

Build responsibly

After working on Lake Martin over the past couple of decades, and now living on the lake, I've discovered one thing that everybody agrees on. Whether your blood runs orange and blue or crimson, whatever your political persuasion, I believe that everyone who has experienced our Treasured Alabama lake loves it. And all who are fortunate to come to live on the lake bear the responsibility of maintaining our treasure.

The establishment of the TAL designation for Lake Martin in 2011 was a lengthy, multi-year process that involved lots of effort by Lake Watch – decades of water data collection by Lake Watch monitors and many meetings and letters by then-Lake Watch president, Dick Bronson – our squeaky wheel extraordinaire. It also involved a lot of effort on the part of Alabama Department of Environmental Management, supported by ADEM Director Lance LeFleur and led by then-chief of the water branch, Lynn Sisk – lots of water data compilation/analyses and drafting of the legislation for the creation of TAL.

The benefits of the TAL designation for our lake are substantial: a ban on any new point sources emptying into the lake (sewage treatment plant outfalls, factory outfalls), as well as strong protections against construction runoff entering the lake. The latter affects all new building projects on the lake and is the responsibility of the landowner.

The TAL designation requires all building projects around the lake to:

- Obtain a general NPDES permit from ADEM for discharges associated with construction activity on the lake;
- Develop a stormwater runoff plan, called a Construction Best Management Practices Plan, prepared and certified by a qualified credentialed professional, which includes a professional survey to determine property boundaries and the topography of the land;
- Identify in this plan, all areas on the property that need erosion control measures, called best management practices (silt fences to catch eroded dirt before it washes into the lake, mulching, control of mud at entrance/exit of the construction site, etc.);
- Define the actual BMPs that need to be installed at areas that need them;
- Install BMPs before breaking ground on the construction project – planned BMPs do no good until they are actually installed;
- Periodic inspection of all BMPs after each significant rain event (3/4 inch or greater within 24 hours), and;



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■ Maintenance/repair of BMPs as needed (details available at www.adem.state.al.us/programs/water/constructionstormwater.cnt).

These requirements may sound like a bunch of government regulations, but engineers and stormwater professionals will tell you that they are necessary and quite effective at keeping mud out of the lake and off the highways, as well as protecting property from washing away during construction of a home. And they are the responsible things to do when building on the lake.

But what about the not-so-responsible builders? How can they be held accountable if they choose

to ignore ADEM's regulations and decide that polluting the lake is OK since it's a bit cheaper? I was asked this very question recently by a long-time Lake Watch water monitor. A new resident in his cove was constructing a home, and it was shocking to see no BMPs, especially no silt fences on the site. In fact, the excavated red clay ran all the way down to the water's edge – a blatant violation of the protective regulations on our lake. The concerned Lake Watcher was very disturbed by this, knowing that a significant rain event would wash mud into

the lake and foul the water in his neighborhood cove.

The solution: Contact the folks that wrote the regulations and whose job it is to enforce them. ADEM has a complaints portal on its homepage at www.adem.state.al.us. The first thing you should do if you see bad construction practices like what was described above is to take several digital pictures; then, go to the complaints portal and fill out the form. You can remain anonymous if you wish. Be sure to upload your picture(s); they are truly worth a thousand words.

ADEM personnel will come and inspect the site, determine if violations have occurred, and if so, will notify the property owner of the violations and the required remedies. Enforcement may involve warnings, fines and/or shutting down construction.

In the photo above, you can see that the system worked. After an ADEM inspection, the builder installed silt fencing between the construction site and the lake to catch eroded clay/dirt from entering the lake. Assuming proper periodic maintenance (we'll keep an eye out for that), kudos to our responsible water watcher and to ADEM!

We'd love to have you come aboard and join the Lake Watch crew so that we can have more eyes and ears looking out for our lake.

Eric Reutebuch is president of Lake Watch Lake Martin. For more information, visit www.lakewatch.org.

