



**ARIZONA DEPARTMENT  
OF  
ENVIRONMENTAL QUALITY**



**AZPDES SMALL MS4 ANNUAL REPORT**

**LTF ID #: 91873**

**Report #: 93681**

**Phoenix Office**

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# AZPDES SMALL MS4 ANNUAL REPORT - SUMMARY

## Company:

**Name:** TOWN OF FOUNTAIN HILLS

## Question: Which permit/registration/certificate is this report for?

Answer: 07/01/2022 - 06/30/2023

## Question: Did you assess and evaluate the Stormwater Management Program (SWMP) as part of preparing the Annual Report, per permit Section 4.0?

Answer: Yes

## Question: Did you have another entity implement control measures on behalf of the MS4 per permit Section 6.0(2)? If Yes, identify the entity and give a brief explanation of their involvement.

Answer: No

## Question: Did you provide outreach and education to the public on the stormwater program issues and requirements, per permit Section 6.1(1)?

Answer: Yes

### Identify the target group for outreach and education:

General Public

### Identify the topic(s) for the target group:

Stormwater runoff issues and residential stormwater management practices

### Describe how the message was conveyed to the target group:

Facebook Post on 7/30/2022 regarding the danger of entering flooded streets. A general pollution video aired in Town Hall 1,248 times. At the Art Fair on 11/11-13/2021, approximately 100 general stormwater pollution prevention brochures were handed out. These general information brochures are also available in Town Hall year-round. "Only Rain in the Storm Drain" was published in the Fountain Hills Times on 7/13/22 and was distributed to approximately 6,000 people. An article appeared in the

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Summer 2023 issue of the Fountain Hills Insider (released May 31, 2023) regarding the issues that stem from not picking up pet waste, and how that affects the storm system, and was distributed to approximately 13,000 residents.

**Describe measures/methods used to assess the effectiveness of the message conveyed to the target group:**

The Town will self-evaluate its compliance with the terms and conditions of the permit. As required, the Town will maintain the annual evaluation documentation as part of this SWMP. The Town will evaluate the appropriateness of the selected BMPs in achieving the objectives of each control measure and the defined measurable goals. In accordance with Section 8.1.3 of the SWMP, any BMP modification documentation will include the following information and all documentation shall be kept in the SWMP: a. An analysis of why the BMP is ineffective or infeasible b. Expectations on the effectiveness of the replacement BMP, and c. An analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced.

**Question: Did you provide outreach and education to the public on the stormwater program issues and requirements, per permit Section 6.1(2)?**

Answer: Yes

**Identify the target group for outreach and education:**

Development

**Identify the topic(s) for the target group:**

Stormwater management practices, pollution prevention plans, and facility maintenance procedures

**Describe how the message was conveyed to the target group:**

The Town provides contractors guidance on municipal stormwater requirements and stormwater management practices for construction sites. For Commercial Developments, during both the Site Plan review process and the Engineering Plan Review, the applicant/engineer is advised of the requirement to provide, at a minimum, an Erosion Control Plan showing the measures to manage stormwater runoff and prevent sediment and pollutants from exiting the construction site. The Town is a paid and active member of Arizona's Stormwater Outreach for Regional Municipalities (STORM), who provide a platform for collaborative effort my municipal partners in the Valley to perform educational outreach to citizens with the message of pollution prevention to help keep surface waters clean.

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SWMP: a. An analysis of why the BMP is ineffective or infeasible b. Expectations on the effectiveness of the replacement BMP, and c. An analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced.

**Question: Did you post the SWMP and the current Annual Report on your website, per permit Section 6.2(1)?**

Answer: Yes

**Upload the SWMP.**

**File Name:** Fountain Hills SWMP - 2017.pdf

**Question: Did you provide and publicize a reporting system to facilitate and track public reporting of spills, discharges and/or dumping to the MS4 on a continuous basis, per permit Section 6.2(4)?**

Answer: Yes

**Question: Provide a narrative description of the status of the storm sewer mapping, per permit Section 6.3(1).**

Answer: Storm sewer mapping is 100% complete.

**Question: Did you establish an ordinance or other regulatory mechanism for enforcement procedures of the Illicit Discharge Detection & Elimination (IDDE) Program, per permit Section 6.3(2)?**

Answer: Yes

**What is the citation of the ordinance or other regulatory mechanism to prohibit non-stormwater discharges into the MS4?**

The Town adopted Ordinance 03-13 on June 3, 2003, which adopted the Town's Storm Water Management Plan. Section 4.1 of the Town's SWMP outlines enforcement. The Town also adopted Ordinance 14-7, Uniform Drainage Regulation, which adopted the Maricopa County Drainage Policies and Standards, which prohibits the discharge of pollutants into the storm drain system. Policy 3.6.1 of this adopted document states that "no person or entity may cause the discharge of pollutants into a natural drainage system or a public storm sewer system or facility."

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**Question: Did you establish or update the Statement of IDDE Program Responsibilities, per permit Section 6.3(3)?**

Answer: Yes

**Provide IDDE activities in a tabular format, per permit Section 6.3(4).**

File Name: MS4\_IDDE\_Reporting - Code Enforcement - 2022-23.xlsx

**Question: Did you visually monitor at least 20% of all outfalls during the permit year, per permit Section 6.3(7)?**

Answer: No

Please explain why this requirement was not met:

Visual monitoring was not completed during this permit period but will resume in the next year of the permit. For wet weather monitoring, Inspectors will perform two rounds of wet weather monitoring during each wet season (the Summer wet season is June 1st through October 31, and the Winter wet season is November 1st through May 31. Staff anticipates monitoring the 5 locations during each wet season, depending on the quantity of rainfall. To the extent possible, Inspectors will aim to begin inspections within the first hour of flow. For dry weather monitoring, Inspectors will perform dry weather screening at outfalls to Ashbrook Wash. Screening will be completed at least 72 hours after a storm event. Approximately 50% of discharge points into Ashbrook Wash will be inspected. For both wet and dry monitoring, Staff will also perform additional investigation/source tracking if potential illicit discharges are observed. If potential illicit discharges are identified Inspectors will immediately notify their supervisor. Initial investigation will consist of visual surface exploration of discharges contained or observed from within Town right-of-way. Inspectors will follow guidance contained within the Town's IDDE SOP documented within the SWMP. All findings will be documented including photo documents where applicable.

**Question: Did you identify indicators of IDDE Program progress or success, per permit Section 6.3(8)?**

Answer: Yes

**Question: Did you provide annual staff training, per permit Section 6.3(9)?**

Answer: No

Please explain why this requirement was not met:

The Town did not provide Annual Training during the current Permit year but will resume in the next permit year. All current staff did receive annual training on June 16, 2022, just prior to the current Permit year, with 11 staff in attendance. The Topic was general stormwater awareness, IDDE, Construction, and Post-Construction training.

**Question: Did you establish an ordinance or other regulatory mechanism for**

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**enforcement procedures of the Construction Activity Stormwater Runoff Control Program, per permit Section 6.4(2)(a)?**

Answer: Yes

**What is the citation of the ordinance or other regulatory mechanism to prohibit non-stormwater discharges into the MS4?**

Chapter 14 of the Fountain Hills Municipal Code addresses Flood Damage Prevention. Section 14-3-8(B) specifically addresses Unlawful Acts, and states “No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a class one misdemeanor. Nothing herein shall prevent the Town of Fountain Hills from taking such lawful action as is necessary to prevent or remedy any violation.” The language is broad enough to allow enforcement of the Town’s storm water requirements.

**Question: Did you implement a construction site inventory, per permit Section 6.4(2)(b)?**

Answer: Yes

**Question: Did you develop written procedures for site plan review, per permit Section 6.4(2)(c)?**

Answer: Yes

**Question: Did you implement written procedures for site inspections and enforcement control measures, per permit Section 6.4(2)(f)?**

Answer: Yes

**How many construction site inspections were done?:** 5287

**How many follow-up actions were necessary (re-inspection, enforcement actions)?:** 34

**Question: Did you develop and implement an educational program focused on erosion and sediment control for construction operators, per permit Section 6.4(2)(h)?**

Answer: No

Please explain why this requirement was not met: The Town conducts stormwater awareness training during the site plan review. A dedicated education program is being developed.

**Question: Did you develop and implement a program requiring construction operators to control wastes from their sites, per permit Section 6.4(2)(i)?**

Answer: Yes

**Question: Did you implement procedures to receive and act on information submitted by the public (complaints), per permit Section 6.4(4)?**

Answer: Yes

**Question: Did you implement a program that includes a combination of structural and non-structural BMPs, per permit Section 6.5(1)?**

Answer: Yes

**Question: Did you establish an ordinance or other regulatory mechanism for enforcement procedures of the Post-Construction Stormwater Management, per permit Section 6.5(2)?**

Answer: Yes

**What is the citation for the ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects?**

Section 3.03(B)(g) of the Town's Subdivision Ordinance states that development shall be designed to "Conform to the Storm Water Pollution Protection Plan if one exists for the development." All commercial and subdivision development projects have a SWPPP or an Erosion Control Plan, which address post-construction stormwater management.

**Question: Did you implement a program to prevent or minimize impacts to water quality from stormwater runoff of new development and redevelopment sites, per permit Section 6.5(2)?**

Answer: Yes

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**Question: Did you implement procedures for site plan review, per permit Section 6.5(3)?**

Answer: Yes

**Question: Did you implement an inventory of post construction site structural stormwater control measures installed within the MS4, per permit Section 6.5(4)?**

Answer: Yes

**Question: Did you implement a program to ensure the long-term operation and maintenance of post construction BMPs, per permit Section 6.5(5)?**

Answer: Yes

**Question: Did you implement a program to reduce or eliminate discharges of pollutants from municipal streets, facilities, yards, etc., per permit Section 6.6(1)?**

Answer: Yes

**Question: Did you implement a program to ensure the long-term operation and maintenance of stormwater BMPs, per permit Section 6.6(2)?**

Answer: Yes

**Question: Did you develop an inventory of facilities, prioritized based on their risk of discharging non-stormwater, per permit Section 6.6(2)(a)?**

Answer: Yes

**Question: Did you implement an inspection schedule for prioritized facilities, per permit Section 6.6(2)(c)?**

Answer: Yes

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**Question: Did you implement an annual training program for staff that incorporates pollution prevention and good housekeeping techniques, per permit Section 6.6(2)(f)?**

Answer: No

Please explain why this requirement was not met: The Town did not provide Annual Training during the current Permit year but will resume in the next permit year. All current staff did receive annual training on June 16, 2022, just prior to the current Permit year, with 11 staff in attendance. The Topic was general stormwater awareness, IDDE, Construction, and Post-Construction training, and also included good housekeeping techniques.

**Question: Did you develop maintenance activities, schedules and long-term inspections to reduce floatables, trash and other pollutants from the MS4, per permit Section 6.6(2)(g)?**

Answer: Yes

**Question: Does the MS4 discharge to a not-attaining water, impaired water, or an Outstanding Arizona Water (OAW)?**

Answer: No

# CERTIFICATION OF SUBMISSION

## DAVID JANOVER

You validated your identity by answering your personal security question and password on myDEQ at **11:10 AM** on **09/28/2023**. At this time, you certified the summary information above by checking that you agreed to the following statement:

### **Certify your submission:**

By checking this box I certify under penalty of law that this submittal was prepared by me, or under my direction or supervision of personnel appropriately qualified to properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that all information submitted to ADEQ is public record unless otherwise identified by law as confidential. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

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