



March 5, 2024

**RE: Addendum No. 1
Foley Beach Express Improvements from CR-12 to SR-59
HSIP-0220(254) & HSIP-0220(257) & STPUC-0224(250)**

TO ALL BIDDERS ON THE ABOVE REFERENCED PROJECT:

In response to questions and comments received by Thompson Engineering, Inc., and the City of Foley, the plans, contract documents and specifications for the above referenced project are hereby revised as follows:

1. Contract Documents and Specifications
 - I. Under **Section IV – Contract Schedule**, replace pages 1-3 of 3 of the schedule with revised forms to include the following:
 - i. Add pay item 212A-000 Machine Grading Shoulders
 - ii. Revise quantity for pay item 424A-369 Superpave Bituminous Concrete Wearing Surface Layer, ½” Maximum Aggregate Size Mix, ESAL Range C/D
 - iii. Revise description for pay item 424B-662 to Superpave Bituminous Concrete Upper Binder Layer, Widening, 1” Maximum Aggregate Size Mix, ESAL Range C/D
 - iv. Revise description for pay item 424B-680 to Superpave Bituminous Concrete Lower Binder Layer, ¾” Maximum Aggregate Size Mix, ESAL Range C/D
2. HSIP-0220(254) Plans
 - I. On Sheet 1
 - i. Revised the ALDOT Standard and Special Highway Drawings referenced to 2024.
 - ii. Revised the project note referencing projects included in the proposal for this combined project from ST-002-999-011 to STPUC-0224(250).
3. HSIP-0220(257) & STPUC-0224(250) Plans
 - I. On Sheet 2F, revised the typical sections to include Legend No. 15 for 424A-369 Superpave Bituminous Concrete Wearing Surface Layer, Widening, ½” Maximum Aggregate Size Mix, ESAL Range C/D for paving crossovers, turnouts and side streets.
 - II. On Sheet 2N, revised Note 221 to require a minimum 72 hour curing period on scrub seal before applying an overlying layer.
 - III. On Sheets 3 and 3A

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damages caused to the scrub seal if it is applied before widening will be required to be repaired before proceeding with the overlay.

6. What tack rate is required over scrub seal?

Per ALDOT Specification Section 405, the rate of placement shall be the same as specified in the table found in 405.03(d) for new surface treatments, 0.03-0.07 gal/yd² for emulsions and 0.02-0.05 gal/yd² for PG asphalt binder.

7. What is the cure time for the scrub seal, for example some specifications require 72 hours while some guidance has indicated up to 14 days?

The Contractor shall follow ALDOT Specification Section 433 for time requirements before the roadway is opened to traffic, at least 2 hours after completion of placement of the emulsion and aggregate.

However, the minimum curing period before applying an overlying layer shall be a minimum of 72 hours per revised Plan Note 221 on Sheet No. 2N.

8. Some of the Contract Schedule pay items appear to be inconsistent with the summaries of quantities in the plans. Please clarify which pay items are to be used. For example 424A-369, 424B-662 and 424B-680.

The Contract Schedule has been revised to show the correct pay item description for 424B-662 Upper and 424B-680 Lower.

Sheet 2F has been revised to show the placement of 424A-369 Widening on crossovers, turnouts and side streets, as provided for by ALDOT Specification Section 424 and directed by the Engineer.

9. The topsoil quantity seems high. What amount of topsoil will be required; and, if in-place material is required to be bladed over onto existing shoulders, will this amount of topsoil still be required?

Machine grading shoulders has been added to this project. Topsoil required will be placed to the satisfaction of the Engineer; and measured and paid for as Topsoil per ALDOT Specification Section 650.

10. A pay item for machine grading shoulders appears to be needed.

Pay Item 212A-000 has been added to the plans for this work.

11. Are there any time restrictions on work?

No. The Contractor will be allowed to perform daytime and/or night-time work as needed to meet the contract requirements.

12. Can the concrete islands be poured monolithically?

Technical Project Information

Specifications

1. The specifications to be used for this project will be the ALDOT Standard Specifications for Highway Construction, 2022 edition, subject to any amendments set forth in the Special Provisions or the Supplemental Specifications.
2. This project is composed of three project numbers and corresponding summary of quantities, based on funding sources for each:
 - a. HSIP-0220(254) Low Cost Safety Improvements on Foley Beach Express from CR-12 to CR-28
 - b. HSIP-0220(257) Shoulder Widening, Super Elevation Corrections and Rumble Strips on Foley Beach Express from CR-12 to SR-59 in the City of Foley
 - c. STPUC-0224(250) Resurfacing of Foley Beach Express from CR-12 to SR-59 in the City of Foley.
3. The City has submitted a Notice of Intent with ADEM, but the contractor will be responsible for installation and maintenance of all BMP's. A copy of the CBMPP is available through the City prior to bidding.
4. A copy of the Materials Reports and any addenda to the reports are available through the City prior to bidding.

Construction Requirements

1. Reviewed plan requirements for shoulder widening, cross-slope corrections, scrub seal, pavement repairs, etc.
2. Profile corrections are required to the mainline on Foley Beach Express in both directions at the intersections of CR-12 and CR-20 to correct vertical alignment issues for vehicles traveling through the intersections at posted speeds. This work shall be done prior to resurfacing and shall be performed at the direction of the Engineer and plan details.
3. Reviewed sequence of construction.

Contractor Questions/Clarifications (if any)

1. Will this project be tied to ALDOT's asphalt index?
2. Will the scrub seal need to be applied before or after the shoulder widening?
3. What tack rate is required over scrub seal?
4. What is the cure time for the scrub seal, for example some specifications require 72 hours while some guidance has indicated up to 14 days?

of the TMDL. If additional BMPs will be necessary to meet the requirements of the TMDL, the CBMPP must include a schedule for installation and/or implementation of such BMPs.

- (c) If, during this permit cycle, a TMDL is approved by EPA or a TMDL is established by EPA for any waterbody into which a construction site discharges, the Permittee must review the applicable TMDL to see if it includes requirements for control of storm water discharges from the construction site.
- (d) If it is found that the Permittee must implement specific allocations of the TMDL, it must assess whether the assumptions and requirements of the TMDL are being met through implementation of existing BMPs or if additional BMPs are necessary. The CBMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. If existing BMPs are not sufficient, the Permittee must, within sixty (60) days following the approval or establishment of the TMDL by EPA, submit a revised CBMPP detailing new or modified BMPs to be utilized along with a schedule of installation and/or implementation of such BMPs. Any new or modified BMPs must be implemented within ninety (90) days, unless an alternate date is approved by the Department, from the establishment or approval of the TMDL by EPA.

V. Discharge of Wastewater Generated by Others

The discharge of wastewater generated by any process, facility, or by any other means not under the operational control of the Permittee or not identified in the application for this permit or not identified specifically in the description of an outfall in this permit is not authorized by this permit except as allowed by Part I.

W. Compliance with Water Quality Standards and Other Provisions

1. On the basis of the Permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this Permit will assure compliance with applicable water quality standards. However, this Permit does not relieve the Permittee from compliance with applicable State water quality standards established in ADEM Admin. Code Ch. 335-6-10, and does not preclude the Department from taking action as appropriate to address the potential for contravention of applicable State water quality standards which could result from discharges of pollutants from the permitted facility.
2. Compliance with Permit terms and conditions notwithstanding, if the Permittee's discharge(s) cause(s) or contribute(s) to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the Permittee, modify the Permit pursuant to the Department's rules and regulations, or both.
3. If the Department determines, on the basis of any investigation, inspection, or sampling, that a modification of this Permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the AWPCA or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the Permit has been modified.

X. Civil and Criminal Liability

1. Tampering: Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained or performed under this Permit shall, upon conviction, be subject to penalties and/or imprisonment as provided by the AWPCA and/or the AEMA.
2. False Statements: Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished as provided by applicable State and federal law.
3. Permit Enforcement: This NPDES Permit is a Permit for the purpose of the AWPCA, the AEMA, and the FWPCA, and as such all terms, conditions, or limitations of this Permit are enforceable under State and federal law.
4. Relief From Liability: Except as provided in Part IV.M. (Bypass) and Part IV.N. (Upset), nothing in this Permit shall be construed to relieve the Permittee of civil or criminal liability under the AWPCA, AEMA, or FWPCA for noncompliance with any term or condition of this Permit.

Y. Oil and Hazardous Substance Liability

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 of the FWPCA, 33 U.S.C. §1321.

Z. Availability of Reports

Except for data determined to be confidential under Code of Alabama 1975, §22-22-9(c), all reports prepared and submitted in accordance with the terms of this Permit shall be available for public inspection at the offices of the Department or the Department's electronic filing system (eFile) at <http://app.adem.alabama.gov/eFile/>. Effluent data shall not be considered confidential. Knowingly making any false statement in any such report may result in the imposition of criminal penalties as provided for in Section 309 of the FWPCA, 33 U.S.C. §1319, and Code of Alabama 1975, §22-22-14.

AA. Coastal Zone Management for Baldwin and Mobile Counties

1. Except for those activities described in Part IV.AA.2 below, this permit is conditionally consistent with the Alabama Coastal Area Management Plan (ACAMP) upon continued compliance with the ACAMP.
2. The Permittee shall obtain, as appropriate, a coastal permit or coastal consistency determination from the Department if any activity constitutes a use as described in ADEM Admin. Code r. 335-8-1-.08, 335-8-1-.09, 335-8-1-.10 or 335-8-1-.11.

BB. Removed Substances

Solids, sludges, or any other pollutants or other wastes removed in the course of treatment or control of stormwater shall be disposed of in a manner that complies with all applicable Department rules and regulations.

CC. Compliance with Statutes and Rules

1. This permit has been issued under ADEM Admin. Code Ch. 335-6-6. All provisions of this chapter, that are applicable to this permit, are hereby made a part of this permit. A copy of this chapter can be found on the ADEM website at: <http://adem.alabama.gov/alEnviroRegLaws/files/Division6Vol1.pdf>
2. This permit does not authorize the noncompliance with or violation of any Laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws. FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

PART V: Definitions

2-year, 24-hour storm event means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed there from.

24-hour precipitation event means that amount of precipitation which occurs within any 24-hour period.

AEMA means the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1, et seq.

Alabama Handbook means the current edition of the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas, published by the Alabama Soil and Water Conservation Committee (ASWCC) at the time permit coverage is obtained.

ADEM means the Alabama Department of Environmental Management.

Agricultural Practices means practices commensurate with the size of the farming operation that are implemented in a manner that meet or exceed Natural Resources Conservation Service technical standards and guidelines, including but not limited to, farm ponds that are constructed for the primary purpose of irrigation and/or watering of livestock, terraces, grassed waterways, vegetative filter strips, cropland grade stabilization measures, drainage tiles, underground outlets, land leveling, dike/diversion structures, and other grade stabilization structures.

AWPCA means the Alabama Water Pollution Control Act.

Best Management Practices or BMPs means implementation and continued maintenance of appropriate structural and non- structural practices and management strategies to prevent and minimize the introduction of pollutants to stormwater and to treat stormwater to remove pollutants prior to discharge.

Borrow Area "Pit" means the activity of removing material (soil, gravel, sand) from one area to use in another area. For the purposes of this permit, this activity is solely in conjunction with the project requesting permit coverage and the material is not to be sold for profit. The borrow area and associated activity shall be located within a two-mile radius of the project requesting permit coverage to be considered as part of the project and will open and close with the project requesting permit coverage.

Chronic and Catastrophic Precipitation means precipitation events which may result in failure of the properly designed, located, implemented, and maintained BMPs or other structure/practices required by this permit. Catastrophic precipitation conditions means any single event of significant total volume, or of increased intensity and shortened duration, that exceeds normally expected or predicted precipitation over the time period that the disturbance is planned or is ongoing, as determined by the Department. Catastrophic conditions could also include tornadoes, hurricanes, or other climatic conditions which could cause failure due to winds or mechanical damage. Chronic precipitation is also that series of wet-weather conditions over a limited time-period which does not provide any opportunity for emergency maintenance, reinstallation, and corrective actions and which equals or exceeds the volume of normally expected or predicted precipitation for the time period that the disturbance is planned or is ongoing.

Common Plan of Development or Sale means any announcement or piece of documentation (e.g., sign, public notice, or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (e.g., boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot.

Construction means any land disturbance or discharges of pollutants associated with, or the result of building, excavation, land clearing, grubbing, placement of fill, grading, blasting, reclamation, areas in which construction materials are stored in association with a land disturbance or handled above ground and other associated areas including, but not limited to, construction site vehicle parking, equipment or supply storage areas, material stockpiles, temporary office areas, and access roads. Construction also means significant pre-construction land disturbance activities performed in support or in advance of construction activity including, but not limited to, land clearing, excavation, removal of existing buildings, dewatering, and geological testing. For the purposes of this Permit, any activity related to mining operations is excluded.

Construction Activity means the disturbance of soils associated with clearing, grading, excavating, filling of land, or other similar activities which may result in soil erosion. For the purposes of this Permit, construction activity does not include mining operations, agricultural and silvicultural practices. However, construction activity does include the construction of agricultural buildings.

Construction Best Management Practices Plan (CBMPP) means any research, planning considerations, systems, procedures, processes, activities, and practices implemented for the prevention and/or minimization of pollutants in stormwater to the maximum extent practicable, and collection, storage, treatment, handling, transport, distribution, land application, or disposal of construction stormwater and onsite management of construction waste generated by the construction activity, and to comply with the requirements of this permit. The CBMPP shall be prepared and certified, and when necessary updated by a qualified credentialed professional (QCP) in accordance with the requirements of this permit.

Construction Site means any site regardless of size where construction or construction associated activity has commenced, or is continuing, and associated areas, including sites where active work is suspended or has ceased, until the activity is completed and effective reclamation and/or stormwater quality remediation has been achieved.

Construction Support Activity a construction-related activity that specifically supports the construction activity solely related to the construction site covered under this permit and involves earth disturbance or pollutant-generating activities of its own, and may include activities including but not limited to equipment staging yards, materials storage areas, excavated material disposal areas, and temporary borrow areas.

Construction Waste means construction and land disturbance generated materials, including but not limited to, waste chemicals, sediment, trash, debris, litter, garbage, construction demolition debris, land clearing and logging slash, or other materials or pollutants located or buried at the site prior to disturbance activity or that is generated at a construction site.

Control Measure refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State.

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Department means the Alabama Department of Environmental Management or an authorized representative.

Director means the Director of the Department or his designee.

Discharge, "[t]he addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the State." Code of Alabama 1975, §22-22-1(b)(8).

EPA refers to the U.S. Environmental Protection Agency.

Ephemeral Stream means a stream or portion of a stream which flows briefly in direct response to precipitation in the immediate vicinity and whose channel is at all times above the ground-water reservoir.

Facility see the definition for construction site

Final Stabilization means the application and establishment of the permanent ground cover (vegetative, pavements of erosion resistant hard or soft material, or impervious structures) planned for the site to permanently eliminate soil erosion to the maximum extent practicable. Established vegetation will be considered final if 100% of the soil surface is uniformly covered in permanent vegetation with a density of 85% or greater. Permanent vegetation shall consist of planted trees, shrubs, perennial vines; and/or an agricultural or a perennial crop of vegetation appropriate for the region and accomplished according to the Alabama Handbook. Final stabilization applies to each phase of construction.

FWPCA means the Federal Water Pollution Control Act

Green Infrastructure refers to systems and practices that use or mimic natural processes to infiltrate, evapotranspire (the return of water to the atmosphere either through evaporation or by plants), or reuse storm water or runoff on the site where it is generated.

Intermittent Stream means a stream where portions flow continuously only at certain times of the year. At low flow there may be dry segments alternating with flowing segments.

Linear Project means land disturbing activities conducted by an underground /overhead utility or highway department, including, but not limited to any cable line or wire for the transmission of electrical energy; any conveyance pipeline for transportation of gaseous or liquid substance; any cable line or wire for utility communications; or any other energy resource transmission ROW or utility infrastructure, e.g., roads and highways. Activities include the construction and installation of these utilities within a corridor. Linear project activities also include the construction of access roads, staging areas, and borrow/spoil sites associated with the linear project.

Low Impact Development or LID is an approach to the maintenance of predevelopment hydrology in land development (or re- development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product.

Maximum extent practicable (MEP) means full implementation and regular maintenance of available industry standard technology and effective management practices, such as those contained in the Alabama Handbook and site-specific CBMPP, designed to prevent and/or minimize discharges of pollutants and ensure protection of groundwater and surface water quality.

Mining Operations shall mean all or any part of the process of recovering coal, lignite, iron, clay, sand, bauxite, gravel, ores, gold, marble or any other material or mineral by removal of such mineral from the surface or by removal or displacement of the strata or material which overlies such mineral deposits in its natural condition, and shall include but not be limited to the open-pit or open-cut method, the auger method, and the highwall mining method. For the purposes of this permit, mining operations are commercial operations that do not meet the definition of a construction support activity. Additionally, this permit does not cover pre-mining construction and land preparation, including but not limited to, clearing, grubbing, testing, and advanced prospecting in advance of mining activity/operations.

Minor Land Disturbing Activities means activities which will result in minor soil erosion such as home gardens or individual home landscaping, repairs, maintenance work, fences, routine maintenance and other related activities.

National Pollutant Discharge Elimination System "NPDES" means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits for the discharge of pollutants into waters of the State.

Natural Buffer (Riparian buffer) means a strip of dense undisturbed perennial native vegetation, either original or re-established, that borders streams and rivers, ponds and lakes, and wetlands. Buffer zones are established for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the upland area and reaching surface waters. Natural buffers help stabilize streambanks and therefore are important in minimizing production of sediment from bank erosion. The importance increases in relation to the size of the stream. Buffer zones are most effective when stormwater runoff is flowing into and through the buffer zone as shallow sheet flow, rather than in concentrated form such as in channels, gullies, or wet weather conveyances.

Nephelometric Turbidity Unit or NTU means a numerical unit of measure based upon photometric analytical techniques for measuring the light scattered by fine particles of a substance in suspension.

New Construction Site means any initial construction or construction activity covered under this General Permit where the disturbance begins after the effective date of this permit. This includes subsequent phases of a previously permitted development.

Non-stormwater Discharges means discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.

Normal Operating Hours means from 6:00 a.m. to 6:00 p.m., Monday through Friday, excluding federal holidays established pursuant to 5 U.S.C. § 6103. Normal operating hours also include any time when workers are present or when construction activity is occurring, regardless of the particular day or time of day.

NOI means Notice of Intent.

Operator means any person or other entity that owns, operates, directs, conducts, controls, authorizes, approves, determines, or otherwise has responsibility for, or exerts financial control over the commencement, continuation, or daily operation of activity regulated by this permit. An operator includes any person who treats and discharges stormwater, or in the absence of treatment, the person who generates and/or discharges stormwater, or pollutants. An operator may include but may not be limited to, property owners, agents, general partners, LLP partners, LLC members, leaseholders, developers, builders, contractors, or other responsible or controlling entities.

Outfall means the location where stormwater in a discernible, confined and discrete conveyance leaves a facility or construction site prior to discharging into the receiving water.

Perennial Stream means a stream or portion of a stream that flows year-round, is considered a permanent stream, and for which base flow is maintained by ground-water discharge to the streambed due to the ground-water elevation adjacent to the stream typically being higher than the elevation of the streambed.

Permittee means a person to whom a permit has been issued.

Plan or Sale as included in the phrase “larger common plan of development or sale” is broadly defined to mean any announcement or documentation, sales program, permit application, presentation, zoning request, physical demarcation, surveying marks, etc., associated with or indicating construction activities may occur in an area.

Pollutant of concern refers to sediment, turbidity, and any other pollutant known or reasonably expected to be found in untreated discharges associated with the construction site.

Post-construction refers to any phase of construction where final stabilization has been achieved and all but minor construction activities have been completed. The term post-construction is not affected by the final operational status of the site or whether the site has been placed into operation according to its final intended use.

Priority construction site means any site that discharges to a waterbody which is listed on the most recently EPA approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, any waterbody assigned the Outstanding Alabama Water use classification in accordance with ADEM Admin. Code r. 335-6-10-.09, and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10.

Qualified Credentialed Inspector or QCI means a permittee, permittee employee, or permittee designated qualified person who has successfully completed initial training and annual refresher Qualified Credentialed Inspection Program (QCIP) training, and holds a valid certification from a Department approved cooperating training entity. A QCI is familiar with current industry standards for erosion and sediment controls and able to inspect and assure that BMPs or other pollution control devices (silt fences, erosion control fabric, rock check devices, etc.) and erosion control efforts (grading, mulching, seeding, growth management, etc.) or management strategies have been properly implemented and regularly maintained. Such individual may not certify the CBMPP or modifications to the CBMPP.

Qualified Credentialed Inspector Program or QCIP means a Department approved program conducted by a cooperating training entity. Approved programs provide training in the requirements of the Alabama NPDES rules and regulations to ensure that QCP designed and certified BMPs detailed in a CBMPP are effectively implemented and maintained, and evaluation of conveyance structures, receiving waters and adjacent impacted offsite areas to ensure the protection of water quality and compliance with the requirements of this Permit.

Qualified Credentialed Professional or QCP means a licensed (in the State of Alabama) professional engineer (PE) or a Certified Professional in Erosion and Sediment Control (CPESC) as determined by EnviroCert International. Other registered or certified professionals eligible to be classified as a QCP include registered landscape architect, licensed land surveyor, registered geologist, registered forester, Registered Environmental Manager as determined by the National Registry of Environmental Professionals (NREP), or Certified Professional and Soil Scientist (CPSS) as determined by the Soil Science Society of America. The QCP shall be in good standing with the authority granting the registration or designation. The design and implementation of certain structural BMPs may involve the practice of engineering and require the certification of a professional engineer pursuant to Alabama law.

A qualified person under the direct supervision of a QCP refers to an individual who is an employee of the QCP or the QCP’s firm, and is familiar with current industry standards for erosion and sediment controls. This individual is able to inspect and assure that BMPs or other pollution control devices (silt fences, erosion control fabric, rock check devices, etc.) and erosion control efforts (grading, mulching, seeding, growth management, etc.) or management strategies have been properly implemented and regularly maintained. Such individual may not certify the CBMPP or modifications to the CBMPP.

Qualifying precipitation event refers to any precipitation of 0.75 inches or greater in any 24-hour period.

Receiving Stream means the “waters” receiving a “discharge” from a construction site.

Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Silvicultural Operations:

Non-point source Silvicultural activities means activities such as nursery operations, site preparation, reforestations, and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff.

Point source Silvicultural activities means any discernable, confined and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in conjunction with silvicultural activities and from which pollutants are discharged into waters of the State. Silvicultural point sources, excluding mining operations regulated pursuant to ADEM Administrative Code rule 335-6-9; 40 CFR Part 122.27 (1994).

Site means the land or water area where any facility or activity for which coverage under this permit is required is physically located or conducted, including adjacent land use in connection with the facility or activity. See also the definition of Construction Site.

State water quality standards refer to numeric and narrative standards set forth at ADEM Admin Code chaps. 335-6-10 and 335-6-11.

Steep Slope means a slope of 15% or greater.

Stormwater means runoff, accumulated precipitation, process water, and other wastewater generated directly or indirectly as a result of construction activity, the operation of a construction material management site, including but not limited to, precipitation, upgradient or offsite water that cannot be diverted away from the site, and wash down water associated with normal construction activities. Stormwater does not mean discharges authorized by the Department via other permits or regulations.

Stormwater control refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the State.

Surface water means a water of the State of Alabama as defined in ADEM Admin. Code R. 335-6-10-.02.

Temporary Stabilization means the application and establishment of temporary ground cover (vegetative, pavements of erosion resistant hard or soft materials, or impervious structures) for the purpose of temporarily reducing raindrop impact and sheet erosion in areas where final stabilization cannot be established due to project phasing, seasonal limitations, or other project related restrictions.

Total Maximum Daily Load or TMDL means the calculated maximum permissible pollutant loading to a waterbody at which water quality standards can be maintained. The sum of waste load allocations (WLAs) and load allocations (LAs) for any given pollutant.

Treatment Chemicals refers to polymers, coagulants, flocculants, or other chemicals used to reduce turbidity in stormwater. For the purposes of this permit, treatment chemicals are used to control erosion on soil or to enhance the sediment removal capabilities of sediment traps or basins. Common construction site polymers include polyacrylamide (PAM) and chitosan.

Treatment facility and treatment system means all structures which contain, convey, and as necessary, chemically or physically treat stormwater. This includes all pipes, channels, ponds, tanks, and all other equipment serving such structures.

TSS means the pollutant parameter Total Suspended Solids.

Turbidity means a condition of water quality characterized by the presence of suspended solids and/or organic material. Sources of turbidity include soil erosion, waste discharge, urban runoff, eroding streambanks, and excessive algal growth.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation. For purposes of this definition, Chronic and Catastrophic Precipitation constitutes an exceptional incident.

Waters of the State means "[a]ll waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, §22-22-1(b)(2). "Waters" include all "navigable waters" as defined in §502(7) of the FWPCA, 33 U.S.C. §1362(7), which are within the State of Alabama.

Week means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.

ALR100000 2021 PERMIT CHANGES

This general permit renewal contains the same basic framework of requirements as the 2016 permit. However, some language in this 2021 general permit renewal has been revised in order to clarify permit requirements, by streamlining and simplifying language throughout the permit to present the requirements in a generally more clear and readable manner. This structure should enhance operators' understanding of and compliance with the permit's requirements.

Although not inclusive of all changes to the permit, the following list contains notable changes:

Eligibility

Part I.B. Modified to clarify construction support activities covered by this permit.

Exempt Discharges:

Part I.C. Added this section to clarify language as to discharges associated with minor land disturbing activities are exempt from coverage under this permit.

Contents of the NOI:

Part II.C. Modified to remove the requirement to provide latitude and longitude for each point of discharge, added the requirement to provide the latitude and longitude of each outfall, clarify appropriate map submittal information, added requirement to provide a listing of all treatment chemicals anticipated to be used at the site including the Safety Data Sheets (SDS), the dosage(s), and location(s) where the materials are to be used. This information is needed to ensure that the materials are used in appropriate areas on-site and that associated stormwater is treated prior to discharge.

Submittal of Document:

Permit Part II.D. The Department has included the requirement that Notices of Intent (NOIs) for permit coverage shall be submitted electronically to the Department through the Alabama Environmental Permitting and Compliance System (AEPACS).

Additional Permittees (Co-Permittee) Under a Single NOI:

Part II.E. Added the term Co-Permittee to header to clarify this refers to multiple permittees.

Erosion Controls and Sediment Controls:

Part III.A. These requirements have been revised to include factors to consider when designing controls for the construction site to include; complete installation of stormwater controls by the time each phase of construction activities has begun; manage stockpiles or land clearing debris composed of sediment and/or soil; sediment basin, impoundment, or detention/retention basins used as a sediment basin during construction shall be installed and stabilized prior to commencement of other construction activity; and factors to consider regarding treatment chemicals.

Soil Stabilization

Permit Part III.C. This requirement was expanded to clarify the requirement to initiate stabilization immediately.

Best Management Practices Plan:

Part III.E. Added requirement to provide a calculation based on the control measures to be implemented, to confirm the controls, as designed in the CBMPP, will provide the required percent reduction to meet the TMDL.

Inspection Requirements:

Part III.H.4. The evaluation of the CBMPP shall be performed on an interval of every three (3) months for priority construction sites and every six (6) months for non-priority construction sites.

Precipitation Measurement:

Part III.K. Expanded to clarify when precipitation measurements should be read and recorded.

Impaired Waters:

Part III.L. Updated for clarity and readability.

Definitions:

Part V. The following definitions have been added to the draft permit: Agricultural Practices, Construction Support Activity, Facility, Intermittent Stream, Mining Operations, Stormwater Control, Treatment Chemicals, and Turbidity.

Construction Best Management Practices Plan

For:
Foley Beach Express Widening, Superelevation Correction and Resurfacing
Project No. ST-002-999-011(HSIP-0220(254))
Foley Alabama

Permittee:
City of Foley
Mayor Ralph Hellmich
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CBMPP Preparation Date:
December 11, 2023

Estimated Project Dates:
Project Start Date: 3/01/2023
Project Completion Date: 3/01/2024



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Appendix E

Corrective Action Log

Appendix F

CBMPP Amendment Log

Appendix H

Additional Information (N/A)

Appendix K

Concrete Washout Fact Sheet from EPA's National Menu of Best Management Practices for Stormwater

