

Appendix B – Alabama Department of Environmental Management Water Division Review Information

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Alabama Department of Environmental Management
adem.alabama.gov

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Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

July 14, 2020

NATHANIEL BOOTH
DEPUTY CHIEF OPERATING OFFICER
USGS WATER RESOURCES MISSION AREA
12201 SUNRISE VALLEY DRIVE, MS 412
RESTON, VIRGINIA 20192

RE: Hydrologic Instrumentation Facility (HIF) on the University of Alabama Campus
Tuscaloosa County (125)

Dear Mr. Booth:

The Department's Water Division (WD) has reviewed the information you sent us regarding the above-referenced project. You had requested that we review this information and provide comments.

Attached, please find a copy of the WD's proposed project/activity review information.

I hope this information is useful. If you have any questions or need additional information, please contact Stephanie Fontaine by email at Stephanie.fontaine@adem.alabama.gov or by phone at (334) 274-4249.

Sincerely,

Stephanie Fontaine
Construction Permits Section
Stormwater Management Branch
Water Division

SJF File:PREV

Enclosure: Proposed Project/Activity Review Information
Copy of Review Request Letter

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)

ADEM CONSTRUCTION STORMWATER

PROPOSED PROJECT/ACTIVITY REVIEW INFORMATION

The Department has received and evaluated the information you sent us regarding the above-referenced project. You had requested that we review this information and provide comments.

Please note that State law and ADEM regulations require that appropriate, effective Best Management Practices (BMPs) for the control of pollutants in stormwater run-off be fully implemented and maintained as needed for all construction and land disturbance activities regardless of permit status or size of the disturbance to prevent/minimize discharges of sediment and other pollutants to waters of the State of Alabama.

A "water of the state" is broadly defined as [§ 22-22-1(b)(2), Code of Alabama 1975, as amended] "All 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." Discharges of pollutants resulting from failure to implement and maintain effective BMPs are considered unpermitted discharges to state waters.

Please be advised that pursuant to EPA rules and ADEM Construction General Permit (CGP) ALR100000, the operator or owner is required to apply for and maintain valid National Pollutant Discharge Elimination System (NPDES) coverage for stormwater discharges prior to beginning construction or regulated land disturbance that will equal or exceed one (1) acre in size. The regulations also require NPDES permit coverage for disturbance activities less than one (1) acre that are part of, adjacent to, or associated with a larger common plan of development or sale, that may eventually equal or exceed one (1) acre, or if less than one (1) acre in size if stormwater discharges have reasonable potential to be a significant contributor of pollutants to a water of the State or have reasonable potential to cause or contribute to a violation of applicable Alabama water quality standards as determined by the Department. In addition, a Construction Best Management Practices Plan (CBMPP) is required to be submitted for priority construction sites as defined in the CGP. The regulated construction disturbance also includes, but is not limited to, associated areas utilized for support activities such as vehicle parking, equipment or supply storage areas, material stockpiles, temporary office areas, and access roads, and pre-construction activities performed in advance or in support of construction such as logging, clearing, and dewatering. Please be advised that an operator or owner must retain NPDES permit coverage until all disturbance activity, including phased construction, is complete.

Pursuant to Part II.D of the CGP, effective April 1, 2016, the Permittee must complete and submit the NOI electronically, using the Department's eNOI system, unless the Permittee submits in writing valid justification as to why the electronic submittal process cannot be utilized and the Department approves in writing the utilization of hard copy submittals. The eNOI system can be accessed at the following link <https://app.adem.alabama.gov/eNOI/Internal/Default.aspx>.

Additional ADEM air, land, and/or water permits for discharges and regulated impacts resulting from the operation of the completed facility may be required.

Effective Best Management Practices (BMPs), as provided in the *Alabama Handbook For Erosion Control, Sediment Control, And Stormwater Management On Construction Sites And Urban Areas*, as amended, Alabama Soil and Water Conservation Committee (ASWCC), for prevention and control of nonpoint sources of pollutants must be implemented prior to, during, and after project implementation. Immediately after completion of the project, effective measures to ensure permanent revegetation, cover, and/or effective stormwater quality remediation must be implemented and maintained. The CGP requires that a CBMPP to reduce pollutant discharges to the maximum extent practicable be prepared by a qualified credentialed professional (QCP) as defined in the CGP, and retained onsite. Construction site operators/owners seeking coverage under this general permit must submit a Notice of Intent (NOI) in accordance with the permit requirements. NOIs must be submitted through the Department's current electronic application submittal system. Information regarding construction activities forms, and other helpful information is available on the ADEM WebPage at <http://www.adem.state.al.us/programs/water/constructionstormwater.cnt>

Alabama Watersheds - In order to determine whether this project should be covered under an existing CWA Section 404, Nationwide, or General Permit, or Letter of Permission, you should contact the U.S. Army Corps of Engineers, Mobile District by mail at PO Box 2288, Mobile, AL 36628-0001 or by phone at (251) 690-2658. Facilities covered under a U.S. Army Corps of Engineers Individual 404 Permit, Nationwide or General Permit, or Letter of Permission must apply for NPDES stormwater coverage from ADEM, if construction or land disturbance above the Ordinary High Water Mark, or any non-dredge/fill operations below the Ordinary High Water Mark and associated upland dredge disposal sites that will equal or exceed one (1) acre or that are part of a larger common plan of development or sale in which disturbed acreage will eventually equal or exceed (1) acre.

ADEM's Coastal Program manages uses and activities having the potential to significantly impact the coastal portions of Alabama and/or its resources. The Coastal Area is comprised of only a portion of Mobile and Baldwin counties and is defined as the lands and waters seaward of the continuous ten-foot contour. ADEM issues Coastal Programs Non-Regulated Use Permits for commercial and residential developments greater than 5 acres in size, construction on Gulf-fronting properties intersected by the Construction Control Line, and groundwater wells that exceed 50 gallons per minute of water withdrawal. ADEM also must certify that permits issued by federal and state agencies, and projects conducted by those agencies, are consistent with the Coastal Program. ADEM accomplishes this by reviewing applications for permits submitted to other agencies. Therefore, it is recommended that applicants having development plans, or even considering development in the Coastal Area, consult with ADEM Coastal Program staff as soon as possible in the project development stage so that the applicant can learn of applicable requirements. Questions involving projects in the coastal area should be directed to the ADEM Coastal Office in Mobile.

You may also wish to contact: (1) the U.S. Fish & Wildlife Service and the Alabama Department of Conservation & Natural Resources. These are the Federal and State agencies, respectively, that have primacy and statutory authority to address potential impacts to endangered or threatened species, (2) the Office Of Water Resources, Alabama Department of Economic and Community Affairs, which is the State agency with primacy and statutory authority to address potential water quantity concerns or issues, (3) the State Fire Marshall and the Alabama Department of Industrial Relations which are the State agencies with primacy and statutory authority to address potential safety considerations regarding blasting, (4) the Alabama Department of Industrial Relations which requires permit coverage and reclamation bonding for most non-coal mining sites, (5) the Alabama Historical Commission which is the State agency with primacy and statutory authority to address preservation or potential impacts to surrounding or onsite historical or archaeological sites, (6) your local county health department for issues related to onsite sewage management, and (7) your local municipal or county government, or local zoning and planning agency, if applicable, for additional approvals that may apply to your project.

In recognition that projects are site specific in nature and conditions can change during project implementation, the Department reserves the right to require the submission of additional information or require additional management measures to be implemented, as necessary on a case-by-case basis, in order to ensure the protection of water quality. Responsibility for compliance with ADEM rules and permit requirements are not delegable by contract or otherwise. The operator or owner must ensure compliance. Any violations resulting from the actions of such person may subject the operator/owner to enforcement action.

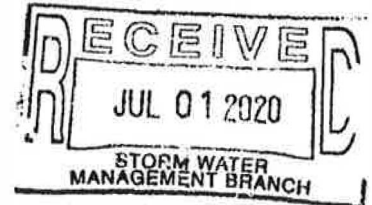
ADEM permitting decisions are predicated on current regulatory requirements, established engineering standards and technical considerations, best management practices information, and formal administrative procedures in conformance with Departmental regulations and applicable Alabama law. Issuance of permit coverage by ADEM neither precludes nor negates an operator/owner's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals. ADEM permit coverage does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of Federal, State, or local laws or regulations.

If you have any questions or need additional information regarding construction stormwater permitting, please contact the Water Division in Montgomery at (334) 271-7700 or h2omail@adem.alabama.gov.



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Water Mission Area
Office of the Chief Operating Officer
Reston, Virginia 20192



June 25, 2020

Alabama Department of Environmental Management
Attn: Water Division
Stormwater Management Branch
1400 Coliseum Boulevard
Montgomery, Alabama 36110

RE: Environmental Assessment Notice

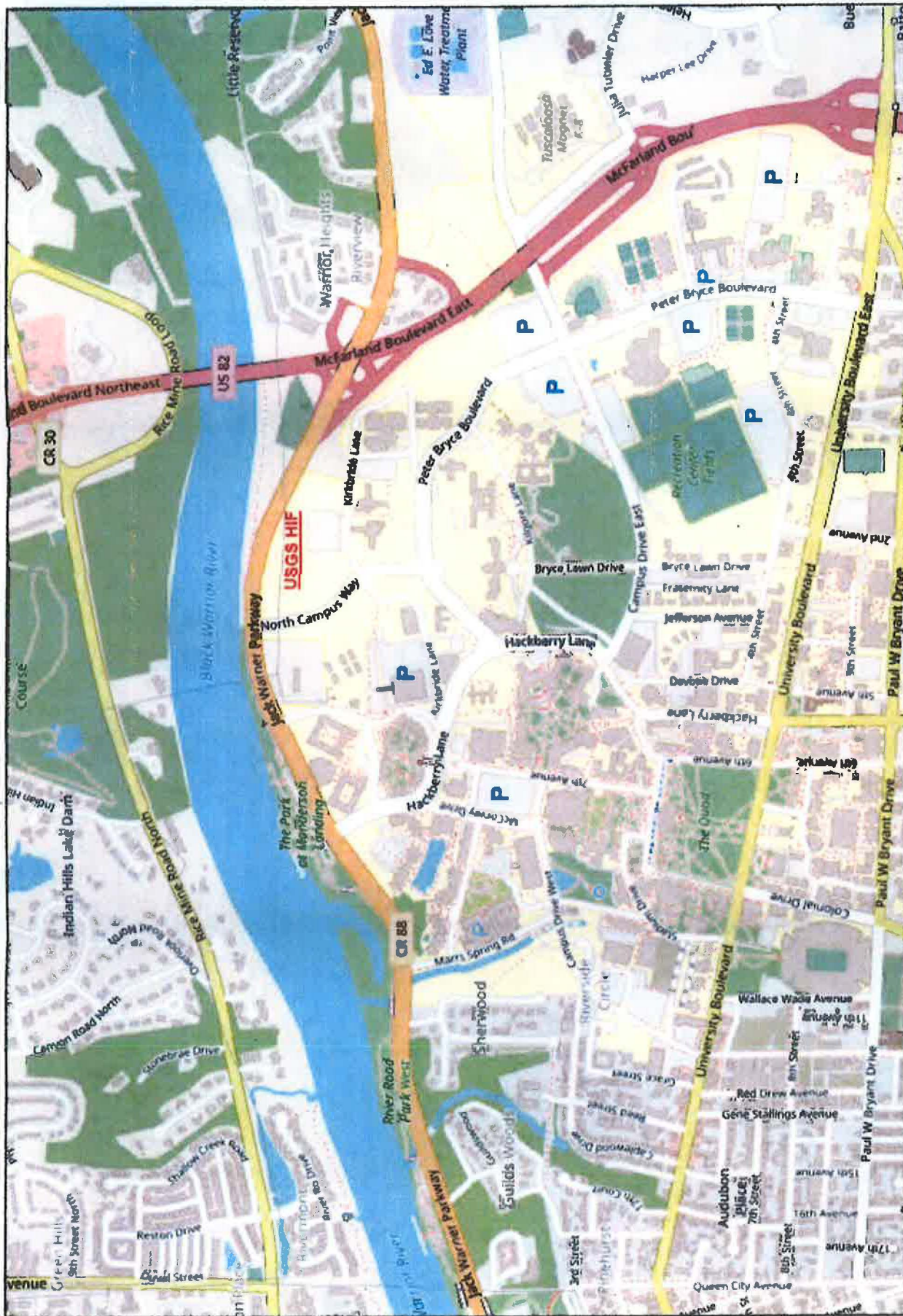
Dear Interested Party:

This letter is to inform you that the United States Geological Survey (USGS) is proposing the construction of a new Hydrologic Instrumentation Facility (HIF) on the University of Alabama campus in Tuscaloosa, Alabama.

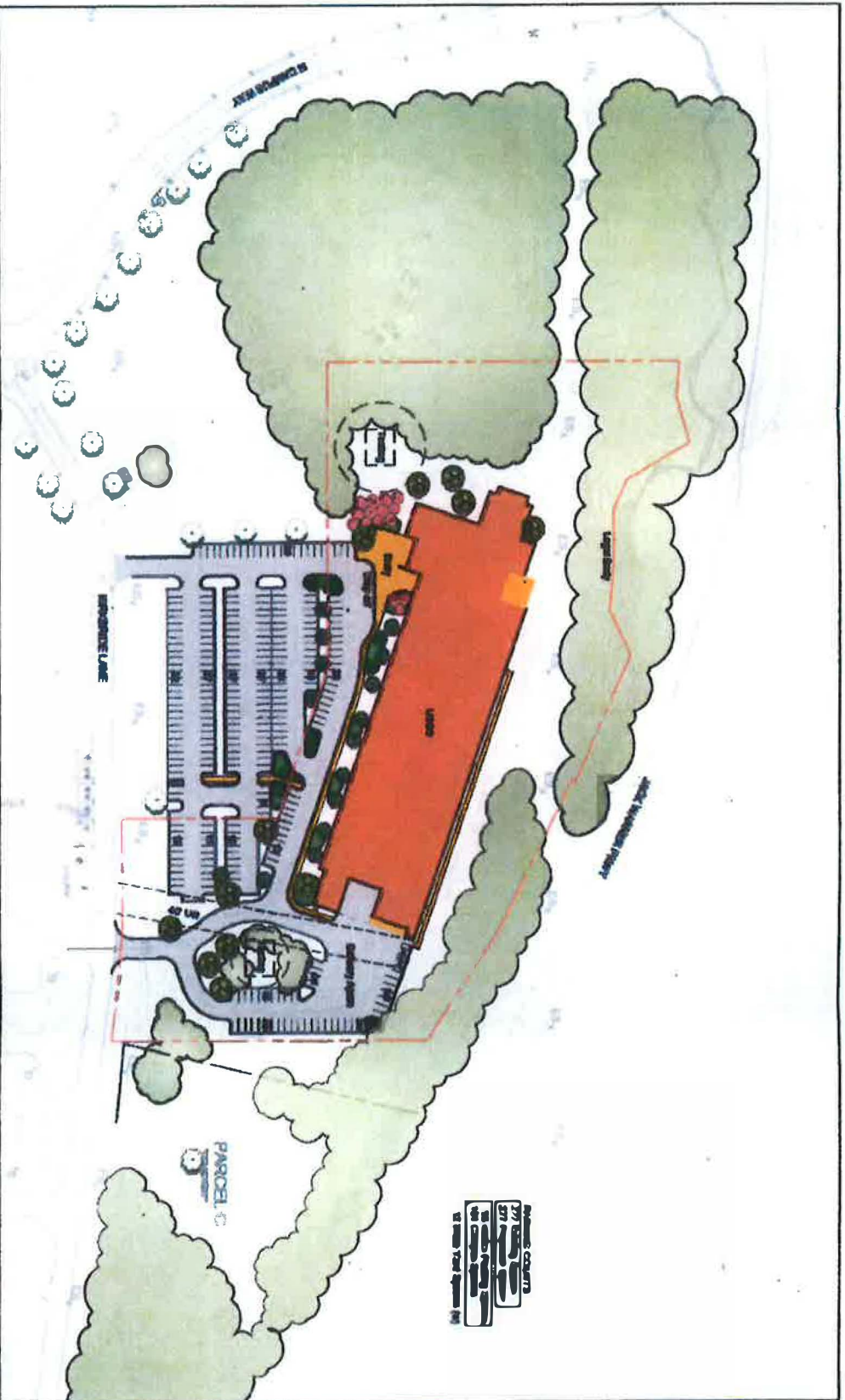
The proposed construction of the HIF will require preparation of an environmental assessment (EA) in conformance with the 1969 National Environmental Policy Act (NEPA). A figure showing the proposed location of the facility is enclosed. The EA process will involve collaboration with members of the public, the University, and state and local governments. USGS will provide opportunity for public input throughout the development of this EA. The USGS is requesting comments not only regarding the immediate project area but also of plans or proposals for any other development that may impact or influence project resources. Once the draft EA is complete, there will be an additional 30-day review period for the public to comment on the draft report.

By way of this scoping letter, we are soliciting public and agency comments concerning environmental issues that should be addressed in the course of the NEPA process. Scoping, as defined by NEPA, is an "early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action."

The HIF provides hydrologic instrumentation and equipment services for the Department of the Interior (DOI), USGS, and numerous other Federal partners. The services include the sales, rental, repair and servicing of equipment, as well as evaluation and development of new instrument technologies and the verification/certification of in-service equipment used to monitor and observe water resources. The HIF also provides USGS water enterprise remote data collection telemetry support and hands-on data collection and water-quality equipment training classes. These services are fundamental to the USGS mission of providing timely and accurate water-resources information for the nation. Instrumentation innovation results in more capabilities and efficiency, certification maintains a high degree of quality assurance and nationwide provisioning provides field offices with necessary equipment when and where hydrologic conditions or studies warrant.



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USGS HIF - SCHEMATIC SITE PLAN

University of Alabama, AL
April 24, 2020

HERA laboratory planners

SCALE 1" = 100'