

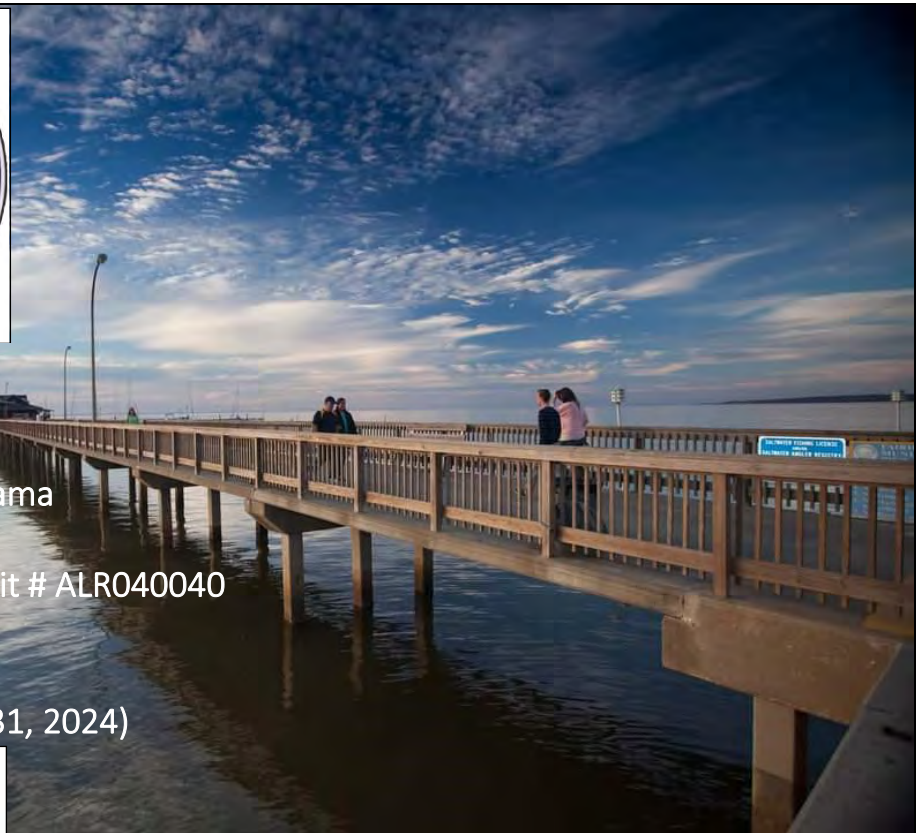


City of Fairhope, Alabama
MS4 Program
Phase II General Permit # ALR040040

2023 Annual Report
(April 1, 2023-March 31, 2024)



Report Prepared By:
City of Fairhope
555 South Section Street
Fairhope, AL 36532



Contents

1.0	Contact List and Introduction	3
1.1	Certification	3
1.2	List of Contacts.....	3
1.3	General Introduction	4
1.4	Background.....	6
1.5	Program Management.....	7
2.0	PROGRAM EVALUATION	8
2.1	Overview of MS4 Program Area.....	8
2.2	Major activities/accomplishments:.....	10
2.3	Program Strengths/Weaknesses:	10
2.4	Future Direction of the Program:	10
2.5	SWMPP effectiveness:.....	10
2.6	Measurable goals not performed:.....	10
2.7	Evaluation of monitoring data:	10
3.0	REQUIREMENTS	11
3.1	Compliance with MS4.....	11
3.2	Monitoring.....	11
3.3	Stormwater Activities.....	11
3.4	SWMPP Changes	12
3.5	Government Entity Alliances	13
3.6	Minimum Control Measures	13
3.6.1	Public Education and Public Involvement on Stormwater Impacts (MCM1)	14
3.6.2	Illicit Discharge Detection and Elimination (IDDE) (MCM2).....	19
3.6.3	Construction Site Runoff Control (MCM3)	28
3.6.4	Post-construction Stormwater Management – New Development and Re-development (MCM4) 35	
3.6.5	Pollution Prevention/Good Housekeeping for Municipal Operations.....	37
	Measurable Goals For 2024:	42

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.

Sherry Sullivan, Mayor

Sherry Sullivan, Mayor

Name and Title (type or print)

Sherry Sullivan

Sherry Sullivan, Mayor (Signature)

5/30/2024

Date

1.2 List of Contacts

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

Phone: (251) 928-2136

Contact
Person: Ms. Nicole Love
City of Fairhope
161 North Section Street
Fairhope, AL 36532

Phone: (251) 517-5011 x134

1.3 General Introduction

The City of Fairhope operates under the MS4 Phase II General Permit ALR040040. The MS4 2023 Annual Report reporting dates are April 1, 2023, through March 31, 2024. The Fairhope MS4 area, also the city annexed area, encompasses approximately 9995 acres, or 15 square miles. An updated Stormwater Management Program Plan (SWMPP) is submitted to ADEM yearly, most recently in January 2024 (SWMPP 2024). The Storm Sewer Outfall Inventory and Mapping project, a permit requirement completed in 2012, is being updated 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 (<https://www.fairhopeal.gov/departments/planning-and-zoning/storm-sewer-inventory-mapping-project-2012>).

There are three main receiving streams within these area limits (Fly Creek, Rock Creek and Cowpen Creek). As of January 1, 2024, there are three (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.

Note: 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>

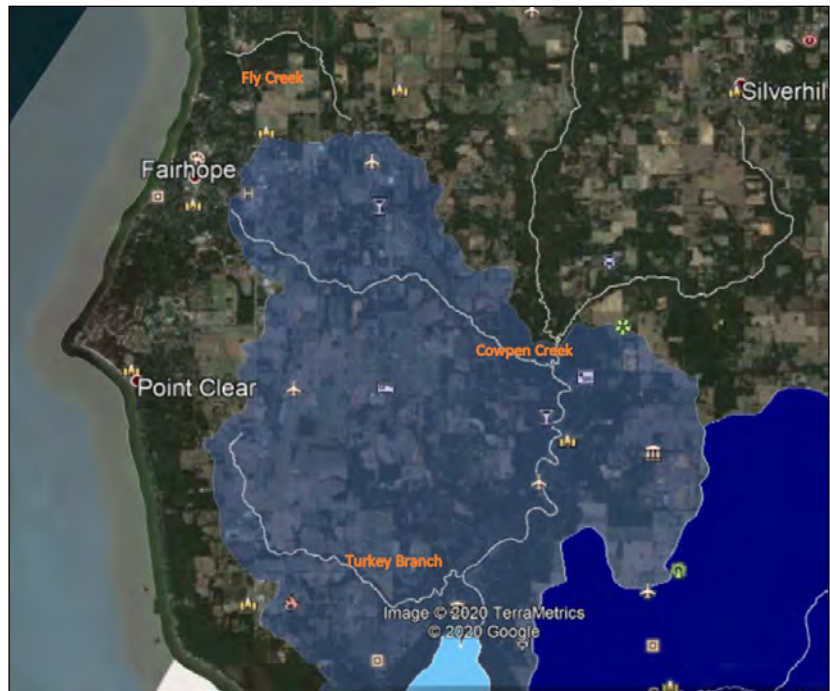


Figure 1: Locations of Fairhope’s 303 (d) impaired streams

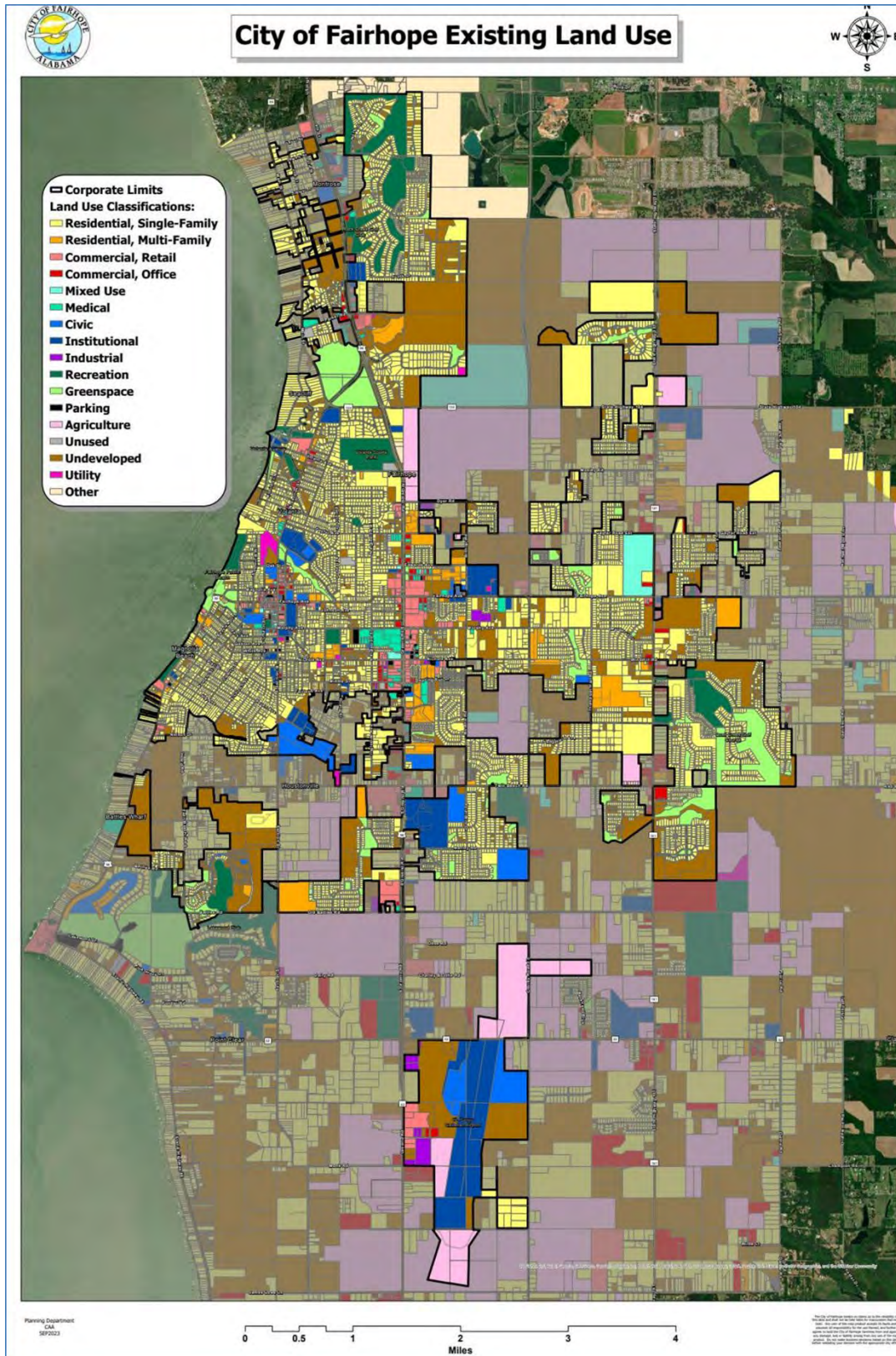


Figure 2: City of Fairhope Existing Land Use Map including agriculture districts

1.4 Background

The City of Fairhope is situated in Baldwin County on the eastern shore of Mobile Bay, in southwest Alabama. Fairhope's rainfall averages more than 73" inches per year, according to a 5-year average as reported by the Wastewater Treatment Plant on N. Church Street. In the 2023 MS4 permit period, the City of Fairhope received over 67" of rain. The 2020 US Decennial Census Bureau projects the City's population to be 22,477. This includes incorporated and unincorporated limits. The incorporated (annexed) limits, which are also the MS4 area limits, comprise roughly 15 square miles.

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

Three significant land acquisitions in the past have helped to preserve or limit development in natural areas:

1. *Flying Creek Nature Preserve* (formerly 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.

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, City of Fairhope staff have been active members on the Steering Committees for the Mobile Bay NEP Weeks Bay Watershed Management Plan (2017) and the Eastern Shore Watershed Management Plan (2023) which both include Fairhope watersheds and subwatersheds.

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.

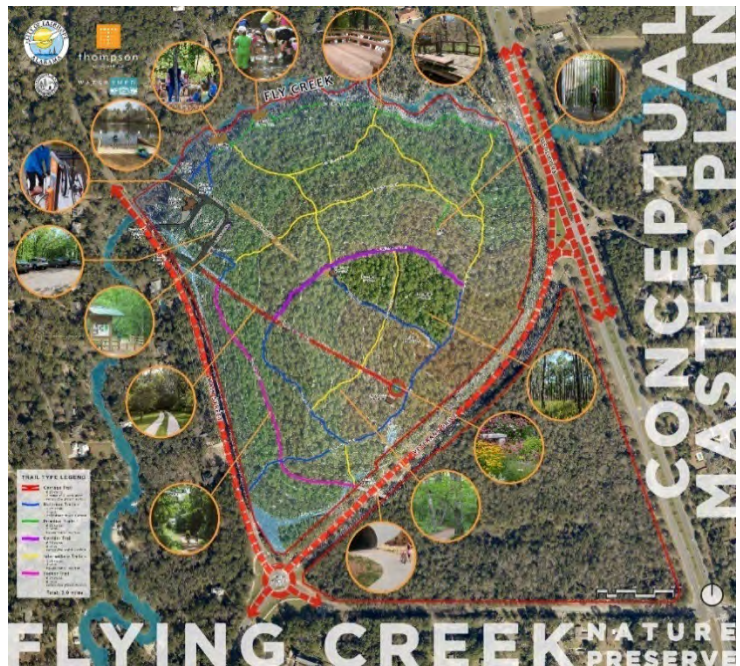


Figure 3: Flying Creek Nature Preserve Master Plan

1.5 Program Management

Several departments within the City of Fairhope have a role in Fairhope’s MS4 program. The City of Fairhope’s Planning and Zoning Department and Grants Department serve as lead coordinators of the MS4 program, including the Stormwater Management Program Plan (SWMPP). The Public Works Department is also a key player and includes several sub-departments: Horticulture/Landscape, Waste Management and Streets/Construction. The City of Fairhope has a City Engineer on staff. The current Mayor serves as the Utility Director for the City of Fairhope. A general contact number for everyone is: (251) 928-8003. Below is the management flow chart as of 3/31/2024:

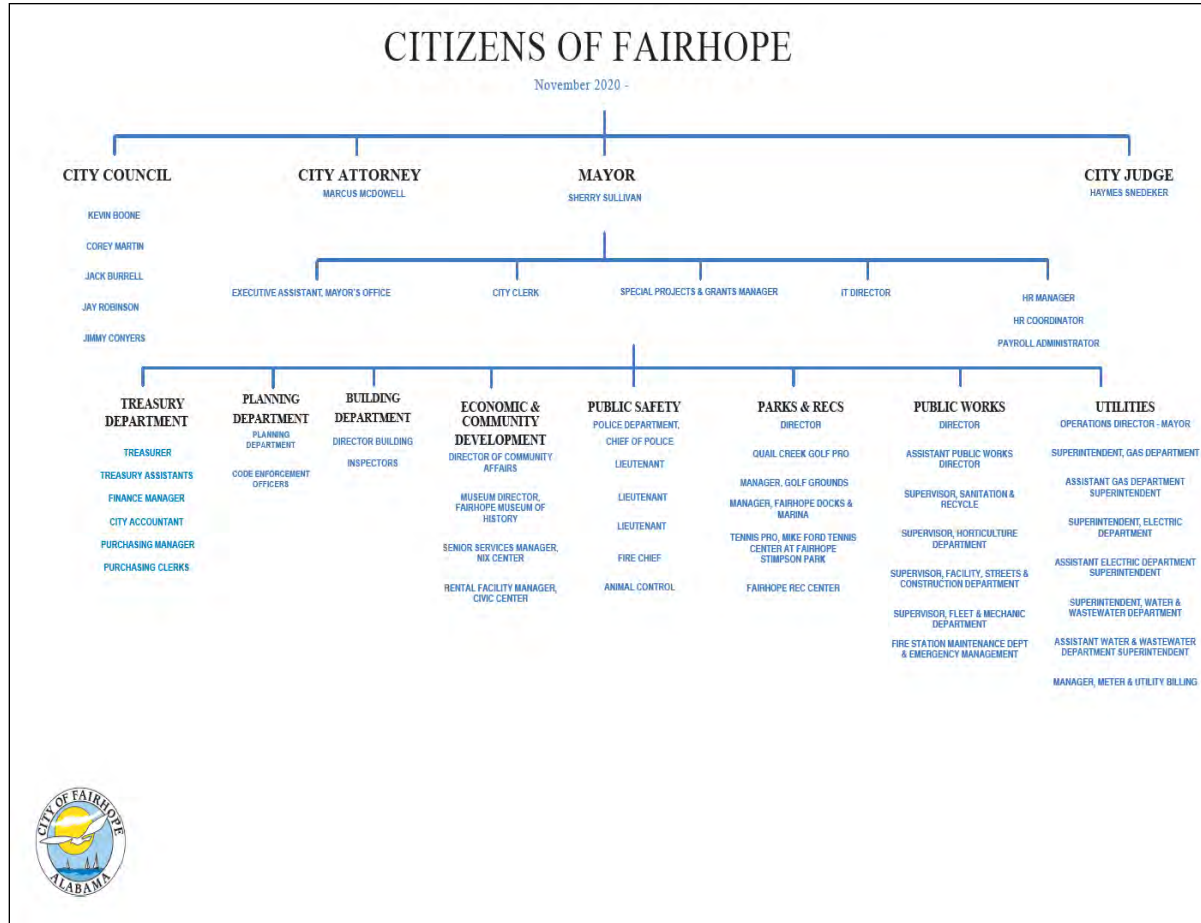


Figure 4: City of Fairhope Organizational Chart

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 9,995 acres, roughly 15 square miles. Fairhope watersheds include:

(Drains to directly to Mobile Bay):

- Fly Creek
- Rock Creek
- Red Gum Gully
- Volanta Gully
- Big Mouth Gully
- Stack Gully
- Tatumville Gully
- Point Clear Creek

(Drains to Weeks Bay before entering Mobile Bay):

- Pensacola Branch
- Cowpen Creek
- Turkey Branch
- Waterhole Branch
- Green Branch

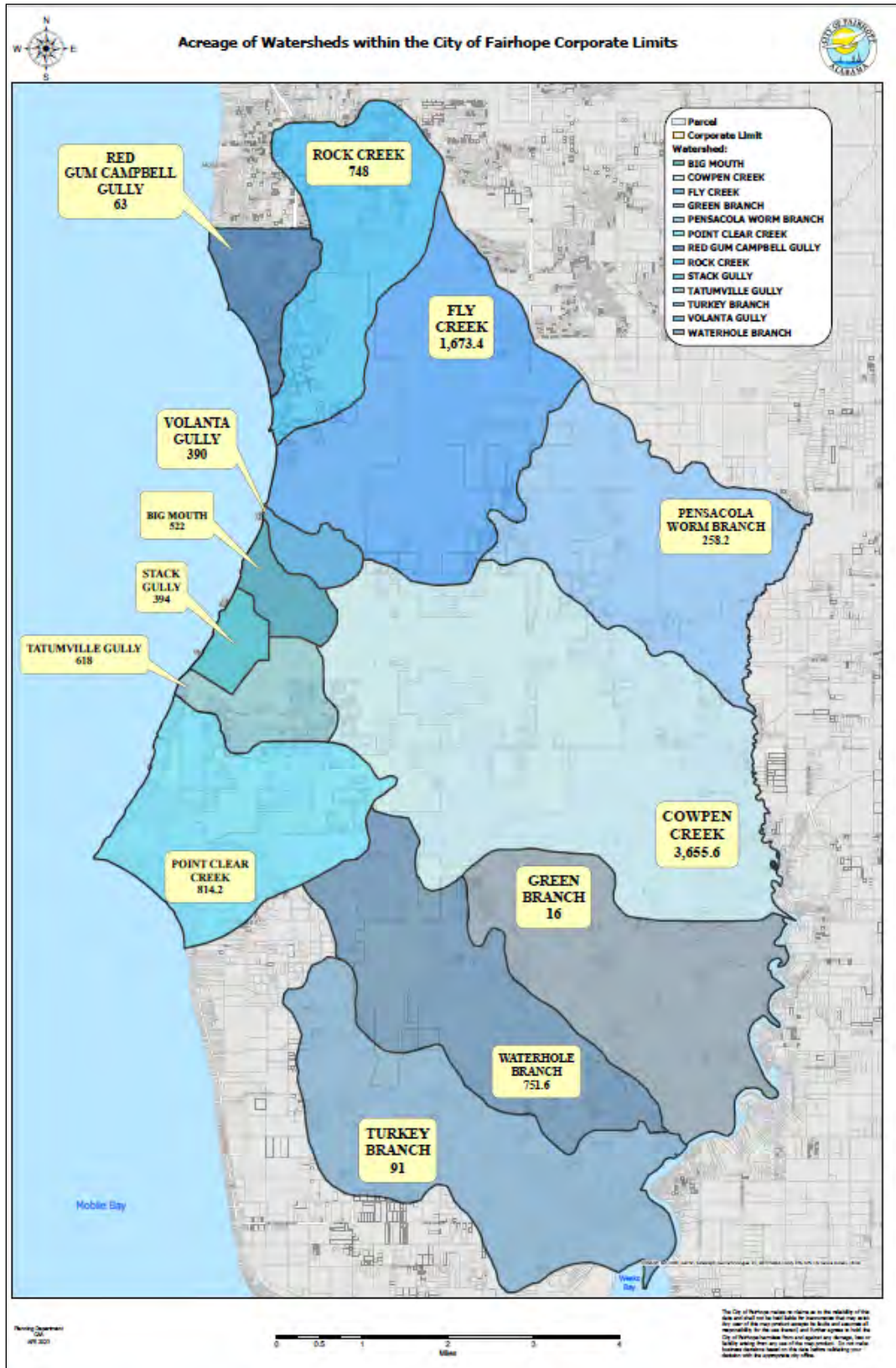


Figure 5: Watershed Map with acreage, updated April 2023 by Planning and Zoning GIS

2.2 Major activities/accomplishments:

- The previous MS4 coordinator for the City (Kim Burmeister) retired in December 2023. Primary MS4 coordination has been assigned to Nicole Love, Grants Coordinator. The Planning and Zoning Department is still the primary Department responsible for implementing many of the MS4 strategies; such as code enforcement, BMP inspections, Operations and Maintenance, and stormwater outfall inspections (in coordination with Public Works, Building Department, and Grants Coordinator). Other MCM responsibilities are still being worked out and we should have a clear plan of how those will be handled by 2024 annual report.
- Two (2) City staff were AWW certified. One (1) for Water Chemistry and Bacterial and one (1) for bacterial only.
- Twelve (12) City staff are QCI Certified Inspectors.

2.3 Program Strengths/Weaknesses:

- The main strength of the City of Fairhope's MS4 program is Education Outreach and Public Involvement. Fairhope has a history of involving the public in many of the projects that are happening in the City. Social media, City Scoop newsletter, and the City's FB are all major ways we get information out to the citizens.
- Another strength is the City's ability to work across Departments (Public Works, Planning and Zoning) to complete outfall assessments every year in a timely and coordinated manner.
- The City's GIS Database continues to be used as an important planning tool and is extremely useful in making future land decisions. The GIS Team has customized the Survey 123 application as one means of data entry and collection.

2.4 Future Direction of the Program:

- Given the staffing changes over the last year, the current MS4 program will be evaluated to determine if goals and objectives are still current and what, if any, changes can be made to make it more current.
- We will also redefine, if necessary, the City staff/departments who are involved in implementing major components of the program.
- AWW monitoring will continue with the goal of adding more sites and volunteers.

2.5 SWMPP effectiveness:

- The City of Fairhope's SWMPP is very effective in dealing with the City's commitment to the protection of Alabama's water resources.
- The SWMPP was updated and approved in January 2024.

2.6 Measurable goals not performed:

Master Environmental Educator program classes were not performed during this reporting period. City staff member who was certified was not able to recertify during this time period due to the loss of one staff member and an abundance of other duties.

2.7 Evaluation of monitoring data:

During this reporting period no monitoring was performed; however, AWW monitoring Fly Creek will resume in 2024 reporting period.

3.0 REQUIREMENTS

3.1 Compliance with MS4

Compliance mechanisms and goals regarding the five minimum control requirements are listed in Section 3.6. Non-compliance issues, as addressed in Section 3.6.2 (Illicit Discharge Detection and Elimination) and Section 3.6.3 (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 153 stormwater enforcement actions (Stop Work Orders (5), Notice of Violations (148)) were issued from the Planning and Zoning Department in the report period for non-compliant BMPs on job sites. Five (5) illicit discharge complaints were received by the Planning and Zoning Department in the report period, and all were investigated and resolved. This does not include illicit discharges from sanitary sewer overflows (SSOs) which are reported under permit # AL0020842. 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 1,328 inspections (initial and follow-up) were conducted by the Planning and Zoning Department in the reporting period, averaging 110 per month.

3.2 Monitoring

The City of Fairhope's Phase II General Permit did not have monitoring requirements.

3.3 Stormwater Activities

In the reporting period for 2023, Public Works conducted 11 stormwater projects impacting all watersheds within the City limits:

- ✓ Continuing projects from 2022:
 - Fly Creek: *Fairhope Docks: Clean and Resilient Marina assessment* was performed to establish goals for Clean Marina certification. Assessment performed by staff from: MS-AL Sea Grant, AU and MS Dept. of Marine Resources (February 17, 2023). Harbor Master is working on finishing up some needed components. Expect to have Clean Marina Certification by end of 2024.
 - Cowpen Creek: *Osprey Initiative Litter Abatement Project: Winn Dixie Pond / Central Detention area* (October 2022). This project was discontinued in March 2024 due to pond maintenance and the need to replace the boom for an additional fee.
 - Big Mouth Gully: *Working Waterfront Project*: In April 2022, Phase I of the Working Waterfront project is complete. Phase II (construction) went out for bid and a contractor was selected. Work should begin mid-2024.
 - All watersheds: *Drone Aerials*: Planning and Zoning GIS implemented the use of a drone to provide aerials of development sites to give a better idea of site condition prior to final plat approval.
 - Multiple watersheds: *Sewer Upgrades*: April 2022: RESTORE funding is providing for Phase 1 sewer upgrades to address the most urgent needs within the Fairhope sewer system. This project will provide major rehabilitation measures, including the complete

replacement or rehabilitation of nine priority lift stations, the addition of four stream storage facilities and the rehabilitation of existing sewer lines and manholes throughout the system.

- ✓ New projects for 2023:
 - Tatumville Gully: Drainage improvement project at Morphy and Bellangee Avenue.
 - Stack Gully: Magnolia Beach: sand replenishment, to address shoreline erosion (April 2023).
 - Stack Gully: West End of Fels Avenue drainage improvement project.
 - Big Mouth Gully: N. Ingleside drainage repair and improvement project.
 - Cowpen Creek: Drainage study between Norman Lane and Fairfax Drive to determine causes of flooding and how to correct.

- ✓ Proposed stormwater project for 2024:
 - Stack Gully: Magnolia Beach: GOMESA funded Living Shoreline will create offshore breakwaters to protect from further erosion.
 - Multiple Watersheds: Continuation of RESTORE funded sewer upgrades.
 - Fly Creek: *Flying Creek Nature Preserve* master plan is completed and work on trails, bathrooms, pavilion, and pedestrian tunnel will begin.
 - All watersheds: RESTORE Bucket 2 Water Quality grant to conduct a stormwater inventory within City boundaries.
 - All watersheds: RESTORE Bucket 2 Water Quality grant to purchase lift station generators for 20 priority lift stations.

3.4 SWMPP Changes

- Section 1.0 - Contact/Certification:
 - Updated Contact Person to Nicole Love, Grants Coordinator

- Section 1.3 - General Introduction:
 - Updated Land Use Map (GIS)

- Section 2.1 - Listed Requirements:
 - Updated Outfall map and inventory spreadsheet
 - Added planned stormwater initiatives for 2024
 - Revised measurable goals to include QCI certification for new building inspectors and new right of way inspectors

- Section 2.2 - SWMPP Management:
 - Flow chart for management was revised
 - Revised outfall totals
 - SWMPP – Watersheds of Fairhope
 - Revised watershed acreage from 9,837 acres to 9,995 acres
 - Updated watershed map which includes updated MS4 area (corporate limits)

- Section 3.0 - Public Education and Public Involvement on Storm Water Impacts
 - Added stormwater alliances: Coastal AL Stormwater Team (CAST), FHS Marine Life Environmental Club, Weeks Bay Estuarine Research Reserve and Mobile Bay NEP

- BMPs used for Public Education: Demonstration projects: Added Eagle Reefs
 - BMPs used for Public Education: Brochures (on- line or in hard copy): removed *Stormwater Management* brochure. This information is outdated and covered in other brochures used.
 - BMPs used for Public Education: Added two watershed studies for Fairhope: Eastern Shore Watershed Management Plan and Weeks Bay Watershed Management Plan (both by Mobile Bay NEP)
 - Employee Certifications: Revised to reflect one Planning and Zoning Code Enforcement Officer instead of two and three right of way inspectors instead of one.
- Section 4.0 - Illicit Discharge Detection and Elimination
 - Updated Outfall Assessment 5-year Schedule (2024-2028)
 - Update outfall assessment schedule for 2024 to include Rock Creek and Turkey Branch (111 outfalls to be assessed by Public Works in 2024).
 - Added Alabama Water Watch initiative: Planning and Zoning staff were recertified in 2023 and plans to resume water sampling for pathogens in 2024. Grants Coordinator was certified in 2023 for chemistry and bacteria.
 - Section 5.0 - Construction Site Stormwater Run Off Control
 - Revised number of inspectors (Code Enforcement, Right of Way and Building)
 - Section 6.0 - Post Construction
 - Annual Email to POA/HOA Groups: *HOA Stormwater Guide*: Revised stormwater guide to include aerator check.
 - Section 7.0 - Good Housekeeping for Municipal Operations
 - Revised information for Fairhope Marinas: Pier marina is now day use only (no sewer pump out is available) and Fairhope Docks has a sewer pump out and boat slips available and has a SPCC (Spill Prevention Control and Countermeasures) on file, updated in 2023.
 - Updated Applicator Certification for Horticulturist and Recreation and Parks Manager, for application of herbicides and pesticides.

3.5 Government Entity Alliances

While the City of Fairhope is under an individual Phase II general permit separate from any other municipality or county entity, education and data is frequently shared with Daphne, Spanish Fort, Baldwin County and AL-DOT (our MS4 neighboring partners).

3.6 Minimum Control Measures

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

1. Public Education and Involvement on Stormwater Impacts
2. Illicit Discharge Detection and Elimination (IDDE)
3. Construction Site Runoff Control
4. Post-construction Stormwater Management in New Development and Re-development
5. Pollution Prevention/Good Housekeeping for Municipal Operations

3.6.1 Public Education and Public Involvement on Stormwater Impacts (MCM1)

Seek and consider input from the public in development of SWMPP

Status: Complete

Responsible Department: Planning and Zoning, Grants

- ✓ Staff reviewed the 2024 SWMPP changes in Planning Commission meeting on January 4, 2024. A video created for the Eastern Shore Watershed Management Plan “*The Eastern Shore: An Ecological and Cultural Treasure and Our Plan to Protect It*” was also shown (<https://www.mobilebaynep.com/watersheds/eastern-shore>).

Description of activities used to involve groups and/or individuals in the development of SWMPP

Status: Complete

Responsible Department: Planning and Zoning, Grants

- ✓ 2024 SWMPP is available on-line at <https://www.fairhopeal.gov/departments/planning-and-zoning/publications-and-forms> and was sent to the FEAB for their review.

Description of targeted pollutant sources the education and involvement program addressed

Status: Ongoing

Responsible Department: Planning and Zoning, Water/ Wastewater, Public Works, Grants, Community Development

- ✓ Pathogens - high priority stormwater concern; sanitary sewer overflows (SSOs) are taken seriously. The Sewer Capacity Study of 2017 provided a roadmap for improvement. Downtown infrastructure upgrades which began in 2021 (such as the Church Street project) were completed in the Fall of 2022. Other initiatives for pathogen considerations:
 - ❖ 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.
 - ❖ Sanitary Sewer Overflow signage placement to warn citizens of areas of impacts of SSO’s.
 - ❖ Park signage to include “DO NOT FEED 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.
 - ❖ Pet Waste Bags in Parks - Pet waste bag dispensers and bags are available in City parks to encourage removal of pet waste from public areas. The Animal Control Officer is responsible



Figure 6: Signage used to notify public of areas impacted by SSO’s

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. Currently the City of Fairhope has thirteen (13) pet waste stations in North Beach Park, Municipal Pier area, Knoll Park, Magnolia Beach Park, Community Park, Mike Ford Tennis Center and the Dog Park.

- ✓ Pesticides, herbicides and 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 create the brochure "*A Homeowner Guide to Stormwater Detention Pond Maintenance*" (<https://www.fairhopeal.gov/home/showpublisheddocument/30498/638514747757930000>). 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 sent out to all subdivision HOA's, most recently in October 2023. 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 2023, the City of Fairhope has two (2) certified Commercial Pesticide Applicators (Public Works and Recreation Department). It is a measurable goal that at least one person in Public Works and one person in Parks and Recreation maintain a commercial pesticide applicators license, to ensure correct application with minimal negative impact to the environment.
- ✓ Sediment - 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 72" year (based on data from the last five years). 67" of rain was received in 2023. With the issuance of over 195 earth-disturbing permits issued in the city limits during this reporting period, construction standards are continually being reviewed.

Description of activities used to address reduction of litter

Status: Ongoing

Responsible Department: Planning and Zoning, Grants, Community Development

- ✓ Fairhope High School Marine Science Club noticed broken/missing trash can lids on a number of trash cans at the Fairhope Municipal Pier causing trash to be blown around with the potential to land in Mobile Bay. The Club built new trash can lids and utilized artwork on the lids to help with noticeability and education.
- ✓ Alabama Coastal Clean Up: City provided garbage pickup for this event. 5,900 lbs. of materials were recovered at the 2023 Coastal Clean Up Event on September 16, 2023 (2,100 lbs. recycled materials; 3,800 lbs. junk debris).
- ✓ America Recycles Day - November 10th, 2023: City hosted America Recycles Day at the Pecan Street Building, shredding, and recycling paper for the community. Public Works received and recycled approximately 5 tons of electronics and 17 tons of paper for recycling. Paper was shredded on site for recycling.
- ✓ Earth Day Mobile Bay – April 22, 2023
- ✓ Anti-Litter Campaign – April 2023

- Students in the 5th grade at Fairhope West Elementary, Fairhope East Elementary and J. Larry Newton Elementary took part in a contest to design an anti-litter campaign for the City of Fairhope. Winner's design was printed on T-shirts and handed out to all 5th grade classes and passed out at Earth Day Mobile Bay.



Figure 7: a. Fairhope High School Marine Science Club. b. Group of students at the 36th Annual Coastal Cleanup. c. Anti-litter campaign winning student and design.

Description of communication mechanisms or advertisements used to inform individuals, etc. and the quantity delivered

Status: Ongoing

Responsible Department: Planning and Zoning, Community Development, Grants

- ✓ Fairhope Environmental Advisory Board (FEAB) Meetings - FEAB currently has 9 members (as of March 31, 2024). FEAB is an environmental advisory board which is scheduled to meet monthly (the second Friday of every month at Fairhope Public Library). In the 2023 reporting period, FEAB met in person and with quorum twelve (9) times, which included a Special Meeting with Mayor and staff. Topics of discussion included park management plans, coastal resiliency, native habitats and natural/nature-based solutions. Grants Coordinator and Code Enforcement Officer serve as city liaison and post agenda and minutes on-line.
- ✓ Planning Commission Meetings - 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 13 times in the 2023 program period. Minutes of the Planning Commission and the FEAB, once approved, are posted on-line at: https://fairhopeal.portal.civicclerk.com/?category_id=27
- ✓ Arbor Day: On February 26, 2024, City of Fairhope gave away approximately 1,000 seedlings to the community to encourage tree plantings. Trees are crucial to the environment as they serve to help manage stormwater and keep soil in place.
- ✓ Brochures / publications / media
 - *Greener by the Yard*, Weeks Bay Watershed Project
 - *Fairhope Gullies*, joint effort of Mobile Bay National Estuary Program, Fairhope Single Tax, and the City of Fairhope

- *Parks of Fairhope*, joint effort of the FEAB and the City of Fairhope
- *Field Guide for Erosion and Sediment Control on Construction Sites in Alabama*, by Alabama Soil and Water Conservation Committee
- *City of Fairhope Facebook page*: Fairhope used Facebook as one means of advertising events and releasing information on new policies and procedures.
- *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.

✓ Stormwater Alliances

- Fairhope Educational Enrichment Foundation (FEFF) - Pelican's Nest: City owns the Pelican's 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 lease of this building. The Pelican's Nest is funded by FEFF.
- 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).
- Create a Clean Water Future Program – logo is used on stormwater information, city vehicles and some staff business cards.
- Mobile Bay National Estuary Program (MBNEP)
- Baldwin County
- Alabama Stormwater Association
- Coastal Alabama Stormwater Team (CAST)

✓ Existing Demonstration projects (wetland pond)

- 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.
- 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 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](#).
- Eagle Reef installation – Eagle Reef is an Eagle Scout project to deploy mini, dock-based artificial marine reefs. The reefs act as habitat for many different organisms with the hope of



Figure 8: Eagle Reefs prior to deployment

growing oysters or other filter feeding animals to help filter the waters of Mobile Bay. The City of Fairhope deployed 13 reefs on 4 City docks. One reef was maintained as a demonstration reef and displayed in the City of Fairhope Welcome Center and then transferred to the Pelican's Nest. More information on the Eagle Reefs can be found at www.theeaglereef.com

✓ City Website

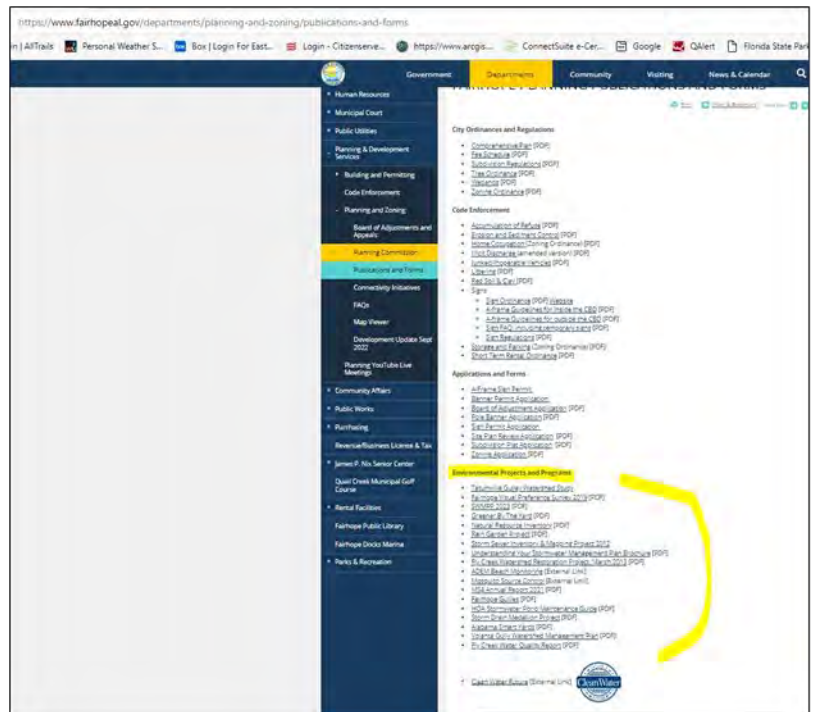
- Alabama Water Watch (“Visiting”)
- ADEM Water Quality Testing
- Create a Clean Water Future
- Waste Management (“Public Works”)
- MS4 Annual Report / Stormwater Management Program Plan (“Planning and Zoning Dept.”)
- Zoning Ordinance / Subdivision Regulations (“Planning and Zoning Department”)—includes LID Component in each.
- *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.

✓ Watershed Studies:

- Eastern Shore Watershed Management Plan (2023)
- Weeks Bay Watershed Management Plan (2017)
- Fly Creek Watershed Restoration Project (2013)
- Fly Creek Water Assessment (2018)
- Volanta Gully (2012)
- Tatumville Gully (2019)
- Sewer Capacity Study (2017)

✓ Notifications for Public Meetings are posted at City Hall and/or in the newspaper as required by State Law.

✓ Subdivision Property Owners Associations list for internal use 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, 2023, there are approximately 110 subdivisions/contacts listed (City limits). Uses in 2023 included monthly notifications of Planning Commission agendas as well as sharing of the “A Homeowner Association Guide to Stormwater Detention Maintenance” – updated May 2023 to include aerator guidance. (Appendix A)



Make SWMPP and annual reports available to the public.

Status: Complete

Responsible Department: Planning and Zoning, Grants

- ✓ The 2024 SWMPP was distributed to the Fairhope Environmental Advisory Board, posted on the City of Fairhope website and presented to the Planning Commission.
- ✓ Current (2022) MS4 Annual Report is posted on the City’s website and 2023 will be posted.

Citizen Complaints / Comments

Status: Ongoing

Responsible Department: Planning and Zoning, Building, Public Works

- ✓ 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. During the reporting period 50 complaints were received and inspected.

3.6.2 Illicit Discharge Detection and Elimination (IDDE) (MCM2)

List of outfalls observed in the annual reporting year to demonstrate that 100% of the outfalls are screened at least once per 5 years during the dry weather screening.

Status: Complete

Responsible Department: Planning and Zoning, Electric, Gas, Water/Sewer, Building, Public Works, Grants

- ✓ One hundred and ninety-nine (199) out of 792 inventoried outfalls were assessed in 2023. This includes outfalls in the Big Mouth Gully, Stack Gully, and Fly Creek watersheds. Overall, zero (0) outfalls were found deficient and in need of maintenance or further assessment. (Appendix B)

1. Big Mouth Gully (69)
 - a. Johnson Avenue area
 - b. Fairwood Blvd. area
 - c. Bayou and North Section Street
 - d. Nix Center
 - e. Water / Sewer Plant
 - f. Gayfer Court
 - g. North Mobile Street
 - h. North Bayview
 - i. North Beach Park
 - j. Downtown, Bancroft, Oak & Equity area
2. Stack Gully (23) – Downtown area
3. Fly Creek (101)
 - a. Triangle property
 - b. Parker Road / J. V. Cummings Drive
 - c. The Shoppes
 - d. U. S. Highway 98
 - e. Woodland
 - f. Plantation Pines
 - g. The Waters
 - h. North Hills
 - i. Main Street

- j. Sea Cliff Drive
- k. Fairhope Docks
- l. Fly Creek Marina
- m. Yacht Club
- n. Creek Drive
- o. Colonial Acres off Hwy. 104
- p. Rock Creek (south side)

**See Appendix F for example outfall sheet

Standard Operating Procedures (SOP) for outfall inspections:

1. Use "Checklist" on Survey 1-2-3 as a guide
2. Take and upload picture for each outfall even if outfall requires no maintenance
3. If outfall requires maintenance, take a picture, upload each maintenance item
4. Do not access county outfalls or outfalls maintained by AL-DOT; let us know if any on the list appear to be county or AL-DOT
5. If outfalls require maintenance, make sure to note if it is "routine" or "urgent"
6. If outfalls require maintenance, make inspection as "unacceptable"; mark as "acceptable" if no action is required. General overgrowth may still warrant an "acceptable" grade on the inspection, if not impacting drainage.
7. Hit **"send" while you are still at the outfall location**, so Survey 1-2-3 pings correct location
8. Two teams of two people each are suggested.
9. Note that areas are not necessarily in page number order, and not all outfalls in the listed subdivisions will be assessed. Outfalls have been organized by area.

Updated MS4 map unless there are no changes then that must be stated.

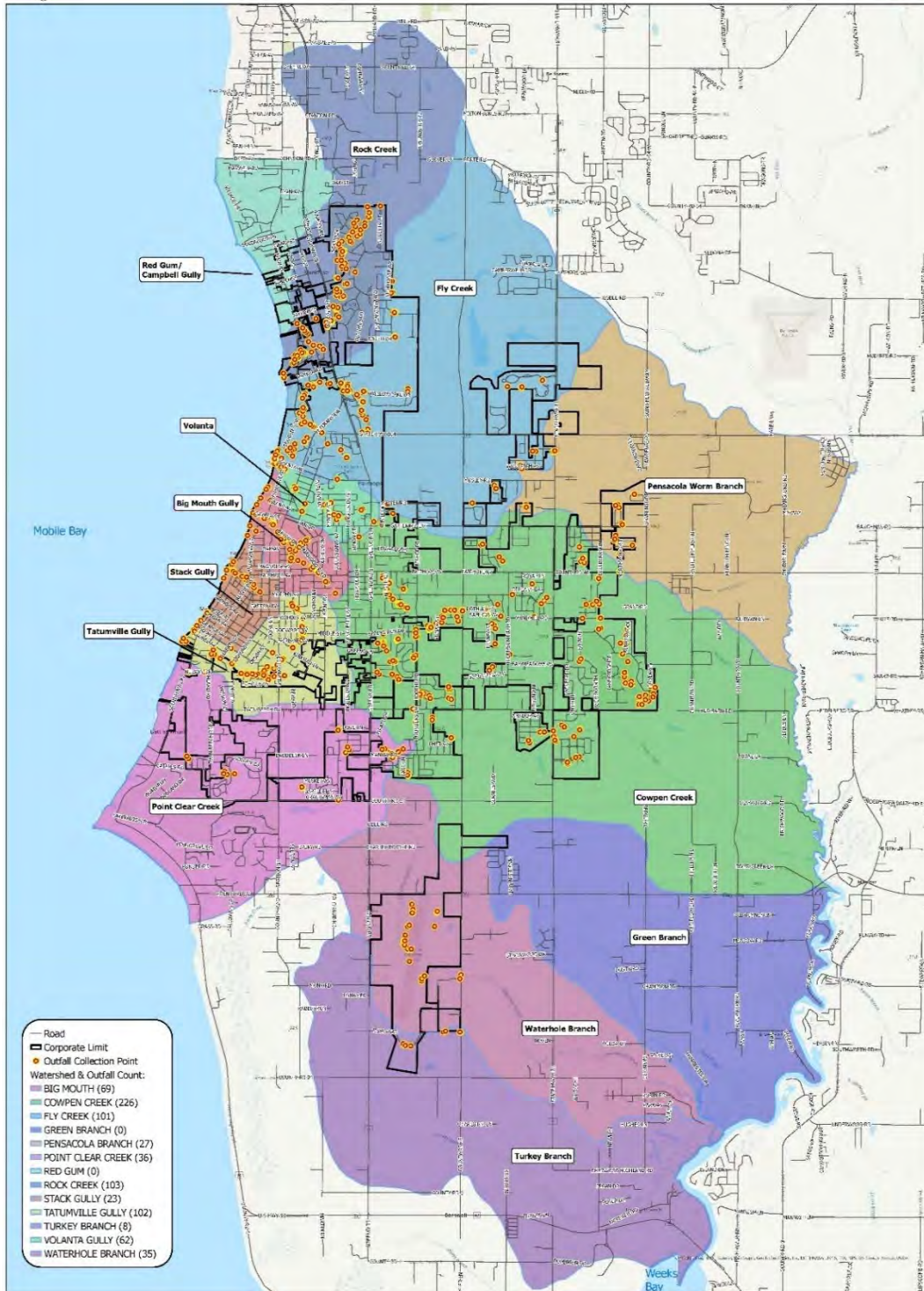
Responsible Department: Planning and Zoning, GIS

Status: Complete

- ✓ No changes were made to the MS4 map. See Figure 9 below.

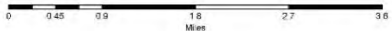


MS4 Outfalls within City of Fairhope Corporate Limits



- Road
- Corporate Limit
- Outfall Collection Point
- Watershed & Outfall Count:
- BIG MOUTH (69)
- COWPEN CREEK (226)
- FLY CREEK (101)
- GREEN BRANCH (0)
- PENSACOLA BRANCH (27)
- POINT CLEAR CREEK (36)
- RED GUM (0)
- ROCK CREEK (103)
- STACK GULLY (23)
- TATUMVILLE GULLY (102)
- TURKEY BRANCH (8)
- VOLANTA GULLY (62)
- WATERHOLE BRANCH (35)

Planning Department
CM
2/16/2011



The City of Fairhope makes no claim as to the reliability of the data and shall not be held liable for inaccuracies that may exist. Any error of this map product accepts the fault and assumes all responsibility for the error. The user of this product is advised that the City of Fairhope warrants that and against any damage, loss or liability arising from any use of this data product. Do not make business decisions based on this data before validating your decision with the appropriate city official.

Figure 9: Updated MS4 Outfall Map

Copies of or link to IDDE ordinance or other regulatory mechanism

Status: Ongoing

Responsible Department: Planning and Zoning, Public Works – Sanitation, Building Department

- ✓ There have been no changes to the City’s IDDE program or Illicit Discharge Ordinance (Ordinance # 1516). 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 (Appendix G).
 - Illicit Discharge Ordinance #1516 prohibits anything other than rainwater from entering City drains. Penalty for non-compliance: \$500.
- ✓ Code Enforcement Officer (Planning and Zoning Department)
 - The Planning and Zoning Department has one (1) full-time Code Enforcement Officer. Code enforcement investigates and issues corrective action on illicit discharges issues, as per Standard Operating Procedures (SOPs).
 - Planning Technician is QCI certified and assists with BMP inspections.
- ✓ Sanitation Officer (Public Works Department)
 - 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.
- ✓ Residential Curbside Cooking Oil Recycling Program
 - 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 2023, approximately 330 gallons of cooking oil were reclaimed, and this includes grease collected at the annual Arts and Crafts festival (March). 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.
- ✓ Household Hazardous Waste drop off site for residents
 - Public Works Department manages a household hazardous waste (HHW) drop off site for residents, free of charge. Overall, approximately 726 gallons of hazardous materials (paints, thinners, motor oil and anti-freeze) were recycled in 2023. The HHW drums are kept secured and closed when not in use. HHW drums are stored at the Transfer Station (which drains to the Wastewater 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.
 - 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).

Dates of training conducted for appropriate personnel

Status: Complete

Responsible Department: Planning and Zoning, Building, Public Works, Grants

- ✓ Public Works, Planning and Zoning Department and Building Department hold weekly staff meetings. Appendix C is a sign-in sheet from November 30, 2023 Public Works Staff meeting where 54 employees attended.
- ✓ City of Fairhope Planning and Zoning / Building Department hosted a 1.5-hour event, which educated City staff on stormwater rules and regulations in our area. Public Works Director, City Engineer, Building Director and the Code Enforcement Officer spoke at this event. Over seventy (70) employees were in attendance including; public works, planning and zoning, utilities, water/wastewater, planning and zoning, public works and parks and recreation.



Figure 10: City of Fairhope Staff Stormwater Training

Number of illicit discharges investigated, screening results, and summary of corrective actions taken.

Status: Ongoing

Responsible Department: Planning and Zoning,
Water/Wastewater

- ✓ 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.
 - In 2023, the Planning and Zoning Department responded to five (5) illicit discharge complaints. All were investigated and resolved. 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:
 - Turbid water running into drain, permittee was alerted and corrected within the required time period.

- ✓ SSO (Sanitary Sewer Overflows) Reporting
 - In the 2023 program period, the City of Fairhope experienced approximately 23 sanitary sewer overflows (SSOs) in and outside the MS4 area. For more information on these overflows visit the ADEM e-file portal [eFile: Main \(alabama.gov\)](https://www.adem.alabama.gov/e-file)
 - Reference the City of Fairhope permit # AL0020842. In addition to complying with ADEM reporting requirements, the Water and Wastewater Director works with the Community Development Director 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 at the site of the overflow location. In 2023, the City of Fairhope Water and Sewer Department made significant RESTORE project capital improvements, significantly decreasing SSO's:



Figure 11: Turbid water running into storm drain

Projects in Capital Improvements Plan				
Wastewater Projects 2022-2024		% Complete Design	% Complete Construction	Total Percentage Complete
1	Sewer Force main from Ingleside on Fairhope Avenue to Bishop Road 4200 ft 16" HDPE force main Directional Bore	100%	100%	100%
2	Force Main Upgrade from Bishop to Publix Grocery on Hwy 104 @181	100%	<u>33.3%</u>	<u>66.65%</u>
3	Installation of MISSION SCADA at remaining Lift Stations	NA	100%	100%
4	RESTORE Lift Station Upgrades (6 Lift Stations)	100%	<u>8%</u>	<u>54%</u>
5	RESTORE Side Stream Storage (3 Lift Stations)	100%	<u>1%</u>	<u>50.5%</u>
6	RESTORE Manhole and Gravity Sewer Rehab	100%	<u>28%</u>	<u>64%</u>
7*	Sewer Force Main Upgrade from New Twin Beech Station to Church Street	<u>2%</u>	0%	<u>1%</u>
8	Valley Lift Station Rehabilitation	100%	100%	100%
9	Upgrade of UV Light Treatment System at WWTP	100%	100%	100%

Figure 12: Capital Improvement Plan October, 2023

- ✓ City of Fairhope Storm Sewer Inventory Map/GIS Data / Storm Sewer Inventory Booklet
 - 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 792 outfalls. There are no known outfalls in Red Gum or Green Branch city areas. The 2012 City of Fairhope Storm Sewer Inventory consists of:
 - Mapping of the major outfalls
 - Mapping of 792+ minor outfalls / stormwater facilities (these include gully outfalls, detention ponds, retention ponds, etc.)
 - Data sheet on each outfall, including new stormwater facilities
 - Storm Sewer Inventory Booklet (which contains a hard copy sheet of each data sheet for each point of interest).
 - 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 (outfall) Inventory in March 2023 to include new data sheets, which includes seventeen (17) new outfalls including:

1. Publix at Point Clear (1); Point Clear Creek
 - a. PCC-17515
2. Publix at Planter's Pointe; Fly Creek (1)
 - a. FC-98366
3. The Reserve; Fly Creek (3)
 - a. FC-386193-A
 - b. FC-386193-B
 - c. FC-386193-C
4. Harvest Green West (5); Fly Creek
 - a. FC-17737-A
 - b. FC-17737-B
 - c. FC-17737-C
 - d. FC-17737-D
 - e. FC-17737-E
5. Hilltop Phase II (7); Point Clear Creek
 - a. PCC-389614-A
 - b. PCC-389614-B
 - c. PCC-389631
 - d. PCC-389632
 - e. PCC-389633
 - f. PCC-602810
 - g. PCC-19829




Figure 13: Outfall at The Reserve

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

✓ Volunteer Fire Department/Fuel Spills

- o The Fairhope Volunteer Fire Department responds to hazardous waste and fuel spills as first response. Fire Department (Chief) reported one (1) spill response in the 2023 program period.

5/21/24, 12:14 PM		Fairhope Volunteer Fire Department : 2023-29	
 <p>Fairhope Volunteer Fire Department Station: ALL</p>		Location: 18195 State Highway 181 HWY Fairhope AL 36532	Incident Type: 411 - Gasoline or other flammable liquid spill
		Lat/Long: N 30° 29' 23.57" W 87° 51' 9.33"	FDID: 00502 Incident #: 2023-29 Exposure ID: 71027961 Exposure #: 0 Incident Date: 01/10/2023 Dispatch Run #: 23-0003519
Zones: Fire Jurisdiction - Fairhope Fire Jurisdiction Location Type: 1 - Street address			
Report Completed by:	Ellis, Chris	ID: 5801	Date: 01/11/2023
Report Reviewed by:	Ellis, Chris	ID: 5801	Date: 01/11/2023
Report Printed by:	Ellis, Chris	ID: 5801	Date: 5/21/2024 Time: 12:15
Structure Type:	Property Use: 962 - Residential street, road or residential driveway		
Automatic Extinguishment System Present:	<input type="checkbox"/>	Detectors Present:	<input type="checkbox"/> Cause of Ignition:
Aid Given or Received:	None	Primary action taken:	73 - Provide manpower
Losses	Pre-Incident Values		
Property:	Property:	Civilian Injuries: 0	Fire Service Injuries: 0
Contents:	Contents:	Civilian Fatalities: 0	Fire Service Fatalities: 0
Total:	Total:	Total Casualties: 0	Total Fire Service Casualties: 0
Total # of apparatus on call:	5		Total # of personnel on call: 21

NARRATIVE (2)
Narrative Title: n/a
Narrative Author: Ellis, Chris
Narrative Date: 01/11/2023 14:24:13
Narrative Apparatus ID: n/a
Narrative: Dispatched to stated address for fuel leak. Dispatch advised an 18 wheeler had thrown its driveshaft and was leaking Diesel fuel. On arrival found diesel had leaked from from top of hill near Stone Creek to Dewberry Ln where truck had stopped. Owner was trying to secure leak/driveshaft to move vehicle. Put out oil dry on pooling fuel. Contacted EMA about fuel spill estimated 15-20 gallons of fuel had leaked. Requested more oil dry from stations. Covered area, and left it there for traffic to drive over. Requested EMA contact Baldwin County Highway Dept so they could check the stretch of road in the morning. Returned to service.

Figure 14: Fuel spill incident and response

- ✓ Creek/Shoreline Assessment of MS4 area via kayak
 - September 28, 2023: Planning and Zoning staff (3) assessed 5,300 meters of the MS4 in Fly Creek, inspecting (3) inventoried outfalls along the way. Monofilament line was removed from underneath piers along the way.



Figure 15: Planning and Zoning staff – kayak assessment

3.6.3 Construction Site Runoff Control (MCM3)

Development Review

Status: Ongoing

Responsible Department: Planning and Zoning

✓ In the 2023 reporting period, according to the Subdivision Case Index Files, the City of Fairhope reviewed through development review and Planning Commission (Source: Planning Commission agendas, 4/1/2023-3/31/2024):

- (3) Preliminary approvals
- (12) Final approvals for major subdivisions or phases under development
- (8) Minor subdivisions
- (3) Site Plan Reviews
- (18) Utility Reviews
- (5) Informal Reviews

✓ New development projects approved in 2023:

- Major Subdivisions:
 - Encounter Commercial Retail Center
 - Long Branch
 - Laurelbrooke Phase 1
 - Laurelbrooke Phase 2
 - Planters Pointe
 - Old Battles Village Ph 6
 - Klumpp PUD
 - Hill Top Ph 2 PUD
 - Montrose Preserve PUD
- Minor subdivisions:
 - 350 N. Bayview
 - North Lot
 - Johnson
 - The Poidevant
 - Morphy Place
 - Moffett's Way
- Multi-Occupancy Projects:
 - Washington Square
 - Publix at Point Clear
 - Polo Crossing
 - Venner LLC
 - Vatan Mixed Use Development
 - Windmill Business Park
 - The Reserve at Fairhope
 - The Flats at East Bay

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

Description of any completed or planned revisions to the ordinance or regulatory mechanism and the most recent copy.

Status: Complete – there have been no changes to the subdivision regulations or zoning ordinances during the 2023 period.

Responsible Department: Planning and Zoning, Building

- ✓ Municipal ordinances utilized for erosion, sediment and waste control on construction sites:
 - Erosion and Sediment Control (#1398 and #1603)
 - Ordinance 1603 is an amendment/addition to #1398, added in 2017
 - Red Soil & Clay Ordinance (#1423)
 - Construction Site Waste (#958)
- ✓ Procedures for non-compliant sites (Code Enforcement) as per Erosion and Sediment Control Ordinance 1398:
 - Notice of Violation (written or verbal)
 - Withheld Construction Inspections
 - Stop Work Orders
 - Authorize Street Sweeper at \$300 minimum charge
 - Municipal Offense Ticket
 - ADEM notification if water quality impact has occurred
 - Standard Operating Procedures (SOP)
- ✓ Subdivision Regulations: Construction, development and re-development standards for stormwater are listed here.
 - Stormwater Standards: Article V F:
<https://www.fairhopeal.gov/home/showdocument?id=21418>
 - 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.”*
 - LID Requirements: (Revised in 2018) Required Use of Low Impact Development (LID) Techniques
 - 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.
 - 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.

- 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.
- 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.
- The following LID techniques are available for use by applicants given the circumstances and characteristics of the proposed subdivision:
 - 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.
 - 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.

- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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
- 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.

- Greenways: The City finds that greenways provide beneficial use of LID for potentially active and passive recreation opportunities and wildlife corridors. This technique allows for 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.
- 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.
- 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.
- 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.

- 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.
- ✓ 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.

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)	50
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

FAIRHOPE SUBDIVISION REGULATIONS 57



Figure 16: Wetland Buffer installed in the Point Clear Creek Watershed, Hill Top subdivision, March 2023

- ✓ Zoning Ordinance: available on-line for the public to view. Construction, development and re-development standards for stormwater are listed here.
- Stormwater Management Standards: www.cofairhope.com/departments/planning-and-building/publications-and-forms
 - Common compliance items are silt fence repair, construction entrance repair, street tracking clean up and inlet protection maintenance.

Number of construction site inspections

Status: Ongoing

Responsible Department: Planning and Zoning, Building

- ✓ In the 2023 program period, Planning and/or Building Department staff reviewed (City limits only):
 - Single family residential sites - 238
 - Commercial and non-residential buildings - 9
 - Land disturbances/Site Work/Right of Way - 190
 - Development projects (utility, major subdivision, minor subdivision, multi-occupancy, PUD, informal and site plan review) - 49

Number of non-compliant construction site referrals and/or enforcement actions.

Status: Ongoing

Responsible Department: Planning and Zoning, Building

- ✓ Total number of inspections for the performance period was 1,798. Of that, 230 were BMP inspections. 723 were BMP follow-ups. 139 notice of violations were issued and 119 notice of violation follow-ups were performed. There were 582 monthly inspections within the priority construction areas.

Number of MS4 state inspectors trained.

Status: Ongoing

Responsible Department: Planning and Zoning, Building, Public Works, Grants

- ✓ QCI Certification/Recertification for 12 City staff in Building Department, Planning and Zoning Department, and Public Works.

Name	Department	Certification Date	Certification Expiration Date	Certification Company	QCI #
Shawn Bradley	Building	4/1/2023	4/1/2024	Thompson	T6889
Mike Jeffries	Planning	10/18/2023	10/18/2024	Thompson	T5830
Michael Johnson	Public Works	11/14/2023	11/14/2024	Thompson	T8083
Cameron Nixon	Building	2/5/2024	2/5/2025	Thompson	T6435
Michael Smith		11/13/2023	11/13/2024	Thompson	T8081
David Thomas	Public Works	2/24/2024	2/24/2025	Thompson	T7813
John Thomas	Public Works	3/12/2024	3/12/2025	Thompson	T6856
Christina LeJeune	Planning	3/29/2024	3/29/2025	Thompson	T8242
Eddie Tucker	Building	4/4/2024	4/4/2025	Thompson	T8248
Greg Waite	Building	4/5/2024	4/5/2025	Thompson	T8251
Gina Burns	Planning	3/14/2024	3/14/2025	Thompson	T8226
Michelle Melton	Planning	3/21/2024	3/21/2025	Thompson	T8230

3.6.4 Post-construction Stormwater Management – New Development and Re-development (MCM4)

Ordinance/s

Status: Ongoing

Responsible Department: Planning and Zoning, Building, Public Works

- ✓ 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. In 2023, Planning and Zoning Staff sent out five (5) letters for overdue O&M inspections. 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.

- ✓ Post-construction stormwater management from the Subdivision Regulations:
 - *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>
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.

Summary of enforcement actions

Status: Ongoing

Responsible Department: Planning and Zoning, Building

- ✓ The City of Fairhope requires a 2-year maintenance bond for the infrastructure to be accepted by the City of Fairhope.
- ✓ 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.
- ✓ 3-5 year O&M inspections

3.6.5 Pollution Prevention/Good Housekeeping for Municipal Operations

Updates to municipal facility inventory

Status: Complete

Responsible Department: Public Works, Treasury, City Clerk

- ✓ 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
 - Founders Park / Maintenance Shop
 - Fairhope Soccer Complex / Maintenance Shop
 - Volanta Sports Park / Maintenance Shop
 - Stimpson Field
 - 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
 - Building Department
 - Utilities Barns (Gas, Water, Electric)
 - 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 Marina: Fairhope Docks @ Sea Cliff Drive (Fairhope Pier marina is now for transient boat traffic only; no overnight boats or boat slip rentals)
- Pecan Street (East): Symbol Clinic; Planning and Zoning Department; Water & Sewer Staging area; Public Works Conference Room

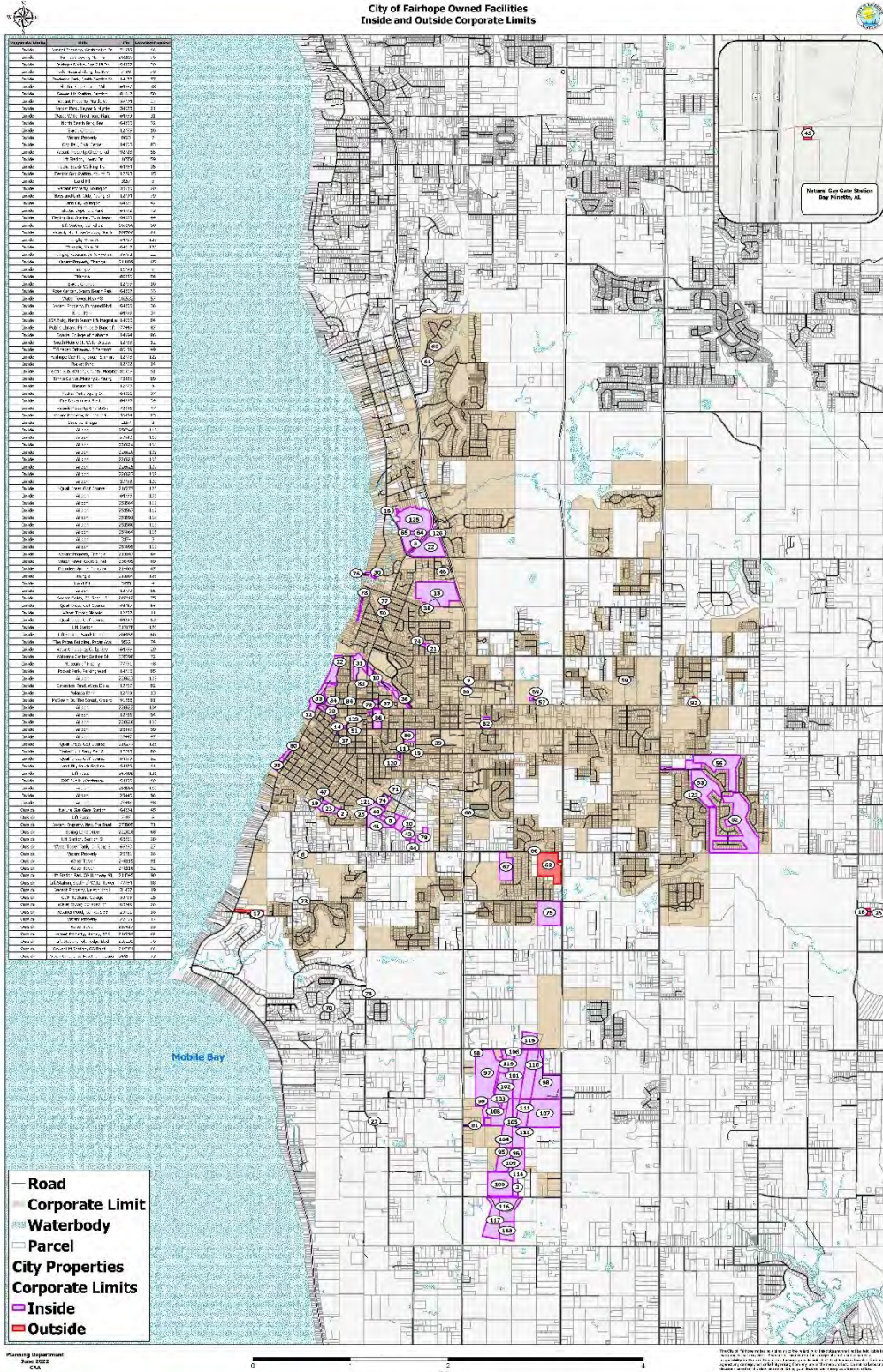


Figure 17: Map of City facilities

Estimated amount of floatable material collected from MS4

Status: Ongoing

Responsible Department: Public Works

- ✓ The City of Fairhope provides garbage, trash and recycling pickup weekly (garbage twice weekly), and this aids in keeping our storm drains clean. Numbers for 2023 period:
 1. 906.4 tons of recyclable materials (paper, cardboard, glass, plastic, metals and e-waste).
 2. 4,681.6 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.
 3. 13,246 tons of garbage were removed from residential and commercial locations in Fairhope. This service is offered by the City 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.
 4. 726 gallons (13.2 55-gallon drums) of HHW were collected and reclaimed through the HHW drop off site at Public Works (Paints, paint thinners, antifreeze, motor oil). Source: Piedmont Chemicals, Atlanta, GA
 5. 330 gallons of cooking oil were recycled.

Updates to the inspection plan

Status: Complete

Responsible Department: Planning and Zoning, Public Works

- ✓ No changes have been made to the inspection plan.
- ✓ Inspection was performed on December 13, 2023. See Appendix E for report.

Updates to SOP good housekeeping practices

Status: Complete

Responsible Department: Planning and Zoning, Public Works, Building, Gas, Water/Wastewater, Parks and Recreation

- ✓ 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 2022 to specify that (Appendix D):

The designated wash rack at Public Works is used for vehicle and equipment washing. This includes vehicles and equipment from all departments within Public Works and utilities.
- ✓ The City of Fairhope owns and operates two marinas:
 1. Fairhope Docks at the end of Sea Cliff Drive on Fly Creek.
 - There is a marine pump out on site at the Fairhope Docks location that was used 120 times in the program period.
 - There is no vessel maintenance or repair offered at either marina at this time.
 - Fairhope Docks offers boat slips for rent but as of 2023, does not allow live on boards.
 - In February 2023, Mississippi-Alabama SeaGrant performed an assessment of the Fairhope Docks Marina to certify the marina into the *Clean Marina Program*. *Clean Marina Program* is a voluntary, incentive-based program promoted by NOAA and

others that encourages marina operators and recreational boaters to protect coastal water quality by engaging in environmentally sound operating and maintenance procedures. Once the Fairhope Docks Marina addresses a few small suggestions from the inspection Team, it will become a certified Clean Marina.

2. Fairhope Municipal Pier

- The Fairhope municipal pier marina will be managed as a transient boat marina only with no boat slip rentals or live aboard clientele. The sewer lift station at the Municipal Pier was updated in 2022 in anticipation of restaurant on the pier upgrades and new restaurant ownership.

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

✓ 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 Wastewater Treatment plant. The City currently has seven (7) designated wash rack facilities, which discharge into the Wastewater Treatment plant, within its operation. Wash rack facilities include the main wash rack at *Public Works (555 South Section Street)*, pictured, 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



Figure 18: Public Works Wash Rack

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.

Measurable Goals For 2024:

Stormwater Education / Seminar

- Goal: Staff shall attend at least one stormwater related workshop, conference or seminar annually
 - Responsible Department: Planning and Zoning Department, Grants, Building
 - Due: December 2024

Stormwater Article on social media (FB)

- Goal: Ensure there is at least one stormwater related article on social media such as Facebook, per year
 - Responsible Department: Grants, Community Development
 - Due: December 2024

SWMPP Review

- Goal: Review the Stormwater Management Program Plan and related ordinances in a public forum such as the Planning Commission meeting.
 - Responsible Department: Planning and Zoning Department, Grants
 - Due: December 2024

Public Educational / Input Meeting for Stormwater Issues

- 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).
 - Responsible Department: Planning and Zoning Department
 - Due: December 2024

Illicit Discharge Detection and Elimination (IDDE)

- Goal: Stormwater Outfall Inventory Update
 - Responsible Department: Planning and Zoning, Building
 - Due: December 2024
- Goal: Public Works Illicit Discharge Detection Meeting
 - Responsible Department: Planning and Zoning, Building, Public Works, Grants
 - Due: December 2024
- Goal: Dry Weather Screening of Outfalls / Outfall Assessment
 - Responsible Department: Planning and Zoning, Building, Public Works, Grants
 - Due: January 2024

Construction Site Storm Water Runoff Control

- Goal: QCI Recertification of Code Enforcement Officer, Building Inspectors, Right of Way Inspectors, Grants Coordinator, Planning Technician
 - Responsible Department: Planning and Zoning, Building, Grants
 - Due: January 2024