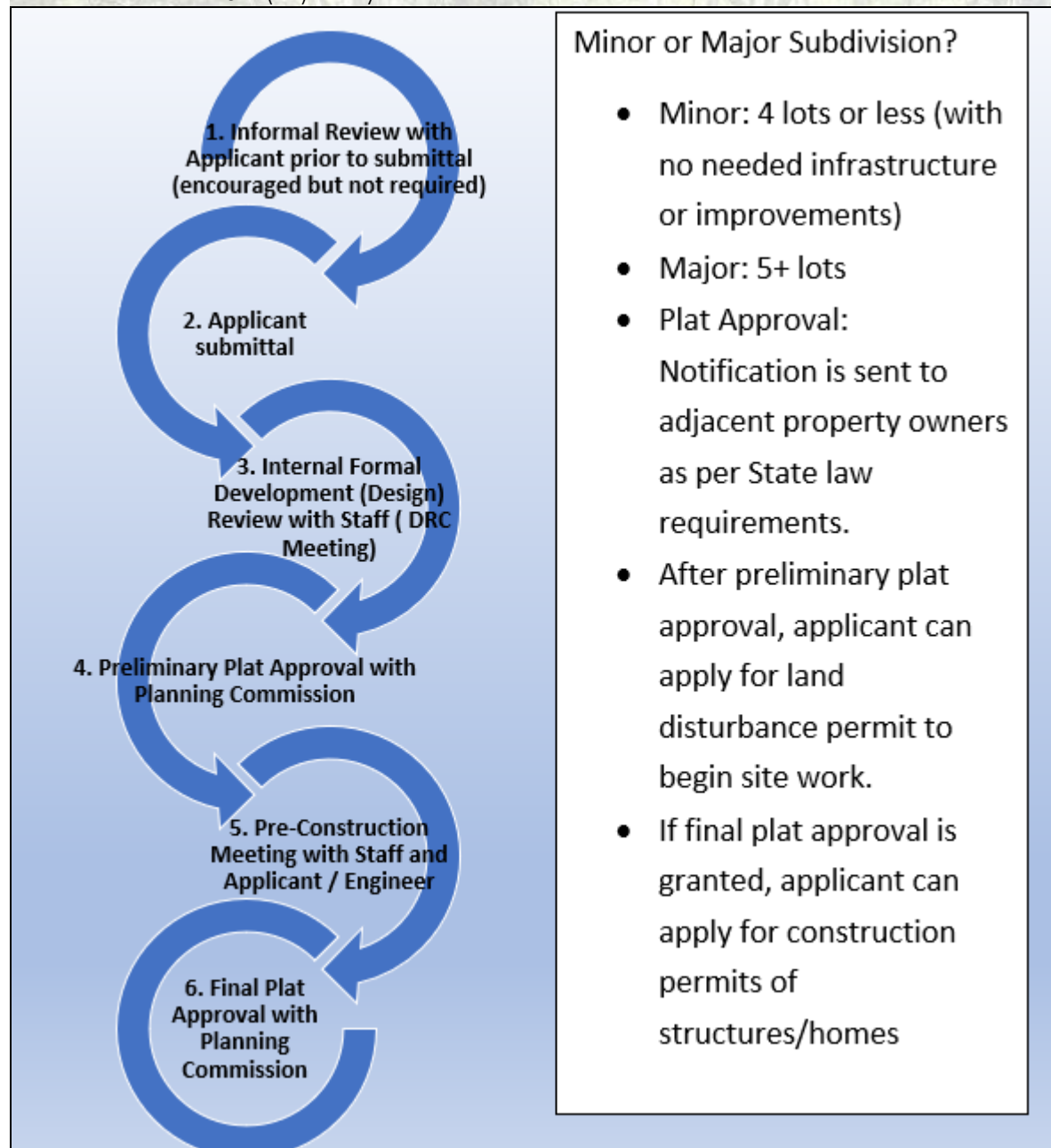
5.0 MINIMUM CONTROL MEASURE # 3: CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

- **Requirements:** Develop, implement, and enforce a program to reduce pollutants in stormwater runoff from qualifying construction activities. The program shall include specific procedures for construction site plan (including Erosion and Sediment Control) review and approval; Erosion and Sediment Control ordinances with sanctions to ensure compliance; training program (including schedule) for MS4 site inspection staff in the identification of appropriate construction best management practices; procedures for periodic inspection of qualifying construction sites, including priority construction sites (those draining to Weeks Bay) at a minimum frequency of once per month for the priority construction sites; procedures outlined in the SWMPP to notify ADEM of non-compliant construction sites, including those without NPDES permits; procedures for site plan reviews outlined in the SWMPP; copies or links to regulatory ordinances; documentation of all inspections, complaints and enforcement actions taken; list of all active construction sites in the MS4 area. More details on these requirements can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Public Works Department; Building Department; Utility Department Directors
- **Rationale Statement:**

The City of Fairhope has an extensive Construction Site Stormwater Runoff Control program (which includes land disturbance ordinances, project review and BMP inspections). The City of Fairhope does not rely entirely on ADEM for enforcement but does convey to ADEM / USCOE information on sites which potentially have impacted wetlands or bodies of water. The City of Fairhope recognizes ADEM's "priority construction area" and conducts (at minimum) monthly inspections on construction sites within this area, as well as initial and follow up BMP inspections on all permitted land disturbances. As of March 31, 2022, the City of Fairhope had seven (7) QCI certified inspection employees, including four (4) building inspectors, one (1) right of way inspector and two (2) Planning and Zoning Code Enforcement employees. The right of way inspector monitors utility and right of way work, which includes addressing BMP deficiencies on these projects. This includes city work as well as private contractor projects.
- **BMPs used for Construction Site Stormwater Runoff Control**
 1. BMP#1: Development Review
 2. BMP#2: BMP Inspections
 3. BMP#3: Procedures for non-compliant sites (code enforcement) Standard Operation Procedures (SOP)
 4. BMP#4: City ordinances
 5. BMP#5: Educational material available in Building Dept.
 6. BMP#6: QCI Certification of inspection staff
 7. BMP #7: Employee Erosion and Sediment Control Workshop

MINIMUM CONTROL MEASURE # 3: CONSTRUCTION SITE STORMWATER RUNOFF CONTROL, CONT.

- **BMP # 1: Development Review:** In the 2021 reporting period, according to the Subdivision Case Index files, the City of Fairhope issued approval (through development review and Planning Commission) for:
 - (8) Preliminary major subdivisions
 - (4) Final approvals for major subdivisions or phases under development
 - (6) Minor subdivisions
 - (1) PUD
 - (5) Multi-occupancy projects
 - (6) Site Plan Reviews
 - (11) Utility Reviews



Minor or Major Subdivision?

- **Minor:** 4 lots or less (with no needed infrastructure or improvements)
- **Major:** 5+ lots
- **Plat Approval:** Notification is sent to adjacent property owners as per State law requirements.
- After preliminary plat approval, applicant can apply for land disturbance permit to begin site work.
- If final plat approval is granted, applicant can apply for construction permits of structures/homes

New Development Projects in 2021:

MAJOR SUBDIVISION:

Preliminary:

1. Overland Phase 1 – Cowpen Creek
2. Overland Phase 2 – Cowpen Creek
3. Long Branch Estates – Cowpen Creek
4. Old Battles Village Phase 6 – Point Clear Creek
5. Harvest Green East Phase 1 – Fly Creek
6. Harvest Green East Phase 2 – Fly Creek
7. Harvest Green West Phase 1 – Fly Creek
8. Harvest Green West Phase 2 – Fly Creek

Hermitage Court Final Plat Approval walk thru with staff, developer, site engineer



Final:

1. Old Battles Village Phase 4A- Point Clear Creek
2. Volanta Avenue – Volanta Gully
3. Hermitage Court – Big Mouth Gully
4. Old Battles Village Phase 4B – Point Clear Creek

MINOR SUBDIVISION:

1. Windmill Professional Park – Cowpen Creek
2. Melanie's Place – Big Mouth Gully
Overland – Cowpen Creek
3. Eastern Shore Outparcel – Cowpen Creek
4. Polo Crossing – Cowpen Creek
5. Hoyle Avenue Medical Office Building, Big Mouth

MULTI-OCCUPANCY:

1. Magnolia Mixed Use – Stack Gully
2. Rockwell Townhomes – Fly Creek
3. The Reserve – Volanta Gully
4. Overland Townhomes – Cowpen Creek
5. Polo Crossing – Cowpen Creek

PUD (PLANNED UNIT DEVELOPMENT): 1. Klump (Cowpen Creek)

UTILITY REVIEW:

1. North Summit Street – Big Mouth Gully
2. Stone Creek Villas & Firethorne – Cowpen Creek
3. North Greeno Road, Volanta Ave. and Plantation Pines
4. Gayfer Avenue Extension/ CR 13 - Cowpen Creek
5. North Section Street and Gayfer - Big Mouth Gully
6. Quail Creek subdivision - Cowpen Creek
7. Stone Creek subdivision - Cowpen Creek
8. Bishop Road – Cowpen Creek
9. Fairfield Place and D'estrehan – Cowpen Creek
10. Fels Avenue – Stack Gully
11. Belle Chase and Song Grove - Cowpen Creek

SITE PLAN REVIEW:

1. Magnolia Mixed Use – Stack Gully
2. U. S. Highway 98 South – Cowpen Creek
3. Fairhope Urology, Big Mouth Gully
4. Polo Crossing, South Greeno Road
5. Fairhope Urology, U. S. Hwy. 98 & Hoyle, Big Mouth
6. Starbucks- Fairhope Ave. @ 98: Cowpen Creek

INFORMAL REVIEW:

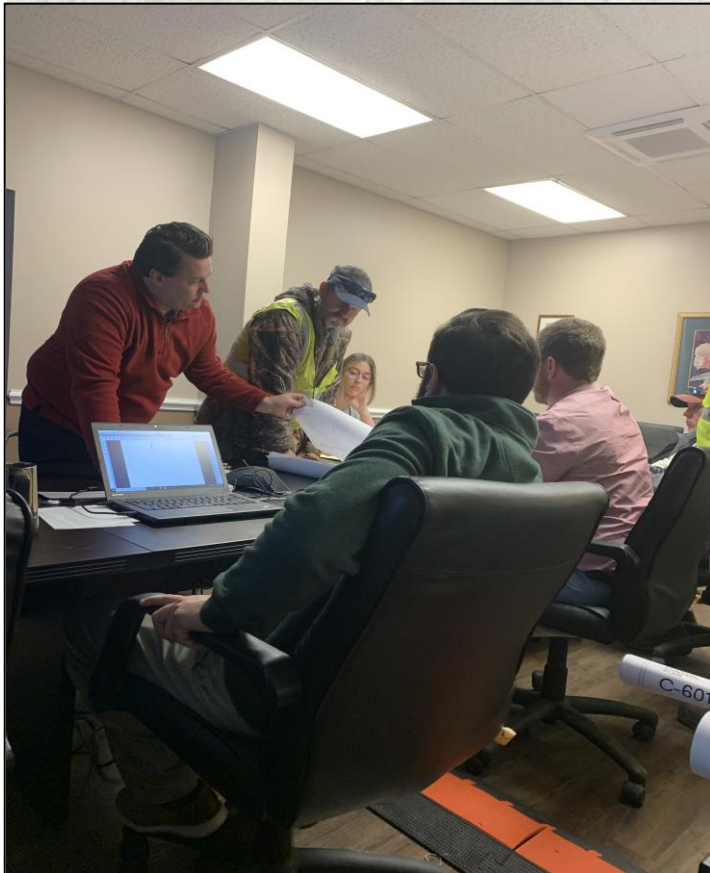
1. Monarch Hotel – Stack Gully
2. 309 South Ingleside, Tatumville Gully
3. Fairhope Urology, Big Mouth Gully

The City of Fairhope Planning and Zoning Department development review (and pre-construction meeting) process includes:

- a. Informal review with applicant (encouraged but not required)
- b. *Development Review with Staff (internal) - Pictured below: January 2022*
- c. Preliminary Plats for Subdivisions
- d. Pre-construction meeting – with engineer of record
- e. Final Plats for Subdivisions
- f. Zoning Applications
- g. Site Plans (considered by Planning Commission) if they meet the

following criteria:

- Has a gross floor area of 10,000sf or greater; or,
- More that 30% of the lot (excluding the building) is impervious; or
- All applications for zoning map amendments to any of the Village Districts
- All mixed-use projects electing to build to 35 feet high with 33% residential.



All preliminary and final subdivision submittals require a public hearing through the Planning Commission. Notification requirements are as required by State law, the City of Fairhope Subdivision Regulations and via Subdivision POA contact list (email). The City of Fairhope Building Department coordinates plan reviews of residential and commercial submittals for permit issuance.

General procedure of submittal review:

Staff conducts a review of all submittals and applicants are encouraged to meet with staff (City Planner or Planning Technician) before submission for development (informal review with applicant). For the subdivision applications, storm water drainage is reviewed for submittal requirements with the City of Fairhope Subdivision Regulations in the Preliminary Plat review. A development review meeting is held and attended by the various City of Fairhope Superintendents or Department representatives. The Public Works Department, Planning and Zoning Department and Building Department are the most instrumental representatives for Storm Water reviews. Although the City of Fairhope has a Professional Engineers on staff, Public Works Director, the applicant's engineer is the person ultimately responsible for drainage compliance with the City's regulations. The Code Enforcement Officer is responsible for the Erosion Control compliance review of submitted plans. The comments generated during the development review meeting are compiled in a review letter which is sent to the applicant. The applicant provides a response letter. The City of Fairhope staff prepares a staff report for the Planning Commission members prior to the Planning Commission meeting.

Pre-Construction meetings are held with the applicant after Preliminary Plat approval. During the pre-construction meetings, City staff meets with the applicant's engineer of record to address specific issues such as wetland buffer protection, on-site erosion controls, and drainage concerns. After pre-construction meetings, the land disturbance/site work permit may be issued. After Final Plat approval, building permits may be issued.

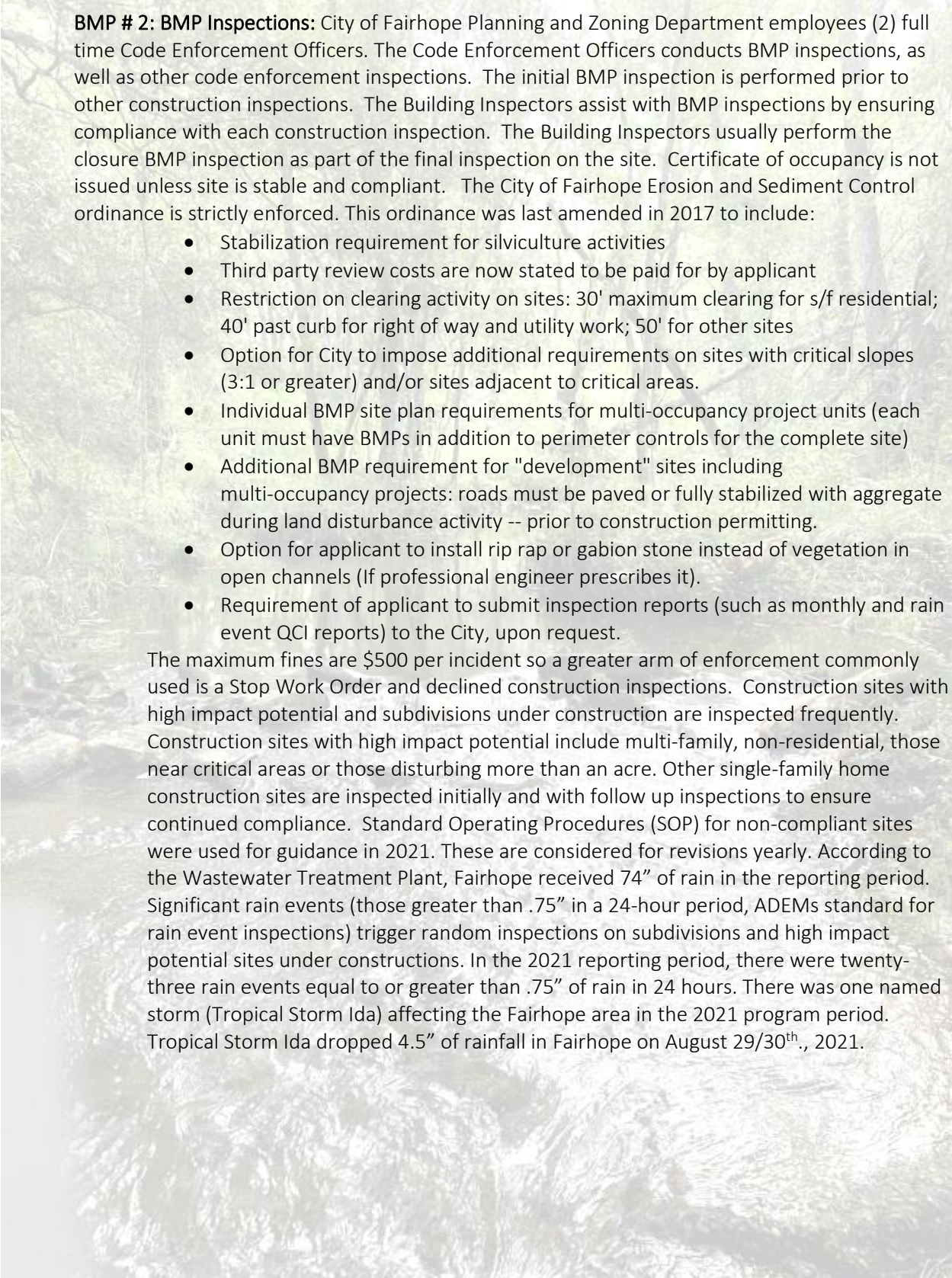
The Final Plat approval phase is when the final inspection of installed subdivision infrastructure takes place and a final punch list is generated. A second development review and a site inspection take place and any deficient items are addressed during this inspection process. The site inspection is conducted by the same Department Supervisors/Representatives who perform the preliminary development review.

The City of Fairhope requires a 2-year maintenance bond for the infrastructure to be accepted by the City of Fairhope.

In the 2021 program period, Planning and/or Building Department staff reviewed (City limits only):

- a. Approximately 241 single family residential sites
- b. Approximately 118 commercial and non-residential buildings
- c. Land disturbances/Site Work/Right of Way: Approximately 146
- d. Forty-four (44) development projects (utility, major subdivision, minor subdivision, multi-occupancy, PUD, informal and site plan review)

At time of permit issuance, permittees are given a copy of the *BMP Minimum Requirements* (a one-page document created in-house to give builders a quick reference tool for BMP requirements). The *Field Guide for Erosion and Sediment Control on Construction sites in Alabama* is also available upon request.



BMP # 2: BMP Inspections: City of Fairhope Planning and Zoning Department employees (2) full time Code Enforcement Officers. The Code Enforcement Officers conducts BMP inspections, as well as other code enforcement inspections. The initial BMP inspection is performed prior to other construction inspections. The Building Inspectors assist with BMP inspections by ensuring compliance with each construction inspection. The Building Inspectors usually perform the closure BMP inspection as part of the final inspection on the site. Certificate of occupancy is not issued unless site is stable and compliant. The City of Fairhope Erosion and Sediment Control ordinance is strictly enforced. This ordinance was last amended in 2017 to include:

- Stabilization requirement for silviculture activities
- Third party review costs are now stated to be paid for by applicant
- Restriction on clearing activity on sites: 30' maximum clearing for s/f residential; 40' past curb for right of way and utility work; 50' for other sites
- Option for City to impose additional requirements on sites with critical slopes (3:1 or greater) and/or sites adjacent to critical areas.
- Individual BMP site plan requirements for multi-occupancy project units (each unit must have BMPs in addition to perimeter controls for the complete site)
- Additional BMP requirement for "development" sites including multi-occupancy projects: roads must be paved or fully stabilized with aggregate during land disturbance activity -- prior to construction permitting.
- Option for applicant to install rip rap or gabion stone instead of vegetation in open channels (If professional engineer prescribes it).
- Requirement of applicant to submit inspection reports (such as monthly and rain event QCI reports) to the City, upon request.

The maximum fines are \$500 per incident so a greater arm of enforcement commonly used is a Stop Work Order and declined construction inspections. Construction sites with high impact potential and subdivisions under construction are inspected frequently. Construction sites with high impact potential include multi-family, non-residential, those near critical areas or those disturbing more than an acre. Other single-family home construction sites are inspected initially and with follow up inspections to ensure continued compliance. Standard Operating Procedures (SOP) for non-compliant sites were used for guidance in 2021. These are considered for revisions yearly. According to the Wastewater Treatment Plant, Fairhope received 74" of rain in the reporting period. Significant rain events (those greater than .75" in a 24-hour period, ADEMs standard for rain event inspections) trigger random inspections on subdivisions and high impact potential sites under constructions. In the 2021 reporting period, there were twenty-three rain events equal to or greater than .75" of rain in 24 hours. There was one named storm (Tropical Storm Ida) affecting the Fairhope area in the 2021 program period. Tropical Storm Ida dropped 4.5" of rainfall in Fairhope on August 29/30th, 2021.

The City of Fairhope Code Enforcement Officer conducted “priority construction area” (Cowpen Creek watershed; Fly Creek Watershed*). BMP inspections monthly, as per ADEM’s requirement, in twenty-two (22) subdivisions or newly developed areas include these areas:

- Fairfield
- Firethorne
- Fox Hollow
- Quail Creek
- Stone Creek
- Summer Lake
- The Highlands
- The Tracery
- North Hills
- Live Oaks Estates
- Twin Beech Estates
- The Waters
- Firefly
- Pinewoods
- Riverhorse
- The Willows
- Publix @ 181 / 104
- Parkstone on Parker Road
- Overton subdivision / Apartments
- Long Branch subdivision
- Morphy sub-station
- Windmill commercial complex



BMP inspections include:

- a. Initial (Planning and Zoning Code Enforcement)
- b. Phasing, if applicable (Planning and Zoning Code Enforcement) – included with initial / follow up inspections as needed
- c. Closure (Building Department Inspectors; certificate of occupancy is not issued unless site is stable)
- d. Priority construction area—monthly (Planning and Zoning Code Enforcement Officer)
- e. Right of way projects – Right of way inspector

In the 2021 reporting period, Planning and Zoning Code Enforcement (in MS4 area):

- a. Conducted over 540 BMP inspections (initial, follow up, priority construction area)
- c. Issued over 400 Notice of Violations

BMP # 3: Procedures for non-compliant sites (Code Enforcement) as per Erosion and Sediment Control Ordinance:

- a. Notice of Violation (written or verbal)
- b. Withheld Construction Inspections
- c. Stop Work Orders
- d. Authorize Street Sweeper at \$300 minimum charge
- e. Municipal Offense Ticket
- f. ADEM notification if water quality impact has occurred
- g. Standard Operating Procedures (SOP)

Street sweeper charges: City of Fairhope Erosion and Sediment Control Ordinance 1398, "Enforcement" reads:

Should the city, or an agent thereof, undertake needed remedies due to contractor negligence, the city shall bill the permittee or responsible party for an amount based on actual costs of hourly labor and materials, and at a minimum of two (2) hours at a minimum of one hundred fifty dollars (\$150.00) per hour. This fee shall apply to, but not be limited to, city street; sidewalk, right-of-way and storm drain cleanup of sedimentation and/or other pollutants. The city may also withhold any forthcoming certificate of occupancies or final inspections that are relative to the cleanup charges, until the bill is paid in full.

(Ord. No. 1398, § X, 8-10-09)

Common compliance items are silt fence repair, construction entrance repair, street tracking clean up and inlet protection maintenance.





Planning Department / Building Department
Non-compliant Construction Site Protocol
Standard Operating Procedures (SOP)

Background and Introduction

As per the City of Fairhope NPDES Permit # ALR040040, the City is required to have written protocol for ADEM notification of non-complaint sites as required in Part III B.4 (b)(v) of the permit: "Procedures to notify ADEM of non-compliant construction sites discovered during periodic inspections. The notification must provide, at a minimum, the specific location of the construction project, the name and contact information from the owner or operator, and a summary of the site deficiencies."

General Concepts

The City of Fairhope is authorized via Code of Ordinance 1398, "Erosion and Sediment Control" to issue Stop Work Orders, Municipal Offense Tickets/Court Summons, suspend construction /building inspections, dispatch City Street Sweeper for minimum charge and/or issue Notice of Violations to violators of this ordinance. The Erosion and Sediment Control Ordinance #1398 is enforced by the City of Fairhope Planning Department (Code Enforcement Officer) and the Building Department (Building Inspectors and Building Official). The Planning Department Code Enforcement Officer handles the bulk of the enforcement. The Planning Director must authorize issuance of a Municipal Offense Ticket (MOT) or Court Summons.

Enforcement

Where a construction site is found to be in violation of the City of Fairhope Erosion and Sediment Control Ordinance, the enforcement officer will elect to issue one or more of the following, depending on the severity of the violation:

1. Notice of Violation (48 hour notice)-written, verbal, or email
2. Stop Work Order (on all activity except that which is necessary to stabilize the site and install appropriate BMPs)
3. Suspend construction / building inspections until resolved.
4. Dispatch City Street Sweeper for a minimum \$300 charge. Certificate of Occupancy not issued until this is paid.
5. Issue a MOT or Court Summons (with approval of the Planning Director)

Environmental Agency Notification

When a construction site or other non-compliant site has been found to have impacted critical areas such as wetlands and bodies of water, the City will notify the appropriate agencies within 48 hours (written, email or verbal) of the identified non-compliance issues.

Documentation

All observations and actions will be documented in a report which will be tracked in the Planning Department Code Enforcement Officer's database and reported to ADEM in the City's Annual MS4 Phase II Report.

BMP # 4: Municipal ordinances utilized for erosion, sediment and waste control on construction sites:

- a. Erosion and Sediment Control (#1398 and #1603)
Ordinance 1603 is an amendment/addition to #1398, added in 2017
- b. Red Soil & Clay Ordinance (#1423)
- c. Construction Site Waste (#958)

BMP # 5: Educational Material available to contractors/developers (Building Department):

- a. *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama* by Alabama Soil and Water Conservation Committee Partners
- b. *BMP Minimum Requirements*, City of Fairhope handout
- c. *Stormwater Management*, by EcoSolutions

BMP # 6: Qualified Credential Inspector (QCI) Training for all site inspectors (Building Dept./Planning and zoning Department. This includes initial within 12 months of hire plus annual recertification.

BMP #7: Employee Erosion and Sedimentation / BMP Workshop

Seventy (70) City of Fairhope employees attended this 1.5 hour event in November, which reminded utility crews of the City of Fairhope (and State/Federal) rules and regulations for construction activity, in regards to stormwater (erosion and sediment control). All utility and land operation departments were represented. Public Works Director and Building Official gave up to date information on city and statewide permitting and stabilization standards.

Responsible Person: Planning and Zoning Department Code Enforcement Officer; Building Official



ANNUAL BMP WORKSHOP FOR CITY EMPLOYEES

Fly Creek in North Hills subdivision off Highway 204



WHEN
Thursday, November 4th, 2021
7:30 a.m. to 9:00 a.m.

WHERE
Nix Center, Bayou Drive
Card Room

WHY?
Update your knowledge of state, local and federal regulations as it pertains to earth moving activities

FOR ALL CITY UTILITY AND SITE WORK EMPLOYEES



FEATURING • Guest Speaker:
Cade Kistler / Mobile Baykeeper
City of Fairhope Erosion and Sediment Control Staff
including • John Thomas, Public Works Right of Way Inspector; **Erik Cortinas,** Building Official; **Richard Johnson,** Public Works Director; **Kim Burnmeister,** Planning and Zoning

"GREEN IS GOOD"

Figure 44 BMP Workshop with Mobile Bay Keeper Guest Speaker

➤ **Construction Site Stormwater Runoff Control Measurable Goals**
Recap For 2021:

1.QCI Recertification - Building Inspectors (5) Acquired QCI Certification or Recertification
Status: Complete as of March 2022

Comments:

- b. Building Inspector #19666 (CN) Exp. 9/22 (recertification)
- c. Building Inspector #68815 (WN) Exp. 3/23 (recertification)
- d. Building Inspector #76249 (RT) Exp. 3/23 (recertification)
- e. Building Inspector #T6889 (SB) Exp. 4/23
- f. Right of Way/ Building Inspector #T5330 Exp. 3/23 (Initial)

2.QCI Recertification – Planning and Zoning Department (2) QCI Recertification
Status: Complete as of March 2022

Comments:

- a. P&Z Code Enforcement Officer Certification (KB) # 25712 Exp. 10/22
- b. P&Z Code Enforcement Officer Certification (CL) # 81295 Exp. 03/23

Measurable Goals For 2022:

1. QCI Re-certification for Building Inspectors (5)

Responsible Department: Building Department

Goal: Recertify QCI certifications for (5) Building Inspectors

Due: March 31, 2023

2. QCI Re-certification for Code Enforcement Officers

Responsible Department: Planning and Zoning Department

Goal: Recertify QCI certification for Code Enforcement Officers (2)

Due: March 31, 2023

3. Employee Erosion and Sediment Control Workshop or training

Goal: Planning and Zoning/ Building Department/ Public Works will host training for all applicable departments including utilities, public works and recreation, to educate employees on local, state and federal best management practices and regulations pertaining to earth-moving projects.

Due: December 2022

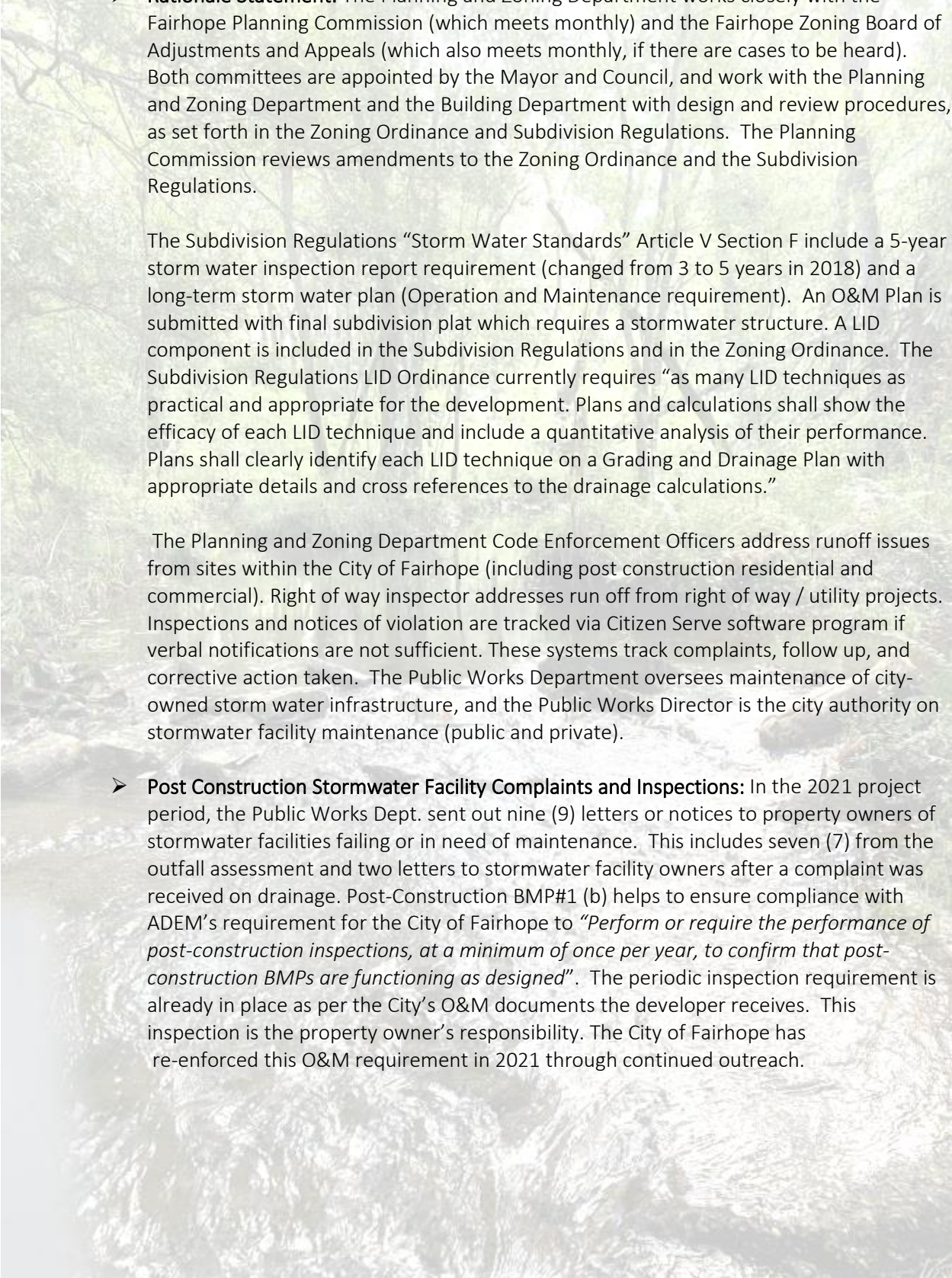
Why become a Qualified Credentialed Inspector?

- Better understand the ADEM general NPDES permit program and local programs to help achieve & maintain compliance.
- Understand the importance of the Construction Best Management Practices plan & recognize proper BMP installations.
- Perform *self-inspections*, recognize BMP problems and coordinate timely maintenance as required by the general permit.
- Be able to log & keep records & improve communications with the operator - reduce compliance liability.
- Avoid or reduce risk of successful citizen lawsuits.
- Recognize the need to address environmental issues *early* in the project planning & throughout the construction period.

Figure 45 Source: HBAA Website

6.0 MINIMUM CONTROL MEASURE # 4: POST CONSTRUCTION STORMWATER MANAGEMENT

- **Requirement:** Develop/revise, implement and enforce a program to address stormwater run-off from qualifying new development and redevelopment projects, to the maximum extent practicable. This program shall ensure that controls are in place to prevent or minimize water quality impacts. The City of Fairhope shall have procedures, outlined in the SWMPP, for site plan review and the approval process when changes to post-construction controls are required; outline procedures in the SWMPP to demonstrate and document that post-construction stormwater measures have been installed per design specifications, which includes enforceable procedures for bring non-compliant projects into compliance. The City of Fairhope must develop and implement strategies which may include a combination of structural and/or non-structural BMPs designed to ensure, to the maximum extent practicable, that the volume and velocity of pre-construction stormwater run-off is not significantly exceeded, using a design rainfall event with an intensity up to that of a 2 year-24 hour storm event for the basis; develop and use ordinances or other regulatory mechanisms to address post-construction run-off from qualifying new development/redevelopment projects; require long-term operation and maintenance of BMPs; perform or require the performance of post-construction inspections, at a minimum once per year, to confirm post-construction BMPs are functioning as designed. The City of Fairhope shall include an inspection schedule, to include inspection frequency, within the SWMPP; maintain or require the developer/owner/operator to keep records of post construction inspections, maintenance activities and make them available to ADEM upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMPs; review and evaluate policies and ordinances related to building codes, or other local regulations, with a goal of identifying regulatory and policy impediments to the install of green infrastructure and low impact development techniques. More details on these requirements can be found in the general permit.
- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Utility Department Directors

- 
- **Rationale Statement:** The Planning and Zoning Department works closely with the Fairhope Planning Commission (which meets monthly) and the Fairhope Zoning Board of Adjustments and Appeals (which also meets monthly, if there are cases to be heard). Both committees are appointed by the Mayor and Council, and work with the Planning and Zoning Department and the Building Department with design and review procedures, as set forth in the Zoning Ordinance and Subdivision Regulations. The Planning Commission reviews amendments to the Zoning Ordinance and the Subdivision Regulations.

The Subdivision Regulations “Storm Water Standards” Article V Section F include a 5-year storm water inspection report requirement (changed from 3 to 5 years in 2018) and a long-term storm water plan (Operation and Maintenance requirement). An O&M Plan is submitted with final subdivision plat which requires a stormwater structure. A LID component is included in the Subdivision Regulations and in the Zoning Ordinance. The Subdivision Regulations LID Ordinance currently requires “as many LID techniques as practical and appropriate for the development. Plans and calculations shall show the efficacy of each LID technique and include a quantitative analysis of their performance. Plans shall clearly identify each LID technique on a Grading and Drainage Plan with appropriate details and cross references to the drainage calculations.”

The Planning and Zoning Department Code Enforcement Officers address runoff issues from sites within the City of Fairhope (including post construction residential and commercial). Right of way inspector addresses run off from right of way / utility projects. Inspections and notices of violation are tracked via Citizen Serve software program if verbal notifications are not sufficient. These systems track complaints, follow up, and corrective action taken. The Public Works Department oversees maintenance of city-owned storm water infrastructure, and the Public Works Director is the city authority on stormwater facility maintenance (public and private).

- **Post Construction Stormwater Facility Complaints and Inspections:** In the 2021 project period, the Public Works Dept. sent out nine (9) letters or notices to property owners of stormwater facilities failing or in need of maintenance. This includes seven (7) from the outfall assessment and two letters to stormwater facility owners after a complaint was received on drainage. Post-Construction BMP#1 (b) helps to ensure compliance with ADEM’s requirement for the City of Fairhope to “*Perform or require the performance of post-construction inspections, at a minimum of once per year, to confirm that post-construction BMPs are functioning as designed*”. The periodic inspection requirement is already in place as per the City’s O&M documents the developer receives. This inspection is the property owner’s responsibility. The City of Fairhope has re-enforced this O&M requirement in 2021 through continued outreach.


Low Impact Design: The City of Fairhope has a LID provision in the Zoning Ordinance, as well as LID language in the Subdivision Regulations.




- a. LID: Subdivision Regulations: Adopted July 6, 2015; revised in 2018: <https://www.fairhopeal.gov/home/showdocument?id=21418>
- b. LID: Zoning Ordinance Amendment: Adopted October 12, 2015 <https://www.fairhopeal.gov/home/showdocument?id=20993>

➤ **BMPs for Post Construction Stormwater Management**


- 1. Subdivision Regulations
 - a. Stormwater Standards (Article V, Section F)
 - b. Stormwater Facility Inspection Requirement (Article V, Section F)
“O&M”: Operations and Maintenance plan
 - c. Flood Control Structures (definition)
 - d. LID standards (Article V, Section F)
 - e. Buffers (Article V, Section F)
- 2. Zoning Ordinance
 - a. Stormwater Management (Article IV, Section F)
 - b. Pervious Paving (Article IV, Section F)
 - c. LID (Article IV, Section E-Ordinance 1550)
- 3. Pervious Paving in City projects, where applicable
- 4. Stormwater Projects
- 5. Stormwater Facility Inspection Requirement / 5 year (Subdivision Regulations)
- 6. Creek / Shoreline Assessment by kayak
- 7. Standard Courtesy Letter for Property Owners of non-compliant stormwater facilities
- 8. Annual email to POA/HOA groups: “HOA Stormwater Guide”


Fairhope HOA Stormwater Guide

 Allie Knutson
To: Allie Knutson

 Reply  Reply All  Forward

Fri 12/10/2021 10:44 AM

 You replied to this message on 12/10/2021 10:54 AM.


 Fairhope HOA Stormwater Guide 5-29-18.pdf
500 KB

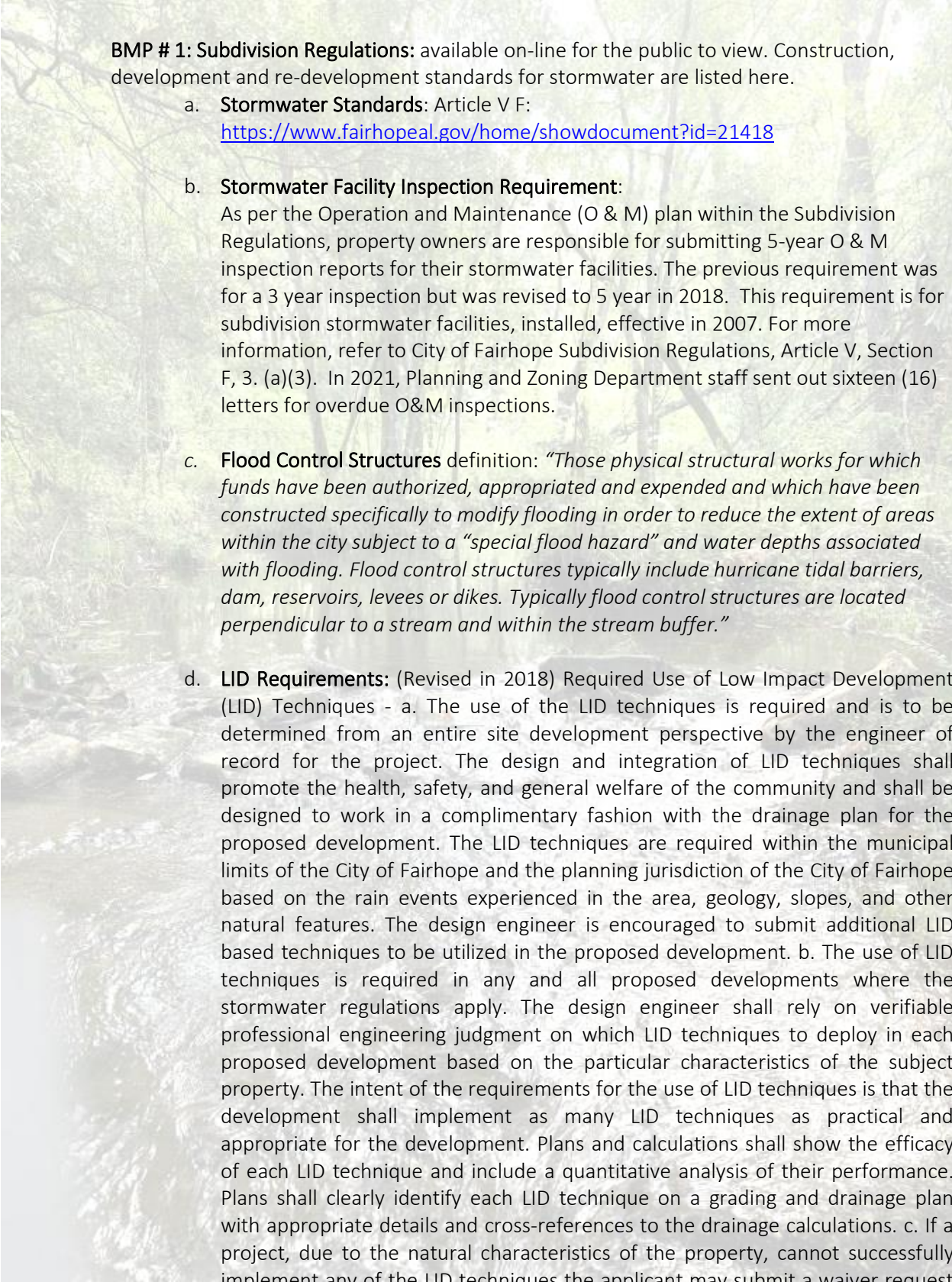
Fairhope Subdivision HOA / POA groups,

Your subdivision may have privately owned stormwater facilities which require annual assessment and possible maintenance. The “Fairhope HOA Stormwater Guide” is attached for your convenience.

Thank you,

Allie Knutson
City of Fairhope
Planning Clerk
555 S. Section Street
Fairhope, AL 36533
251-990-0214
alyssa.knutson@fairhopeal.gov





BMP # 1: Subdivision Regulations: available on-line for the public to view. Construction, development and re-development standards for stormwater are listed here.

a. **Stormwater Standards:** Article V F:

<https://www.fairhopeal.gov/home/showdocument?id=21418>

b. **Stormwater Facility Inspection Requirement:**

As per the Operation and Maintenance (O & M) plan within the Subdivision Regulations, property owners are responsible for submitting 5-year O & M inspection reports for their stormwater facilities. The previous requirement was for a 3 year inspection but was revised to 5 year in 2018. This requirement is for subdivision stormwater facilities, installed, effective in 2007. For more information, refer to City of Fairhope Subdivision Regulations, Article V, Section F, 3. (a)(3). In 2021, Planning and Zoning Department staff sent out sixteen (16) letters for overdue O&M inspections.

c. **Flood Control Structures** definition: *“Those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of areas within the city subject to a “special flood hazard” and water depths associated with flooding. Flood control structures typically include hurricane tidal barriers, dam, reservoirs, levees or dikes. Typically flood control structures are located perpendicular to a stream and within the stream buffer.”*

d. **LID Requirements:** (Revised in 2018) Required Use of Low Impact Development (LID) Techniques - a. The use of the LID techniques is required and is to be determined from an entire site development perspective by the engineer of record for the project. The design and integration of LID techniques shall promote the health, safety, and general welfare of the community and shall be designed to work in a complimentary fashion with the drainage plan for the proposed development. The LID techniques are required within the municipal limits of the City of Fairhope and the planning jurisdiction of the City of Fairhope based on the rain events experienced in the area, geology, slopes, and other natural features. The design engineer is encouraged to submit additional LID based techniques to be utilized in the proposed development. b. The use of LID techniques is required in any and all proposed developments where the stormwater regulations apply. The design engineer shall rely on verifiable professional engineering judgment on which LID techniques to deploy in each proposed development based on the particular characteristics of the subject property. The intent of the requirements for the use of LID techniques is that the development shall implement as many LID techniques as practical and appropriate for the development. Plans and calculations shall show the efficacy of each LID technique and include a quantitative analysis of their performance. Plans shall clearly identify each LID technique on a grading and drainage plan with appropriate details and cross-references to the drainage calculations. c. If a project, due to the natural characteristics of the property, cannot successfully implement any of the LID techniques the applicant may submit a waiver request



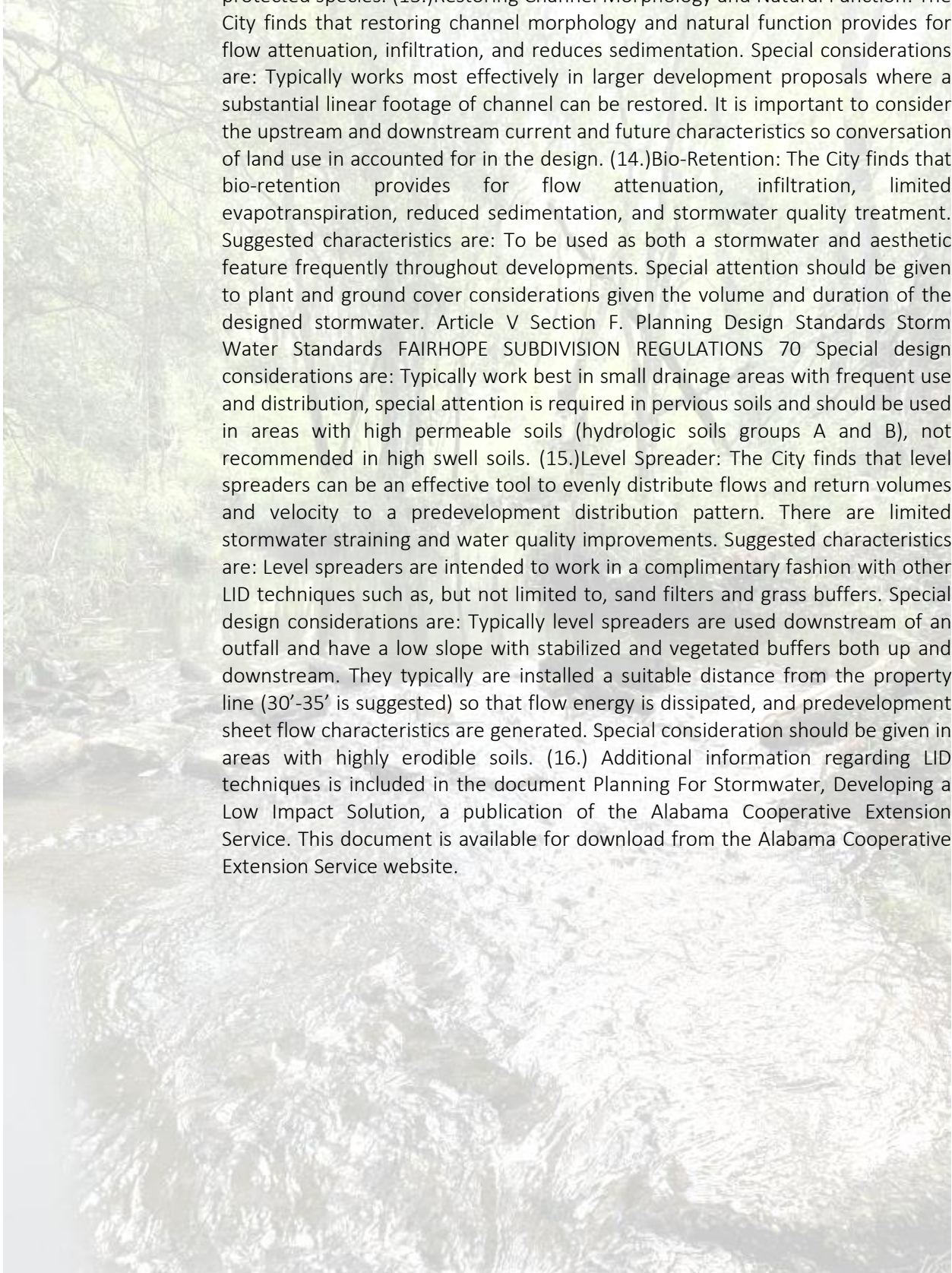
for Article V Section F. Planning Design Standards Storm Water Standards FAIRHOPE SUBDIVISION REGULATIONS 66 consideration. The waiver request shall be submitted at the time of the application and provide verifiable engineering documentation that LID techniques cannot be used. The City shall have the right, but not the obligation, to engage such third party engineers, consultants and other professionals as necessary and appropriate to advise the City as to whether a particular application complies with and is otherwise in concert with this subsection 10 (a “Third Party Professional”). In the event the City engages a Third Party Professional in connection with a particular application, the City will forward all application materials to the Third Party Professional along with a request for a cost estimate from the Third Party Professional for his/her role in the review of such application. Upon presentation by the Third Party Professional of a cost estimate to the City, the City shall provide same to the applicant, and the applicant shall deposit with the City a cash sum equal in amount to the cost estimate of the Third Party Professional (the “Cash Deposit”). Upon completion of all work by the Third Party Professional relative to such application and payment by the City of all fees and expenses of the Third Party Professional from the Cash Deposit, if any portion of the Cash Deposit remains, the City shall refund it to the applicant. If the Cash Deposit is insufficient to pay the fees and costs of the Third Party Professional, the applicant shall immediately remit to the City such funds as are necessary to make up any shortfall. d. The Third Party Professional shall submit a finding report to the City Planning Department. The City Planning Department shall forward a copy of the finding to the applicant or the applicant’s agent. The City Planning Department shall include, as part of the application materials to the Planning Commission a recommendation regarding the waiver. e. The Planning Commission shall consider the waiver, the applicant’s documentation, and Third Part Professional finding and City Planning Department recommendation and make a final determination as to the waiver request. f. The following LID techniques are available for use by applicants given the particular circumstances and characteristics of the proposed subdivision: (1.) Wet Basins: The City finds the potential benefits of wet basins are, among other items, allowing sedimentation to fall out of stormwater, attenuating flows, assisting in evapotranspiration, and improving the stormwater quality. Special design considerations are: groundwater elevations, large surface areas are encouraged, special attention should be given in pervious soil, surface area of the basin should take into account nutrient loading from lawns for example in order to treat and improve stormwater quality to the maximum extent possible, ensuring that an adequate base flow is provided to maintain water levels, they are not recommended to be constructed in an inline facility, utilize low slopes, the use of forbays are recommended, upstream and downstream areas shall be considered in the design in accordance with Fairhope standards. Recommended characteristics are: The approach slopes should be 4:1 or less around the perimeter, side slopes 3:1 or less (below the water level, beyond the safety bench), safety bench just below water elevation (4’ wide, 6”-12” deep), energy is dissipated prior to entering the basin, can be excavated below the ground surface. (2.) Rain Gardens: The City finds the potential benefits of rain gardens are, among other items, small scale flow attenuation, infiltration, limited Article V Section F. Planning Design Standards Storm Water Standards FAIRHOPE



SUBDIVISION REGULATIONS 67 evapotranspiration, allowing sediments to be trapped, and water quality treatment. Special design considerations are: Typically smaller areas and drainage areas are used for rain garden design, special attention should be given in pervious soils, recommended for use in hydrologic soil groups A and B, not recommended in high swell soils. Recommended characteristics are: Small scale and frequent use in drainage areas, the choice of landscaping materials, soil mix, and other characteristics are crucial to the success of a rain garden. Rain gardens can be highly visible and utilized as a visual amenity in a proposed development. (3.) Permeable Pavement Systems: The City finds the potential benefits of permeable pavement systems are, among other items, flow attenuation, infiltration, and filtration of stormwater. There are many products and strategies that can be utilized and the City is open to the use of varied products in accordance with manufacture recommendations. Consultation with the city prior to design of the product to be utilized is suggested. Special design consideration are: Use in areas with hydrologic soil groups A and B, special attention should be given in pervious conditions, not recommended in areas with high swell soils, ground water tables should not impact the ability of water to infiltrate, the technique works best in low slopes. (4.) Sand Filter: The City finds that the potential benefits of sand filters are, among other items, flow attenuation, infiltration, reducing sedimentation, and providing filtration of storm water. Special design considerations are: Best used in small drainage areas, special attention should be given in pervious soils, recommended use in areas with soils with good permeability in hydrological soil groups A and B, not recommended in high swell soils. (5.) Grass Swales: The City finds that the potential benefits of grass swales are, among other items, in straining stormwater, providing limited quality treatments, while providing some moderate flow attenuation. Special design considerations are: Typically work best in smaller drainage areas where volumes are reduced, special consideration should be given in pervious soils, not recommended with high swell soils, should have low slopes, adjacent areas and layout should be considered in the design. Suggested characteristics where topography, soils, and slope permit vegetated open channels and spaces should be considered as a significant or a primary means of stormwater conveyance. (6.) Grass Buffers: The City finds that the potential benefits of grass buffers are, among other items, in straining stormwater, providing limited quality treatments, while providing some moderate flow attenuation. Article V Section F. Planning Design Standards Storm Water Standards FAIRHOPE SUBDIVISION REGULATIONS 68 Special design considerations are: Typically work best in smaller drainage areas where volumes are reduced, special consideration should be given in pervious soils, not recommended with high swell soils, should have low slopes, adjacent areas and layout should be considered in the design. Suggested characteristics where topography, soils, and slope permit vegetated open channels and spaces should be considered as a significant or a primary means of stormwater conveyance. (7.) Constructed wetland channels or wetlands: The City finds that the potential benefits of constructed wetland channels or wetlands are, among other items, flow attenuation, buffering of flooding events, evapotranspiration, sedimentation, and treatment of stormwater quality. Special design considerations are: Not recommended in high swell soils, low slope, forebay is



recommended, primary benefit of pollutant removal, not volume reduction, adjacent areas should be considered in the design. (8.) Step Pool Stormwater Conveyance Structures: The City finds that a step pool stormwater conveyance structure may attenuate stormwater flows, provides evapotranspiration, reduce sediment transport, and water quality treatment. Special design considerations are: Not recommended in high swell soils. Adjacent areas should be taken into consideration in order to ensure long term viability of step pool structures and adjacent erosion. (9.) In-line stormwater storage: The City finds that in-line storage may provide for attenuation and limits sedimentation. Special design considerations are: Designed to be self-cleaning where possible or suitable clean out access is provided and designed into the system, designed to surcharge non-sensitive areas with no flooding in parking lots, structures, or other typically occupied spaces. (10.) Site design for habitat, wetland, and water body conservation: The City finds that site design that incorporates the natural features of the property can help to minimize erosion and reduce stress on natural water conveyance and attenuation systems by preserving a natural vegetated state of native plants, water courses, and flood prone areas. Suggested characteristics are: The technique may be used in conjunction with the City's planned unit development or village subdivision processes to propose alternative street layouts and design so that impervious areas and other improvements are sited with due regard to the natural elements of the property. Special design considerations: To consider adjacent areas in the design since important natural features that utilize this LID technique often extends past property lines or the phases of proposed development. Article V Section F. Planning Design Standards Storm Water Standards FAIRHOPE SUBDIVISION REGULATIONS 69 (11.) Restoration of Habitat or Wetlands and Water Bodies: The city finds that the restoration of habitat or wetland and water bodies can be productive to improve the environment by minimizing erosion and reducing stress on natural water conveyance and attenuation systems by preserving a natural vegetated state of native plants, water courses, and flood prone areas. Suggested characteristics are: This technique may be used in conjunction with the City's planned unit development or village subdivision processes to propose alternative street layouts and design so that impervious areas and other improvements are sited with due regard to the natural elements of the property. Use only native plants in the development process and take special consideration to restore portions of the site to predevelopment native ecological communities, water bodies or wetlands with more than 10% of the development footprint. Special design considerations: To consider adjacent areas in the design since important natural features that utilize this LID technique often extend past property lines or the phases of proposed development (12.) Greenways: The City finds that greenways provide for beneficial use of LID for potentially active and passive recreation opportunities and wildlife corridors. This technique allows for the creative integration into a development proposal that is frequently linked with other natural or recreation systems that extend past the property lines of the proposed development. Suggested characteristics: Typically greenways are easier to integrate into a development proposal on larger acreages. They are frequently utilized as linear parks and often include sensitive wetland areas, steep slopes, gullies or other natural land forms, creeks, and unique wildlife habitat for



protected species. (13.)Restoring Channel Morphology and Natural Function: The City finds that restoring channel morphology and natural function provides for flow attenuation, infiltration, and reduces sedimentation. Special considerations are: Typically works most effectively in larger development proposals where a substantial linear footage of channel can be restored. It is important to consider the upstream and downstream current and future characteristics so conversation of land use in accounted for in the design. (14.)Bio-Retention: The City finds that bio-retention provides for flow attenuation, infiltration, limited evapotranspiration, reduced sedimentation, and stormwater quality treatment. Suggested characteristics are: To be used as both a stormwater and aesthetic feature frequently throughout developments. Special attention should be given to plant and ground cover considerations given the volume and duration of the designed stormwater. Article V Section F. Planning Design Standards Storm Water Standards FAIRHOPE SUBDIVISION REGULATIONS 70 Special design considerations are: Typically work best in small drainage areas with frequent use and distribution, special attention is required in pervious soils and should be used in areas with high permeable soils (hydrologic soils groups A and B), not recommended in high swell soils. (15.)Level Spreader: The City finds that level spreaders can be an effective tool to evenly distribute flows and return volumes and velocity to a predevelopment distribution pattern. There are limited stormwater straining and water quality improvements. Suggested characteristics are: Level spreaders are intended to work in a complimentary fashion with other LID techniques such as, but not limited to, sand filters and grass buffers. Special design considerations are: Typically level spreaders are used downstream of an outfall and have a low slope with stabilized and vegetated buffers both up and downstream. They typically are installed a suitable distance from the property line (30'-35' is suggested) so that flow energy is dissipated, and predevelopment sheet flow characteristics are generated. Special consideration should be given in areas with highly erodible soils. (16.) Additional information regarding LID techniques is included in the document Planning For Stormwater, Developing a Low Impact Solution, a publication of the Alabama Cooperative Extension Service. This document is available for download from the Alabama Cooperative Extension Service website.

e. **Buffers (as defined in Article V, Section F. 4. "Stream Buffers")**

Stream and Wetland buffer signs are required for placement every 100' and must be permanently installed. This helps protect critical areas even after development is complete.



Figure 46 Wetland Buffer installed in the Fly Creek Watershed, Retreat Project, December 2021

4. **Stream Buffers** –

- a. An undisturbed streamside buffer (buffer) is an area along a shoreline, wetland, or stream where development and redevelopment is restricted or prohibited. The primary function of the buffer is to physically protect and separate a stream, lake, bay, or wetland from future disturbance or encroachment. Buffers can provide storm water management and sustain the integrity of stream ecosystems and habitats. Buffers can be applied to new developments and redevelopment by establishing specific preservation areas and providing management of the buffers through easements or homeowner's associations. For existing developed areas, an easement is typically required from adjoining landowners. Waivers in accordance with Article VII may be requested if the developer or landowner can demonstrate hardship or unique circumstances that make compliance with the buffer requirement difficult.
- b. A buffer layer in the City's GIS system has been developed to show buffer limits along streams within the City's planning jurisdiction. The following Buffer widths used to develop the buffer layer for streams, are shown in the following table and are measured from the top of bank as defined in Article II of these subregulations. Buffer widths for ponds, Mobile Bay, jurisdictional wetlands as determined by the Alabama Department of Environmental Management and the Army Corps of Engineers, and any lakes, ponds, and isolated wetlands are also shown in the table. The buffer requirement applies to streams beginning at a point where the drainage area is 100 acres or greater.

Feature	Buffer Width (feet)
Fish River	100
Other Watersheds	50
Mobile Bay	50
Wetlands (Jurisdictional and Isolated)	30
Ponds/Lakes/Isolated wetlands	30

- c. The buffer applies to all properties except those properties that are an existing lot of record and/or included on an approved preliminary subdivision plat (as of appropriate date).
- d. Allowable uses in the buffer include: flood control structures; utility easements as deemed necessary and approved by the Planning Director or his authorized representative; natural footpaths; greenways, paved roadways; pedestrian and bikeway crossings perpendicular to the streamside including

Article V

Planning Design Standards

Section F.

Storm Water Standards

- approaches, dock and ramp access, and other uses as determined by the Planning Director or his authorized representative. All buffer disturbances associated with allowable uses shall be to the minimal extent practicable and all disturbed areas shall be stabilized as soon as possible.
- e. The vegetated target for the buffer shall be undisturbed natural vegetation. Any of the allowable uses shall be designed and constructed to minimize clearing, grading, erosion, and water quality degradation.
 - f. Land in the buffer shall not be used for principal structures and accessories, such as swimming pools, patios, etc. All new platted lots shall be designed to provide sufficient land outside of the buffer to accommodate primary structures. Buffers should be delineated before streets and lots are laid out to minimize buffer intrusion and to assure adequate buildable area on each platted lot. Land within the buffer can serve to meet the minimum lot requirements.
 - g. Buffer impacts are inevitable with development. Modification and mitigation of the buffer width are available to landowners or developers of newly platted lots or subdivisions where there are exceptional situations or physical conditions related to the parcel that pose practical difficulty to its development and restrict the application of the buffer requirements. The landowner or his designated representative may prepare and submit for approval a written request and site plan showing the extent of the impact of the buffer on the proposed project and specify a proposed buffer mitigation plan. The Planning Director or his authorized representative will review and render a decision on the buffer encroachment and proposed mitigation within 30 days after receiving the request. In no case shall the reduced width of the buffer be less than 25 feet. Applicants can appeal the decision of the Planning Director or his authorized representative's decision to the Planning Commission.
 - h. In order to maintain the functional value of the buffer: dead, diseased, or dying trees that are in danger of falling and causing damage to dwellings or other structures may be removed at the discretion of the landowner; debris in the buffer that is a result of storm damage may be removed; and, invasive plant species may be removed if they are replaced by native species. A buffer restoration plan must be approved by the Planning Director or his authorized representative.
 - i. Stream boundaries including each buffer zone must be clearly delineated on all grading plans, subdivision plats, site plans and any other development plans. The outside limit of the buffer must be clearly marked on-site with permanent signs placed every 100 feet prior to any land disturbing activities. Stream and buffer limits must also be specified on all surveys and recorded plats and noted on individual deeds. Buffer requirements must be referenced in property owner's association documents and shall be labeled on the plat.
 - j. When a landowner or his representative obtain permits from ADEM or the Army Corps of Engineers that results in impacting the buffer then approved mitigation of these impacts based on the permit conditions supersede the applicable components of the buffer requirements in areas covered by the permit. The buffer requirements for areas not covered by the permit shall be applicable to the remainder of the proposed development site.



Figure 47 Sub Regs Buffer Regulations

BMP # 2: Zoning Ordinance: available on-line for the public to view. Construction, development and re-development standards for stormwater are listed here.

a. Stormwater Management Standards:

www.cofairhope.com/departments/planning-and-building/publications-and-forms

b. Pervious Paving: For projects requiring more than 8 parking spaces, a 25% minimum pervious paving material requirement is written into the Zoning Ordinance (January 2012)

c. LID Component:

Compact Car Parking Requirement:

Compact car parking spaces shall be a minimum of 30% of the required parking spaces and no more than a maximum of 40% of the required parking spaces. Compact car spaces shall be grouped together to the greatest extent possible. Compact car spaces shall be designated by paint at the entrance of the parking stall.

Parking Dimension and Size:

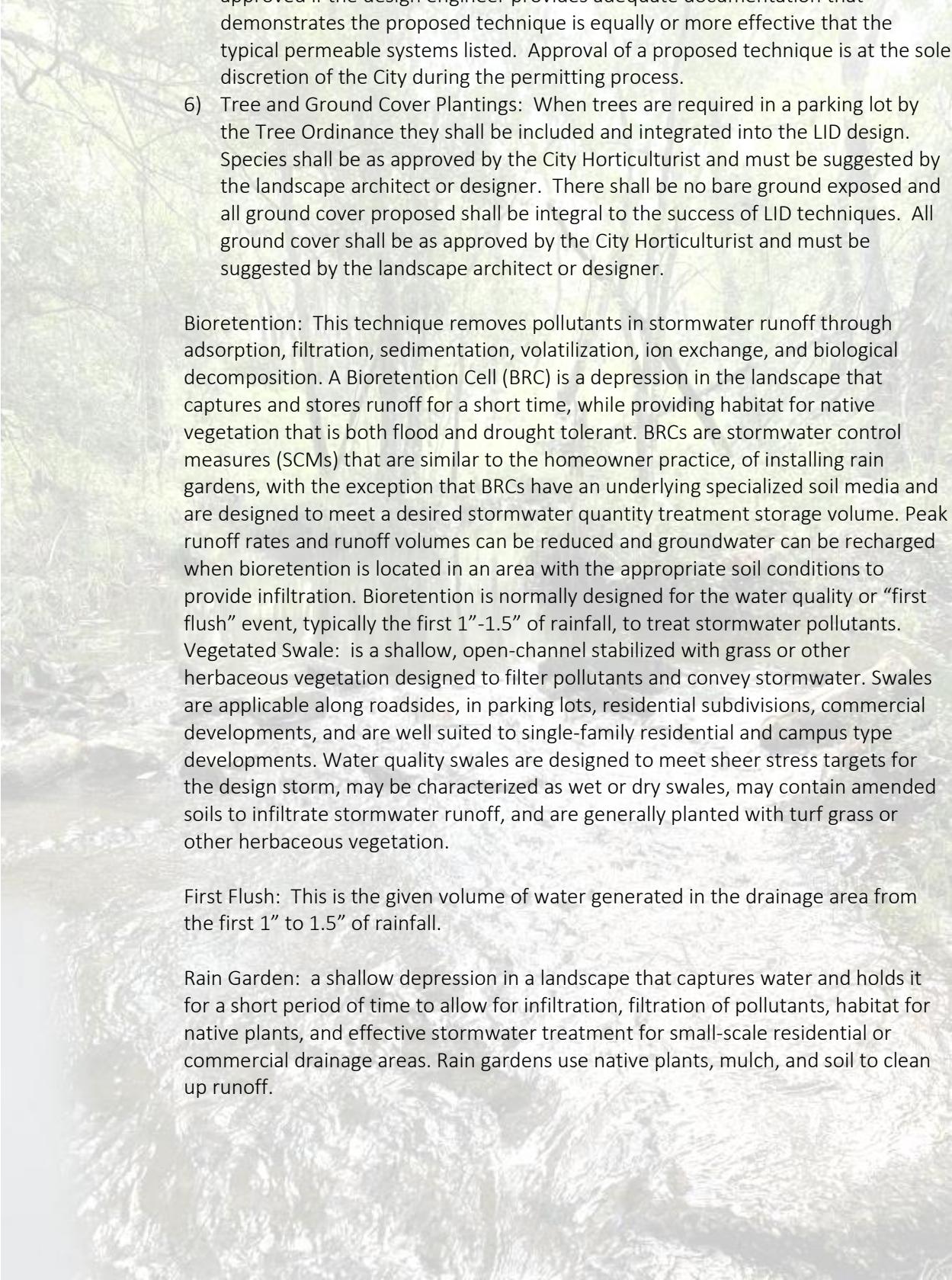
- 1) Standard parking lot dimensions
- 2) Compact car parking dimensions

	<u>90°angle</u>	<u>60°angle</u>	<u>45°angle</u>
width	8'	8'	8'
depth	15'	16.8'	16.5'

Low Impact Development (LID) Parking Requirements

Landscaping is required for all parking lots. The interior parking lot landscaping requirements shall use LID techniques and be designed by an Alabama licensed Professional Engineer and an Alabama licensed Landscape Architect or designer. The following LID techniques shall be used in the interior of all parking lots containing 12 or more parking spaces. The LID parking requirement landscape plan will be reviewed in accordance with the Tree Ordinance. Any landscaping plan submitted in accordance with this subsection shall include technique 5 below and at least one of the other following techniques:

- 1) First Flush Treatment: The LID landscaping design shall be sized appropriately to treat the first one inch of runoff into the receiving parking lot LID area.
- 2) Bio-retention.
- 3) Rain Garden.
- 4) Vegetated Swale.
- 5) Permeable Pavement Systems: Permeable pavement systems are a required LID technique. 100% of parking provided over and above the minimum parking requirements shall be permeable pavement systems. Typical systems are brick pavers, pervious asphalt, and pervious concrete. Other systems may be



approved if the design engineer provides adequate documentation that demonstrates the proposed technique is equally or more effective than the typical permeable systems listed. Approval of a proposed technique is at the sole discretion of the City during the permitting process.

- 6) Tree and Ground Cover Plantings: When trees are required in a parking lot by the Tree Ordinance they shall be included and integrated into the LID design. Species shall be as approved by the City Horticulturist and must be suggested by the landscape architect or designer. There shall be no bare ground exposed and all ground cover proposed shall be integral to the success of LID techniques. All ground cover shall be as approved by the City Horticulturist and must be suggested by the landscape architect or designer.

Bioretention: This technique removes pollutants in stormwater runoff through adsorption, filtration, sedimentation, volatilization, ion exchange, and biological decomposition. A Bioretention Cell (BRC) is a depression in the landscape that captures and stores runoff for a short time, while providing habitat for native vegetation that is both flood and drought tolerant. BRCs are stormwater control measures (SCMs) that are similar to the homeowner practice, of installing rain gardens, with the exception that BRCs have an underlying specialized soil media and are designed to meet a desired stormwater quantity treatment storage volume. Peak runoff rates and runoff volumes can be reduced and groundwater can be recharged when bioretention is located in an area with the appropriate soil conditions to provide infiltration. Bioretention is normally designed for the water quality or “first flush” event, typically the first 1”-1.5” of rainfall, to treat stormwater pollutants.

Vegetated Swale: is a shallow, open-channel stabilized with grass or other herbaceous vegetation designed to filter pollutants and convey stormwater. Swales are applicable along roadsides, in parking lots, residential subdivisions, commercial developments, and are well suited to single-family residential and campus type developments. Water quality swales are designed to meet shear stress targets for the design storm, may be characterized as wet or dry swales, may contain amended soils to infiltrate stormwater runoff, and are generally planted with turf grass or other herbaceous vegetation.

First Flush: This is the given volume of water generated in the drainage area from the first 1” to 1.5” of rainfall.

Rain Garden: a shallow depression in a landscape that captures water and holds it for a short period of time to allow for infiltration, filtration of pollutants, habitat for native plants, and effective stormwater treatment for small-scale residential or commercial drainage areas. Rain gardens use native plants, mulch, and soil to clean up runoff.

BMP # 3: Pervious Paving material is used in City projects where applicable. Past projects include sidewalks at Boothe Road Extension, Fairhope Police Station, Bancroft Avenue, Volanta Avenue, Knoll Park, Quail Creek, Section Place and Faulkner Community College Campus. In 2021, a portion of permeable walkway was repaired/replaced at Henry George Park in Fairhope.

BMP # 4: Stormwater Projects: The City of Fairhope Public Works Department completes several stormwater projects annually. In 2021, Public Works completed six (6) stormwater projects in the Fly Creek, Big Mouth Gully, Volanta and Cowpen Creek Watersheds. These projects are discussed in Section 2.4.

BMP # 5: Stormwater Facility Inspection Requirement (Annual requirement and 5-year inspection requirement): The O & M and stormwater regulations set forth in the subdivision regulations require developers / property owners to visually inspect stormwater facilities periodically. Furthermore, the O&M requirements call for a professional assessment every 5 years. This report is sent to the City of Fairhope Planning and Zoning Department. Planning and Zoning Code Enforcement tracks the 5-year requirement. The City of Fairhope is responsible for assessing 20-25% of all outfalls yearly, as per the City of Fairhope dry weather screening requirement discussed in Section 4, Illicit Discharge Detection and Elimination. From the Subdivision Regulations:

STORMWATER CHECKLIST		
<p><i>Article V, Section F.3.a.(3)(a)(2) Storm Water Standards – Submittal Requirements - Minimum Requirements- Erosion and Sediment Control Plan</i></p> <p>(2) An Erosion and Sediment Control Plan which includes, but shall not be limited to:</p> <p>(a) Architectural and engineering drawings, maps, assumptions, calculations, and narrative statements as required to accurately describe the development and measures taken to meet the objectives of storm-water management;</p> <p>(b) Data on historical runoff, developed runoff, detention pond details, and method of discharge.</p>		
<input type="checkbox"/> N/A	<input type="checkbox"/> Accepted	<input type="checkbox"/> Revise and Resubmit per comments
Comments:		
<p><i>Article V, Section F.3.a.(3)(a)(3) Storm Water Standards – Submittal Requirements - Minimum Requirements- Operations and Maintenance Plan</i></p> <p>(3) Operations and Maintenance (O&M) Plan and Agreement for maintenance of detention facilities and other storm water quantity and quality BMPs during development and documents providing for continued inspection and maintenance after completion of development and sale of all lots, such documents running as a covenant with the lands.</p> <p>(a) An Operations and Maintenance (O&M) Agreement signed by the developer or owner for any required detention facilities or other storm water quantity and quality BMPs must be submitted with the maintenance plan prepared by the design engineer for each BMP. The maintenance plan must include a description of the storm water conveyance system and its components, inspection priorities, schematics for each BMP, and inspection schedule for each water quantity and quality BMP. The O&M Agreement must be recorded prior to final plans approval. If the final configuration of the storm water system or BMPs differs from the original design on the approved plans, the O&M Agreement must be revised, finalized, and rerecorded. Failure to follow the O&M Agreement could result in enforcement action.</p> <p>(b) The long-term maintenance plan within the O&M Agreement contains the inspection priorities and schedule for the storm water BMPs. The owner is responsible for inspecting the storm water system and BMPs according to the schedule and submitting reports to the Planning Director or his authorized representative every three (3) years to document that inspections have been completed and necessary maintenance has been performed. The first inspection report is due December 31 of the third year after construction has been completed. Inspection reports are then due by December 31 of every third year following submittal of the first report. The Planning Director or his authorized representative must be notified of any change in ownership. Failure to file the three year inspection reports and perform required maintenance activities could result in enforcement action.</p> <p>(c) Prior to the full release of the performance bond for any new or substantially improved storm water facilities, an Alabama registered engineer shall submit to the Planning Director or his authorized representative certification that the proposed storm water management system and BMPs for the development are complete and functional in accordance with the approved plans and shall also provide as-built drawings for the storm water management systems and BMPs.</p>		
<input type="checkbox"/> N/A	<input type="checkbox"/> Accepted	<input type="checkbox"/> Revise and Resubmit per comments
Comments:		

Figure 48 Fairhope Subdivision Regulation Stormwater Checklist

BMP # 6: Creek / Shoreline Assessment by Kayak: The Planning and Zoning Department staff conducts creek or shoreline assessment (by kayak) of a priority area, annually. Target items are negative impacts of recreational activity, drainage, erosion and sedimentation (manmade or otherwise), and drainpipes dumping into the body of water (privately owned and city owned pipes/conveyance systems). In July 2021, Fairhope Planning and Zoning staff / Fairhope Docks staff conducted a 1.5 mile kayak paddle of Fly Creek from Fairhope Docks to Mobile Bay, south to the Fairhope municipal pier. Three MS4 bay outfalls were assessed along the way. Piers (private and municipal) were also assessed for fishing line, and entanglements were cut off and removed where observed.

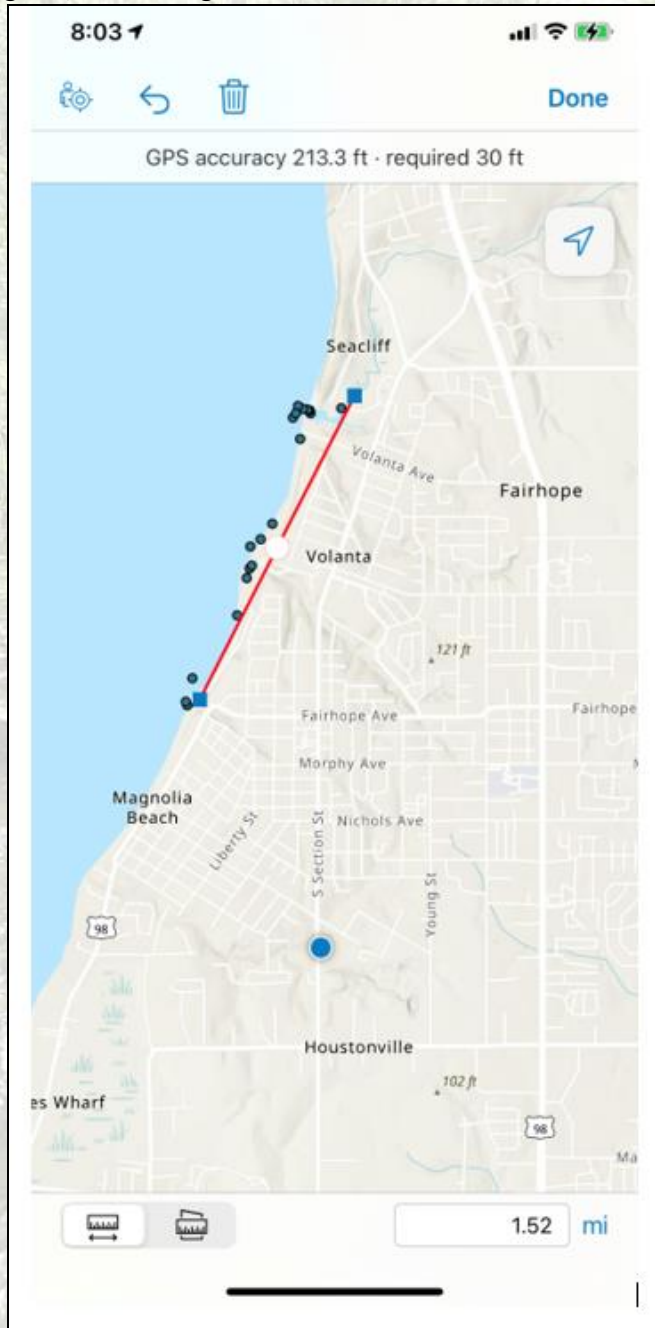


Figure 49 Kayak Assessment Area, Fly Creek and Mobile Bay shoreline: July 2021. “Collector” app was used to collect points of interest.

Details of kayak assessment for 2021:

- **July 13, 2021: 8:30 a.m. Fairhope Docks: Kim Burmeister, Sean Saye**
- **MS4 shoreline kayak assessment- Measurable Goal complete 2021: Paddled from Fly Creek to Mobile Bay, south to Municipal Pier. Observations:**
 - Fairhope Yacht Club dredging project underway; spoils being contained in pool near shoreline (verifying with USACOE)
 - Monofilament line removal under piers (we collected and disposed of properly)
 - G-dock needs repair (Sean Saye is aware)
 - Purple martin houses need repair (Mayor is working on project to rebuild)
 - Jetties need wood debris removed (Sean is aware)
 - Four bay outfalls: Volanta, Big Mouth Gully and Stack Gully watersheds
 - Project along the bluff, 459 North Mobile Street, Trey Davis (Building Dept. is aware)
 - Located osprey platform and nest in the bay at 1 Gayfer Court (shared pictures with Mark Berte)
 - Three ospreys along the shoreline near Gayfer Court osprey nest, in pine trees- wooded area at end of Gayfer Court. Fairhope has at least one last frontier of pine forests along the bay in the city limits. This is between North Beach Park and North Mobile Street. City Park/right of way transects some of this property. Preservation of pine forested wooded areas is important for ospreys and similar species.
 - **Wildlife: crabs on pylons; black skimmers, ospreys, sea gulls, pelicans**



Figure 50 Launch site was Fairhope Docks



Figure 51 Damaged piers and dredging projects were observed and reported to applicable persons. Recreational activities were observed.



Figure 52 Undeveloped shoreline north of North Beach Park appears to be an important Osprey habitat area



Figure 53 Bay outfall at duck pond (North Beach Park) was visually assessed and may be considered for retrofit in future



Figure 54 Bay outfall at Gayfer Court was visually assessed



Figure 55 Bay outfall at Volanta was visually assessed

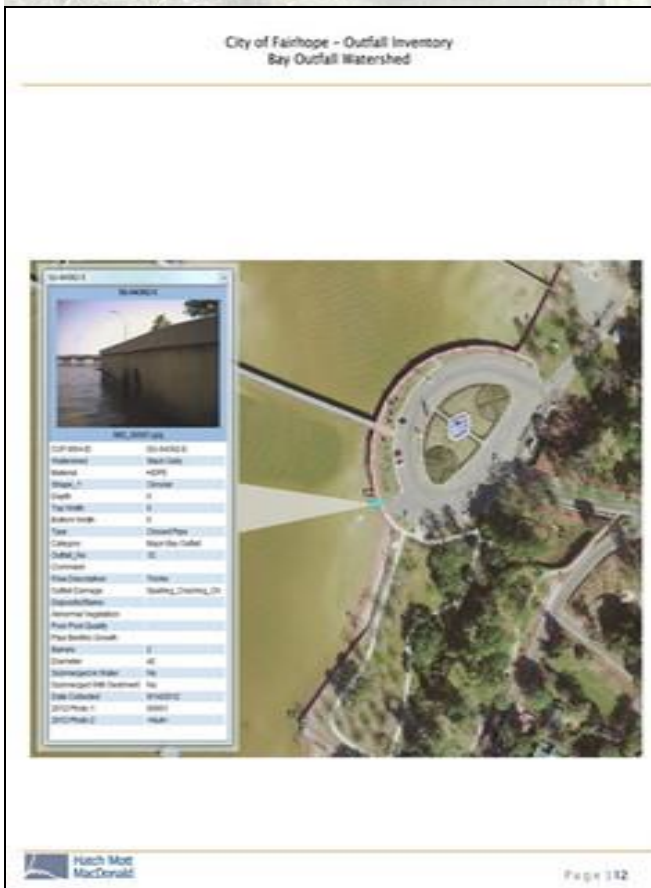
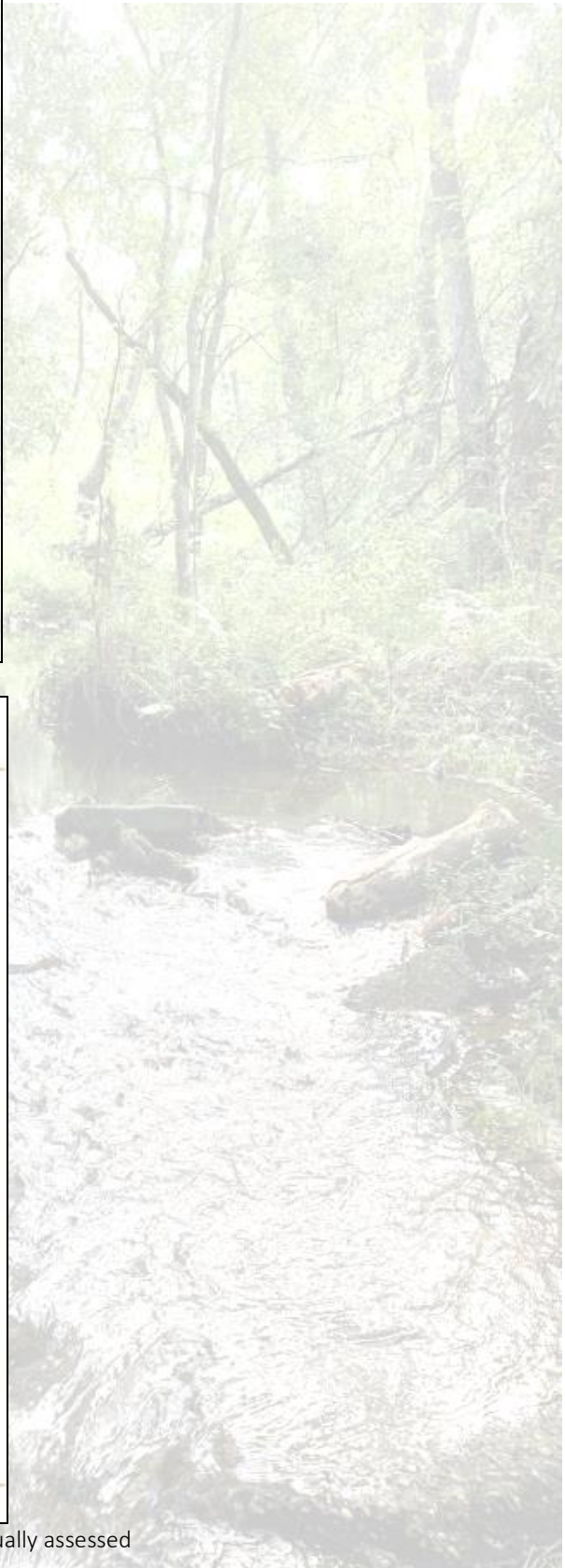


Figure 56 Bay outfall on south side of municipal pier was visually assessed

BMP# 7: Standard Courtesy Letter to Property Owners: In 2012, the Planning Department, in conjunction with the Public Works Department, developed a standard letter to be sent to property owners (including Property Owners Associations) of potentially non-compliant or failing stormwater facilities (detention ponds, etc.). This has proven to be an effective means of notifying property owners of downstream impacts, and potential liability issues, especially with subdivisions built prior to 2007 (which are exempt from the O & M plan requirement). The City Planning and Zoning Department / Public Works Dept. sent out seven (7) courtesy letters triggered from the outfall assessment and two letters triggered by observations / complaints.



Figure 57 Outfall from 2021 inspection needing sediment removal (Cowpen Creek)

BMP# 8: Annual email of HOA Stormwater Guide:

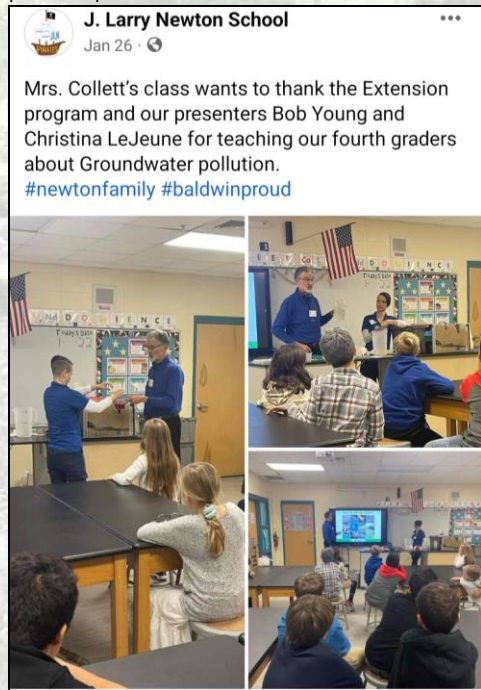
Planning and Zoning Dept. sends out this stormwater facility maintenance guideline brochure to subdivision contacts on the “Subdivision Contact” list to remind property owners of their requirement to visually inspect stormwater facilities annually.

➤ **Post Construction Stormwater Measurable Goals:**

Measurable Goals – Recap For 2021

1. **Creek/Shoreline Assessment by Kayak**
Responsible Department: Planning and Zoning
Status: Complete (July 2021)
Comments: Planning and Zoning Department staff (Planner and Code Enforcement Officer) and Fairhope Docks manager conducted a kayak assessment of Fly Creek from Fairhope Docks to Fairhope Municipal Pier to assess four (4) bay outfalls, look for bluff construction projects, view environmentally sensitive areas and remove fishing line entanglement from piers. Planning and Zoning and Fairhope Docks staff conducted the paddle inventory of 1.5 miles of Fairhope MS4 shoreline.

2. **Master Environmental Educator Program Participation**
Responsible Department: Planning and Zoning Department
Status: Complete (March 2022)
Comments: Planning and Zoning Staff is a certified Master Environmental Educator and attended fourteen (14) classes in Baldwin County in the 2021 permit period.




3. **Post Construction Stormwater Facility Maintenance support for HOAs**
Responsible Department: Planning and Zoning Department / Public Works Dept.
Status: Complete (December 2021)
Comments: Planning and Zoning Department Administrative Assistant sent out the HOA stormwater maintenance brochure December 10th, 2021. These were sent to Fairhope subdivision groups listed on the subdivision contact list, roughly 100 HOA contacts.

Measurable Goals for 2022:

- 1. Creek/Shoreline Assessment by Kayak**
Responsible Department: Planning and Zoning
Due: December 2022
Comments: Planning and Zoning Department staff (Planning and Zoning Code Enforcement Officer) shall conduct a shoreline assessment of all or part of the City of Fairhope MS4 area.
- 2. Master Environmental Educator Program Participation**
Responsible Department: Planning and Zoning Department
Due: December 2022
Comments: Planning and Zoning Staff is a certified Master Environmental Educator (MEE) and shall participate in at least one MEE class event in Baldwin County annually.
- 3. Post Construction Stormwater Facility Maintenance support for HOAs**
Responsible Department: Planning and Zoning Department / Public Works Dept.
Due: December 2022
Comments: Planning and Zoning Department will send out email information to subdivision groups on stormwater facility maintenance and O&M requirements. Suggested media to use is the HOA Guide to Stormwater Detention Pond Maintenance.

A HOMEOWNER GUIDE TO STORMWATER DETENTION POND MAINTENANCE



INDEX OF DEFINITIONS

Storm Water: any water that runs over the surface before it reaches a waterway. This can be runoff from parking lots, streets, roofs, and other impervious surfaces.
Impervious surface: any material that does not allow rain to enter into the soil.
Wet detention pond: a pond designed to have a permanent pool of water during normal conditions. The pond only releases water during heavy rainfall events.
Dry detention pond: a pond that will normally not have standing water, except for a short time after a large storm event.
Inlet: the mechanism that allows water into the stormwater basin or pond. Usually a pipe, ditch, or swale.
Outlet: the structure that controls the rate of release from the pond and the water depth and storage volume in the pond.
Outfall: the point where collected stormwater reenters a natural waterway.
Rip rap: rock material typically used to stabilize conveyance channels.
Emergency spillway: discharges excess stormwater during substantial runoff events.
O&M: Operations and Maintenance.

IF YOU HAVE SOMETHING LIKE THIS ON YOUR PROPERTY, OR IN YOUR SUBDIVISION, THIS GUIDE IS FOR YOU!

Stormwater detention areas are built to safely hold stormwater that runs off from impervious surfaces during heavy rain events. This reduces the flow into rivers and streams during storms, and decreases flooding. Unfortunately, if these structures are not inspected, maintained, and managed correctly, they can actually increase flooding, cause a safety hazard, and negatively affect property values. As a homeowner or member of a Home Owners Association you have a responsibility to keep your pond in good working condition. This guide and checklist will help you to ensure that your stormwater structure is able to handle our rainy Gulf Coast seasons.

WHY SHOULD YOU BOTHER TO MAINTAIN YOUR POND?

- When rainfall runs over impervious surfaces it does not have time to soak into the ground, so it ends up entering our waterways in large quantities. This often results in increased flooding that can damage homes, businesses, and roads.
- Stormwater runoff is a big source of water pollution in our area. Everything that sits on our roads and parking lots, eventually runs into our streams and rivers with rainfall. Stormwater ponds allow some of these pollutants to settle out and filter through the ground.
- Well maintained ponds can actually be an aesthetically pleasing addition to a neighborhood. In addition, they can provide habitat for native species of birds, reptiles, and amphibians.
- There can be legal consequences of not properly maintaining your stormwater detention facility.

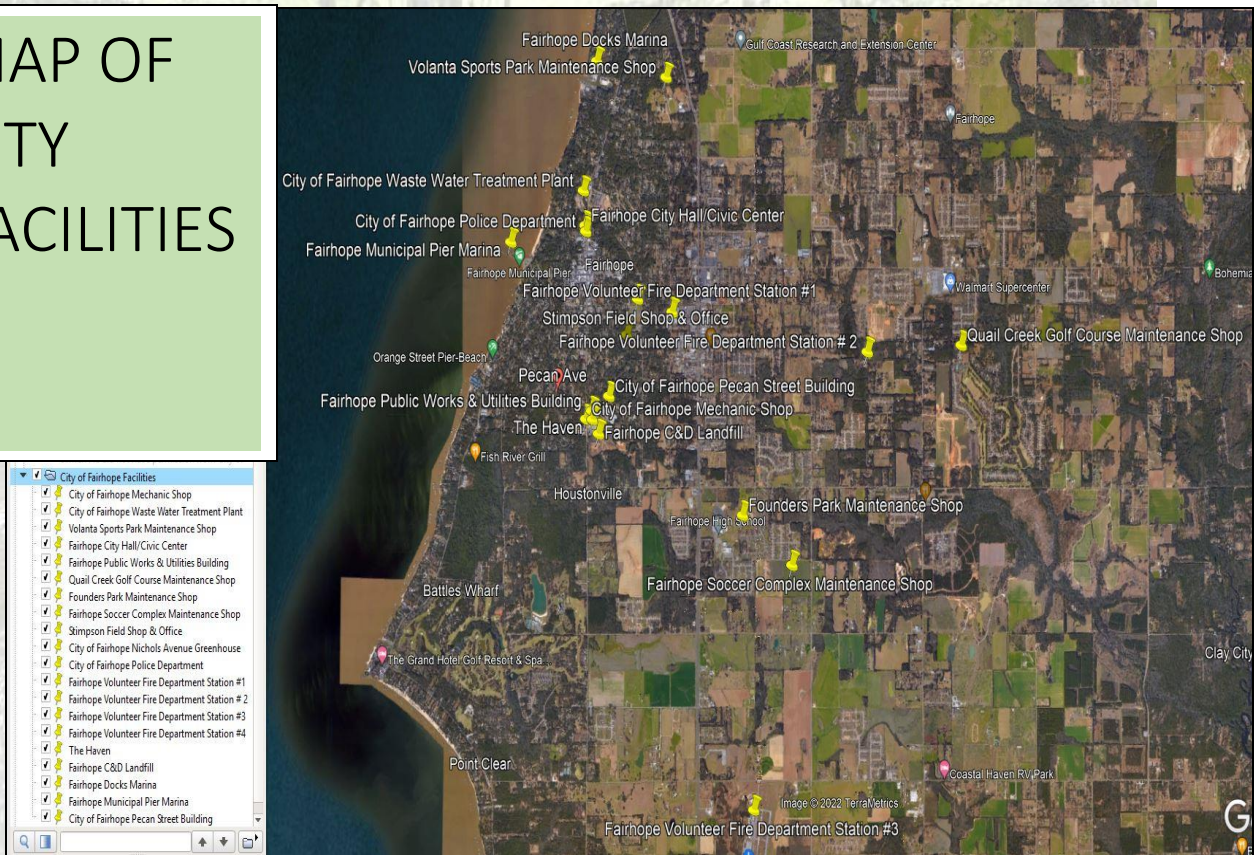
Provided by the Weeks Bay Foundation and the Weeks Bay National Estuarine Research Reserve
Through collaboration with the Coastal Training Program and local municipalities

Figure 58 HOA guide to stormwater facility maintenance

7.0 MINIMUM CONTROL MEASURE # 5: POLLUTION PREVENTION / GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

- **Requirements:** Develop and implement an operations and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; Using training materials that are available from EPA, the State, or other organizations, include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet building maintenance, new construction and land disturbances, and stormwater system maintenance.
- **Responsible Persons:** Planning and Zoning Department; Building Department; Public Works Department; Golf Course; Recreation Department; Utility Department Director; Special Events and Grants Manager; Director of Community Affairs; Police Department; Volunteer Fire Department; Mechanic Shop; City Hall; Fairhope Docks Manager

MAP OF CITY FACILITIES



➤ **Rationale Statement:** The City of Fairhope has many departments within its own authority. City facilities include (and separate State or County permit number, if applicable):

- Mechanic Shop (ADEM Permit # AL0000324764)
- Wastewater Treatment Plant (ADEM Permit #AL0020842)
- Golf Course (Quail Creek)/ Maintenance Shop
- Recreation Department
 - Founders Park / Maintenance Shop
 - Fairhope Soccer Complex / Maintenance Shop
 - Volanta Sports Park / Maintenance Shop
 - Stimpson Field
- Public Works Department
 - C & D Landfill (ADEM Permit # 02-07)
 - Transfer Station (Health Dept. Permit # 05-TS-002)
 - Recycle Center
 - Greenhouses (Nichols Avenue; City Warehouse)
 - Mosquito Control Operations: ADEM Reg. # ALG870037
- Public Works and Utilities Building:
 - Planning and Zoning Department
 - Building Department
 - Utilities Barns (Gas, Water, Electric)
 - Public Works Department:
 - Recycling
 - Transfer Station (ADEM Permit # 02-07)
 - Mosquito Control Operations (ADEM Reg. # ALG870037)
 - Greenhouse
- Greenhouse – Nichols Avenue
- Police Department
- Volunteer Fire Department:
 - Station #1: 198 S. Ingleside Drive
 - Station #2: 19875 Thompson Hall Road
 - Station #3: 8600 CR 32 (Airport)
 - Station #4: 7752 Parker Road
- City Hall / Civic Center
- The Haven (Animal Shelter)
- City Marinas (Fairhope Docks @ Sea Cliff Drive & Fairhope Pier)
- Pecan Street (East): Symbol Clinic; City Storage; future city offices

POLLUTION PREVENTION / GOOD HOUSEKEEPING, CONTINUED:

All department supervisors are responsible for pollution prevention / good housekeeping in each respective department, and have been given assessment guidelines for their facility, regarding stormwater compliance. A Standard Operating Procedure (SOP) for municipal activities was revised in 2018 to specify that:

- a. Pesticide/herbicide containers must go in the garbage waste stream and not in the municipal landfill (C&D).
- b. Vehicle tire wash area is for rinsing tires and tracks only

The City of Fairhope continues to use the “Create a Clean Water Future” campaign as an aid in our litter campaign. In March, Planning and Zoning Department staff attended a Create a Clean Water Future meeting at the Mobile Bay NEP office to brainstorm with other partners on expansion of the program. Media associated with this campaign (“Understanding your MS4 Program”) was used in the January 2022 Planning Commission meeting to familiarize residents and the Planning Commission on the municipal stormwater program. Create a Clean Water Future stickers are on many of the city fleet and supervisor vehicles, as well as Code Enforcement business cards.

The Code Enforcement Officers and Sanitation Officer monitor shop areas, to ensure compliance with the City of Fairhope IDDE program. The City of Fairhope provides garbage, trash and recycling pickup weekly (garbage twice weekly), and this aids in keeping our storm drains clean.

The City of Fairhope Mosquito Control program is a seasonal spray program using a Cedar Oil based spray dispensed roadside from a city pick-up truck. The City of Fairhope Public Works Department sprays areas in the city limits weekly during mosquito season. The City of Fairhope Public Works Department maintains a “no spray” list for those residents who prefer not to have their respective right of way areas sprayed. Source control is encouraged.

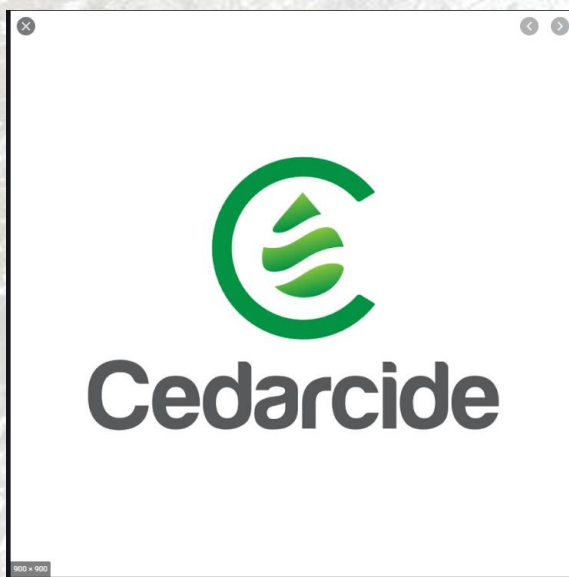


Figure 59 City of Fairhope uses Cedarcide for mosquito control, a non-toxic spray

FAIRHOPE DOCKS MARINA

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Fairhope Docks - 848 Sea Cliff Drive, Fairhope, AL 36532

A free kayak launch is located for at the Fairhope Docks Marina for usage by residents and visitors.

Fairhope Docks, located on Fly Creek at the end of Sea Cliff Drive, is owned and operated by the City of Fairhope which is undertaking a major renovation of the facility. The marina has covered and open slips, as well as a new fuel dock and pump out station. Full bathroom and laundry facilities are available. Fairhope Docks offers long-term slip leases as well as transient slips. Please call the Marina Manager at 251-929-0365 for slip availability and rates.

April 1 - November 1

Office	7-7
Fuel Docks	7-7

November 1 - April 1

Office	7-5
Fuel Docks	7-5

*Closed certain holidays (Thanksgiving, Christmas, New Year's Day, etc.), severe weather and hurricane watch/warning

*For after hours reservations for slips visit Dockwa.com

*For after hours fueling reservations call 251-929-0365 and leave message. We will return your call as quickly as possible

The City of Fairhope owns two marina areas: Fairhope Docks at the end of Sea Cliff Drive on Fly Creek and the Fairhope Municipal Pier. There is a marine pump out on site at each location. At Fairhope Docks--managed by the City of Fairhope--the pump out was used about seventy-four (74) times in the program period. The pier pump-out is privately managed. There is no vessel maintenance or repair offered at either marina at this time. Fairhope Docks is city managed. Stormwater management is continually being improved at the Fairhope Docks marina, including with parking lot / bulkhead project upgrades in 2021, mentioned in Section 2.4. The manager is part of the two-person team sampling for pathogens at Fairhope Docks monthly through the Alabama Water Watch program. Results are posted on-line. [Alabama Water Watch \(auburn.edu\)](http://AlabamaWaterWatch.auburn.edu).

➤ **BMPs for compliance of pollution prevention / good housekeeping:**

1. BMP#1: Employee Meetings
2. BMP#2: Environmentally Sensitive Pest Management
3. BMP#3: Waste Management Program (Garbage, Trash, Recycling, Household Hazardous Waste)
4. BMP#4: Street Sweeper
5. BMP#5: Storm Water Project work by City Employees
6. BMP#6: *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama*, by Alabama Soil and Water Conservation Committee and Partners
7. BMP#7: Dedicated Wash Racks for Vehicles
8. BMP #8: SOP for Municipal Activities

BMP # 1: Employee Meetings: Employee meetings are held throughout the year in the utility and Public Works department, and housekeeping items are commonly addressed. Public Works and Planning Department have weekly meetings with staff.

BMP # 2: Environmentally Sensitive Pest Management Program:

a. Certified Pesticide Applicators: Pesticide, herbicide and fertilizer application is overseen by certified applicators, in the Public Works and Golf Course. Five employees within the City of Fairhope are certified through the State of Alabama Department of Agriculture and Industries as certified pesticide applicators. This specialized training ensures that pesticide, herbicide and fertilizer application on City property is done in accordance with manufacturer's recommendations in the most environmentally friendly method possible. Applicator license (3 year) certifications include:

1. Public Works, Landscape Supervisor #2000246 Exp. 10/28/23
2. Public Works, Landscape staff #2004627 Exp. 7/28/2023 (JH)
3. Public Works, Landscape staff #2000246 Exp. 7/28/2023 (JR)
4. Golf Course Grounds Supervisor: New hire in 2021 will acquire in 2022
5. Parks and Recreation Director #2004867 Exp. 10/28/2023

b. Mosquito Control Program / Source Control: The City of Fairhope Mosquito Control program is a seasonal spray program using a Cedar Oil based spray dispensed roadside from a city pick-up truck. The MSDS for the cedar oil spray is available on the city website:

[636041749306670000 \(fairhopeal.gov\)](https://www.fairhopeal.gov/636041749306670000)

The City of Fairhope Public Works Department sprays areas in the city limits weekly during mosquito season. The City of Fairhope Public Works Department maintains a "no spray" list for those residents who prefer not to have their respective right of way areas sprayed. Source control is highly encouraged.

MOSQUITO CONTROL

Font Size: [+](#) [-](#) [+](#) [Share & Bookmark](#) [Print](#)

You can now open a ticket with us through our [Fairhope 311](#) ticket system.

Residents of Fairhope know that living with mosquitoes is a reality. This means we need to do things around homes and yards to reduce the chance of mosquito bites or mosquito born illnesses such as Enciphalitus or West Nile Virus.

When a resident calls us about a mosquito complaint, we usually come out and walk around the yard. Within one (1) to one hundred fifty (150) feet we will find the source of the problem. Most all times, we find standing water.

The easiest thing to rid your problem is what is commonly called "source control" or eliminating places for the mosquito to lay eggs and grow to a biting adult. Keep your property free of standing water. Make sure any standing water, no matter how small (A Magnolia leaf is known to have enough water to breed Mosquito's) is changed every three days. On the fourth day, the eggs are hatching and you have a biting mosquito. Empty stagnate water from outside containers. Keep in mind that if .01"-6" stays stagnate, you have created a breeding spot for mosquitos. If you collect rainwater for use around the garden, screen the opening or keeping the water agitated can be the answer. Small or large ponds can be aerated which creates a ripple on the water. In this moving, agitated environment, mosquitos are least likely to breed.

The City of Fairhope Public Works Department website has a link to a great publication from the Alabama Cooperative Extension Service to help you learn about easy to do things to reduce mosquitoes in our city:

<http://www.aces.edu/pubs/docs/A/ANR-1116/ANR-1116-low.pdf>.

If emptying the pond water is not an option, consider Gambusia Fish. These fish are natural predators for the larvae. Martins and Bats are also natural predators for the mosquito.

There are also many pesticide alternatives from home treatments to commercial services. If you choose to use pesticide treatments, read the label on any and all home treatments to avoid exposure of family members, pets and useful insects to harmful chemicals. Follow the manufacturer's instructions for use and disposal.

City of Fairhope Spray Program

The applications of pesticides are made only when necessary by determining a need and showing justification for spray action. Generally the spray treatment for mosquitoes starts after several complaints, weather temperature or rainfall. Standard practice for the mosquito technician before he begins spraying is to treat areas with larvicide tablets for source control. We do use Gambusia fish or larvicide tablets. We treat drainage ditches, low lying ponds or other areas where water stands. The normal spray months for the adult mosquito are from May to the first week of November. We spray all streets owned by the City of Fairhope in the city limits of Fairhope once a week for mosquitos. The spray times are when the mosquito is most likely to be affected, in the early morning hours and in the afternoon hours each day. Fairhope currently sprays a cedar oil based product which is a chemical free solution. Cedar oil is an environmental friendly product that can be used around humans, pets and wildlife. We also keep a "No Spray List" of residents who choose not to have the service near there address. This list is compiled into a log and kept in the truck with the technician. If a citizen wishes to be added to the "No Spray List" they should contact Public Works at 251-928-8003.

[Cedar Oil MSDS Sheet \[PDF\]](#)

Figure 60 Mosquito Spray program information

<https://www.fairhopeal.gov/departments/public-works/streets-and-construction/mosquito-control>

BMP # 3: Waste Management Program:

Garbage, Trash and Recycling Pickup: Recycling is picked up weekly, curbside for residents and commercial businesses. In FY 2021:

- a. 824 tons of recyclable materials (paper, cardboard, glass, plastic, metals and e-waste).
- b. 4,256 tons of yard waste and other bulk trash was removed from City right of ways. This is a weekly service for Fairhope residents, contributing to keeping the storm drains clean. The City has a yard waste pile (at 555 South Section Street) for mulching, grinding or land reclamation efforts. Other organic material is deposited in the city C&D landfill.
- c. 12,042 tons of garbage were removed from residential and commercial locations in Fairhope. This service is offered by the city at 2 times per week for residents, and up to five times per week for commercial businesses. Garbage is disposed of in Magnolia Springs landfill. There is a drop off site at the Public Works facility for garbage, trash, HHW and recycling.
- d. 600 gallons of HHW were collected and reclaimed through the HHW drop off site at Public Works (Paints, paint thinners, antifreeze, motor oil).
- e. 300 gallons of cooking oil were recycled.
- f. 245 tires were recycled through Baldwin County Solid Waste tire recycling program

Recycling Facility / HHW: The Sanitation Fleet Supervisor (Public Works) is responsible for overseeing these areas are kept clean and ensures there is no illicit discharge from these activities. The Public Works Department is also responsible for hazardous waste management, including storage (HHW drop off and at the Mechanic Shop). Tires, HHW chemicals, motor oils, electronics and anything that could contribute to an illicit discharge is kept covered and contained, to the maximum extent practical. Residents and businesses are encouraged to recycle. Mechanisms for waste management education include *Earth Day was cancelled for 2021 because of the pandemic:

- a) America Recycles Day; E-waste recycling event (November 2021)
- b) City website (www.fairhopeal.com), "Public Works" page

BMP # 4: Street Sweeper: The City of Fairhope Public Works Department owns two street sweepers. Streets are swept daily in the downtown area, removing sediment and debris from the roadways, and storm drains. Other main streets in the City of Fairhope are swept weekly. Periodically, the street sweeper is used to clean vehicle tracking from streets, when contractors are not responsive (in a timely manner) to warnings issued. Contractors are charged a minimal fee of \$300 per hour for this service.

BMP # 5: Project work by City Employees: City departments are required to pull City of Fairhope construction / land disturbance permits (as well as any necessary State and Federal permits) for planned projects; City projects are held to the same standards as other projects. The Code Enforcement Officers (Planning and Zoning Department) and the Building / Right of Way Inspectors (Building Department) ensure that erosion and sediment control on construction projects are done in accordance with City of Fairhope BMP standards (which follow the *Alabama Handbook*). In 2020, a right of way inspector position was added to the Building Department to oversee right of way projects. In 2021, approximately 148 right of way permits were issued. In the 2021 permit period, the Public Works Department completed or facilitated six (6) stormwater projects within the City limits. These projects are detailed in Section 2.4 “Reporting Requirements”.

Church Street Drainage Project Update



The Church Street drainage project is continuing on that major thoroughfare in the Central Business District. Construction on the first section, from Oak to Magnolia, is wrapping up as work on the second section, from Magnolia to Fairhope Avenue, will soon begin.

This project will include infrastructure upgrades in addition to the new stormwater solutions being implemented. Impacts to the section from Magnolia to Fairhope Avenue are expected through the summer.

Thank you for your patience as we continue to improve our City!

Figure 61 City Sketches, June/July 2021

BMP # 6: Field Guide for Erosion and Sediment Control on Construction Sites in Alabama, by the Alabama Soil and Water Conservation Committee and Partners, is a pocket size pamphlet available to contractors and other permittees on request. Available in the Building Department upon request.

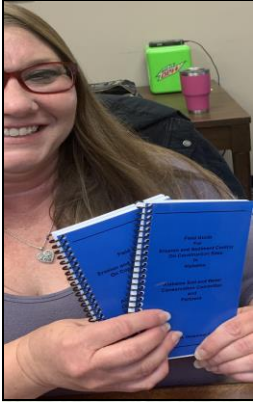



Figure 62 Field Guide available upon request in the Building Dept.

BMP # 7: Vehicle / Equipment Washing: Employees in all departments within the City are instructed to wash vehicles and equipment only in designated areas, which are connected to the City of Fairhope Waste Water Treatment plant. The City currently has seven (7) designated wash rack facilities, which discharge into the Waste Water Treatment plant, within its operation. Wash rack facilities include the main wash rack at *Public Works (555 South Section Street)*, pictured below, the Transfer Station at Public Works, Founders Park Maintenance Barn (Founders Park, Hwy. 44), and car wash facilities at the Police Department (107 North Section Street) and Fire Stations. Fire Station addresses are: Station #1- 198 S. Ingleside Drive; Station #2- 19875 Thompson Hall Road; Station #3- 8600 Highway 32 (Airport); and Fire Station #4- 7752 Parker Road. **Director or department head of each department is responsible for overseeing the proper washing of vehicles and equipment in each department.** The Public Works Department also has a “Tire Rinse” only station (open grate drain) for the rinsing of mud and sediment from bulldozer tracks and equipment tires. This grate drain has a sediment removal basin, which is cleaned out annually by the Public Works Department. There is signage at this basin stating, “Tire Rinsing Only”. Vehicles are not allowed to be washed off here, since this drains directly to Tatumville Gully.



BMP# 8: SOP for Municipal Activities. Public Works Department:



City of Fairhope, Alabama

Date: 11/26/2018

Public Works Department
General employee expectations:
All public works employees attend annual training seminars on our MS4 program, the goals set forth in the program, and the process in place to control sediment runoff. Our employees are the 'eyes' of the city and we greatly rely on them to bring items to the attention of the supervisor or environmental protection officer.

1. Landfill Operations / Sanitation Services

1. Equipment Washing:
 - a. All Garbage trucks are washed or rinsed after each day's use.
 - b. Sanitation Wash Rack is maintained by the city for all city vehicles.
 - c. Hot water pressure wash provided through a gas heating element and pump is utilized.
 - d. Wash rack drains through a grated filter which is tied into the city sewer system.
 - e. Wash rack and grated filter is cleaned daily to remove any particulate debris. A secondary mud wash is located in the landfill yard. It features a fire hose for rinsing mud off of vehicle tracks and tires and drains through a filter which contains the dirt and particulates.
 - f. Mud filter is checked weekly and cleaned as needed.

2. Landfill Household Hazardous Waste Handling and Storage:
 - a. Household Hazardous Waste (HHW) is accepted at the city landfill.
 - b. City residents can bring in items for disposal and must be screened at the guard shack by the gate attendant before proceeding to the drop off area. The gate attendant is trained to review all items to ensure that no prohibited items such as gasoline or propane cylinders are deposited.
 - c. All HHW is contained and stored up on the transfer station. Items include paint, (oil based and latex), paint thinners and varnishes, motor oils, cooking oil, household insecticides, bleach, fluorescent bulbs, batteries, and electronics.
 - d. Items are dropped off and then re poured into empty 55-gallon drums by classification. These drums are sealed and stored inside the covered transfer station on the concrete slab prior to pick up which occurs quarterly or as needed.
 - e. Any spillage is contained by plastic liners under the drums, and any overflow would be captured by the built-in drainage system which is fully captured by the city sewage system.

Figure 63 SOP for Municipal Activities page 1

3. Tires:
 - a. Residents may bring in tires and are charged a nominal fee.
 - b. Tires are stored in a covered shed before being loaded into container boxes or box vans and hauled off to a certified processing facility.

4. Landfill Housekeeping:
 - a. Litter control is maintained daily and weekly by walk through inspections by the certified landfill operator(s).
 - b. Litter collection is maintained by work parties (inmates) collecting misplaced debris and litter weekly.
 - c. All Public Works employees are tasked with the general responsibility to pick up and collect any litter seen in or around the landfill itself.

II Public Works Streets

Street sweeping constitutes the major thrust toward keeping solid debris from entering the City's storm water drainage system, along with solid waste collection during trash pick-up times. To help keep our streets clean and reduce the amount of polluted storm water runoff from entering our waterways, the City operates two street sweepers. The sweepers have a fixed route and schedule.

1. Public Works sweeping plan:
 - a. Downtown and beach areas are swept three times a week; Monday, Wednesday and Friday
 - b. All subdivision and streets built since 1995 are swept once a year between May and October or as needed. They should stay on this schedule until street trees reach a height of twenty foot.
 - c. When street trees planted closer than 70 foot apart and or reach a height of twenty foot or larger, streets inside subdivisions shall be swept every six weeks between November and April. The same streets shall be swept once between April and November or as needed.
 - d. In the Fruit and nut, North Mobile area, Bon Secour area, Colonial acres, Dogwood, Azalea, Wisteria, Sea Cliff, City owned right of way in Montrose, and other heavily forested areas; streets are swept every two weeks between Mid-February and Mid-April or during the Live Oak leaf season drop. These areas are swept monthly in November, December and January and once between November and April or as needed.
 - e. The sweeper dumps litter after sweeping on the city of Fairhope solid waste transfer station for disposal into a solid waste landfill.

Figure 64 Page 2 of SOP for Municipal Activities

2. Public Works Street Materials:

Public Works designed a storm water management plan for the laydown yard. The site has a split drainage plan over the top, creating water flow that is channeled behind the city greenhouses to the North. The Northern channel is captured in underground storage pipes behind the greenhouses. The southern watershed is diverted to the retention pond East of the city warehouse.

- a. Fairhope Public Works maintains the following materials in the Public Works yard: Street rock is maintained in piles in different areas of the Public Works yard. The materials are left openly accessible for vehicles to load and unload. The materials are placed in such a way as not to wash out during heavy rain storms. Due to the nature of the materials it is not considered a potential contaminant for storm water.
- b. Concrete pipe, brick and masonry block are stored in different locations and are not considered hazardous to storm water.
- c. Streets and Construction: During Public Works streets and construction projects along right of way, personnel use BMP plans that call for wattles, hay bales and silt fencing. The plan may be submitted for approval by the building department on large projects. When this plan is submitted, it triggers regular inspections from the environmental officer. After any right of way project is complete, sod or hay mat is installed to prevent erosion. The supervisor for the project is responsible for compliance.

III. Landscape Operations

1. Debris Removal:

- A. Generation of organic landscape debris is handled according to city policy:
 - Crews stack debris to facilitate pick up by city trash trucks or by landscape trailers.
 - Stumps are ground down and picked up the same as regular debris.
 - All debris from trimming and pruning are hauled off daily to city mulch field.
 - City mulch field is area located on the landfill grounds where vegetative debris are deposited, pushed and spread out, covered with dirt and compacted.
 - Only organic vegetative debris is allowed to be placed here.
- B. Roadside litter is collected 5 days per week on the same schedule as mowing, bush hogging, and arm mowing. Dedicated employee rides along the routes and collects any litter present before the area is mowed.

2. Applications of Pesticides and Fertilizers follow the State of Alabama rules and regulations:

- A. All pesticides and chemical fertilizers are stored in original marked containers.
- B. All chemical containers are kept in a locked storage area.
- C. Use is monitored by trained and certified employees for approved application procedures.
- D. All empty containers are triple rinsed when empty.
- E. Disposal of containers will go into the Transfer Station for disposal in Magnolia Springs Landfill (containers, including washed and empty containers. Containers not allowed in the City C&D landfill).
- F. Any spillage or overages are contained and submitted into the city hazardous household waste facility, stored in 55gallon drums, and turned over to an industrial chemical disposal company for destruction.

Figure 65 Page 3 of SOP for municipal activities

➤ Pollution Prevention / Good Housekeeping for Municipal Operations: Measurable Goals

Measurable Goals – Recap For 2021:

1. Department meetings for Pollution Prevention / Good Housekeeping

Status: Complete: January 2022

Comment: The Planning and Zoning Department sent out a memo to all Department Supervisors on February 23, 2022, asking all supervisors to review the SOP for illicit discharges in response to a paint spill downtown.

From: Kim Burnmeister <kim.burnmeister@fairhope.gov>
Sent: Wednesday, February 23, 2022 7:20 AM
To: Erik Cortinas <erik.cortinas@fairhope.gov>; Jason Langley <jason.langley@fairhope.gov>; Richard Johnson <richard.johnson@fairhope.gov>; Jamie Rollins <jamie.rollins@fairhope.gov>; Dale Linder <dale.linder@fairhope.gov>; George Ladd <george.ladd@fairhope.gov>; Earl Ryland <earl.ryland@fairhope.gov>; Jade Fleming <jade.fleming@fairhope.gov>; Wes Boyett <wes.boyett@fairhope.gov>; Hunter Simmons <hunter.simmons@fairhope.gov>; Christina Lejeune <christina.lejeune@fairhope.gov>; Pat White <pat.white@fairhope.gov>; Tim Manuel <tim.manuel@fairhope.gov>; Curtis Cooper <curtis.cooper@fairhope.gov>; Tim Bung <tim.bung@fairhope.gov>; Karen Bung <karen.bung@fairhope.gov>; Mona Schoenrock <mona@scofairhope.com>; Nakeia Hooks <nakeia.hooks@fairhope.gov>
Subject: SOP for Illicit Discharges

Good morning!

Last week a local contractor had a significant paint spill in downtown Fairhope. He failed/refused to clean it up or even address it within 2 hours. Public Works (George) dispatched his guys to clean up the residue and secure the area on South Section Street. The contractor will be billed accordingly.

I wanted to give a shout out to our Water Dept. guys for quickly reporting on the spill. And thanks to Public Works, nothing entered the drain. I also wanted to make a few recommendations on reporting illicit discharges, or potential illicit discharges (if you can pass along to your guys!)

1. Take pictures: not just of the spill but if possible of any likely responsible parties – such as vehicle tags and signs on the work truck
2. If you speak with anyone on site, please get a name and if possible a company
3. Report to Code Enforcement immediately, or call the general number (251) 928-8003 and the operator can find the appropriate person.

This will greatly help Code Enforcement in the event we show up and everyone on site has billed which was the case last week.

Our MSA program requires us to have listed procedures for how we handle illicit Discharges and review these procedures yearly. Please review the SOP we have on file (changes I am recommending for 2023 are in yellow) and let me know if you have any comments or other edits.

Have a great week!

Kim Burnmeister

Figure 66 Good Housekeeping Memo to staff

2. Dry Weather Screening of Public Works Facility

Status: Complete: January 2022

Comments: The Public Works Department Environmental Officer conducted a screening/assessment of the Public Works Facility on January 10, 2022, to ensure materials are being kept covered, and areas are clean.

Report is listed below:



Sanitation Department Review

Date: 01/10/22

To: Kim Burmeister
From: Dale Linder

Subject: Public Works Facility Inspection on 01/10/22
555 South Section Street

1. Transfer Station: All running water and transfer station fluids safely drained and properly contained into sewer pump drainage. No off flow noted into storm water drainage.
2. Tire Storage: Tires under cover of main transfer station. Tires require bulk pick up: Majority transferred over to Baldwin County Solid Waste in Magnolia Springs.
3. Chemical Storage: All chemical drums stored off ground on wooden pallets on the transfer Station before shipping. Covered and protected from rainfall. Drums sent out quarterly or semiannually to licensed chemical destruction company.
4. Glass Storage Bins: Changed in late 2020. Glass stored in 95 Gallon Recycle containers in Recycle Drop off area. Loaded daily and weekly into recycle trucks for transport to the ECUA MRF in Pensacola, Florida.
5. Vehicle Parking: On rock covered parking grids; all vehicles stored as required and no drainage observed from any vehicle fluids. **Added new vehicle parking behind recycle barn; hardpack dirt covered in 3 inches of crushed concrete.**
6. Wash Rack: Correctly drained into sewer sump and culverts with adequate wash water to correctly flow as planned. Drain box covers are specially fabricated and placed over sump box to prevent any material contamination into drainage areas.
7. Recycle Center Bailing Facility: (Pecan St Annex Building Storage Area) All water correctly contained and adequate storm water drainage into correctly placed culverts and storm drains.
8. Scrap Metal Dumpsters: Properly stored on concrete and asphalt foundations with minimal storm water drainage. Improvements added in late 2021: **New concrete slab poured by transfer station loading dock area with all scrap resting on new concrete slab.**
9. Mud Wash Station: Ensure that no Public Works equipment or vehicles are commonly washed off into storm drains, grate drains. Mud rinse for work vehicles only w/ sediment trap in place.
10. Ensure recycling areas are free from discharges into drains. Check for litter daily to ensure no contamination of storm water drainage.
Note: Clean up needed in edge of asphalt next to Transfer Station side wall area. Planned for 01/15/21: Completed in mid-2021.
11. Cooking oil and HHW facility; all materials are stored in leak proof containers located up inside the transfer station itself. Storage areas are free from discharges into storm drains, grate drains. Ensure that any rinsing is done into designated drains at Transfer Station.

Measurable Goals For 2022 (One year):

1. Good Housekeeping / Pollution Prevention memo for all departments

Responsible Department: Planning and Zoning Department

Goal: Create and send out a memo to all departments, reminding employees of good housekeeping or pollution control practices (*Planning and Zoning Code Enforcement*)

Due: December 2022

2. Dry Weather Screening of Public Works Facility

Responsible Department: Public Works

Goal: Conduct dry weather screening of the facility at 555 South Section Street, to ensure rinsing activities are in designated areas; recycle and drop off materials are properly managed and covered; and to ensure Public Works activities are not contributing to illicit discharges (*Sanitation Officer*)

Due: December 2022

3. Recertify Commercial Pesticide Applicators License

a. Golf Course Superintendent: New Hire for 2021: Will acquire in 2022

Two to Five Year Measurable Goals:

1. Recertify commercial pesticide applicators license:

a. Parks and Recreation Director # 2004867 Exp. 10/28/2023 (PW)

b. Public Works, Landscape supervisor #2000246 Exp. 7/28/2023 (JR)



Figure 67 Landscaping activities in Fairhope are overseen by certified Commercial Pesticide Applicators. City's flower beds use manpower for weed control, limiting the use of herbicides.

