



**Town Of Oro Valley  
Stormwater Management Plan  
Annual Report  
2009/2010**

Caring for our heritage, our  
community, our future.





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## PART I. STORMWATER PROGRAM BACKGROUND

### 1. Regulatory Program Information

Phase I of the U.S. Environmental Protection Agency's (EPA) municipal stormwater program was promulgated in 1990 under the authority of the Clean Water Act (CWA). Phase I relied on the National Pollutant Discharge Elimination System (NPDES) permit coverage to address stormwater runoff from medium and large municipal separate storm sewer systems (MS4s), serving populations above 100,000.

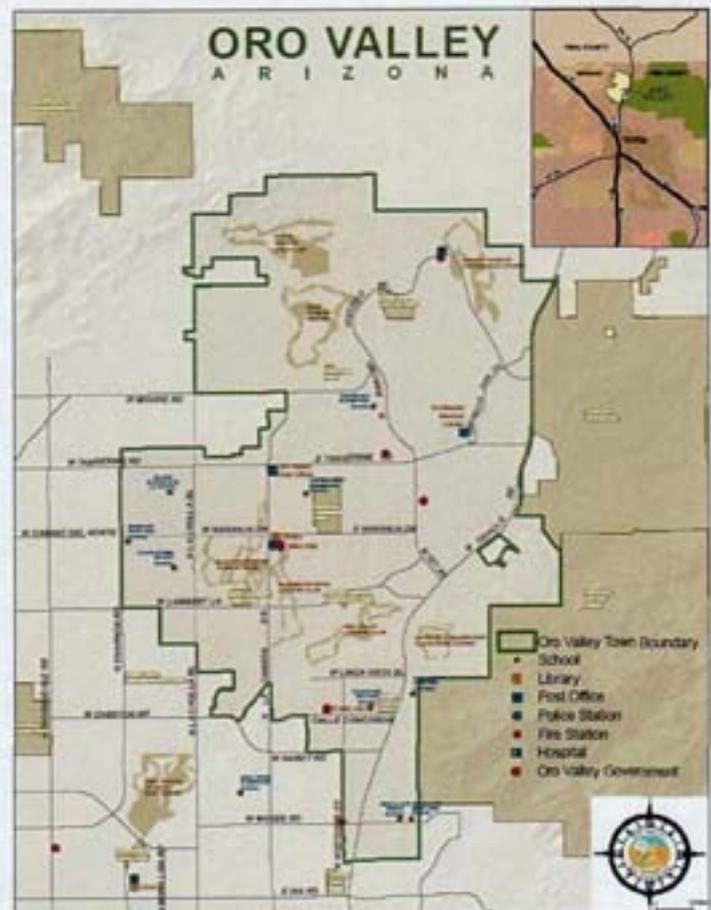
The Stormwater Phase II Final Rule (promulgated December 8, 1999) was the next step in the EPA's efforts to preserve, protect, and improve the nation's water resources from polluted stormwater runoff. The Phase II program requires additional operators (small MS4s in urbanized areas per the US Census Bureau) to implement programs and practices to control polluted stormwater runoff, through the NPDES permit program. The State of Arizona has primacy for the federal NPDES program and is charged with implementing the program, now called AZPDES. The program requires Phase II municipalities to develop a Stormwater Management Program/Plan (SWMP) in accordance with the AZPDES General Permit for Discharge from Small MS4s to Waters of the US # AZG2002-002. The permit became effective on December 19, 2002 and currently expires on December 19, 2010. A copy of the permit is in the Appendices.

### 2. Town Information

Oro Valley is located in northern Pima County approximately six miles north of the Tucson city limits. The valley itself was formed by the Canada Del Oro Creek that begins in the Santa Catalina Mountains. The town sits at an elevation of 2,620 feet, covers over 34 square miles and has a current population of nearly 44,000. Oro Valley was incorporated in April, 1974.

Oro Valley is home to a growing biomedical research hub that includes; Ventana Medical owned by Swiss drug giant Roche Holding; French drug maker Sanofi-Aventis with a 60 million dollar pharmaceutical research center; a University of Arizona drug research and business incubation facility; Northwest Medical Center Oro Valley; and numerous smaller biotech companies throughout the Town. In addition, Oro Valley is home to over 150 brick and mortar retail and professional businesses and over 16,000 single family residences.

Oro Valley awards include a #44 listing on the Fortune Small Business magazine's "100 Best Places to Live and Launch" a small business, the August 2008 issue of Family Circle magazine featured Oro Valley



as one of the top ten best towns for families in America, and Money Magazine in both 2007 and 2008 listed Oro Valley as "One of the best places to live" in the country.

Oro Valley's philosophy has been to strike a proper balance between population growth and environmental preservation. The town has attracted a number of country clubs, golf courses, and resorts, thereby helping to solidify its reputation as one of the Southwest's most affluent communities, with one of the highest median household incomes in the region.

Oro Valley employs the council-manager form of municipal government. The Town is administered by a seven-member elected Town Council. The Town Council oversees all issues pertaining to Oro Valley, including residential and commercial development and preservation of natural areas.

The Local Town Government staff includes over 340 personnel to include award winning police, public works, finance and planning departments.



### 3. Hydrology

The Town is composed of three major watersheds. All three discharge into the Santa Cruz River flowing to the Gila River. These washes are considered ephemeral, meaning that they only flow at times when there is sufficient runoff from stormwater or from snowmelt. Perennial flow is flow that is present in a stream year round. The nearest perennial stream is the effluent dependent reach of the Santa Cruz River. This perennial flow is the result of year around discharge from the Pima Wastewater Treatment Plant.

The largest of the three Town watersheds is the Canada Del Oro Wash herein referred to as the CDO. The CDO extends from the southeast corner of Pinal County and the northeast corner of Pima County in Arizona. The 35-mile long wash has a watershed with a contributing area of approximately 261 square miles. The CDO originates in the Santa Catalina Mountains and flows north into Pinal County, where it bends upon leaving the mountains and flows south through the towns of Catalina and Oro Valley before joining with the Santa Cruz River near the Interstate 10 bridge. Big Wash and the Sutherland Wash are the two largest tributaries to the CDO, and flow south from Pinal County and from the western slopes of the Santa Catalina Mountains respectively. The confluence of the two tributaries and the main stem of the CDO are located near the North Oracle Road Bridge on the east side of Oro Valley. The CDO has a 100-year peak discharge of 22,354 cfs at its confluence with the Santa Cruz River.

The two other watersheds are smaller contributing tributaries each of about 1 square mile in area. On the extreme south side of town one area contributes to Pegler Wash a tributary to Rillito Creek and on the

northwest side of town one small sub basin contributes to Canada Aqua 1 which is a small contributing tributary directly to the Santa Cruz River in Marana.

#### 4. Surface Water Quality Standards

Surface water quality standards (SWQS) are established and enforced by the Arizona Department of Environmental Quality (ADEQ) under Arizona Revised Statute XXX of the Arizona Administrative Code provides for enforceable standards according to the designated use of the respective water body. Within the Town are currently two washes that have designated uses and the subsequent water quality criteria that go with the designated use under the Department of Environmental Quality numeric water quality standards. The two washes are the Canada Del Oro and Big Wash. All ephemeral washes that are tributaries to the CDO and Big Wash also follow under the aquatic and wildlife (ephemeral) and partial-body contact standards per the ADEQ water quality standards for surface waters. All other regulated surface waters within the Town fall under the narrative water quality standards within 18 AAC Article 1. The Town operates under the Phase II MS4 permit so if the Town adheres to that permit and the maximum extent practicable tasks of that permit they meet both the permit requirements and the SWQS requirements of the regulated washes.

#### 5. Stormwater Management History

In July 2001 the Oro Valley Town Council created the Stormwater Utility (SWU) and the Stormwater Utility Commission (SWUC). In October 2001, the initial 5 Commission members were appointed. The impetus for the Town's creation of the SWU and the SWUC was the federal government's finalization of Stormwater management regulations for smaller communities nationwide. The federal regulations, known as the National Pollution Discharge Elimination System (NPDES) Phase II rule, ensure compliance with sections of the Clean Water Act within communities of 100,000 or fewer residents. In March 2003 the Town submitted its first Stormwater Management Plan to the ADEQ.

#### 6. Stormwater Organization

a. The mission statement of the Stormwater Utility is to promote and protect life and safety, water quality, and the Town's working and natural environments before, during, and after the occurrence of storm events in accordance with all applicable codes, standards and policies. The organization is structured to accomplish this mission. Both the organization chart and responsibilities of the stormwater staff members are list in the Appendices.

#### 7. MS4 Infrastructure

A copy of the Stormwater Utility Map is located in the appendices. The current inventory of the Town of Oro Valley Stormwater utility shows that its infrastructure includes approximately:

- 18 miles of FEMA designated floodplains/levees,
- 6 miles of underground storm pipe,
- 5 miles of public drainage easements,





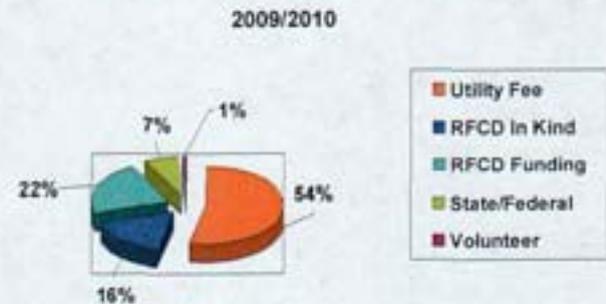
- 400 street catch basins/inlets,
- 250 culverts,
- 40 detention/retention basins,
- 50 first flush devices, and
- 150 outfalls.

The utility map was created using GIS and asset management software modified by the Town allowing all information on the stormwater facility to be accurately located within the Town boundaries and have all asset details located and able to be assessed from one computer program location.

### 8. Funding

The Stormwater Utility receives both direct and indirect sources of revenue. The Utility does have a dedicated source of revenue from the Stormwater Utility Fee that was approved by the Town of Oro Valley Town Council in November 2007 beginning in January 2008. This fee is assessed against every residential unit and every brick and mortar business within the Town. The fee in 2009/2010 was a flat rate for residential units of \$2.90 per month and \$2.90 per month per 5,000 square feet of impervious surface for commercial properties/businesses and non-profit facilities within the Town. The utility also receives direct funds from Local, State and Federal agencies for specific projects or requirements supporting improvements to the management of both quality and quantity of Stormwater within the Town.

The Town also receives indirect funding through both volunteer groups and from the Pima County Regional Flood Control District for services, studies, and repair and maintenance of District infrastructure within the Town.



In 2009/2010 the SWU direct and indirect revenue approved totaled just over \$1,300,000 broken out percentage wise as shown above.

### 9. Performance Measures

The following performance measures are tracked each fiscal year through the Town’s budgetary process.

- Number of outfall structures inspected,
- Cost per capita street sweeping,
- Number of public education sessions held,
- Number of mosquito traps set,
- Number of town-owned pollutant sources reported,
- Number of town-owned pollutant sources mitigated,
- Number of problem drainage areas reduced/mitigated.

Accomplishments in regard to each of these performance measures are reported in Section II.



## II. STORMWATER CONTROL MEASURES

### 1. PUBLIC EDUCATION AND OUTREACH

#### A. Requirement:

- a. Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impact of Stormwater discharges on waterbodies and the steps that the public can take to reduce pollutants in stormwater runoff.;
- b. Include the following information in the Stormwater Management Plan (SWMP):
  - i. A description of the education program and outreach activities;
  - ii. A description of the methods for disseminating information;
  - iii. The target audiences and target pollutants and sources that the applicant will address in the program, and how they were selected;
  - iv. An estimation of the number of people with whom the applicant intends to communicate;
  - v. A list of measurable goals for the public education and outreach program;
  - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals
  - vii. The name(s) and title(s) of the person(s) responsible for implementing and coordinating the education activities.

#### B. Program:

The Town of Oro Valley is committed to providing education and outreach to all stakeholders involved with Stormwater management. In coordination with the Town's Communication Division, Pima Association of Governments Stormwater Working Group and SWU staff, the Stormwater Utility distributes information to the various constituents in a variety of ways as indicated in the following table

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
Flyers in Water Bills	Mailed to Service Address	All Water Customers in Town	16,000 Residences/300 Businesses	Rob Wilson, Stormwater Technician
Articles in Town Magazine	On Town Web Site	Any Resident in Town	44,000 Residents	Mary Davis, Communication Administrator
Elementary School Presentations	Classroom Presentations	4 <sup>th</sup> Grade Children*	500 4 <sup>th</sup> graders	Rob Wilson, Stormwater Technician
Professional Presentations	PAG Construction Seminar	Stormwater Construction Professionals	150 people	David Parker, Stormwater Engineer/Utility Manager
Organizational Presentations	HOAs/Boards	Neighborhood Associations	88 HOAs	David Parker, Stormwater

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
				Engineer/Utility Manager
Community Outreach	Bi-Annual Information Booth at Farmers Market	Shoppers and Sellers	250 -500 people per event	Rob Wilson/David Parker
Stormwater Web Site	Internet	World Wide Web	Unlimited	Julie Smiley, Office Specialist
TV Public Service Announcements	PAG Stormwater Working Group	Entire County	1,000,000 People	Mead Mier, PAG Senior Watershed Planner
Bus Stop Billboard	PAG Stormwater Working Group	Entire County	1,000,000 People	Mead Mier, PAG Senior Watershed Planner
Movie Theater Trailers	PAG Stormwater Working Group	Movie Goers	25,000 People	Mead Mier, PAG Senior Watershed Planner

\* Stormwater Pollution lines up with state teaching requirements for this grade.

### C. Measurable Goals:

The following table identifies how well the Stormwater Utility implemented and accomplished the goals of this BMP. The table includes the historical accomplishment of the original goal set when the first SWMP was submitted in 2003.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Information & Outreach	1. Collect brochures, fact sheets, and other educational materials from federal, state and local agencies or other MS4 web sites	1. Contacts with agencies and web page reviews will be conducted on a quarterly basis to ensure that the most current information is available.	3/03 - 6/04	1. Completed  <b>2009/2010 Update</b>  Participates on various public and private organizations including: the Pima Association of Governments (PAG) Environmental Planning Advisory Committee, Stormwater working group and Watershed Planning subcommittee, Pima County Regional Flood Control District Advisory Committee, Southern Arizona Home Builders Association stormwater working group, and the Pima County Health Department West Nile Virus committee. Agency and Web sites are reviewed to ensure accuracy.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Information & Outreach	2. Distribute information to the general public and to specific targeted audiences such as restaurants, service stations, developers/operators, homeowners associations, etc.	<p>2. A public service brochure/flyer will be mailed with monthly utility bills once during the first year and/or information packets may be bundled and dropped off to targeted audiences.</p> <p>Updated materials will be distributed as needed when revised materials become available.</p>	3/03-6/04	<p>2. Completed.</p> <p><b>2009/2010 Update</b></p> <p>During the year, numerous Stormwater articles were advertised in the Oro Valley Vista a publication posted monthly on the Town's website. In addition, flyers on various aspects of the Town's Stormwater program were inserted into the Town's water utility bills and sent to over 18,000 businesses and households twice during the year. Copies of the flyers are in the Appendices.</p> <p>Worked with Pima Association of Government (Storm Water Working Group) on the FY2009-2010 Stormwater Outreach program.</p> <p>This year's media campaign began the week of July 1, 2009 and was completed by the end of September 2009. This year's slogan "Clean Water Starts with Me" was used for the second year running to increase familiarity with the successful message which has been cited by other programs such as the Arizona Department of Transportation. A series of artwork accompanied the slogan on billboards and interior bus posters. The slogan and artwork were also displayed on the <a href="http://PAGstorm.com">PAGstorm.com</a> Web page. The Public Service Announcements (PSAs) that were developed in 2008 were screened on a different television station this year (KOLD) to reach additional audiences. The message was used on KOLD 500 times during the months of July and August 2009. Movie theater advertising was done for the second year, in the AMC Foothills Mall's theater for July and August 2009. Outreach in 2009 received great coverage and response from other agencies, as well as the public in general. The monsoon months Web site hits on <a href="http://PAGstorm.com">PAGstorm.com</a> were triple the visits of the prior year. Table 2.5.G summarizes FY2009-10 outreach activities and costs. A new stormwater outreach brochure and a new bus interior poster were developed for the 2009 outreach. In order to reduce the overall budget, bus shelter advertisements were not purchased in 2009. In 2009, the "Clean Water Starts with Me" campaign for stormwater pollution prevention outreach won the first place "Excellence in Communication Award for Improving Water Quality" from the National Association of Flood &amp; Stormwater Management Agencies (NAFSMA).</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Information & Outreach	3. Establish a web page for the Storm Water Management Program.	3. A storm water web page will be developed and brought on-line.  The webpage will be updated as necessary.	3/03-6/05	Completed  <b>2009/2010 Update</b>  During this year the Stormwater website was expanded to include new forms supporting the "Adopt a Wash" program and a floodplain management section was added. The entire Town web site received a facelift to make it more user friendly and modern.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Information & Outreach	4. Establish a library of educational materials on relevant storm water matters.	4. Collected materials will be distributed to schools and/or placed in public access areas, i.e. libraries, Town Hall, etc. as needed.  These materials will be updated as needed.	3/04-3/05	Completed  <b>2009/2010 Update</b>  Stormwater Utility personnel distribute educational materials to libraries, homeowners associations and businesses dealing with pollution prevention every month.  An educational presentation was developed using a power point presentation and interactive stormwater model that was purchased. The educational presentation was able to be shown at 3 elementary schools. The stormwater demonstration was shown to 12 classes, allowing over 300 students to participate in learning about stormwater runoff. The stormwater display also included a 10 minute video showing how to be safe around washes during the monsoon season. At the end of the presentation, activity books are given away to re-emphasize the lessons.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Information & Outreach	5. Respond to verbal or written public inquiries, comments, or concerns, about illicit disposal of wastes, etc., and/or requests for information.	5. Town of Oro Valley will identify a principal contact and devise the best method for handling public inquiries. Best methods for receipt of information may include emails, telephone calls, or	3/03-3/04	Complete  <b>2009/2010 Update</b>  A new Stormwater Hydrology Position was created, filled and the contact information and duties/responsibilities for the Stormwater personnel are identified so that written and public inquires, comments or concerns are sent to the appropriate Stormwater Utility personnel.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
		letters from the general populace.		<p>On May 11, 2010, the Annual Stormwater Construction Seminar was held in the Joel D. Valdez main library, in downtown Tucson. Almost 100 people from the construction industry and jurisdictions attended the seminar. We had participants and speakers from all over the state with the majority from the Tucson metro region. Presentations were made, panels discussions were led, and questions were answered by the Arizona Department of Environmental Quality, Pima County, the City of Tucson, the Town of Marana, the Town of Oro Valley and the Watershed Management Group. New features this year included information on the connections between stormwater management and new rainwater harvesting ordinances in the City of Tucson and Oro Valley. Attendees consisted of local government personnel, private consultants, inspectors, designers, and other practitioners. PAG assembled stormwater books for each participant and distributed them at the seminar. Seventy-two percent of the surveyed attendees found the seminar "Very Useful", the highest ranking, and the remaining 28% found it to be "Useful". The books distributed at the seminar were also appreciated by the attendees.</p> <p>During the Oro Valley portion of the presentation all three Town Staff Members presented on their areas of responsibility, provided contact information and answered numerous questions in regards to the Town program.</p>

## 2. PUBLIC PARTICIPATION/INVOLVEMENT

### A. Requirement

- a. Develop and implement a plan to encourage public involvement and participation in the development and implementation of the SWMP;
- b. Comply with state and local public notice requirements when implementing the public involvement/participation program.
- c. Include the following information in the SWMP:
  - i. A description of the general plan for informing the public of involvement and participation opportunities;
  - ii. The types of activities for public involvement that the program will include and the target audiences;
  - iii. A description of the procedure for receiving and reviewing public comments;
  - iv. An explanation of how interested parties may access the SWMP and NOI;
  - v. A list of measurable goals for the public involvement/participation program;
  - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals and;
  - vii. The name(s) and title(s) of the person(s) responsible for implementing and coordinating the public involvement/participation activities.



**B. Program:**

The Town actively seeks and builds public participation and involvement to support our stormwater vision. The various means the Town uses to address are given in the following table:

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
Stormwater Utility Commissioners	5 volunteer residents appointed by the Town Council	Any Town Resident	44,000 Residents	David Parker, Stormwater Engineer/Utility Manager
Public Stormwater Utility Commission Meetings	Monthly meetings open to the public	Any Town Resident	44,000 Residents	David Parker, Stormwater Engineer/Utility Manager
Adopt –A-Wash	Individuals or Organizations volunteer to maintain washes	Any Resident or Organization willing to volunteer	Unlimited	Rob Wilson, Stormwater Technician
BuffelBusters	Individuals or Organizations volunteer to remove from washes	Any Resident or Organization willing to volunteer	Unlimited	Karn Boyce, Water Conservation Specialist
Stormwater Utility Credit	Utility Fee Credit Provided to Commercial or Non Profit Organizations that implement SW programs.	All brick and mortar businesses and non-profit organizations in Town.	300	David Parker, Stormwater Engineer/Utility Manager

**C. Measurable Goals:**

The following table identifies how well the Stormwater Utility implemented and accomplished the goals of this BMP. The table include the historical accomplishment of the original goal set when the first SWMP was submitted in 2003.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Involvement/	1. Develop a plan to involve	The Town of Oro Valley created the	3/03 -6/04	Completed.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Participation	the public in the development of the Storm Water Management Plan (SWMP).	Storm Water Utility Commission (SWUC,) which is representative of the general population, in October, 2001. The SWUC has met at least monthly since 10/01 and is responsible for developing the SWMP, BMPs, measurable goals, and advising TOV staff on NPDES issues.		<p><b>2009/2010 Update</b></p> <p>The Stormwater Utility Commission (SWUC) continues to meet monthly to review the status of the program and provide guidance on the SWMP, BMPs and all initiatives.</p> <p>Some of the specific actions by the Stormwater Utility Commission during the last year include the following:</p> <ul style="list-style-type: none"> <li>- Review and approval of Stormwater Utility Fee credit applications</li> <li>- Review and approval of Utility Commission Agendas and Minutes</li> <li>- Review and approval of Stormwater Operations and Maintenance projects</li> <li>- Review and approval of the 2010 budget and Stormwater Utility Rate that is forwarded to the Town Council for approval.</li> <li>- Review and approval of the Town's SWMP Annual Report to ADEQ.</li> </ul>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Involvement/ Participation	2. Notify the public of Storm Water Utility Commission meetings.	2. Notice of public meetings are posted at the Town Hall and/or published in local newspapers according to established Town of Oro Valley (TOV) procedures.	3/03-6/04	<p>Completed</p> <p><b>2009/2010 Update</b></p> <p>SWUC meeting dates, agendas, minutes and live recordings of the meetings continue to be posted to the internet on the Town's web site.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Involvement/ Participation	3. Make the Storm Water Management Plan and Notice of Intent available to the general public.	3. The Storm Water Management Plan and Notice of Intent will be made available to the public at the Town of Oro Valley Town Hall upon completion.	03/03	<p>Completed</p> <p><b>2009/2010 Update</b></p> <p>The most current SWMP and NOI are updated on the stormwater section of the Town's web site every year to provide current status and contact information and to enhance availability to the public.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Involvement/ Participation	4. Encourage public participation through volunteer groups for defined activities such as an Adopt-a-Wash program and/or a town-wide rain gauge network.	4. Volunteer groups will be identified and encouraged to participate in activities such as Adopt-a-Wash programs. Volunteer resources to consider may include, but are not limited to, schools, civic groups, Scouts, etc. Once established, programs will continue through this permit period.	3/04-06/05	<p>Completed</p> <p>2009/2010 Update</p> <p><u>Adopt-A-Wash Information.</u>            Number of Groups participating: 8            Number of Total Workers who worked: 179            Number of total hours Worked: 333            Number of Trash bags filled: 89            Labor expense saved from town budget: <del>\$4,162.50</del>            (\$12.50 x 333 hours)            Number of Groups in Program: 14</p> <p>A copy of the adopt-a-wash brochure is in the appendices.</p> <p>In addition, our stormwater fee has a credit program that provides economic incentives to businesses and non-profit organizations that perform stormwater education or initiatives including "Adopt-a-Wash". Two non-profit organizations continue to participate in this program by providing stormwater education for their memberships.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Public Involvement/ Participation	Respond to verbal or written public inquiries, comments, or concerns about the Town's SWMP and its elements such as illicit discharge of wastes, etc., and/or requests for information.	5. Town of Oro Valley will identify a principal contact and devise the best method for handling public inquiries. Best methods for receipt of information may include emails, telephone calls, or letters from the general populace.	03/03-6/04	<p>Completed</p> <p>2009/2010 Update</p> <p>The Town of Oro Valley has a strong customer service program that involves all aspects of the Town Management Staff. The Stormwater Utility Manager position is the position to respond to any stormwater or floodplain violations and issue any notice to correct or violation letters. One stormwater notice to correct letter was issued during the year (attached) and over 20 resident stormwater or drainage issues were addressed by stormwater or streets personnel.</p>



### 3. ILLICIT DISCHARGE DETECTION AND ELIMINATION

#### A. Requirement

- a. Develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4;
- b. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls;
- c. To the extent allowable under state or local law, effectively prohibit through ordinance or other regulatory mechanism, non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions;
- d. Develop and implement a plan to detect, identify the source of, and address non-stormwater discharges, including illegal dumping, to the system;
- e. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;
- f. Conduct dry weather field screening for non-stormwater flows. The screening must include qualitative field tests based on color, odor, or visually observed characteristics as indicators of discharge sources. If the qualitative field tests do not provide enough information for the permittee to determine the source of the discharge, the permittee must test the discharge, while in the field, for selected chemical parameters. The permittee must investigate the illicit discharge within 15 days of its detection, and must follow up investigation with an action to further study the source of the discharge or eliminate it.
- g. Include the following information in the SWMP:
  - i. A description of detection methods;
  - ii. A description or citation of the established ordinance or other regulatory mechanism used to prohibit illicit discharges.
  - iii. A description of enforcement policy and jurisdiction;
  - iv. A description of the non-stormwater discharges allowed in the small MS4 pursuant to Part V, Section B.3.a.i;
  - v. A description of the non-stormwater discharges allowed in the small MS4 pursuant to Part V, Section B.3.a.ii;
  - vi. The methods for informing/training employees about illicit discharges;
  - vii. The methods for informing the public of hazards associated with illegal discharges and improper disposal of waste;
  - viii. A list of measurable goals for the illicit detection and elimination program;
  - ix. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
  - x. The name(s) and title(s) of the person(s) responsible for implementing and coordinating illicit discharge detection and elimination activities.

#### B. Program:

The Town actively seeks to detect and eliminate any illicit discharge that violates the Town's Stormwater Utility Ordinance Chapter 15.24.14. The primary methods and means employed are listed below:

DESCRIPTION	METHOD	DOCUMENTATION	POTENTIAL NUMBER	PERSON RESPONSIBLE
Dry Weather Outfall Inspections	Visit Each Location twice	Cartograph Asset Management	220 Outfalls	David Parker, Stormwater

DESCRIPTION	METHOD	DOCUMENTATION	POTENTIAL NUMBER	PERSON RESPONSIBLE
	per year	Software		Engineer/Utility Manager
Stormwater Utility Map	Monthly meetings open to the public	ESRI Arcmap and Cartegraph Asset Management Software	All Stormwater Infrastructure	David Parker, Stormwater Engineer/Utility Manager
Stormwater Facilities Inspection Program	Visit Each Location once per year or as time permits	ESRI Arcmap and Cartegraph Asset Management Software	All Stormwater Infrastructure	Fritz Laos, Stormwater/Civil Engineer
Spill Incident Inspections	All notifications of spills or illicit discharges have site inspections accomplished to ensure adequate response and cleanup	ESRI Arcmap and Reports	Varies annually	David Parker, Stormwater Engineer/Utility Manager

### C. Measurable Goals:

The following table identifies how well the Stormwater Utility implemented and accomplished the goals of this BMP. The table include the historical accomplishment of the original goal set when the first SWMP was submitted in 2003.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge Detection and Elimination	1. Review, and if necessary, revise current ordinances, or develop new ordinances for prohibiting illicit discharges.	1. All current applicable ordinances will be reviewed and revised as needed. New ordinances, if needed, will be written, approved, and implemented.	07/03-10/08	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>Town's ordinances continue to be reviewed and updated to incorporate or revised stormwater quality and quantity criteria as needed. The stormwater quality criteria for new developments and improvements were submitted for the Town's Drainage Criteria Manual (DCM) update which was published in February 2009.</p> <p>The Town is currently developing a new Environmentally Sensitive Land Ordinance to identify, protect, and manage lands including floodplains, riparian habitat and significant stands of native vegetation which will positively impact the quality of stormwater runoff in the Town.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
				A watercourse vegetation maintenance plan has been developed and will be used for all public drainage ways in Town to provide the balance between quality and quantity stormwater issues in all natural and constructed watercourses.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge Detection and Elimination	2. Map the storm drain system and identify, to the extent practicable, locations where illicit discharges have occurred and seek remediation.	2. The Town of Oro Valley (TOV) will utilize TOV resources to map the storm drain system and identify discharge points and, where possible, identify violators.	07/04-6/09	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>The Town's Utility Map continues to expand and the number of uses continues to grow. A Global Positioning System (GPS) camera was procured. The Geographic Information System (GIS) map and personal geodatabase to support the storm utility map has been developed and outfall locations and stormwater components have been loaded into the map. Additionally the map features are linked to the Town's asset management system and all inspections and work orders are documented and monitored through the storm utility map.</p> <p>During this year we added to the inventory of outfalls, culverts and storm catch basins; detention basins, first flush devices and storm drain pipes. Additional uses for the map will continue to grow but all current Stormwater facilities are shown on the map.</p> <p>During 2009-2010 three accidental releases of sanitary sewage occurred and were cleaned and report to the State by the Pima County Regional Wastewater Reclamation Department. One illicit discharge was identified by the Town and a notice to correct sent to the property owner. Discharge locations and history were documented for incorporation into the Stormwater Utility map.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge Detection and Elimination	3. Use programs such as Adopt-a-Wash and/or appropriate Town of Oro Valley staff to	3. The TOV will develop a plan for systematic review, to the extent practicable, of washes utilizing	3/03-6/09	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>All outfalls were inspected in the Fall and in the Spring. Pictures and inspection results were documented both in</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	detect sources of illicit discharge, including dumping. If offenders can be identified, notify offenders and hold offenders responsible for clean-up.	volunteers in programs such as Adopt-a-Wash and/or appropriate TOV staff. The plan will identify who will do various tasks, how these tasks will be done, what washes to inspect and how often		hard copy and in the Utility Map. One dry weather discharge was identified from an individual washing a car in their residential driveway which is allowed under our Stormwater Ordinance. A copy of the Town's dry weather inspection procedures and report form is attached.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge Detection and Elimination	4. Notify Town of Oro Valley employees, businesses, and individuals of the hazards and costs of illicit discharges and improper disposal of waste.	4. Through seminars and/or published and distributed information educate TOV employees, businesses, other targeted groups, and the general public on potential long term environmental damage and costs from illicit discharges.	3/03-6/09	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>Brochures and posters regarding stormwater pollution prevention are distributed to high commuter traffic locations on a monthly basis, i.e., library, town hall, community clubhouses, etc.</p> <p>To further inform the public, the stormwater utility also sets up booths at all large Town public events, i.e., Earth Day, Farmers Markets, etc. where we notify employees, businesses and individuals about proper management of hazardous wastes and our stormwater system.</p> <p>Last, the Town did include in the Stormwater Management Ordinance the provision that businesses and non-profit organizations can reduce their Stormwater Utility Fee through the installation of stormwater management controls through structural and non-structural stormwater management improvements. Two businesses have taken advantage of this program during the year.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Illicit Discharge Detection and Elimination	5. Encourage cleaning of commercial parking areas by those without first flush cleaning	5. Prior to onset of the summer monsoon, to the extent practicable, commercial property owners and developers	03/03-06/09	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>The Town's Drainage Criteria Manual requires first-flush BMP technology for all new commercial and multi-family development with large parking areas. The present</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	technology.	without first flush cleaning capabilities will be encouraged to clean impervious areas for the purpose of reducing contaminated wash-off.		<p>requirement is to remove oils and grease, sediment, and debris from runoff associated with the first one-half inch of rainfall.</p> <p>In addition, stormwater pollution prevention brochures were distributed to businesses stressing the importance of cleaning parking areas to minimize contaminants in the runoff.</p>

## 4. CONSTRUCTION SITE STORMWATER RUN-OFF CONTROL

### A. Requirement

- a. Develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If the Department waives requirements for stormwater discharges associated with small construction activity, defined under 40 CFR 122.26(b)(15)(i), the permittee is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from these sites;
- b. Using an ordinance or other regulatory mechanism available under the legal authorities of the small MS4, require construction site operators to practice erosion and sediment control and require construction site operators to control waste and properly dispose of wastes, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality. This ordinance must apply, at a minimum, to those sites described in Part V, Section B.4.a.
- c. Review all site plans for those sites described in Part V, Section B.4.a. for potential water quality impacts, including erosion and sediment control, control of other wastes, and any other impacts that must be examined according to the requirements of the law or ordinance of Part V, Section B.4.b. Before ground is broken at the construction site, the small MS4 operator shall review the plans and, verify (in written communication with the construction site operator) that the BMPs for the site are appropriate;
- d. Develop and implement procedures for site inspection and enforcement of control measures for those sites described in Part V, Section B.4.a.;
- e. Include the following information in the SWMP:
  - i. A description or citation of the established ordinance or other regulatory mechanism used to prohibit erosion and ensure proper management of wastes on construction sites per Part V, Section 4.b. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so;
  - ii. A description of the sanctions and enforcement mechanism(s) to ensure compliance;
  - iii. A description of the procedures for site inspection and enforcement of control measures, and procedures for site plan reviews;
  - iv. Procedures for receipt, acknowledgment and consideration of information submitted by the public,
  - v. A list of measurable goals for the construction site runoff control program;
  - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
  - vii. The name(s) and title(s) of the person(s) responsible for overseeing construction site runoff control activities.

### B. Program:

The Town actively manages construction site stormwater run-off control through an aggressive drainage report and SWPPP management program. The Town's Stormwater Utility Ordinance 15.24.14 gives the town authority to manage and impose penalties on any new construction that does not adhere to the ADEQ Construction General Permit requirements. The primary methods and means employed by the Town are listed below:

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
SWPPP Reviews	All SWPPPs are reviewed and approved by the Stormwater Utility and discussed at the Pre construction Meetings	All construction projects that impact more than 1 acre of property.	Varies annually	Fritz Laos, Stormwater/Civil Engineer
Drainage Report Reviews	All Drainage reports are reviewed and approved by the Stormwater Utility.	All construction projects that require a permit.	Varies annually	Fritz Laos, Stormwater/Civil Engineer
SWPPP Inspections	All SWPPP measures are inspected at least three times on site during a construction project.	All projects with ADEQ CGP NOIs.	Varies annually	Rob Wilson, Stormwater/Civil Technician
SWPPP Template	SWPPP are developed in accordance with a Town of Oro Valley template	All construction projects that require a SWPPP	Varies annually	Fritz Laos, Stormwater/Civil Engineer
SWPPP Focal Point	Identified in various fashions	All SWPPP professionals working in Oro Valley	Varies annually	Fritz Laos and Rob Wilson

### C. Measurable Goals:

The following table identifies how well the Stormwater Utility implemented and accomplished the goals of this BMP. The table includes the historical accomplishment of the original goal set when the first SWMP was submitted in 2003.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Construction Site Storm Water Run-off Control	1. Require construction site developers/operators to prepare	1. During pre-construction meetings with construction company	03/03	Complete  2009/2010 Update  Stormwater runoff control is addresses at all pre-

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	<p>a Storm Water Pollution Prevention Plan (SWPPP) and submit plan for review and approval for any construction site equal to or greater than one acre or disturbing less than one acre (if that construction activity is part of a larger common plan of development that would disturb one acre or more) and to obtain a Construction General Permit (CGP).</p>	<p>representatives to explain BMPs, developers/operators will be made aware that a SWPPP will be required and that on-site inspections will occur. Town of Oro Valley uses a checklist to assess the developer's/contractor's plans. Upon proof that the applicant submitted their NOI to EPA and/or ADEQ a grading permit will be issued by TOV.</p>		<p>construction meetings. SWPPPs are reviewed and commented on by stormwater personnel prior to a grading permit being approved and Stormwater Utility personnel inspect the BMPs once installed to ensure they are adequate prior to any construction occurring on site. The Town currently used the State checklists for inspections and plan reviews.</p> <p>During this fiscal year the Town had 24 active ADEQ NOIs and SWPPPs that routine inspection were performed on by the Town.</p> <p>On May 11, 2010, the Annual Stormwater Construction Seminar was held in the Joel D. Valdez main library, in downtown Tucson. Almost 100 people from the construction industry and jurisdictions attended the seminar. We had participants and speakers from all over the state with the majority from the Tucson metro region. Presentations were made, panels discussions were led, and questions were answered by the Arizona Department of Environmental Quality, Pima County, the City of Tucson, the Town of Marana, the Town of Oro Valley and the Watershed Management Group. New features this year included information on the connections between stormwater management and new rainwater harvesting ordinances in the City of Tucson and Oro Valley. Attendees consisted of local government personnel, private consultants, inspectors, designers, and other practitioners. PAG assembled stormwater books for each participant and distributed them at the seminar. Seventy-two percent of the surveyed attendees found the seminar "Very Useful", the highest ranking, and the remaining 28% found it to be "Useful". The books distributed at the seminar were also appreciated by the attendees.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Construction Site Storm Water Run-off Control	2. Establish an ordinance(s) to require erosion and sediment control, and controls for other construction site waste,	2. Existing ordinances will be reviewed, and if necessary, revised, or new ordinances will be developed and	07/04-6/9	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>The Town's Stormwater Ordinance had an update revision developed and coordinated during the year. The revision was approved at a Public Hearing on 4/7/10. A copy of the revisions to section 15.24.14, Stormwater Discharge Control and Monitoring can be viewed on the Town's web site. The revision was primarily to address the collection</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	and applicable penalties.	implemented. Ordinances will include applicable penalties for non-compliance. Construction site plans will be reviewed by TOV to ensure compliance with ordinances prior to start of construction.		<p>process of the fees and a copy of the revision is included in the appendices.</p> <p>The Town development services have incorporated a new electronic on-line permitting review process and the Stormwater Utility has been incorporated into the process for review and approval of all construction project.</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Construction Site Storm Water Run-off Control	3. Establish procedures for receipt and consideration of information submitted by the public.	3. Town of Oro Valley will identify a principal contact and devise the best method for handling public inquiries. Best methods for receipt of information may include emails, telephone calls, or letters from the general populace.	3/03 -3/04	<p>Completed</p> <p><b>2009/2010 Update</b></p> <p>The Utility has created a Stormwater email address which is identified on the Town's web site. In addition every Stormwater bill includes contact information. The Town also has a Constituent Services Coordinator Position who handles all public for businesses and residents from the Town inquires and forwards them to the appropriate area of responsibility to gather information for the response. During the prior year the Town received and responded to 14 resident inquiries into Stormwater or drainage issues.</p>



## 5. POST CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

### A. Requirement

- a. Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, and discharge into the small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts;
- b. Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the community;
- c. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under the legal authorities of the small MS4;
- d. Ensure adequate long-term operation and maintenance of BMPs; and
- e. Include the following information in the SWMP:
  - i. A description of the management practices to reduce post-construction runoff from new development and redevelopment projects within the MS4; address any specific priority areas and tailor to the local community;
  - ii. A description or citation of the established ordinance or other regulatory mechanism used to address post-construction runoff control. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so;
  - iii. A description of the procedure to ensure compliance with local requirements;
  - iv. A description of the education program for developers, architects and the public about project designs that minimize water quality impacts;
  - v. An identification of the measurable goals for the post-construction runoff control program;
  - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
  - vii. The name(s) and title(s) of the person(s) responsible for the development, implementation, and enforcement of post-construction stormwater management.

### B. Program:

The Town actively manages construction site stormwater run-off control through an aggressive drainage report and SWPPP management program. The Town's Stormwater Utility Ordinance 15.24.14 gives the town authority to manage and impose penalties on any new construction that does not adhere to the ADEQ Construction General Permit requirements. The primary methods and means employed by the Town are listed in the following table:

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
Stormwater Facilities Inspections	Inspect annually or as time permits all Stormwater facilities for proper operations and maintenance	All residences and business in Town.	16,000 residences and 300 businesses.	Fritz Laos and Rob Wilson

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
Development Guidelines, Manuals, and Ordinances	Ensure that appropriate Stormwater management tools and controls are incorporated into all Town requirements and procedures	All residences and businesses in Town.	16,000 residences and 300 businesses.	David Parker, Stormwater Engineer/Utility Manager
Vegetation Maintenance	Inspect and Maintain all Town drainage ways to ensure that they can carry the required Stormwater flows while protecting the native vegetation.	Quality of Life for all Town residents.	18 miles of drainage ways.	David Parker, Stormwater Engineer/Utility Manager

### C. Measurable Goals:

The following table identifies how well the Stormwater Utility implemented and accomplished the goals of this BMP. The table includes the historical accomplishment of the original goal set when the first SWMP was submitted in 2003.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Post Construction Storm Water Management in New Development and Redevelopment	1. Review and revise or adopt new storm water ordinances regarding storm water quality and quantity giving consideration to adjacent city and county ordinances and to the impact downstream. Include a maintenance requirement for structural or	1. Existing ordinances will be reviewed and, if necessary, revised, or new ordinances will, if necessary, be developed and implemented. These ordinances will include immediate and long-term Town of Oro	07/03-06/09	Complete  2009/2010 Update  Existing Ordinances were reviewed during this year. One Ordinance addition was made to modify the Stormwater Utility Fee collection procedures dealing with delinquent accounts. All other ordinances were deemed adequate at the time.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	non-structural BMPs, i.e., detention basins, sediment run-off controls, first flush devices, landscaping or vegetation restoration, etc.	Valley maintenance activities and will include penalties that are necessary to enforce the program.		

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Post Construction Storm Water Management in New Development and Redevelopment	2. Develop or modify the inspection process to be able to inspect the development and enforce the ordinances.	2. Inspection process reviewed, and if necessary, revised. This will include processes of the Public Works Department and the Development Services Department which includes building and zoning inspections.	07/05-06/09	Complete  <b>2009/2010 Update</b>  Post Construction inspections to include stormwater management devices on private property along with enforcement mechanisms were included in the Town Ordinance 15:24 approved by the Town Council on 9/3/08. Stormwater Utility Personnel are the responsible agents to perform these inspections and document any deficiencies to be corrected. One maintenance notice of violation was issued during the year.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Post Construction Storm Water Management in New Development and Redevelopment	3. Communicate the requirement of the ordinances at developer meetings. Ensure that developers/operators understand that plan review, on-going site inspections, and post-construction inspections will	3. Ordinance requirements will be explained initially during the development review stage, during preconstruct	07/05-06/09	Complete  <b>2009/2010 Update</b>  Development Plan requirements for post construction stormwater management are discussed and highlighted by Development Services and Stormwater Utility personnel at all phases of construction and post construction meetings with contractors, operators and owners.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	occur.	ion conferences, and as required thereafter based on developer needs, problems uncovered during site inspections, or ordinance modification		



## 6. POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

### A. Requirement

a. Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations due to activities, including but not limited to, park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. The permittee shall address the following topics in the program:

- i. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the small MS4;
- ii. Controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas; and
- iii. Procedures to properly dispose of waste removed from the small MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.

b. Include the following information in the SWMP:

- i. A list of the municipal operations impacted by this operation and maintenance program;
- ii. A description of the training program for municipal employees
- iii. A list of measurable goals for the municipal pollution prevention program;
- iv. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
- v. The name(s) and title(s) of the person(s) responsible for implementing and coordinating employee training and pollution prevention activities.

### B. Program:

The Town actively manages construction site stormwater run-off control through an aggressive drainage report and SWPPP management program. The Town's Stormwater Utility Ordinance 15.24.14 gives the town authority to manage and impose penalties on any new construction that does not adhere to the ADEQ Construction General Permit requirements. The primary methods and means employed by the Town are listed below:

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
Street Sweeping	In-House Operations	Supports all residents and businesses	600 lane miles in Town	Shawn Ricksecker, Senior Crew Leader
Vehicle Washing	In-House Operations	All Town vehicles	200 Town vehicles including passenger, work and heavy equipment	Mike Todnem, Civil Engineer
Adopt a Wash Program	In addition to public participation this program is a good pollution prevention program aimed at	Any Resident or Organization willing to volunteer	50 Wash Segments to be adopted.	Rob Wilson, Stormwater/Civil Technician

DESCRIPTION	METHOD	TARGET AUDIENCE	POTENTIAL NUMBER	PERSON RESPONSIBLE
	removing debris and identifying any pollution sources in the washes adopted.			
Licensure and Certifications	Ensure personnel have appropriate certifications and license for job.	All personnel involved with daily Stormwater operations	6 personnel	David Parker, Stormwater Engineer/Utility Manager
Training Program	Ensure all Town Employees are aware of how their positions can impact the Stormwater Program	All Town Employees	325 Town Employees	David Parker, Stormwater Engineer/Utility Manager

### C. Measurable Goals:

The following table identifies how well the Stormwater Utility implemented and accomplished the goals of this BMP. The table includes the historical accomplishment of the original goal set when the first SWMP was submitted in 2003.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Pollution Prevention/Good Housekeeping for Municipal Operations	1. Develop a pollution prevention plan that includes review and revision, if needed, of current municipal maintenance activities, schedules, and inspection procedures for structural and nonstructural controls to reduce	1. A pollution control plan will be developed and implemented. Elements of the program will include such items such as street cleaning programs and the use of structural or non-structural controls to prevent pollution at municipal sites. These	03/05-06/09	<p>Complete</p> <p><b>2009/2010 Update</b></p> <p>Town road and multi use paths are sweep monthly. Street sweeping activities yielded 325 tons of debris and sediment disposed to the local landfill.</p> <p>The Town has developed a watercourse vegetation management plan to address quality and quantity issues of vegetation in public natural and constructed storm channels. This guide is used to determine vegetation requirements for Town drainage ways.</p> <p>The Town improved the vehicle washing program by ensuring that all vehicles washed in-house are accomplished at the Town's current vehicle wash rack, are sent to a commercial vehicle wash or are accomplished by a on-site contract operation in which all wash water is collected. The Town's new vehicle washing facility was approved and funded in the 2010/2011 Town of Oro Valley Capital Improvement Budget and will be</p>

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	floatable and other pollutants dumped into washes, etc.	include the Town Hall complex, Public Works maintenance facility, and may include some parks and some water utility facilities.		constructed during this fiscal year to accommodate the entire town fleet to include heavy equipment.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Pollution Prevention/Good Housekeeping for Municipal Operations	2. Establish an employee training program using training materials obtained from EPA, the State, and/or other organizations.	2. Employee training materials will be gathered and an employee training program will be developed. All applicable employees in Public Works, Parks and Recreation, and Water Utility Departments will be trained.	03/04-06/10	In Progress  During this year the Town continued to aggressively train its staff to be able to manage our SWMP in an exemplary manner.  During the year staff has attended NAFSMA, ASFMA, AZFMA, PCRFCDD and PAG conferences and training sessions. In addition the Town has Stormwater employees who have renewed all their certifications and license to include pesticide applications, CFMs, and PE. Last, the Town has created a matrixed work environment to foster cross training of personnel between differing organizational areas.

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
Pollution Prevention/Good Housekeeping for Municipal Operations	3. Develop procedures and methods for detection of floatable materials and waste materials	3. The TOV will develop a plan for systematic inspection of washes utilizing programs such as Adopt-a-Wash	3/05 - 6/09	Complete  <b>2009/2010 Update</b>  Through the AAW program as well as Town field staff, and adopt-a-roadway participants, materials that are in washes or could easily be transported to a wash are

Minimum Control Measure(s)	BMP	Measurable Goal (steps to measure progress)	Start Date	Implementation Status/ Frequency/ Achievement Date (completed, in progress, not started)
	<p>from the washes. Develop a program to educate volunteers and TOV employees on the proper disposal methods of such debris.</p>	<p>and/or TOV staff. Volunteers and staff will be trained to inspect, detect and report problem areas. These persons will be educated in proper methods for disposal of floatable and other waste materials.</p>		<p>identified and removed either by the volunteers or by Town staff upon being informed of the waste material problem.</p> <p>Additionally, Stormwater Utility personnel during their semi-annual inspections of outfalls also inspect all public watercourses in Town and identify any maintenance activities required on the watercourse to include debris, vegetation or sediment removal.</p>



### III. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 submitted 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 fine and imprisonment for knowing violations.

Craig Civalier  
Signature

9-16-10  
Date

Craig Civalier, P.E.  
Name (printed)

Town Engineer/Stormwater Administrator  
Title

# IV. APPENDICES

## **IV. APPENDCIES**

### **1. Guidance Documents**

- A. AZPDES General Permit for Small MS4s
- B. Utility Staff Responsibilities
- C. Development and Infrastructure Services Organization Chart
- D. Dry Weather Inspections Procedures
- E. Stormwater Utility Ordinance, Town Code 15.24

### **2. 2009/2010 Update Documents**

- A. Active SWPPP Listing
- B. Water Bill Flyers
- C. Vista Articles
- D. New Ordinance Revision
- E. Stormwater Utility Map
- F. Updated Annexation Map

1. Guidance Documents  
A. AZPDES General Permit for Small Dischargers



STATE OF ARIZONA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY DIVISION  
PHOENIX, ARIZONA 85012-2809

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT FOR DISCHARGE FROM  
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)  
TO WATERS OF THE UNITED STATES

In compliance with the provisions of the Arizona Pollutant Discharge Elimination System program, (Arizona Revised Statutes, Title 49, Chapter 2, Article 3.1 and Arizona Administrative Code, Title 18, Chapter 9, Articles 9 and 10), this general permit authorizes discharges certified under this general permit from those locations specified throughout the state of Arizona to waters of the United States. These discharges shall be in accordance with the conditions of this general permit.

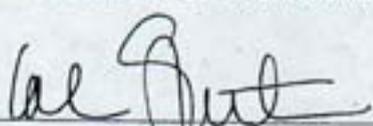
This permit only authorizes discharges from those operators of small municipal separate storm sewer systems in Arizona who submit a complete Notice of Intent in accordance with Parts III and V of this general permit and who comply with the permit requirements and conditions of Parts IV and VI. All discharges authorized by this general permit shall be consistent with the terms and conditions of this general permit.

This general permit becomes effective on December 19, 2002.

This general permit and the authorization to discharge expire at midnight, December 19, 2007.

Issued this 19<sup>th</sup> day of Dec., 2002.

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

  
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Karen Smith, Director  
Water Quality Division

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## PART I. COVERAGE UNDER THIS GENERAL PERMIT

- A. Permit Area. This permit covers the state of Arizona, except for Indian Country.
- B. Eligibility.
1. This permit authorizes the discharge of stormwater from small municipal separate storm sewer systems (MS4s) provided that the permittee complies with all the requirements of this general permit and the MS4:
    - a. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or
    - b. Is designated for permit authorization by the Department under R-18-9-A902(D)(1), R18-9-A902(D)(2), R-18-9-A902(E), and R18-9-A905(A)(1)(f) which incorporates 40 CFR 122.32.
- C. Non-Stormwater Discharges.
1. The permittee shall prohibit all types of non-stormwater discharges into its MS4 unless the discharges are authorized by a separate NPDES or AZPDES permit or not prohibited under Part I, Section C.2 or are identified by the permittee as occasional incidental non-stormwater discharges under Part V, Section B.3.a.ii.
  2. The following categories of non-stormwater discharges (occurring within the jurisdiction of the permittee) are only prohibited if the discharges are identified as significant contributors of pollutants to or from the MS4. If any of the following categories of discharges are identified as a significant contributor, the permittee must address the category as an illicit discharge as specified in Part V, Section B.3:
    - a. Water line flushing,
    - b. Landscape irrigation,
    - c. Diverted stream flows,
    - d. Rising ground waters,
    - e. Uncontaminated ground water infiltration,
    - f. Uncontaminated pumped groundwater,
    - g. Discharges from potable water sources,
    - h. Foundation drains,
    - i. Air conditioning condensate,
    - j. Irrigation water,
    - k. Springs,
    - l. Water from crawl space pumps,
    - m. Footing drains,
    - n. Lawn watering,

- o. Individual residential car washing,
- p. Discharges from riparian habitats and wetlands,
- q. Dechlorinated swimming pool discharges,
- r. Street wash water, and
- s. Discharges or flows from emergency fire fighting activities.

D. Limitations of Coverage. This general permit does not authorize:

1. Discharges mixed with sources of non-stormwater unless the non-stormwater discharges:
  - a. Comply with a separate NPDES or AZPDES permit, or
  - b. Are determined not to be a significant contributor of pollutants to waters of the United States;
2. Stormwater discharges associated with industrial activity as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi);
3. Stormwater discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15);
4. Stormwater discharges currently covered under another permit;
5. Discharges to impaired waterbodies listed under section 303(d) of the Clean Water Act (CWA) if discharges from the MS4 contain, or may contain, pollutant(s) for which the waterbody is listed except:
  - a. If a TMDL has been established, and the stormwater management program (SWMP) is consistent with the requirements of the TMDL, including any wasteload allocation or load allocation in the TMDL. The SWMP must also identify BMPs the permittee will use to meet wasteload allocations or load allocations and include monitoring for associated pollutant(s); and
  - b. If a TMDL has not been established, and the SWMP includes a section describing how the program will control the discharge of 303(d) listed pollutants and ensure to the maximum extent practicable that discharges from the MS4 will not cause or contribute to exceedances of surface water quality standards. The SWMP must also identify BMPs the permittee will use to control discharges and include monitoring of their effectiveness;
6. Discharges that do not comply with Arizona's anti-degradation rule (R18-11-107). The anti-degradation rule may be obtained from the Department's Phoenix office or from the Department's Web site.

**PART II. AUTHORIZATION UNDER THIS GENERAL PERMIT**

A. Application for Coverage.

1. An applicant seeking authorization to discharge under this general permit shall submit to the Department a complete notice of intent (NOI), in accordance with the deadlines in Part III, Section A. The NOI must include the information and attachments required by Part III,

Section B.

If the Department notifies an applicant (either directly, by public notice, or by making information available on the Internet) of other NOI options that become available at a later date, such as electronic submission of forms or information, the applicant may take advantage of those options to satisfy the NOI submittal requirements.

2. If an operator changes or a new operator is added after an NOI has been submitted, the permittee shall submit a new or revised NOI to the Department.
3. A discharger who submits a complete NOI and meets the eligibility requirements in Part I may discharge stormwater from a small MS4 under the terms and conditions of this general permit 30 days after the date the NOI is received by the Department. For the purposes of this permit, receipt is the day the fax was sent, the day the NOI was hand-delivered to the Department, or the day the Department signed certified mail containing the NOI. Submission of the NOI demonstrates the discharger's intent to be covered by this permit; it is not a determination by the Department that the discharger has met the eligibility requirements for the permit.
4. If the Department notifies the applicant of deficiencies or inadequacies in any portion of the NOI (including the stormwater management program), the applicant must correct the deficient or inadequate portions and submit a written statement to the Department certifying that appropriate changes have been made. The certification must be submitted within the time-frame specified by the Department and must specify how the NOI has been amended to address the identified concerns.

B. Terminating Coverage.

1. A permittee may terminate coverage under this general permit by submitting a notice of termination (NOT). Authorization to discharge terminates at midnight on the day the NOT is signed.
2. A permittee shall submit an NOT to the Department within 30 days after the permittee:
  - a. Ceases discharging stormwater from the MS4,
  - b. Ceases operations at the MS4, or
  - c. Transfers ownership of or responsibility for the facility to another operator.
3. The NOT form can be obtained from the Department and must include the following information:
  - a. Name, mailing address, and location of the MS4 for which the notification is submitted;
  - b. The name, address and telephone number of the operator addressed by the NOT;
  - c. The NPDES or AZPDES permit number for the MS4;
  - d. An indication of whether another operator has assumed responsibility for the MS4, the discharger has ceased operations at the MS4, or the stormwater discharges have been eliminated; and
  - e. The following certification:

*I certify under penalty of law that all stormwater discharges from the identified MS4 that are authorized by an AZPDES general permit have been eliminated, or that I am no longer the operator of the MS4, or that I have ceased operations at the MS4. I understand that by submitting this Notice of Termination I am no longer authorized to discharge stormwater under this general permit, and that discharging pollutants in stormwater to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by an AZPDES permit. I also understand that the submission of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.*

- f. NOTs, signed in accordance with Part VI, Section L, must be sent to the Department at the following address:

Small MS4 NOT  
Surface Water Permits Unit (5415 B)  
Arizona Department of Environmental Quality  
1110 West Washington  
Phoenix, AZ 85007

### **PART III. NOTICE OF INTENT REQUIREMENTS**

A. Deadlines for Notification

1. MS4s automatically designated under R18-9-A905(A)(1)(f) are required to submit an NOI and a stormwater management program or apply for an individual permit by March 10, 2003.
2. MS4s designated under R18-9-A902(D)(1), R18-9-A902(D)(2), or R18-9-A902(E) are required to submit an NOI and a stormwater management program within 180 days of notice (unless the Department provides additional time in the designation notice).
3. New MS4s and New Operators
  - a. For new MS4s within urbanized areas which commence discharges subsequent to March 10, 2003, the NOI must be submitted not later than 30 days prior to commencing discharges.
  - b. For new operators of an existing MS4, the NOI must be submitted not later than two days prior to taking operational control of the MS4.
4. If a late NOI is submitted, the authorization is only for discharges that occur after permit coverage is granted. The Department reserves the right to take appropriate enforcement actions for any unpermitted discharges.

B. Contents of Notice of Intent. An applicant eligible for coverage under this general permit shall submit an NOI to discharge under this general permit. The NOI shall contain the following information:

1. The name, mailing address, and telephone number of the municipal entity applying;
2. An indication of whether the applicant is a federal, state, or other public entity;
3. The urbanized area or core municipality (if not located in an urbanized area) where the small MS4 is located; the county(ies) where the small MS4 is located, and the latitude and longitude of the approximate center of the small MS4;
4. The name of the major receiving water(s) and an indication of whether any of the receiving

waters are on the latest CWA section 303(d) list of impaired waters. If the small MS4 discharges to any 303(d) listed waters, include a certification that the SWMP meets the requirements of Part I, Section D.5;

5. An indication of whether all or a portion of the small MS4 is located in Indian country;
6. If the applicant is relying on another governmental entity to satisfy one or more permit obligations (see Part V, Section D), the identity of that entity(ies) and the element(s) the entity(ies) will be implementing;
7. The name and work position or title of the contact person;
8. The signature of the certifying official, signed in accordance with the signatory requirements of Part VI, Section L; and
9. A stormwater management program (SWMP), including best management practices (BMPs) that will be implemented and the measurable goals for each of the stormwater minimum control measures specified in Part V, Section B., the month and year in which the applicant will start and fully implement each of the minimum control measures or the frequency of the action, and the name of the person(s) responsible for implementing or coordinating the SWMP.
10. The following certification:

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 submitted 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 fine and imprisonment for knowing violations. In addition I certify that the permittee will comply with all terms and conditions stipulated in General Permit No. AZG2002-002 issued by the Director.*

- C. Where to Submit. The applicant shall submit the signed NOI to the Department at the following address:

Small MS4 NOI  
Surface Water Permits Unit, 5415B  
Arizona Department of Environmental Quality  
1110 West Washington  
Phoenix, AZ 85007

- D. Co-Permittees Under a Single NOI.

Any small MS4 that meets the requirements of Part I of this general permit may choose to partner with another regulated MS4 to develop and implement a SWMP. The MS4s may also jointly submit one NOI. If responsibilities are being shared as provided in Part V, Section D, the SWMP must describe which permittees are responsible for implementing each of the minimum measures. All small MS4 permittees are subject to the provisions in Part V, Section E.

#### **PART IV. SPECIAL CONDITIONS**

**Total Daily Maximum Loads (TMDLs) Allocations Established after Permit Issuance.** If a TMDL is established for any waterbody into which the permittee discharges prior to the date that the permittee or applicant submits an NOI, and if that TMDL includes a wasteload allocation or load allocation for a parameter likely to be

discharged by the MS4, the permittee must meet the requirements of the TMDL and/or its associated implementation plan. If a TMDL is approved for any waterbody into which the permittee discharges after the date that the permittee or applicant submits an NOI, the Department may require revisions to the SWMP to ensure that the wasteload allocation, load allocation and/or the TMDL's associated implementation plan will be met. Monitoring of the discharges may also be required, as appropriate, to ensure compliance with the TMDL.

#### **PART V. STORMWATER MANAGEMENT PROGRAM (SWMP)**

A. General Requirements. An applicant shall develop, and a permittee shall implement, and enforce a SWMP designed to reduce the discharge of pollutants from a small MS4 to the maximum extent practicable (MEP) to protect water quality. The SWMP shall include management practices; control techniques; system, design, and engineering methods; and other provisions the Department determines appropriate for the control of pollutants.

1. A permittee must fully implement the SWMP, including its measurable goals, no later than December 19, 2007 (except as provided under Part V, Section A.2).
2. If a permittee is required to obtain permit coverage after March 10, 2003, the permittee shall implement the SWMP, including its measurable goals, for the period between the date of authorization to discharge and the expiration date of this permit. For example, if the permittee was authorized to discharge under this permit on March 10, 2006 the measurable goals established in the SWMP for the period between 2006 and the expiration date of this general permit must be met.
3. The SWMP shall address each of the minimum control measures of Part V, Section B and must include measurable goals, including interim milestones, for each BMP, including as appropriate, the months and years in which the MS4 will undertake the required actions and the frequency of the action. The name and title of the person or persons responsible for implementing the SWMP shall also be included.
4. The permittee shall protect water quality by ensuring, to the maximum extent practicable, that no discharge shall cause or contribute to an exceedance of applicable water quality standard. To do so, the permittee shall fully implement all SWMP and permit requirements in accordance with the established time frames.

B. Minimum control measures.

1. Public Education and Outreach on Stormwater Impacts. The permittee or applicant, as applicable, shall:
  - a. Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impact of stormwater discharges on waterbodies and the steps that the public can take to reduce pollutants in stormwater runoff.;
  - b. Include the following information in the SWMP:
    - i. A description of the education program and outreach activities;
    - ii. A description of the methods for disseminating information;
    - iii. The target audiences and target pollutants and sources that the applicant will address in the program, and how they were selected;
    - iv. An estimation of the number of people with whom the applicant intends to communicate;

- v. A list of measurable goals for the public education and outreach program;
  - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals
  - vii. The name(s) and title(s) of the person(s) responsible for implementing and coordinating the education activities.
2. Public Involvement/Participation. The permittee or applicant, as applicable, shall:
- a. Develop and implement a plan to encourage public involvement and participation in the development and implementation of the SWMP;
  - b. Comply with state and local public notice requirements when implementing the public involvement/participation program.
  - c. Include the following information in the SWMP:
    - i. A description of the general plan for informing the public of involvement and participation opportunities;
    - ii. The types of activities for public involvement that the program will include and the target audiences;
    - iii. A description of the procedure for receiving and reviewing public comments;
    - iv. An explanation of how interested parties may access the SWMP and NOI;
    - v. A list of measurable goals for the public involvement/participation program;
    - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals and;
    - vii. The name(s) and title(s) of the person(s) responsible for implementing and coordinating the public involvement/participation activities.
3. Illicit Discharge Detection and Elimination. The permittee or applicant, as applicable, shall:
- a. Develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4, except those discharges listed below:
    - i. Non-stormwater discharges as listed in Part I, Section C.2 ; This exception does not apply to those categories of discharge which the permittee or applicant has determined to be a significant contributor of pollutants to the small MS4; or
    - ii. Occasional incidental non-stormwater discharges (e.g. non-commercial or charity car washes, etc.) that the permittee does not expect (based on information available to the permittee) to be a significant contributor of pollutants to the small MS4 because of either the nature of the discharges or conditions the permittee has established for allowing these discharges to the small MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, BMPs on the wash water, etc.).
  - b. Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls;

- c. To the extent allowable under state or local law, effectively prohibit through ordinance or other regulatory mechanism, non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions;
  - d. Develop and implement a plan to detect, identify the source of, and address non-stormwater discharges, including illegal dumping, to the system;
  - e. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;
  - f. Conduct dry weather field screening for non-stormwater flows. The screening must include qualitative field tests based on color, odor, or visually observed characteristics as indicators of discharge sources. If the qualitative field tests do not provide enough information for the permittee to determine the source of the discharge, the permittee must test the discharge, while in the field, for selected chemical parameters. The permittee must investigate the illicit discharge within 15 days of its detection, and must follow up investigation with an action to further study the source of the discharge or eliminate it.
  - g. Include the following information in the SWMP:
    - i. A description of detection methods;
    - ii. A description or citation of the established ordinance or other regulatory mechanism used to prohibit illicit discharges. If the permittee needs to develop this mechanism, describe the plan and a schedule to do so.
    - iii. A description of enforcement policy and jurisdiction;
    - iv. A description of the non-stormwater discharges allowed in the small MS4 pursuant to Part V, Section B.3.a.i;
    - v. A description of the non-stormwater discharges allowed in the small MS4 pursuant to Part V, Section B.3.a.ii;
    - vi. The methods for informing/training employees about illicit discharges;
    - vii. The methods for informing the public of hazards associated with illegal discharges and improper disposal of waste;
    - viii. A list of measurable goals for the illicit detection and elimination program;
    - ix. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
    - x. The name(s) and title(s) of the person(s) responsible for implementing and coordinating illicit discharge detection and elimination activities.
4. Construction Site Stormwater Runoff Control. The permittee or applicant, as applicable, shall:
- a. Develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If the Department waives requirements for

stormwater discharges associated with small construction activity, defined under 40 CFR 122.26(b)(15)(i), the permittee is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from these sites;

- b. Using an ordinance or other regulatory mechanism available under the legal authorities of the small MS4, require construction site operators to practice erosion and sediment control and require construction site operators to control waste and properly dispose of wastes, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality. This ordinance must apply, at a minimum, to those sites described in Part V, Section B.4.a.
  - c. Review all site plans for those sites described in Part V, Section B.4.a. for potential water quality impacts, including erosion and sediment control, control of other wastes, and any other impacts that must be examined according to the requirements of the law or ordinance of Part V, Section B.4.b. Before ground is broken at the construction site, the small MS4 operator shall review the plans and, verify (in written communication with the construction site operator) that the BMPs for the site are appropriate;
  - d. Develop and implement procedures for site inspection and enforcement of control measures for those sites described in Part V, Section B.4.a.;
  - e. Include the following information in the SWMP:
    - i. A description or citation of the established ordinance or other regulatory mechanism used to prohibit erosion and ensure proper management of wastes on construction sites per Part V, Section 4.b. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so;
    - ii. A description of the sanctions and enforcement mechanism(s) to ensure compliance;
    - iii. A description of the procedures for site inspection and enforcement of control measures, and procedures for site plan reviews;
    - iv. Procedures for receipt, acknowledgment and consideration of information submitted by the public;
    - v. A list of measurable goals for the construction site runoff control program;
    - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
    - vii. The name(s) and title(s) of the person(s) responsible for overseeing construction site runoff control activities.
5. Post-Construction Stormwater Management in New Development and Redevelopment. The permittee or applicant, as applicable, shall:
- a. Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, and discharge into the small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts;

- b. Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the community;
  - c. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under the legal authorities of the small MS4;
  - d. Ensure adequate long-term operation and maintenance of BMPs; and
  - e. Include the following information in the SWMP:
    - i. A description of the management practices to reduce post-construction runoff from new development and redevelopment projects within the MS4; address any specific priority areas and tailor to the local community;
    - ii. A description or citation of the established ordinance or other regulatory mechanism used to address post-construction runoff control. If the permittee needs to develop the required regulatory mechanism, describe the plan and a schedule to do so;
    - iii. A description of the procedure to ensure compliance with local requirements;
    - iv. A description of the education program for developers, architects and the public about project designs that minimize water quality impacts;
    - v. An identification of the measurable goals for the post-construction runoff control program;
    - vi. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
    - vii. The name(s) and title(s) of the person(s) responsible for the development, implementation, and enforcement of post-construction stormwater management.
6. Pollution Prevention/Good Housekeeping for Municipal Operations. The permittee or applicant, as applicable, shall:
- a. Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations due to activities, including but not limited to, park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. The permittee shall address the following topics in the program:
    - i. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to the small MS4;
    - ii. Controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas; and
    - iii. Procedures to properly dispose of waste removed from the small MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.

- b. Include the following information in the SWMP:
  - i. A list of the municipal operations impacted by this operation and maintenance program;
  - ii. A description of the training program for municipal employees
  - iii. A list of measurable goals for the municipal pollution prevention program;
  - iv. Dates, in terms of months and years, by which the permittee will achieve specific measurable goals; and
  - v. The name(s) and title(s) of the person(s) responsible for implementing and coordinating employee training and pollution prevention activities.
- C. Qualifying State or Local Program. The permittee may substitute the BMPs and measurable goals of an existing stormwater pollution control program to qualify for compliance with one or more of the minimum control measures if the existing measure meets the requirements of the minimum control measure as established in Part V, Section B.
- D. Sharing Responsibility. Implementation of one or more of the minimum measures may be shared with another entity, or the entity may fully take over the measure. A permittee may rely on another entity only if:
  - 1. The other entity, in fact, implements the control measure;
  - 2. The control measure, or component of that measure, is at least as stringent as the corresponding permit requirement;
  - 3. The other entity agrees to implement the control measure on the permittee's behalf. Written acceptance of this obligation is expected. The permittee shall maintain this obligation as part of the SWMP description. If the other entity agrees to report on the minimum measure, the permittee shall supply the other entity with the reporting requirements in Part V, Section G of this general permit. The permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure component.
- E. Reviewing and Updating SWMPs.
  - 1. The permittee shall annually review the SWMP in conjunction with preparation of the annual report required under Part V, Section G.
  - 2. The permittee may change the SWMP during the life of the permit according to the following procedures:
    - a. Changes adding (but not subtracting) components, controls, or requirements to the SWMP may be made at any time upon written notification to the Department;
    - b. Changes replacing an ineffective or infeasible management practice specifically identified in the SWMP with an alternate management practice may be made at any time, as long as the permittee submits a written analysis to the Department explaining why the management practice is ineffective or infeasible (including cost prohibitive), and why the replacement management practice is expected to achieve the goals of the management practice to be replaced;
    - c. Change notifications must be signed in accordance with Part VI, Section L;

3. The Department may notify a permittee that changes to the SWMP are necessary:
  - a. To address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
  - b. To include more stringent requirements necessary to comply with new federal or state statutory or regulatory requirements; and
  - c. If, at any time, the Department determines that the SWMP does not meet permit requirements.
4. The notification described above in Part V, Section E.3 will need to be addressed by the permittee in one of the following manners:
  - a. If the Department specifies changes that are to be made to the SWMP (including changes in implementation schedules), the permittee shall, within 60 days (or a later date if provided by the Department) certify that it has made changes as required by the Department. Changes must go into effect 30 days from the date the permittee certifies that changes have been made to the SWMP.
  - b. If the permittee proposes an alternative to the Department's required change (including changes in implementation schedule), the proposed alternative must be received by the Department within 60 days of notification of the required change. If the Department approves the proposed alternative, the changes to the SWMP must go into effect 30 days from the date the Department approved the proposal. If the Department does not approve the proposed alternative, the permittee must make changes to the SWMP as specified by the Department. Certification that changes have been made to the SWMP must be received within 60 days of the date the permittee received notification that the proposal had been rejected. Changes must go into effect 30 days from the date the permittee certifies that changes have been made to the SWMP.
5. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation. The permittee must implement the SWMP in all new areas added to the permittee's portion of the MS4 (or for which the permittee becomes responsible for implementation of stormwater quality controls) as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.
  - a. Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the permittee must have a plan for implementing the SWMP in all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the annual report.
  - b. Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of 40 CFR 124.5. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.

F. Monitoring.

1. The permittee must evaluate program compliance, the appropriateness of identified BMPs, and progress toward achieving identified measurable goals. If the permittee discharges to a water for which a TMDL has been established, the permittee must monitor to determine if the stormwater controls are adequate to maintain compliance with the MS4's

wasteload allocation or load allocation. If the permittee discharges to a 303(d) listed water that contains, or may contain, pollutant(s) for which the waterbody is listed, the permittee must monitor to determine if BMPs are effective to control discharges of pollutants of concern.

2. If the permittee conducts analytical monitoring at the permitted small MS4, the permittee must comply with the following:
  - a. *Representative monitoring.* Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - b. *Test Procedures.* Monitoring results shall be conducted according to test procedures approved in R18-9-A905(B) or other test procedures mutually agreed upon by the Director and the permittee or applicant.
  - c. *Discharge Monitoring Report.* Monitoring results must be reported on a Discharge Monitoring Report (DMR) when monitoring is performed in accordance with a TMDL requirement.
3. Records of analytical monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The names(s) of the individual(s) who performed the sampling or measurements;
  - c. The date(s) analyses were performed;
  - d. The name(s) of the individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
4. Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

G. Annual Reports.

1. The permittee must submit annual reports to the Department for each year of the permit term. The first report is due September 30, 2004, covering the activities of the permittee during the period beginning on the effective date of the permit for the permittee and ending June 30, 2004. Subsequent annual reports are due on September 30 of each year following 2004 during the remainder of the term of the permit and must cover the activities of the permittee for the previous year up to and including June 30. The report must include:
  - a. The status of compliance with permit conditions, an assessment of the appropriateness of the identified best management practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP and protecting water quality, and the measurable goals for each of the minimum control measures,
  - b. Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;
  - c. Any changes made to the SWMP since the last annual report and a summary of the

stormwater activities the permittee plans to undertake during the next reporting cycle (including an implementation schedule);

- d. Proposed changes to the stormwater management program, including changes to any BMPs or any identified measurable goals that apply to the program elements;
  - e. A description of BMPs to be implemented within new areas annexed over the past year that are located within the regulated boundaries of the MS4;
  - f. A description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs; and
  - g. Notice that the permittee is relying on another government entity to satisfy some of the permit obligations (if applicable).
2. Where to Submit. Annual reports shall be signed in accordance with Part VI, Section L.2 and sent to the Department at the following address:

Arizona Department of Environmental Quality  
Compliance Data Unit  
1110 West Washington  
Phoenix, AZ 85007

#### **PART VI. STANDARD PERMIT CONDITIONS**

##### **A. Duty to Comply.**

1. Failure to comply with any applicable term or condition of this permit shall be a violation of this permit and shall be grounds to enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.
2. The issuance of this general permit does not waive any federal, state, county, or local regulations or permit requirements with which a permittee discharging under this general permit is required to comply.

##### **B. Duty to Reapply.** If a permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit.

##### **C. Continuation of an Expired General Permit.**

1. If the Director does not reissue this general permit before the expiration date, the current general permit will be administratively continued and remain in force and effect until the general permit is reissued.
2. Any permittee granted general permit coverage before the expiration date automatically remains covered by the continued general permit until the earlier of:
  - a. Reissuance or replacement of the general permit, at which time the permittee shall comply with the NOI conditions of the new general permit to maintain authorization to discharge; or
  - b. The date the permittee has submitted a Notice of Termination; or
  - c. The date the Director has issued an individual permit for the discharge; or
  - d. The date the Director has issued a formal permit decision not to reissue the general permit, at which time the permittee shall seek coverage under an alternative general permit or an individual permit.

3. Upon reissuance of a new general permit, the permittee shall file an NOI, within 60 days of the effective date of the new general permit.
- D. Need to Halt or Reduce an Activity Is Not a Defense. It is not a defense for a permittee in an enforcement action to plead that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.
- E. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this general permit that has a reasonable likelihood of adversely affecting human health or the environment.
- F. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the conditions of the permittee's SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- G. Permit actions.
1. This general permit may be reopened (in accordance with A.A.C. R18-9-A905(3)(a) which incorporates 40 CFR 122.41(f)) to address any changes in state or federal plans, policies, or regulations that would affect the quality requirements for the discharge.
  2. This general permit may be modified by the Director before the expiration date to include discharge or receiving water limitations for toxic constituents determined to be present in significant amounts in the discharge.
  3. This general permit may be modified, revoked and reissued, or terminated for cause.
  4. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- H. Property Rights. The issuance of this general permit does not convey any property rights or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, Indian tribe, or local laws or regulations.
- I. Duty to Provide Information. The permittee must promptly furnish the Department with the following information:
1. Upon request, any information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this general permit, or to determine compliance with this general permit.
  2. Upon request, copies of records required by this general permit.
  3. In the event that the permittee becomes aware that the permittee failed to submit any relevant facts in the NOI or submitted incorrect information in the NOI or in any other report to the Department, such facts or information.
- J. Inspection and Entry. The permittee shall allow the Director or the Director's designee, upon presentation of credentials and other documents as required by law, to:
1. Enter the permittee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this general permit;

2. Have access to and copy, at reasonable times, any records required by this general permit;
3. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this general permit; and
4. Sample or monitor, at reasonable times, to assure permit compliance or as otherwise authorized under A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Articles 9 and 10, any substances or parameters at any location.

K. Recordkeeping.

1. The permittee shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of Discharge Monitoring Reports (DMRs), a copy of the NPDES or AZPDES permit, and records of all data used to complete the application (NOI) for this permit, for a period of at least three years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended at the request of the Department at any time.
2. The permittee shall submit its records to the Department only when specifically asked to do so. The permittee must retain the SWMP required by this permit (including a copy of the permit language) at a location accessible to the Department. The permittee must make its records, including the notice of intent (NOI) and the SWMP, available to the public.

L. Signatory Requirements. All NOIs, NOTs, reports required by the general permit, and other information requested by the Director shall be signed as follows:

1. NOIs and NOTs:
  - a. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official.
2. Reports and other information.
  - a. All reports required by this general permit and other information requested by the Department or authorized representative of the Department shall be signed by a person described in Part VI, Section L.1 or by a duly authorized representative of that person.
  - b. A person is a duly authorized representative only if the authorization is made in writing by a person described in Part VI, Section L.1. The authorization shall specify either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the permittee.
3. Changes to Authorization. If the information on the NOI filed for general permit coverage is no longer accurate because a different operator has responsibility for the overall operation of the facility, a new authorization satisfying the requirement of Part VI, Section L.2.b. above must be submitted to the Department prior to or together with any reports, information, or notices of intent to be signed by an authorized representative.
4. Certification. Any person (as defined above in Part VI, Sections L.2.a and L.2.b) signing documents under this Section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure

that qualified personnel properly gathered and evaluated 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 submitted 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 fine and imprisonment for knowing violations."

M. Reporting.

1. Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
2. Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate other requirements that may be necessary to comply with the permit. (In some cases, modification or revocation and reissuance is mandatory.)
3. Other information. When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Director, the permittee shall promptly submit the facts or information.

N. Severability. The provisions of this general permit are severable, and if any provision of this general permit, or the application of any provision of this general permit to any circumstance, is held invalid, the application of the provision to other circumstances, and the remainder of this general permit shall not be affected.

O. Requiring Coverage Under an Individual Permit.

1. The Director may require a person authorized by a general permit to apply for and obtain an individual permit for any of the following cases:
  - a. A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
  - b. Effluent limitation guidelines are promulgated for point sources covered by the general permit;
  - c. An Arizona Water Quality Management Plan containing requirements applicable to the point sources is approved;
  - d. Circumstances change after the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;
  - e. If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:
    - i. The location of the discharge with respect to waters of the United States,
    - ii. The size of the discharge,
    - iii. The quantity and nature of the pollutants discharged to waters of the United States, and
    - iv. Any other relevant factor.

2. If an individual permit is required, the Director shall notify the discharger in writing of the decision. The notice shall include:
  - a. A brief statement of the reasons for the decision,
  - b. An application form,
  - c. A statement setting a deadline to file the application,
  - d. A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate,
  - e. The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and
  - f. The applicant's right to request an informal settlement conference under A.R.S. §§ 41-1092.03(A) and 41-1092.06.
3. The discharger shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.
4. If the permittee fails to submit the individual permit application within the time period established in Part V, Section Q.3, the applicability of the general permit to the permittee is automatically terminated at the end of the day specified by the Director for application submittal.
5. Coverage under the general permit shall continue until an individual permit is issued unless the general permit coverage is terminated under Part V, Section Q.4.

P. Request For an Individual Permit.

1. An owner or operator authorized by a general permit may request an exclusion from coverage of a general permit by applying for an individual permit.
  - a. The owner or operator shall submit an individual permit application under R18-9-B901(B) and include the reasons supporting the request no later than March 10, 2003.
  - b. The Director shall grant the request if the reasons cited by the owner or operator are adequate to support the request.
2. If an individual permit is issued to an owner or operator otherwise subject to a general permit, the applicability of the general permit to the discharge is automatically terminated on the effective date of the individual permit.

Q. Other Environmental Laws. No condition of this general permit releases the permittee from any responsibility or requirements under other environmental statutes or regulations. For example, this permit does not authorize the "take" of endangered or threatened species as prohibited by section 9 of the Endangered Species Act, 16 U.S.C. 1538. Information regarding the location of endangered and threatened species and guidance on what activities constitute a "take" are available from the U.S. Fish and Wildlife Service.

**PART VII. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS**

Any permit noncompliance constitutes a violation and is grounds for an enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

- A. Civil Penalties. A.R.S. § 49-262(C) provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 2, 3 or 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed \$25,000 per day per violation.
- B. Criminal Penalties. Any a person who violates a condition of this general permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 2, Articles 9 and 10 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

## PART VIII. DEFINITIONS

In addition to the definitions contained in A.R.S. 49-255 and A.A.C. R18-9-A901, all definitions contained in section 502 of the Act and 40 CFR 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the statute or regulation takes precedence.

**Best Management Practices (BMPs)** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Control Measure** as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

**CWA** means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq.

**Department** as used in this permit, means the Arizona Department of Environmental Quality.

**Discharge** when used without qualification means the discharge of a pollutant,

**Discharge of a Pollutant** means

1. Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or
2. Any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger."

**Discharge-related activities** include: activities which cause, contribute to, or result in stormwater point source pollutant discharges; and measures to control stormwater discharges, including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent stormwater pollution.

**Facility** means any NPDES or AZPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES or AZPDES program.

**Illicit connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

**Illicit discharge** means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES or AZPDES permit (other than the NPDES or AZPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

**Indian country** means:

1. All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
2. All dependent Indian communities within the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and
3. All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

**Large or Medium Municipal Separate Storm Sewer System** means all municipal separate storm sewers as defined at 40 CFR 122.26(b)(4) or (7)

**MEP** means maximum extent practicable, the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in stormwater discharges. A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34. CWA section 402(p)(3)(B)(iii) requires that a municipal permit shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design, and engineering methods, and other provisions that the state determines appropriate for the control of such pollutants.

**Measurable goal** means a quantitative measure of progress in implementing a component of a stormwater management program.

**MS4** means municipal separate storm sewer system.

**Municipal separate storm sewer** means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, and storm drains):

1. Owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to waters of the United States;
2. Designed or used for collecting or conveying stormwater;
3. That is not a combined sewer; and
4. That is not part of a publicly owned treatment works.

**NOI** means Notice of Intent to be covered by this permit (see Part II).

**NOT** means Notice of Termination.

**Outfall** means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

**Owner or operator** means the owner or operator of any facility or activity subject to regulation under the NPDES program.

**Point source** means any discernible, confined, and discrete conveyance, including but not limited to,

any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

**Pollutant** is defined at R18-9-A901(22). A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

**Significant contributors of pollutants** means any discharge that causes or could cause or contribute to a violation of surface water quality standards.

**Small Municipal Separate Storm Sewer System** all separate storm sewers that are:

- 1 Owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- 2 Not defined as large or medium municipal separate storm sewer systems in accordance with this permit;
- 3 This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

**Stormwater** means stormwater runoff, snow melt runoff, and surface runoff and drainage.

**Stormwater Management Program (SWMP)** means a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system.

**Waters of the United States** which is interchangeable with the term "navigable waters" means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate wetlands;
3. All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - c. Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (1) through (4) of this definition;
6. The territorial sea; and
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs 1. through 6. of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds for steam electric generation stations per 40 CFR 423, which also meet the criteria of this definition) are not waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the

purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

**1. Guidance Documents**  
**B. Utility Staff Responsibilities**



# Stormwater Utility Staff

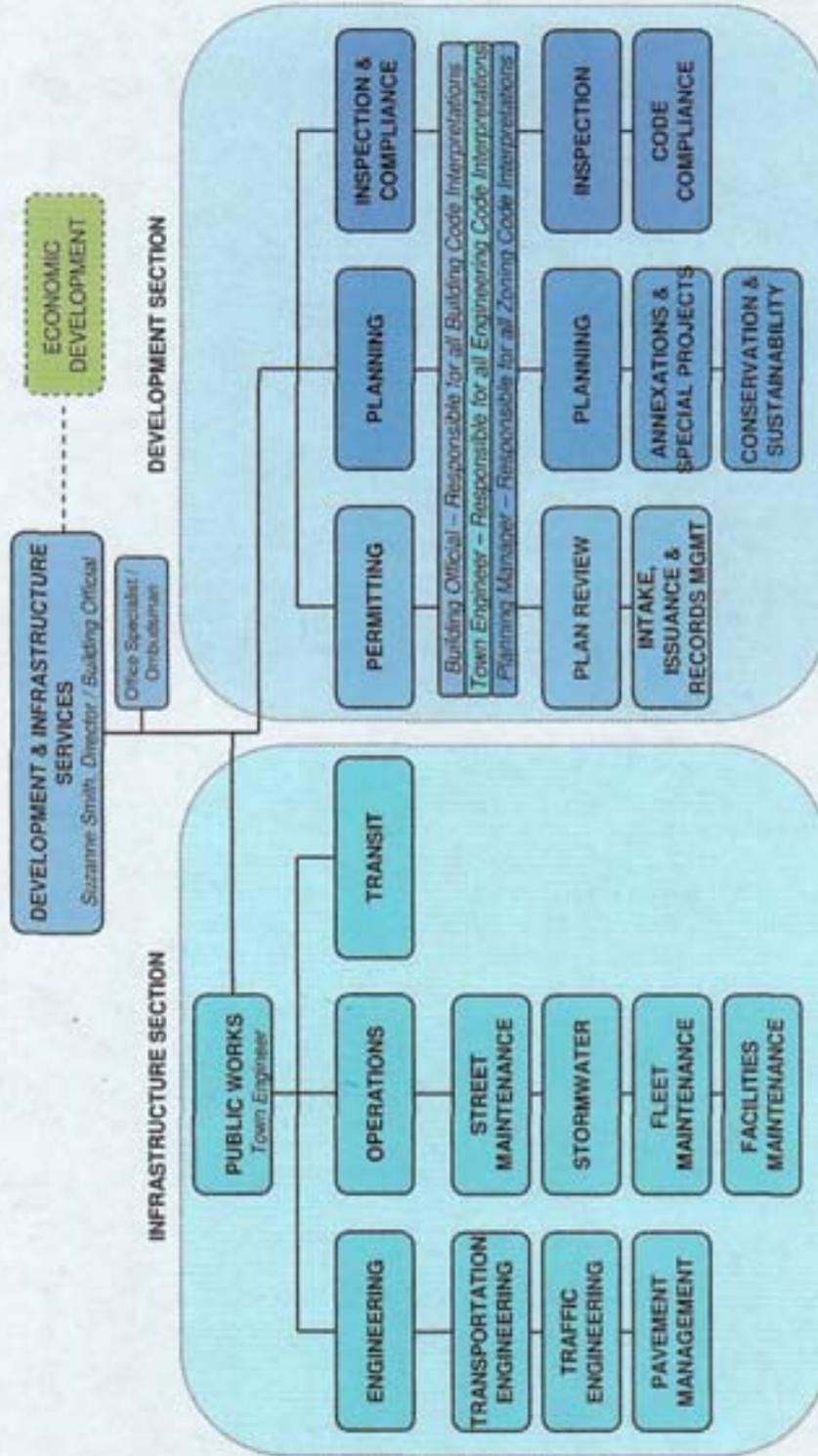


## Stormwater Utility

- David Parker, P.E., CFM - Utility Manager, 229-5059
  - Utility Administration
  - Stormwater Management, AZPDES
  - CIP Program
  - Regulatory Liaison
- Fernando Laos, E.I.T., CFM - Civil Engineer, 229-4818
  - Floodplain Management
  - New Construction Reviews
  - Minor Designs/H&H studies
- Robert Wilson, Civil Tech, 229-4879
  - Field Inspections
  - Vector Control
  - Blue Staking
  - Minor Maintenance and Repair Projects

**1. Guidance Documents**  
**C. Development and Infrastructure Services**  
**Organization Chart**

Attachment B  
**Development & Infrastructure Services Department**  
 Organization Chart



**1. Guidance Documents**  
**D. Dry Weather Inspection Procedures**



## **Town of Oro Valley Dry-Weather Field Screening of Outfalls**

Inspection of outfalls is accomplished to ensure that the quality of storm water within Oro Valley is maintained at the highest practiced levels. The Town inspection program consists of semi-annual inspections using the inspection checklist as attached, unless we are notified of a specific discharge incident within the town. There are over 300 outfalls, comprised of storm water outlets, detention basin outlets, tributary confluences, parking lot discharges, first flush devices, and others.

### Screening Inspection Schedule

Outfall inspection will progress in a logical sequence beginning downstream and progressing upstream within channel reaches. The Storm Water Utility goal is to inspect every outfall twice per year. Documentation of our Dry Weather Field screening program is utilizing the cartegraph asset management software program with Arcmap enterprise GIS geodatabase.

### Citizen Complaints

Illicit discharge and dumping complaints will be recorded and investigated within 2 business days. Corresponding outfalls will be identified and the dry weather field screening of outfalls procedures will be followed. If required, proper notifications will be made under the State Emergency Response Program. Customers will receive a response and be kept updated of progress on resolving the complaint. These responses and customer interactions will be properly documented in the incident file.

The following process must be used by all outfall field inspectors.

### 1. Prior to Inspections

1. Inspections should not be conducted within 72 hours of a measurable rainfall to avoid confusing accumulated storm water from rain events with true dry-weather discharges.
2. Past inspection sheets and photographs for each site should be reviewed in the cartegraph program so the inspector can be aware of the previously noted conditions.
3. Blank inspection sheets should be prepared for the upcoming activities (see attached).
4. The "Storm water Test Kit" should be checked to ensure that the instructions, required glassware, and a full stock of reagents are present. Any missing elements should be ordered well in advance of the scheduled time for performing the inspections. Test and

calibrate the pH meter to be used. Review all MSDS for the reagents and to ensure proper PPE is available and used.

5. Organize the outfall locations to be inspected on a given day into a logical sequence to minimize travel time between sites and backtracking across town.

6. Bring the following equipment, at a minimum, to the field when performing the field screening activities:

- Outfall notebook (s)
- Inspection sheets
- Outreach/Guidance Material
- Safety Equipment
- Cell phone, flashlight
- Clean Glass Beaker or Bottle
- Storm water Test Kit/pH Meter
- Camera
- GPS Unit
- Pens/Pencils

## 2. Inspections

1. Travel to and locate the outfall to be inspected.

2. Safely access the outfall location. Bear in mind that access to certain sites may be hazardous and require the use of safety equipment or a less direct route.

3. If the outfall is located in a densely vegetated wash, extra care should be taken during entry – note that itinerant people often live in such locations in addition to dangerous wildlife.

4. Fill out the general information part of the inspection sheet (date, time, inspector, outfall identifier, etc.).

5. If a particular outfall has been changed from its original condition, the description of the outfall should be updated on the inspection report. This might include areas where development has occurred and a former dirt channel has been replaced by a drainpipe or riprap channel. If a particular outfall has been completely destroyed or removed, this should be noted on the inspection report and the Inspection Supervisor and the Environmental Project Coordinator notified. An alternate outfall location may need to be established.

6. Once at the outfall, the inspector should look for any indication of dry-weather flow or illicit discharges. Such indications include, but are not limited to:

- Flowing water
- Ponding water or dampness
- Lush vegetation not characteristic of the surrounding area
- Unusual Staining

- Deposits of evaporative products (salts)
- Oil sheen or residual

7. Observe and record the condition of the outfall and note any indications that maintenance is needed, such as the presence of significant garbage/refuse, flow obstructions, structural or erosion damage, overgrowth of vegetation, etc.

8. Take at least one photograph at each outfall.

9. If flowing water is present, the inspector should estimate the flow rate and record observations with brief descriptions of color, odor, turbidity of the water; oil sheen or surface scum. If there is enough flow to collect a discrete sample, field tests should be conducted and results recorded for: pH; copper, chlorine, detergents, and phenols. If any of the field tests indicate the presence of contamination, a grab sample should be obtained and submitted to an analytical lab under contract to the Town. The parameters to be tested at the lab will be determined by the Storm Water Manager. The inspector should collect another grab sample within a 24-hour period, with a minimum period of four hours between samples.

10. If flowing or ponded water is present, investigate to determine the source of the water. This may include searching up gradient in the drainage (inlet grates, catch basins, etc.) for inflows and/or illicit connections, reviewing storm drain maps and records of the area, and interviewing persons who work at possible sources of inflow.

11. If the source of the discharge can be established, the inspector should determine if the discharge is allowable under the Town Storm Water Discharge Control Ordinance. Some more common qualifying discharges include:

- Discharges associated with operation and maintenance of the potable or reclaimed water systems, well development, or well monitoring,
- Residential dechlorinated swimming pool discharges,
- Discharges from residential coolers and air conditioning condensate,
- Discharges from residential or charity exterior car washing where only water or biodegradable soaps are used,
- Building or street-wash water where only water or biodegradable soaps are used.

12. If the source of the discharge is allowable under the Town's Storm Water Discharge Control Ordinance, and if the results of the field tests are negative, then the discharge is not considered to be a significant source of pollutants. If the source qualifies for the Town's Code and field test results indicate the presence of pollutants, ADEQ should be notified.

13. If the source is determined to be irrigation overflow, or a potable or reclaimed line leak, Oro Valley Water should be notified.

14. If the source is determined to be residential gray water, notify the discharger that under ADEQ rules, gray water must remain on the discharger's property. Advise the

discharger that if the discharge off their property continues, they could be cited under Town of Oro Valley Code and reported to ADEQ for possible further enforcement.

15. If the source can be determined and has the potential to be a source of pollutants, as evidenced by field or laboratory testing, it should be considered illicit, and the following steps should be taken to cease the discharge to the storm drain system: discussion with responsible parties, distribution of guidance materials, issuance of a compliance status letter, notice of violation, enforcement action, and notification of regulatory authorities.

16. If the source of a dry weather flow cannot be determined, and test results indicate the presence of a pollutant, the inspector should report their findings to the Storm Water Manager for further investigation. Further investigation may include: researching storm drain maps and contributing drainage areas, conducting more extensive field surveys, performing a confined space entry into the storm drain, or performing dye tests and other tests to be determined on a case by case basis.

17. Any outfall that exhibited flowing or standing water during an inspection should be revisited within at least two weeks from the original inspection date to see if the discharge is continuing or if corrective actions have been effective. Follow-up monitoring of the outfall should be continued on an as needed basis until the dry weather discharge has been eliminated, or until further investigations conclude that the discharge is not a significant source of pollutants.

### 3. After Inspections

1. Enter the results of each inspection into ArcGIS/Cartograph database for the current fiscal year, and file hard copies of photos and inspection sheets in the outfall inspection notebooks.

2. Create a work order for the appropriate Department/Division on any field screening location requiring maintenance including areas with significant garbage/refuse, flow obstructions, structural or erosion damage, overgrowth of vegetation, etc.

3. Prepare a brief report for any illicit discharges detected, provide flow observations, test results, identify the source (if it can be determined), and list actions taken to stop the discharge. This report will be used to notify appropriate authorities if the discharge continues, or will be summarized in the Annual Report.

4. Prepare a table of findings and a summary of field screen outfall activities for inclusion in the annual report.

5. Identify outfalls that have been eliminated.

1. Guidance Documents  
E. Stormwater Utility Ordinance  
Town Code 15.24

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**Article 15-24  
STORMWATER****Sections:**

<u>15-24-1</u>	Authority
<u>15-24-2</u>	Need and Purpose
<u>15-24-3</u>	Area of Jurisdiction
<u>15-24-4</u>	"Town-Owned Stormwater Utility ("Enterprise")"
<u>15-24-5</u>	(Reserved)
<u>15-24-6</u>	Stormwater Utility Commission
<u>15-24-7</u>	Director of Administration
<u>15-24-8</u>	Adoption of Stormwater Management Plan
<u>15-24-9</u>	Facilities
<u>15-24-10</u>	Reserve Funds
<u>15-24-11</u>	Disclaimer
<u>15-24-12</u>	Rules of Interpretation
<u>15-24-13</u>	Stormwater Utility Fee System
<u>15-24-14</u>	Stormwater Management and Discharge Control

**15-24-1 Authority**

This article may be referred to as the Town of Oro Valley Stormwater Utility Ordinance. This article is adopted pursuant to ARS 9-521, which defines stormwater as a utility undertaking, and ARS 9-522, which authorizes the Town to issue bonds and prescribe service charges so that a utility undertaking for which bonds are issued will always remain self-supporting with revenue sufficient to repay bonds and provide for the expenses of operation, maintenance, expansion and replacement of facilities.  
(01-15, Added, 06/20/2001)

**15-24-2 Need and Purpose**

A. The occurrence of storms and other events that may cause periodic flooding of land. Such periodic flooding, in sound engineering practice, requires the planning, design, construction, operation, and maintenance of facilities that safely drain and control the quantity and quality of runoff from such storms and other events.

B. The purpose of this article is to provide for the creation of the Town of Oro Valley Stormwater Utility and to adopt appropriate funding mechanisms and service charges to provide the needed stormwater facilities.  
(01-15, Added, 06/20/2001)

**15-24-3 Area of Jurisdiction**

The Stormwater Utility applies to all areas within the incorporated limits of the Town.  
(01-15, Added, 06/20/2001)

**15-24-4 "Town-Owned Stormwater Utility ("Enterprise")"**

A. The Stormwater Utility shall constitute an enterprise of the Town. The Town, may issue its own revenue bonds or other obligations (including refunding securities) on behalf of the Town. The revenue bonds or other obligations shall be payable solely from the net revenues derived from the operation of the Stormwater Utility. Such revenue bonds or other obligations may be additionally secured by mortgages on or security interest in any real or personal property of the Town used in the operation of the Stormwater Utility. The ordinance issuing any such revenue bonds or other obligations shall be adopted in the same manner and shall be subject to referendum to the same extent as any ordinance of the Town in accordance with Arizona law.

B. Any pledge of net revenues derived from the operation of the Stormwater Utility shall be subject to limitations on future pledges thereof contained in any ordinance authorizing the issuance of outstanding bonds or other obligations of the Town payable from the same source or sources. All bonds or other obligations issued by ordinance payable from the net revenues derived from the operation of the Stormwater Utility and all revenue bonds or other obligations of the Stormwater Utility payable solely from the net revenues derived from the operation of the Stormwater Utility, shall be treated as having the same obligor and as being payable in whole or in part from the same source or sources.

C. The Stormwater Utility shall also be authorized to have and exercise the following powers in furtherance of its purpose: 1) to hold meetings concurrently with regular and special meetings of the Town Council; 2) to have and use a seal; 3) to issue its revenue bonds for stormwater purposes in the manner in which Town revenue bonds may be issued; 4) to pledge any revenues of the Town's stormwater system to the payment of such revenue bonds and to pay such revenue bonds therefrom; 5) to enter into contracts relating to the stormwater system in the manner in which Town contracts may be entered into; 6) to make representations, warranties, and covenants relating to the stormwater system on behalf of the Town; 7) to exercise rights and privileges of the Town relating to the stormwater system; and 8) to bind the Town to perform any obligation relating to the stormwater system other than the multiple-fiscal year direct or indirect debt or other financial obligation(s) of the Town without adequate present cash reserves pledged irrevocably and held for payments in all future years.

D. All revenues and expenditures of the Town, or of the Stormwater Utility relating to the stormwater system, shall be considered revenues and expenditures of the Stormwater Utility.

(01-15, Added, 06/20/2001)

#### **15-24-5 (Reserved)**

(Reserved).

(01-15, Added, 06/20/2001)

#### **15-24-6 Stormwater Utility Commission**

There is hereby established an entity to be called the Town of Oro Valley Stormwater Utility Commission. The Commission shall be comprised of five (5) Oro Valley residents, and the Mayor and Council shall appoint the members.

(01-15, Added, 06/20/2001)

#### **15-24-7 Director of Administration**

The Public Works Director, or designee, shall serve as the Administrator of the Stormwater Utility.

(01-15, Added, 06/20/2001)

#### **15-24-8 Adoption of Stormwater Management Plan**

The Stormwater Utility shall adopt a comprehensive Stormwater Management Plan in conformance with the Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) Phase II guidelines (40 C.F.R. 9.122-125). The Stormwater Management Plan shall outline the goals and objectives of the stormwater system and identify the various elements of the system necessary to achieve the goals and the associated costs in accordance with generally accepted hydrology practices.

(01-15, Added, 06/20/2001)

**15-24-9 Facilities**

All stormwater conveyance facilities owned by or dedicated to the Town within the area of jurisdiction shall be considered the facilities of the Stormwater Utility. Stormwater conveyance facilities constructed as a part of private development shall not be dedicated to the public unless a request is made of the Town to accept dedication of such facilities and the Administrator determines that the facilities are constructed to current Town standards and that it is in the public interest to accept such dedication. Such facilities and/or interests in real property shall not be conveyed to the Town prior to the issuance of a formal acceptance by the Town.

(01-15, Added, 06/20/2001)

**15-24-10 Reserve Funds**

The Stormwater Utility shall maintain reserve funds for unexpected and/or emergency needs. The need for use of said funds shall be determined by the Board with recommendations from the Commission, or in the case of an emergency where the Commission can not be convened in a timely manner, with recommendation from the Director. This reserve shall be fifteen percent (15%) of the collected annual stormwater fees.

(01-15, Added, 06/20/2001)

**15-24-11 Disclaimer**

Floods from stormwater runoff may occasionally exceed the capacity of stormwater facilities constructed and maintained pursuant to this article. This article does not denote that property liable for the fees and charges established by this article would always be free from stormwater flooding or flood damage. This article does not purport to reduce the need or the necessity for the property owners to obtain flood insurance. This article does not create any liability on the part of the Town or any officer or employee thereof for any damages that may result from reliance on this article or actions of the Stormwater Utility. This article, other than as provided for in this section, does not relieve any person from liability for actions taken, or not taken, for damage to persons or the property of others.

(01-15, Added, 06/20/2001)

**15-24-12 Rules of Interpretation**

Nothing in this article shall be construed to limit or repeal other powers granted to the Town. Should provisions of this article conflict or overlap with other regulations, ordinances, or statutes, the regulation, ordinance, or statute that imposes the more stringent requirement or restriction shall prevail.

(01-15, Added, 06/20/2001)

**15-24-13 Stormwater Utility Fee System****A. Findings.**

1. The Town maintains a system of storm and surface water management facilities including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, and other components as well as natural waterways.

2. The stormwater system in the Town needs regular maintenance, repair and improvements.

3. Stormwater quality is degraded due to erosion and the discharge of nutrients, metals, organic compounds including oil and grease, and other substances into and through the stormwater system.

4. Stormwater quantity is affected by erosion, design of drainage, maintenance of stormwater channels, channel vegetation, floodway and flood plain characteristics and changes, and deposition of material in the channels.

5. The public's health, safety, and welfare are adversely affected by poor stormwater quality and flooding that result from inadequate management of both the quality and quantity of stormwater.

6. All real property in the Town either uses or benefits from the maintenance of the stormwater system.

7. The extent of use of the stormwater system by each property is dependant on factors that influence runoff, including land use and the amount of impervious surface on the property.

8. The costs of improving, maintaining, repairing, operating, and monitoring the stormwater system shall be allocated, to the extent practicable, to all property owners based on the impact of runoff from the impervious areas of their property on the stormwater control and conveyance system.

9. Management of the stormwater system to protect the public health, safety, and welfare as well as meet the Arizona Pollutant Discharge Elimination System Phase II permit and FEMA requirements requires adequate revenues. It is in the interest of the public to finance stormwater management with a fee system that is reasonable and equitable. Single-family residences will be charged a flat rate for one (1) ERU. Non-single-family and religious/educational property owners will be charged a multiple rate equal to the amount of impervious area on their property divided by the amount of one (1) ERU (five thousand (5,000) square feet). This formula will charge property owners on the basis of their properties' impact to the stormwater system.

B. **Authority.** Authority for the adoption of a system of charges to fund the implementation of stormwater management programs is conferred on the Town by ARS 9-530, as amended.

C. **Definitions.** For the purposes of this chapter, the following words and phrases shall have the meanings indicated:

1. "Administrator of the Stormwater Utility" or "Administrator" means the Town Engineer, or designee, shall serve as the Administrator of the Stormwater Utility.

2. "Arizona Pollutant Elimination Discharge System (AZPDES)" means a program required under Section 402(b) of the Clean Water Act (CWA), in accordance with 40 CFR 123.22. The program specifies how the Arizona Department of Environmental Quality (Department) will administer the National Pollutant Discharge Elimination System (NPDES) program. The program is found in Article (3.1) of the Arizona Revised Statutes in Chapter 2, under Title 49 authorizing a state NPDES program. The administrative rules for an Arizona Pollutant Discharge Elimination System (AZPDES) program are consistent with, but no more stringent than, the NPDES program and the requirements of Sections 402(b) (state permit programs) and 402(p) (municipal and industrial stormwater discharges) of the CWA.

3. "Equivalent residential unit (ERU)" means approximate average amount of impervious area associated with single-family residential property in the Town.

4. "Base rate (BR)" means the Stormwater Utility flat fee to an ERU of five thousand (5,000) square feet of impervious surface.

5. "Commission" means the Stormwater Utility Commission for the Town of Oro Valley established under this article.

6. "Developed property" means real property which has been altered from its structures, or other impervious area.

7. "Undeveloped property" means real property in its untouched natural state.

8. "Fee" or "Stormwater Utility fee" means the charge established under this section and levied on owners of parcels or pieces of real property to fund the costs of stormwater management, implementation of the Stormwater Management Plan together with constructing, operating, maintaining, repairing, and improving the stormwater system in the Town.

9. "FEMA" means the Federal Emergency Management Agency.

10. "Fiscal year" means July 1st of a calendar year to June 30th of the next calendar year, both inclusive.

11. "Impervious surface area" means the number of square feet of horizontal surface covered by buildings and other impervious surface, which is compacted or covered with material that is resistant to infiltration by water, including, but not limited to, most conventionally surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, compacted, or other surface that impedes the natural infiltration of surface water.

12. "Multifamily dwelling" means a building with more than three (3) dwelling units (to include apartments and condominiums).

13. "Nonresidential property" means developed property other than single-family residential property. Such property shall include, but not be limited to, multifamily dwellings, commercial properties, industrial properties, parking lots, hospitals, recreational and cultural facilities, hotels, and offices.

14. "Educational facilities, religious institutions and nonprofits" means any developed public, private, or parochial school or any building recognized as a religious facility or nonprofit use.

15. "Property owner" means the property owner of record as listed in the Pima County Assessor's roll. A property owner includes any individual, corporation, firm, partnership, or group of individuals acting as a unit, and any trustee, receiver, or personal representative.

16. "Single-family residential property (SFR)" means a developed property that serves the primary purpose of providing a permanent dwelling unit. Single-family residential property shall also include duplexes and triplexes. A single-family detached dwelling containing an accessory apartment or second dwelling unit is included in this definition.

17. "Stormwater utility fund" or "fund" means the fund created by this chapter to operate, maintain, repair, and improve the Town's stormwater system and implement the Town's Stormwater Management Plan.

18. "Stormwater Management Plan" means the planning, design, construction, regulation, improvement, repair, maintenance, operation of facilities and programs necessary for the Town to meet the compliance requirements of the Arizona Pollutant Discharge Elimination System (AZPDES) Phase II Municipal General Permit and FEMA Regulations as relating to water, flood plains, flood control, grading erosion, and sediment control along those activities.

19. "Stormwater system" means the system or network of storm and surface water facilities including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities and other components as well as all natural waterways (including washes). It shall also mean the activities associated with implementing the Stormwater Management Plan.

20. "Water" means any stormwater, surface water, snow melt or ground water.

#### **D. Establishment of Stormwater Utility Fund.**

1. The Stormwater Management Plan is established to provide for the Town's compliance with the AZPDES Phase II Municipal General Permit requirements and to provide the stormwater system necessary to convey stormwater, control flooding, and to protect the natural environment. The costs of complying with the AZPDES Phase II program and FEMA Regulations along with designing, developing, improving, operating, maintaining, and monitoring the stormwater system required in the Town should, therefore, be allocated, to the extent practicable, to all property owners based on their impact on the stormwater system. In order to provide revenue to fund those costs and to fairly allocate those costs, a Stormwater Utility Fund (the "fund") is established.

2. All revenues collected from the Stormwater Utility fee, from grants, permit fees, penalties and other charges collected under this article, shall be deposited to the fund. The Town Council may make additional appropriations to the fund. All disbursements from the fund shall be for the purposes of the fund as set forth in subsection E of this section, and the fund shall be used for those purposes only.

#### **E. Purposes of the Fund.** The fund shall be used for the following purposes:

1. All costs of implementation and administration of the Stormwater Management Plan, including the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements. There shall be a reserve fund of fifteen percent (15%) of the collected annual stormwater fees as specified under Section 15-24-10 of this code.

2. Inspection and enforcement activities.

3. Billing and administrative costs.

4. Other activities that are reasonably required to accomplish the mission of the Stormwater Management Plan.

**F. Stormwater Utility Fee.** A monthly service charge is imposed upon all real property in the Town, as of the first day of each month, beginning January 1, 2008, to

fund the Stormwater Management Plan and stormwater system with invoicing as defined in subsection J of this section. This service charge shall be known as the Stormwater Utility fee ("fee"). As any real property is developed or developed real property is annexed into the Town it will be subject to the fee. The fee is based on the cost of implementing a stormwater management program.

**G. Classification of Property for Purposes of Determination of the Stormwater Utility Fee.**

1. For purposes of determining the Stormwater Utility fee, all properties in the Town are classified into one of the following classes:

- a. Single-family residential property; or
- b. Nonresidential property; or
- c. Educational facilities, religious institutions and nonprofits.

2. Single-Family Residential (SFR) Fee. All developed single-family residential properties in the Town shall be charged a flat Stormwater Utility fee, equal to the base rate, regardless of the size of the parcel or the improvements.

3. Non-Single-Family Residential Property (NSFR) Monthly Fee. A developed non-single-family residential (NSFR) property will be charged a fee for the number of ERUs of impervious area. The impervious area for developed NSFR property may be determined through site examination, mapping information, aerial photographs and other available information. NSFR without first flush capabilities or other approved stormwater pollution prevention devices shall pay the base rate times the number of ERUs on the site. The monthly fee shall be determined by dividing the total impervious surface (in square feet) by five thousand (5,000) and rounding that value up or down to the nearest whole ERU amount and then multiplying the result by the base rate to obtain the monthly fee. NSFR properties that incorporate first flush capabilities or other approved stormwater pollution prevention devices are eligible for a twenty-five percent (25%) reduction in the fee, providing they apply to and are approved by the Stormwater Utility Commission and meet the annual inspection and maintenance requirements.

4. Educational Facilities, Religious Institutions and Nonprofits Monthly Fee. A developed religious institution, school or other non-profit property shall be eligible for a twenty-five percent (25%) fee reduction provided they apply to and are approved by the Stormwater Utility Commission. In order to qualify for the fee reduction, the educational facility, religious institution or non-profit organization must conduct educational programs or other tasks on the topic of stormwater management as approved by the Stormwater Utility Commission. No developed educational facility, religious institution or nonprofit property shall pay less than seventy-five percent (75%) of the base rate. The monthly fee shall be determined by dividing the total impervious surface (in square feet) by five thousand (5,000) and rounding that value up or down to the nearest whole ERU amount and then multiplying the result by the base rate to obtain the monthly fee.

**H. Base Rate.**

1. The Town Council shall, by resolution, establish the annual (fiscal year) monthly base rate for the Stormwater Utility fee. The base rate shall be calculated to ensure adequate revenues to fund the costs of stormwater management and to provide for the operation, maintenance, and capital improvements of the stormwater system in the Town.

2. A schedule of fees shall be maintained by the Stormwater Utility, three (3) copies of which shall be available at the Town Clerk's office.

3. The Stormwater Utility Commission shall annually review the Stormwater Utility revenue requirements and recommend to the Town Council rate adjustments as necessary.

**I. Exemptions.**

1. Property which is owned by the Town and other governmental agencies shall be exempt from the fee.

2. Undeveloped property shall be exempt from the fee.

**J. Billing.**

1. Each property served by the Oro Valley Water Utility shall be billed monthly for the Stormwater Utility fee. Properties not served by the Oro Valley Water Utility shall be billed quarterly. The bill may be part of the Oro Valley Water Utility bill, a separate billing, or some other reasonable mechanism.

2. Service charges shall begin January 1, 2008, with invoicing at the end of the month or quarter, as appropriate.

**K. Stormwater Utility Fee Payable Date; Interest Amount; Lien on Real Property; Abatement of Small Amounts Due.**

1. The invoiced fee is due within thirty (30) days from the date that the bill is issued to the property owner and is overdue after that date. Late fees will be charged in accordance with the Oro Valley Water Utility's delinquency policy.

2. Any fee, including interest, when overdue, is a lien on real property and may be collected in the same manner as delinquent Oro Valley Water Utility fees.

3. The Stormwater Utility Administrator may abate the fee, including interest, if the cost of collection is estimated to exceed the amount of the fee, including any interest due.

4. The Town Engineer, and/or his designee, may institute any appropriate action or proceeding by the issuance of a civil citation or summons pursuant to Article 1-8, Penalties, of the Oro Valley Town Code.

**L. Requests for Correction of the Stormwater Utility Fee.**

1. A property owner may request correction of the fee by submitting the request in writing to the Stormwater Utility Administrator. Grounds for correction of the fee include:

- a. Incorrect classification of the property for purposes of determining the fee;
- b. Errors in the square footage of the impervious surface area of the property;
- c. Mathematical errors in calculating the fee to be applied to the property; and
- d. Errors in the identification of the property owner of a property subject to the fee.

2. The Stormwater Utility Administrator shall make a determination within thirty (30) days after the receipt of (as indicated by the receipt date stamp) the property owner's completed written request for correction of the fee. The applicant may appeal the Administrator's determination to the Stormwater Utility Commission.

3. A property owner must comply with all rules and procedures adopted by the Town when submitting a request for correction of the fee and must provide all information necessary for the Stormwater Utility Administrator to make a determination on a request for correction of the fee. If a property owner alleges an error under subsection (L)(1)(b) of this section, the request for correction must include a certification by a registered civil engineer or professional land surveyor of the impervious surface area of the property. Failure to comply with the provisions of this subsection shall be grounds for denial of the request.

((O)10-04, Amended, 04/07/2010; (O)07-40, Added, 11/07/2007)

**15-24-14 Stormwater Management and Discharge Control**

A. **Title.** This section shall be known as the "Storm Water Quality Management and Discharge Control Ordinance" of the Town of Oro Valley and may be so cited.

B. **Purpose and Intent.** The purpose and intent of this section is to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. 1251 et seq.), National Pollutant Discharge Elimination System Regulations (40 CFR Part 122), and State regulations for stormwater discharge (ARS Title 49, Chapter 2, Article 3.1) by establishing minimum stormwater management requirements for the management of pollutants that are or may be discharged to the municipal storm sewer system.

C. **Definitions.** The terms used in this section shall have the following meanings:

- 1. *ADEQ* means the Arizona Department of Environmental Quality, Arizona's regulatory entity responsible for administering Federal and State environmental laws and programs including most water-quality, air-quality, and waste programs.
- 2. *Authorized Representative* means the Town Engineer, or his/her designee, who has the delegated duties and powers pursuant to this section.
- 3. *AZPDES* means the Arizona Pollutant Discharge Elimination System.

4. *AZPDES Permit* means any permit issued by the ADEQ pursuant to 33 U.S.C. 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable to an individual, a group, or on a general area-wide basis.

5. *Best Management Practices (BMPs)* means activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain and ephemeral wash systems and waters of the United States. BMPs include but are not limited to: treatment facilities, including first-flush technology, to remove pollutants from stormwater; public education and involvement; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of nonstormwater, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the Town determines appropriate for the control of pollutants.

6. *Certified Industrial Hygienist* means a professional industrial hygienist who is certified by the American Board of Industrial Hygiene.

7. *Clean Water Act* means the Federal Water Pollution Control Act amendments of 1972 (P.L. 92-500; 86 Stat. 816; 33 U.S.C. 1251 through 1376), as amended.

8. *Construction Activity* means activities subject to the ADEQ construction general permit (AZG2008-001) and the Town of Oro Valley's grading permit requirements.

9. *Connection* means the location/juncture at which discharge can enter a municipal separate storm sewer or ephemeral wash system.

10. *Corrective Action Plan* means a plan that is required under this section and approved by an authorized representative that consists of structural and/or nonstructural BMPs to minimize to the maximum extent practicable stormwater pollution or to remediate anthropogenic impacts to the storm-drain/wash system.

11. *De Minimus Discharge* means a discharge that is a low flow volume and/or low frequency, seldom occurring, event of relatively pollutant-free water which is discharged with appropriate BMPs to reduce any pollutant concentrations to below the applicable surface standard (A.A.C. Title 18, Chapter 11, Article 1).

12. *Discharge* means any addition of any pollutant to waters of the United States or to an MS4 from any point source.

13. *Discharger* means any person who causes or allows a discharge or who owns property from which a discharge originates.

14. *Engineer* means a professional civil engineer who is registered with the State of Arizona.

15. *Environment* means navigable waters, any other surface waters, ground water, drinking water supply, land surface, subsurface strata, ambient air, biotic community, or wildlife habitat within or bordering on the Town.

16. *EPA* means the United States Environmental Protection Agency charged with primary enforcement of the Clean Water Act.

17. *First-Flush* means a collection system approved by the Town that is employed to capture and isolate the first one-half (1/2) inch runoff from the commercial development site.

18. *Illicit/Illegal Discharge* means any direct or indirect nonstormwater discharge to the Town's storm drain or wash systems, or placement of anthropogenic materials in the preceding systems, except as exempted in subsection (H)(1) of this section or discharges pursuant to and in compliance with an applicable NPDES or AZPDES permit or other written authorization from the U.S. Environmental Protection Agency (EPA) or the Arizona Department of Environmental Quality (ADEQ).

19. *Industrial Facility* means the site of any industrial activity regulated under NPDES or AZPDES industrial stormwater permits as defined in 40 CFR Section 122.26(b)(14).

20. *Land Disturbance Activity* means any activity that is regulated under NPDES or AZPDES stormwater permit requirements for construction sites.

21. *Municipal Separate Storm Sewer System (MS4)* means all separate storm sewers defined as "large," "medium," or "small" municipal separate storm sewer systems or any municipal separate storm sewers on a system-wide or jurisdiction-wide basis as determined by the Director under A.A.C. R28-9-C902(A)(1)(g)(i) through (iv). [A.A.C. R18-9-A901(23)]. This also includes similar systems owned or operated by

separate storm sewer municipal jurisdictions not required to obtain stormwater discharge authorization.

22. *National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permits* means general, group, and individual stormwater discharge permits which regulate facilities defined in Federal NPDES regulations pursuant to the Clean Water Act.

23. *Notice of Intent (NOI)* means a document which describes the intent to operate in accordance with an NPDES/AZPDES Construction General Permit.

24. *Notice of Termination (NOT)* means the document to terminate coverage under the NPDES/AZPDES Construction General Permit.

25. *Nonstormwater Discharge* means any discharge to the storm drain and wash system that does not originate from precipitation.

26. *Owner or operator* means any owner or operator of any "facility or activity" subject to regulation under the NPDES/AZPDES program.

27. *Person* means an individual, property owner, firm, partnership, joint venture, association, corporation, estate, trust, receiver, syndicate, broker, the Federal Government, the State of Arizona, or any political subdivision or agency of this State.

28. *Point Source* means any discernible, confined, and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft from which pollutants are or may be discharged. This does not include return flows from irrigated agriculture or agricultural stormwater runoff.

29. *Pollutant* means sediment, fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt (e.g., overburden material), and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances. [A.R.S. Section 49 -201(29)]

30. *Pollution* means the human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses.

31. *Premises* means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

32. *Stormwater* means stormwater runoff, snow melt runoff, and surface runoff and drainage.

33. *Stormwater Pollution Prevention Plan (SWPPP)* means a document required under NPDES/AZPDES regulations or imposed pursuant to this section that describes the stormwater quality controls in place at a site and how these controls will be inspected and maintained.

34. *Town* means the Town of Oro Valley.

35. *Watercourse* means any drainage channel, wash, road or path through which water can flow.

36. *Waters of the United States (U.S.)* is defined in 40 CFR 122.2.

**D. Applicability.** This section shall apply to all activities which may potentially affect the municipal separate storm sewer system, any private storm sewer system, or any wash system on any land within the Town. Additionally, this includes discharge from permanent or temporary stormwater management controls and facilities, constructed as part of any activities listed in this section, which are located within the Town. Stormwater management standards shall apply to industrial, commercial, institutional, and multi-family residential development, as well as subdivision, roadway, and drainage projects that result in land area disturbance equal to or greater than areas established by the current construction general permit.

**E. Responsibility for Administration.** The Town Engineer shall adopt, administer, implement, and enforce such rules, regulations, standards, processes, and forms as he/she deems necessary for the efficient administration and enforcement of the provisions of this section. Any powers granted or duties imposed upon the Town

Engineer/Public Works Director may be delegated to persons or entities acting in the beneficial interest of or in the employ of the Town.

**F. Regulatory Consistency.** This section shall be construed to assure consistency with the requirements of the Federal Clean Water Act and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations including those set forth in the Arizona State permit, and any amendments to, revisions of, or re-issuance thereof. No permit or approval issued pursuant to this section shall relieve a person of the responsibility to secure permits and approvals required for activities regulated by any other applicable code, rule, act, or ordinance. Additionally, the Town does not certify or take any position whether the applicant has met all requirements of the Federal Clean Water Act.

**G. Ultimate Responsibility of Discharger.** The requirements set forth herein and promulgated pursuant to this section are intended to meet minimum standards as required by Federal and State regulations but can, as determined by the Town Engineer, exceed the minimum standards. This section does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the U.S. caused by said person. This section shall not create liability on the part of the Town or any agent or employee thereof for any damages that may result from any discharger's reliance on this section or any administrative decision lawfully made thereunder.

**H. Discharge Prohibitions and Controls to Reduce Pollutants Entering Drainage Systems.**

1. General Requirements.

a. Any person engaged in activities which will or may result in pollutants entering a storm sewer system shall undertake appropriate measures to reduce such pollutants. Examples of such activities include, but are not limited to, proper use and disposal of household chemicals, such as pesticides and fertilizers, cleaning solutions, and cleaning solution waste water; and ownership and use of facilities which may be a source of pollutants including but not limited to parking lots, gasoline stations, industrial facilities, construction sites, and retail establishments.

b. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, or left unmaintained any refuse, rubbish, garbage, vegetation trimmings, or other discarded or abandoned objects, articles, and accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, parking area, or upon any public or private plot of land so that the same might be or become a pollutant, except where such pollutant is being temporarily stored in properly contained waste receptacles or is part of a well-defined compost system.

2. Prohibition of Illegal Discharges.

a. No person shall discharge or cause to be discharged into the municipal separate storm sewer system (MS4) or Town watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater or pumped or rising unpolluted ground water. Additionally, depositing, dumping, or storing any material in a manner that may contribute pollutants to or obstruct the flow of stormwater is prohibited. The following activities are also subject to and enforceable under this section as they can contribute to contaminants which are regulated by Federal and State regulations to which this section applies:

i. Failing to comply with any applicable AZPDES/NPDES permit including any permit requirements to develop, implement, maintain or comply with a stormwater pollution prevention plan (SWPPP);

ii. Failing to provide required information to the Town including:

(A) Copies of the SWPPP, notice of intent, notice of termination, or any other documents relating to the permit;

(B) Upon request, copies of the SWPPP, water quality monitoring laboratory analytical results, and/or final hydrologic reports/development plans certifying compliance with any discharge detention or first-flush treatment requirements;

iii. Failing to develop, implement, or comply with a SWPPP or a corrective action plan utilizing BMPs that is either required under an AZPDES/NPDES permit or imposed by the Town pursuant to this section, including requirements to implement good housekeeping practices, spill control and response procedures, employee training, record keeping, proper material storage and waste management practices for control of nonstormwater flows, and structural stormwater controls; and

iv. Misrepresentation in any document pertaining to an approved plan, permit, or certification relating to a discharge activity.

b. The commencement, conduct, or continuance of any illegal discharge to the Town's MS4 is prohibited except as follows:

i. Discharges from the following activities will not be considered a source of pollutants to the Town's MS4 including any waters of the U.S. when properly managed to ensure that potential pollutants are minimized to the maximum extent practicable, and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Clean Water Act, ADEQ AZPDES General Permit No. AZG-2001-0001, "General Waste Discharge Requirements for Discharges to Waters of the U.S. Which Pose a Limited or an Insignificant (De Minimus) Threat to Water Quality" (including amended or reissued permits):

- (A) Potable water line flushing;
- (B) Uncontaminated pumped groundwater and other discharges from potable water sources;
- (C) Diverted stream flows;
- (D) Air conditioning condensation;
- (E) Uncontaminated non-industrial roof drains;
- (F) Individual residential and occasional noncommercial car washing;
- (G) Flows from riparian habitats;
- (H) Dechlorinated swimming pool discharges with the exception of filter back wash water;
- (I) Street wash waters;
- (J) Flows from fire fighting;
- (K) Irrigation water;
- (L) Foundation and footing drains;
- (M) Water from sump pumps; and
- (N) Dust control water.

ii. The prohibition shall not apply to any nonstormwater discharge permitted under an NPDES/AZPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of Arizona under the authority of the U.S. EPA; provided, that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted by the Town for any discharge to the storm sewer system.

iii. With written concurrence of the Arizona Department of Environmental Quality, the Town may exempt in writing other nonstormwater discharges which are not a source of pollutants to the storm sewer system or waters of the U.S. Such authorization from ADEQ or the U.S. EPA shall be submitted to the Town prior to the time of discharge, and must be retained for at least three (3) years after the last authorized discharge.

3. Discharges in Violation of Industrial or Construction Activity NPDES Storm Water Discharge Permit. Any person subject to any type of NPDES or AZPDES water or stormwater discharge permit shall comply with all provisions of such permit. Such compliance includes but is not limited to implementing BMPs to minimize the chance of pollutant entry into the storm sewer system, to reduce the potential for accidental discharge of pollutants to the municipal storm sewer system, and to comply with the cleanup and notification requirements of this section as well as other pertinent Federal/State regulations. Proof of compliance with said permit may be required in a form acceptable to the Town Engineer/Public Works Director prior to or as a condition of a grading permit, subdivision plat, development plan, building permit, or grading or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

### **I. Requirement to Prevent, Control, and Reduce Stormwater Pollutants from Construction Sites.**

1. **Basic Requirements.** All persons engaged in construction activities that are required by Federal or State law to submit to the EPA and/or the ADEQ a notice of intent (NOI) to comply with NPDES or AZPDES stormwater permit regulations shall provide the Town with a copy of the NOI, the site-specific SWPPP, and the AZPDES stormwater permit issued by the ADEQ. Any person performing construction who has submitted an NOI to the Town shall not cause or contribute to a violation of the AZPDES stormwater permit issued to the Town.

2. **Authorization to Adopt and Impose Best Management Practices.** The Town Engineer/Public Works Director has the final authority to require and accept BMPs as required for pre- and post-construction activities and must be presented in a SWPPP that is included as a section in the plans and permits submitted for Town review and acceptance as well as BMPs that are submitted as a part of corrective action plans. Town acceptance of a SWPPP is required prior to issuance of a grading permit.

3. **Every owner, operator, or contractor undertaking any construction activity or operation of any industrial facility having the potential to discharge pollutants to a water of the U.S. or the Town's MS4, or as otherwise required by the Town, the State of Arizona, or Federal agency, shall submit a stormwater pollution prevention plan (SWPPP) to the Town. The SWPPP shall include BMP plans including those required by the Town such as the installation of first-flush technology at commercial sites and shall be prepared by a qualified person. Additionally, SWPPPs shall be prepared and reviewed in accordance with the Arizona Pollutant Discharge Elimination System construction general permit issued by the ADEQ. The Town shall not certify or take any position on whether the applicant has met the requirements of the Federal Clean Water Act.**

4. **New Development and Redevelopment.** Owners of new development and redevelopment projects shall implement BMPs to control the volume, rate, and potential pollutant load, including sediment, of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants including sediment in accordance with the requirements of the AZPDES construction general permit. The Town shall incorporate such requirements in the conditions of relevant development and/or plat approvals as well as grading or other construction/building-related permit to be issued relative to such development or redevelopment. Additionally, proof of all applicable Town, State, and Federal permits such as the SWPPP, NOIs, inspection and maintenance logs, CWA 404s, etc., shall be maintained on site for inspection by authorized representatives. To maintain compliance with construction general permit requirements for inspections, construction site BMPs as delineated in the SWPPP must be inspected by the site operator in accordance with the SWPPP.

5. **Responsibility to Implement Best Management Practices.** Any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering stormwater, the Town's MS4, or waters of the U.S. shall implement best management practices including first-flush control technology on commercial development to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner's or operator's expense. Furthermore, notices to employees containing information about whom to contact and what procedures to follow in the event of a spill or accidental discharge must be posted at the site. Site owners or operators shall have a trained employee or staff member who will be responsible for any necessary cleanup or remediation.

6. **In the event of a spill or release in reportable quantities as defined in 40 CFR 302, 40 CFR 110 and 40 CFR 117, the owner, operator, or the person who has control of the source or location from which a discharge which is not in compliance with this section shall immediately take all reasonable safety precautions including, if appropriate, calling 911 and completing the following steps:**

- a. **Proceed with containment and cleanup in accordance with:**

- i. The orders of an involved health and safety agency, or if no such orders have been issued;
  - ii. The orders of an authorized representative, or if no such orders have been issued;
  - iii. The stormwater pollution prevention plan or approved corrective action plan utilizing best management practices for the involved facility;
- b. Report any violations of the Town fire code or other such applicable safety or health codes in the manner required by such code;
  - c. Notify the Oro Valley Town Engineer/Public Works Director and the Arizona Department of Environmental Quality of the release by telephone before 5:00 p.m. of the next working day;
  - d. Provide written notification, within five (5) working days, to the Oro Valley Town Engineer/Public Works Director of the type, volume, cause of the discharge, corrective actions taken, and measures to be taken to prevent future occurrences.

7. Compliance with these requirements shall not relieve the discharger of any fines, penalties, or liability incurred, or that may be imposed by this section or other applicable laws as a result of the discharge. In addition, compliance with these requirements shall not relieve the discharger from the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302.

**J. Requirement to Eliminate Illegal Discharges.** Notwithstanding the requirements of subsection (Q) of this section, the Town Engineer/Public Works Director shall require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges. Compliance with these requirements shall not relieve the owner/operator of property from which the illegal discharge occurred of any fines, penalties, or liability associated with the action that may be imposed by this section or other applicable laws.

**K. Requirement to Eliminate or Secure Approval for Illicit Connections.**

1. The Town Engineer/Public Works Director shall require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this section to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of the ordinance codified in this section.

2. If, subsequent to eliminating a connection found to be in violation of this section, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request Town approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense. At the discretion of the Town Engineer/Public Works Director, periodic, random monitoring may be required to ensure compliance with subsection (N) of this section.

**L. Watercourse Protection.** As required by AZPDES Phase II regulations and Chapter 17 of the Oro Valley Town Code, every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. Failure on the part of the property owner to comply may result in liabilities incurred and penalties and fines imposed upon the property owner as defined in this section.

**M. Requirement to Remediate.** Whenever the Town Engineer/Public Works Director finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of stormwater, the Town's MS4, or waters of the U.S., the Town Engineer/Public Works Director may convey by written notice to the owner of the property and/or the responsible person the requirement for remediation of

the pollution and the restoration of affected property within a specified time pursuant to the provisions of subsections (S), (T), (U), and (V) of this section. Failure to take prompt remedial action may result in fines, penalties, and liabilities incurred under this section or other applicable laws.

**N. Requirement to Monitor and Analyze.** The Town may in the future be required to adhere to a total maximum daily load (TMDL) or other restriction(s) to a specific pollutant or pollutants established by the State of Arizona or the Federal Government. Should this occur, the Town Engineer/Public Works Director may, by written notice, require that any person engaged in any activity and/or owning or operating any facility which may cause or contribute these specific pollutants in stormwater to undertake at said person's expense such monitoring and analyses and furnish such reports to the Town of Oro Valley as deemed necessary to determine compliance with this section. Additionally, regardless of the restrictions discussed above, the Town Engineer/Public Works Director may, by written notice, require that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, illegal discharges, and/or nonstormwater discharges to the storm drain/wash system or waters of the U.S., undertake at said person's expense such monitoring and analyses and furnish such reports to the Town of Oro Valley as deemed necessary to determine compliance with this section.

**O. Notification of Spills.**

1. In the event of a spill or release in reportable quantities as defined in 40 CFR 302, 40 CFR 110, and 40 CFR 117, the person responsible for a facility or operation, or responsible for emergency response for a facility shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release said person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911). In the event of a release of nonhazardous materials, said person shall notify the Town's Public Works Department in person or by phone or facsimile no later than 5:00 p.m. of the next business day. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also document the type, volume, cause of discharge, corrective actions taken, and remedial actions taken to prevent future occurrences. This information shall be provided to the Town Engineer/Public Works Director in writing within five (5) working days and shall also be retained by the owner/operator for at least three (3) years.

2. Compliance with subsection (O)(1) requirements of this section shall not relieve the discharger from the reporting requirements of 40 CFR 110, 117, and 302.

**P. Maintenance of Stormwater Facilities.**

1. Stormwater facilities shall be maintained per the approved drainage plans or manufacturer's specifications by the owner or other responsible party and shall be repaired and/or replaced by such person when such facilities are no longer functioning as designed.

2. Disposal of waste from maintenance of facilities shall be conducted in accordance with applicable Federal, State and local laws and regulations.

3. Records of installation and maintenance and repair of facilities referenced in subsection (P)(1) of this section shall be retained by the owner or other responsible party for a period of three (3) years and shall be made available to the Public Works Department upon request.

4. Any failure to maintain facilities or correct problems with facilities after receiving due notice from the Town may result in criminal or civil penalties and the Town may perform corrective or maintenance work which shall be at the owner's expense.

**Q. Authority to Inspect.** Whenever necessary to make an inspection to enforce any provision of this section, or whenever the Town Engineer/Public Works Director has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this section, the Town Engineer may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to stormwater compliance. When inspections by Town staff reveal

deficiencies in the implementation of the SWPPP, a written inspection report will be provided to the owner and operator within fifteen (15) working days of the inspection. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the Town is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

**R. Authority to Sample, Establish Sampling Devices, and Test.** During any inspection as provided herein, the Town Engineer/Public Works Director may take any samples and perform any testing deemed necessary at the expense of the owner/operator of the facility to aid in the pursuit of the inquiry or to record site activities.

**S. Charges and Penalties.** Charges and penalties levied pursuant to this section shall be collected by the Department of Public Works, Stormwater Utility and utilized for activities in compliance with the Town's MS4 permit. The Town Engineer shall make and enforce efficient management decisions in the maintenance and protection of the Town's storm drainage system.

**T. Operator and/or Owner of Record.** The operator performing on-site activities and/or owner of record of the property upon which a violation of this section occurs shall be presumed to be the person having lawful control over the activity or premises unless it is demonstrated and documented that another person has knowingly and in good faith accepted responsibility for the activity at issue. If more than one (1) person is identified as owner, such persons shall be presumed to be jointly and severally in lawful possession and control of the premises or activity.

**U. Notice to Correct.** The Town may issue a written notice to correct to any person who has violated or is in violation of this section. Failure to comply with actions described in and required by the notice to correct may result in a notice of violation and/or stop work order as described in subsection (V) of this section.

**V. Notice of Violation.**

1. Whenever the Town Engineer/Public Works Director finds that a person has violated a prohibition or failed to meet a requirement in accordance with a notice to correct (subsection (U) of this section), the Town Engineer may order compliance by written notice of violation to the responsible person. The written notice shall state the nature of the violation, the corrective action required, the time frame for the corrective action, and penalties for continued noncompliance. The notice shall be served by either personal service or certified mail to the owner, owner's agent, the operator, the occupant, or the lessee. Such notice may require the violator, without limitation, to:

- a. Submit a corrective action plan utilizing best management practices to the authorized representative indicating the cause of the violation, corrective actions to prevent recurrence, and a proposed compliance schedule;
- b. Perform monitoring, sampling, laboratory analysis, and reporting of results to the authorized representative and pay costs associated with these activities;
- c. Eliminate illicit connections or discharges;
- d. Abate and remediate stormwater pollution or contamination hazards, restore affected property, ensure that cleanup has been completed, and make operational changes to prevent future violations;
- e. Implement a corrective action plan utilizing source control treatment BMPs to prevent stormwater pollution. Based on site conditions and nature of the contaminant, the authorized representative will determine if the corrective action plan must be prepared, certified and implemented by a qualified person, such as a professional engineer, landscape architect, industrial hygienist registered with the State of Arizona or certified by the American Board of Industrial Hygiene;
- f. Stop work on clearing, grading, dredging, excavating, storing, transporting, and/or filling of land, new construction, improvements, alterations, or additions;
- g. Maintain, repair, and/or replace existing BMPs;
- h. Stop any activity that is in violation of this section;
- i. Abate/correct, within time frame specified in notice, any condition that is in violation of this section;

j. Abate immediately any condition in violation of this section that the authorized representative determines to present an immediate threat to public health, safety, or the environment.

2. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the Town or a contractor designated by the Town Engineer/Public Works Director and the expense thereof shall be charged to the violator pursuant to subsection (AA) of this section.

3. Failure to comply with any action required by the notice of violation shall be a separate violation for each day beyond the thirtieth calendar day following the notice of violation. Nothing in this section shall limit the authority of the Town to take any action, including emergency actions or other enforcement action, without first issuing a notice of violation.

**W. Civil Penalties.** In addition to any other enforcement authority contained in this section, the Town may issue a civil citation to any person who has violated, or continues to violate, any provision of this section or any related laws or regulations. A person who is found to have violated any requirement of this section shall be civilly liable to the Town for a sum not to exceed two thousand five hundred dollars (\$2,500) per day for each violation.

**X. Criminal Penalties.** A person who willfully or negligently violates any provision of this section shall, upon conviction, be guilty of a class one misdemeanor and may be sentenced to a fine not to exceed two thousand five hundred dollars (\$2,500) per day for each violation, imprisonment for a period not to exceed six (6) months and/or probation not to exceed three (3) years.

**Y. Violations Deemed a Public Nuisance.** In addition to the enforcement processes and penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this section is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored by the Town at the violator's expense, and/or the Town may bring a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance.

**Z. Appeal.**

1. Appeals of any determination made by the Town Engineer/Public Works Director relating to a notice of violation issued pursuant to subsection (V) of this section may be made to the Stormwater Utility Commission.

2. Appeals under this section must be filed with the Town Clerk within ten (10) business days from issuance of the notice of violation.

3. Decisions of the Stormwater Utility Commission shall be final unless, within ten (10) days from the date of the Commission's decision, the applicant appeals the decision to the Town Council. An appeal to the Town Council shall be filed in writing with the Town Clerk and scheduled for the next available regular Council meeting.

**AA. Charging Cost of Abatement/Liens.** Within thirty (30) days after abatement of the nuisance by the Town, the Town Engineer/Public Works Director shall notify the property owner of the cost of abatement plus twenty percent (20%) to cover administrative costs. If the amount due is not paid within sixty (60) days of the notification to pay, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the County Assessor so that the Assessor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the Assessor shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

**BB. Urgency Abatement.** The Town Engineer/Public Works Director is authorized to require immediate abatement of any violation of this section that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the Town Engineer/Public Works Director, the

Town is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the Town shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent the Town from seeking other and further relief authorized under this section.

**CC. Penalties and Corrective Actions.**

1. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this section. The remedies provided in this subsection are cumulative and the Town may seek one (1) or more such remedies as described in subsections (V), (W), (X), and (Y) of this section.

2. Any person violating this section shall be liable to the Town for all damages, costs, fines, and penalties incurred by the Town.

3. Upon finding that any person has violated this section, the Court may issue an order or, in the case of a criminal conviction, terms of probation, requiring the violator to perform any of the remediation activities listed in subsection (V) of this section.

4. If more than one person is identified as the owner of record, all persons will be presumed to be jointly and severally in lawful possession and control of the property and/or activity. The transfer of ownership, possession, or control of real property to another person does not relieve the transferor of the responsibility for violations of this title that occurred before the transfer.

((O)08-20, Amended, 10/01/08; (O)08-15, Added, 09/03/08)

Compile Chapter

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**Current through Ordinance (O)10-06, passed July 7, 2010**

*Disclaimer: The Town Clerk's Office has the official version of the Oro Valley Town Code. Users should contact the Town Clerk's Office for ordinances passed subsequent to the ordinance cited above.*

City Website: <http://www.orovalleyaz.gov/>  
(<http://www.orovalleyaz.gov/>)  
City Telephone: (520) 229-4740  
Code Publishing Company  
(<http://www.codepublishing.com/>)

**2. 2009/2010 Update Documents**  
**A. Active SWPPPs**









TOWN OF ORO VALLEY  
Department of Public Works  
680 W. Calle Concordia  
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www.townoforovalley.com

Paula Hinman  
Director of Stormwater Compliance  
Richmond American Homes of Arizona, Inc.  
3091 West Ina Road  
Tucson, AZ 85741

March 11, 2010

Re: Rivers Edge SWPPP

Dear Ms. Hinman

We have reviewed your SWPPP submittal received on February 5, 2010. Our comments and requested revisions are attached. Please revise the appropriate sections of the SWPPP and resubmit along with a copy of the approved Arizona Department of Environmental Quality NOI once received.

If you have any questions please call either Mr. Fritz Laos at 229-4818 or myself at 229-5059.

Thank you

David B. Parker, P.E., CFM  
Stormwater Engineer/Utility Manager

Attachments  
SWPPP Comments

Cc: Fritz Laos, Town of Oro Valley

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**Rivers Edge SWPPP**  
**1<sup>st</sup> Review with Project under Richmond America of AZ.**  
**OV12-95-14**  
**Storm Water Utility**  
**Fritz Laos**  
**March 3, 2010**

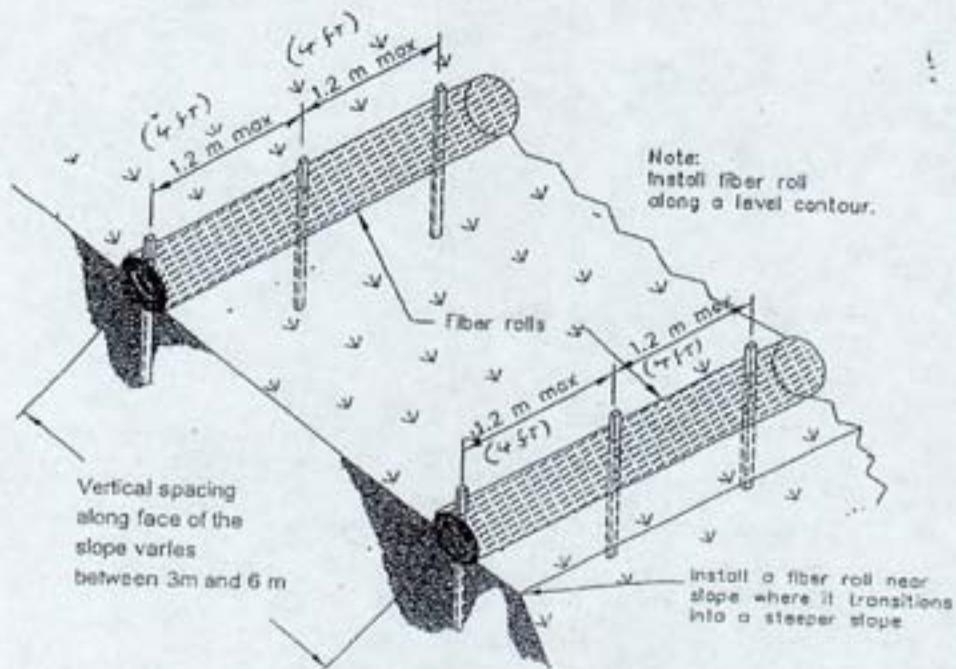
**GENERAL COMMENTS:**

1. The Site/Best Management Practices Map (Site Plan) shall provide enough information as to be instructional for locating and assembling all BMPs to be used for this project.
2. Reference all BMP measures to specific BMP details in the report text or provide the details on the site plan

**SPECIFIC COMMENTS:**

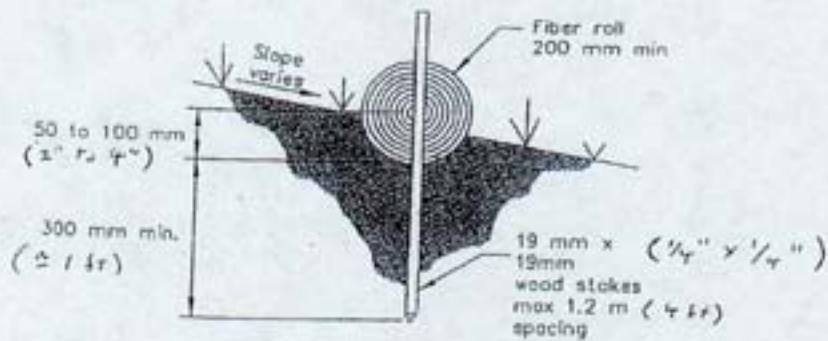
3. Show a Stabilized Construction Entrance location on the Site Map. If an aggregate rock bed is to be used for the track-out the rock size shall be 4 to 6 inches.
4. Show the location of the on-site concrete wash-out and use the appropriate symbol from the BMP legend.
5. Show the location of the on-site construction trailer and use the appropriate symbol from the BMP legend.
6. Show additional information regarding fiber roll installation. See attached detail for installation specifications that meet Oro Valley criteria.
7. Clarify whether fiber rolls or straw wattles will be used. Page 67 of the text indicates the use of straw wattles.
8. Locate the on-site trash containment and use the appropriate symbol from the BMP legend.
9. Page 70 of the SWPPP text indicates the possibility of on-site stored materials. Indicate on the site map where the materials would be located in the event that materials need to be stored on-site.
10. Provide the Town of Oro Valley with documentation showing that all issues involving the NOI on this project have been addressed. It is our understanding that Richmond American Homes of Arizona has purchased some fraction of the lots that currently shown as covered under AZPDES Number: 37594.

**I. General Information****Application Type:** AZPDES STORMWATER - GENERAL CONSTRUCTION**AZPDES Number:** 37594**Received Date:** 06/25/2008 **Approved Date:** 06/25/2008 **Termination/Void Date:****Application Status:** PERMIT FINALIZATION**II. Owner/Operator (Applicant) Information****Contact Name:** MICHAEL WHYDE**Operator Business Name:** PEPER VINER AKA PEPPER VINER AT RIVERS EDGE LLC**Operator Address:** 5633 E GRANT ROAD, TUCSON, AZ 85712**Phone:** (520) 721-7964 **Fax:** (520) 721-7277**County:** PIMA**III. Construction Site Information****Project/Site Name:** RIVERS EDGE**Construction Site Phone:** (520) 297-9975**Type of Project:** SUBDIVISION**Part of Larger Plan:** No **Total Project Size:** 22 **Size of Operations:** 19**Site Address:** FROM ORACLE RD HEAD SOUTHWEST TURN NORTH ONTO FIRST AVE TURN WEST ONTO LAMBERT LANE, ORO VALLEY, AZ 85737**Site Directions:****Start Date:** 09/01/2005 **End Date:** 12/31/2009**Non-stormwater Discharges:****IV. Discharge Location****Latitude:** 322404 **Longitude:** 1105811**Closest Receiving Water:** CANADA DEL ORO WASH**MS4 Potential:** Yes **MS4 Owner:** TOWN OF ORO VALLEY**V. SWPPP Information****SWPPP Location:** PROJECT SITE, ORO VALLEY, AZ 85737**SWPPP Contact Name:** MICHAEL WHYDE**Contact Phone:** (520) 721-7964**Within 1/4 mile of Impaired/Unique Water:** No**VI. Signatory Information****Signer Name:** MICHAEL WHYDE**Business Name:** PEPER VINER AKA PEPPER VINER AT RIVERS EDGE LLC**Address:** 5633 E GRANT ROAD, TUCSON, AZ 85712**Phone:** (520) 721-7964



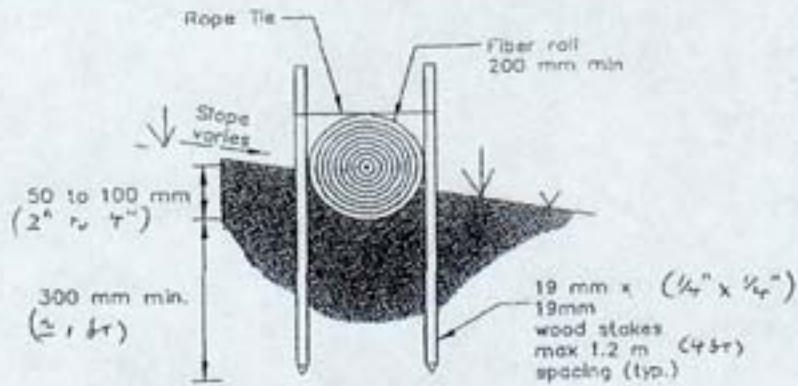
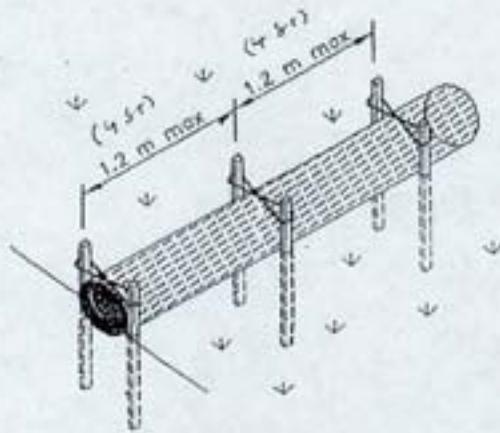
TYPICAL FIBER ROLL INSTALLATION

N.T.S.



ENTRENCHMENT DETAIL

N.T.S.



**OPTIONAL ENTRENCHMENT DETAIL**

N.T.S.

2. 2009/2010 Update Documents  
B. Water Bill Flyers



*A service of the Town of Oro Valley*

## Monsoon Safety Tips.

1. During a storm, turn off all unnecessary electrical equipment and unplug your computer.
2. Stay off the phone unless you need to call 911.
3. Avoid all appliances, wiring, metal objects and water.
4. Move to an interior room in the building. Stay away from windows and doors.
5. When washes have water in them, stay away. Do not drive vehicles through washes while water is running.

For more info, check out the storm water page at: [www.orovalleyaz.gov](http://www.orovalleyaz.gov)



## Mosquito Season

### West Nile Virus Prevention 2010

Here are a few tips to help fight the bite:

1. Not all mosquitoes are carriers of the West Nile virus. But, the more mosquitoes there are, the greater the chances that one may transmit the disease.
  2. Check your property for standing water. Mosquito eggs need water to be undisturbed for three days for them to hatch. Vacant properties, especially those with pools are ideal sources for mosquito habitats. If water cannot be eliminated, treat or recirculate on a regular basis.
  3. Repair window and door screens. Use insect repellents with Deet, Picaridin, or Oil of Eucalyptus. Wear protective clothing when possible and limit your time outdoors from dusk till dawn.
- For More Information:**  
[www.azcsa.gov/hdty](http://www.azcsa.gov/hdty)  
**West Nile Virus Hot Line: 243-7999** To report green pools or to get prevention tips. Staff from appropriate jurisdiction will treat and mark locations as needed.  
**Pima County Health Dept. - 243-7797**  
 Call for information about illness in humans and horses.

In Oro Valley, call 229-5070 to report standing water and mosquito activity.



## Floodplain Management

The Town of Oro Valley is a participating community in the FEMA National Flood Insurance Program. Under this program, the Stormwater Utility accomplishes Floodplain Management for all regulated washes within the Town. The Utility maintains and can provide floodplain status information for commercial or residential parcels within the Town.

Additionally, historical elevation certificates are maintained by the Town and are available for public review. Elevation certificates for any building constructed in a FEMA floodplain after January 1, 2010 will be kept on public record at the Town Hall.

All floodplain status inquiries and elevation certificate inquiries may be made by contacting the Town of Oro Valley, Community Rating System (CRS) Coordinator (Fritz Laos) at 229-4818. Additional information is available and is forthcoming at the following site: [http://www.orovalleyaz.gov/Town\\_Government/Public\\_Works/Stormwater\\_Utility.htm](http://www.orovalleyaz.gov/Town_Government/Public_Works/Stormwater_Utility.htm)

## Water Pollution Prevention Tips

1. Pick up after your pet when you go on walks.
2. Use just enough water to wash your car or truck.
3. Properly dispose of unused chemicals such as: Cleaning supplies, used oil and paint.
4. Use pesticides and herbicides correctly for bugs and plants.
5. Fix any leaks your vehicle may have.
6. Do not dump tree or bush trimmings into the wash.



For more info, check out the storm water page at: [www.orovalleyaz.gov](http://www.orovalleyaz.gov)

2. 2009/2010 Update Documents  
C. Vista Articles

# VISTA

*Oro Valley*



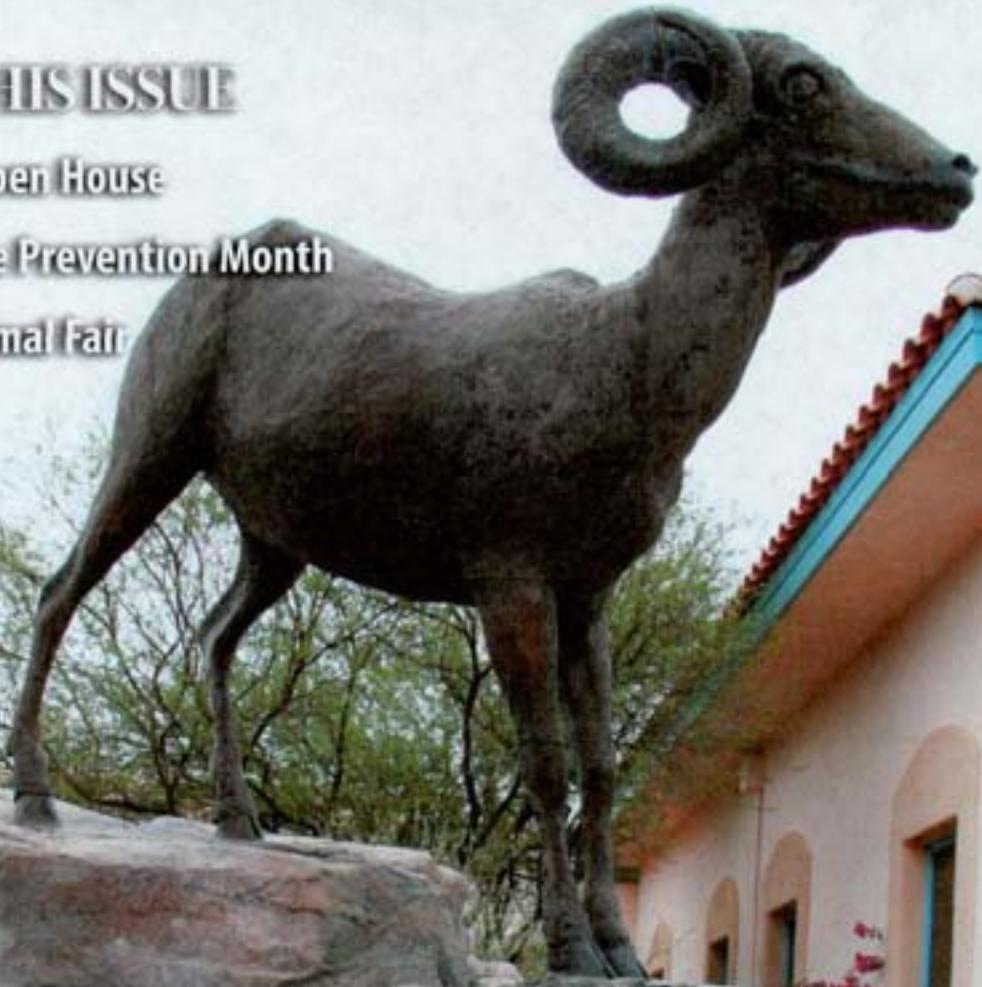
A Publication for the Residents of Oro Valley

Volume II, Issue 10 October 2009



## INSIDE THIS ISSUE

- Sun Shuttle Open House
- National Crime Prevention Month
- Oro Valley Animal Fair
- Safe Treats



*Community of Excellence*

# VISTA



### Oro Valley Mayor & Council

- Paul Loomis .....Mayor
- KC Carter .....Vice Mayor
- Paula Abbott .....Council Member
- Bill Garner .....Council Member
- Barry Gillaspie .....Council Member
- Al Kunisch .....Council Member
- Salette Latas .....Council Member

For Mayor & Council members call (520) 229-4700

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### Communications Specialist/ Design & Production

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email: khanson@orovalleyaz.gov

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*Article ideas are welcome. Please direct all inquiries to Mary Davis, Communications Administrator.*

The Oro Valley Vista is a monthly publication published by the Town of Oro Valley.

**Town of Oro Valley**  
**11000 N. La Cañada Drive**  
**Oro Valley, AZ 85737**  
**(520) 229-4700**  
[www.orovalleyaz.gov](http://www.orovalleyaz.gov)

**Cover photo:** Public art at Oro Valley Town Hall

# You are invited!

## SUN SHUTTLE OPEN HOUSE EVENTS

*Help us improve your neighborhood transit service!*



### **ORO VALLEY - Route 402**

**Monday, October 5, 5:30 – 7 p.m.**  
Oro Valley Council Chambers  
11000 N. La Cañada Drive

### **MARANA**

**Wednesday, October 7, 6:30 – 8 p.m.**  
Wheeler Taft Abbett Library  
7800 N. Schisler Drive

### **SAHUARITA - Routes 420, 425**

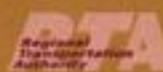
**Thursday, October 8, 5:30 – 7 p.m.**  
Sahuarita Town Hall, Council Chambers  
375 W. Sahuarita Center Way

### **GREEN VALLEY - Routes 420, 425**

**Friday, October 9, 9 – 11 a.m.**  
Green Valley Village, Suite 13  
101-26 S. La Cañada Drive

For more information: **792-9222** [www.suntran.com](http://www.suntran.com)

To request alternate formats or accommodations for persons with disabilities, call 206-8881 (TDD: 628-1565) at least five days in advance of open house.



## The Fight Against Buffelgrass Continues

The Buffel Busters have been working hard to eradicate buffelgrass in Oro Valley. On the second Saturday of every month they gather to continue in the fight. For September their schedule changed slightly to the 19<sup>th</sup>. This brought out a wonderful group of people from the Tucson Arizona North Stake of The Church of Jesus Christ of Latter-day Saints. Over 100 volunteers gathered at Naranja Town Site for the pull!

It was a great effort, but the Buffel Busters still need your help. For more information or to volunteer contact Carmen Ryan at (520) 229-5070 or [cryan@orovalleyaz.gov](mailto:cryan@orovalleyaz.gov).



# VISTA

*Oro Valley*



A Publication for the Residents of Oro Valley

Volume III, Issue 4 April 2010



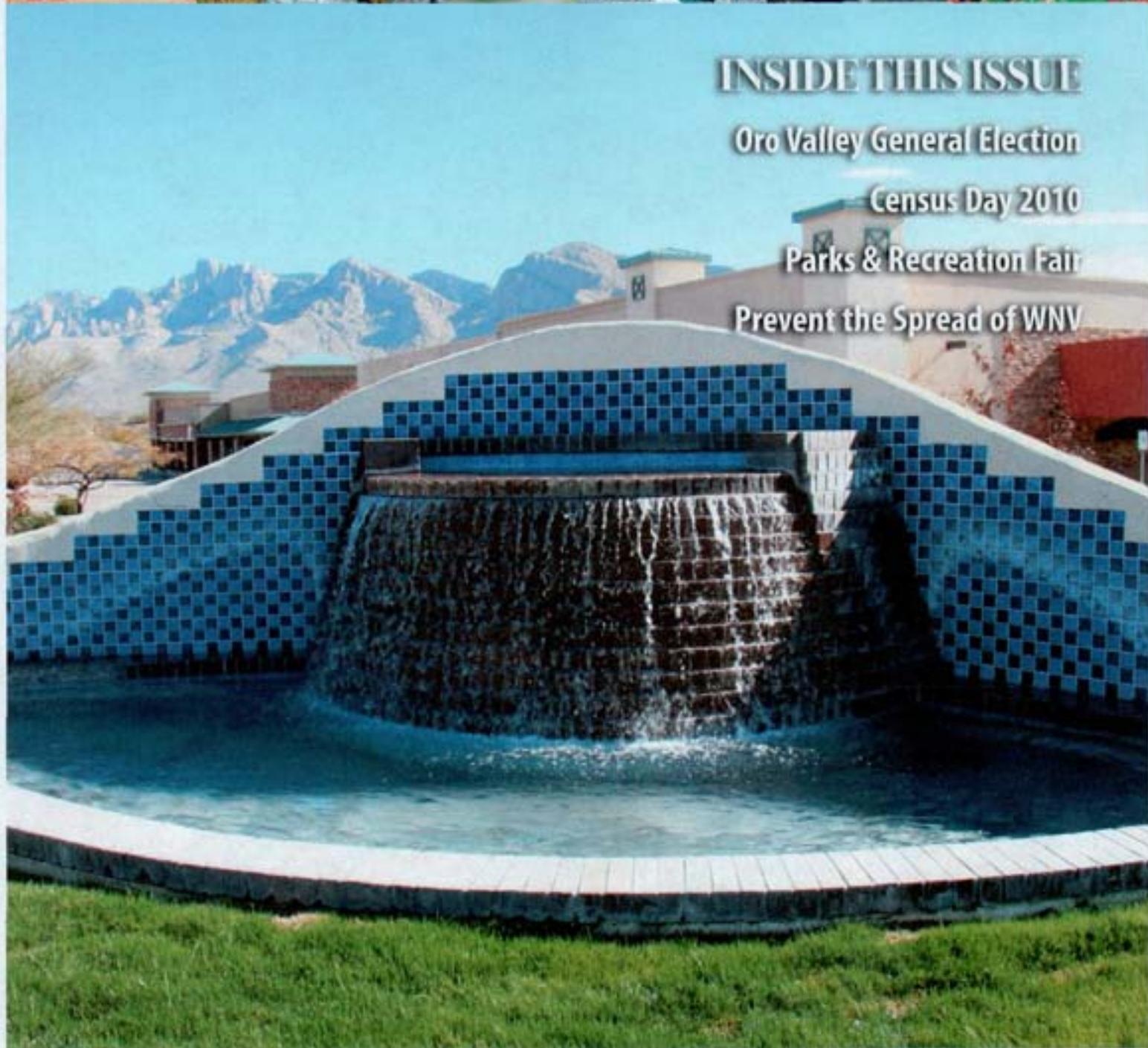
## INSIDE THIS ISSUE

Oro Valley General Election

Census Day 2010

Parks & Recreation Fair

Prevent the Spread of WNV



## Tips to Help Prevent the Spread of West Nile Virus

Mosquito season is upon us again. Town employees will be placing traps (like the one to the right) around town in an effort to trap mosquitos and test for West Nile and other viruses.

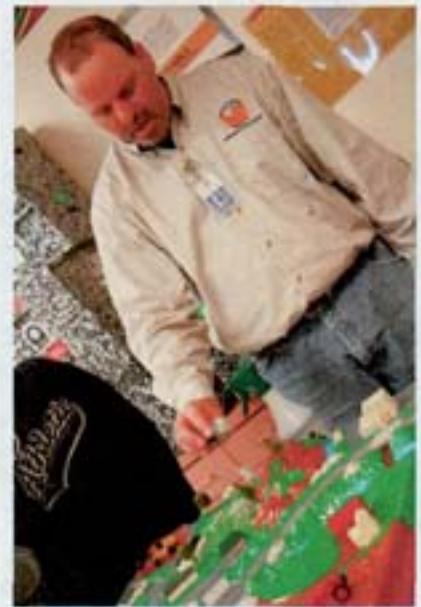
Here are a few tips to help fight the bite:

- Not all mosquitoes are carriers of the West Nile virus. But the more mosquitoes there are, the greater the chances that one may transmit the disease
- Check your property for standing water. Mosquito eggs need water to be undisturbed for three days for them to hatch. Vacant properties, especially those with pools, are ideal sources for mosquito habitats. If water cannot be eliminated, treat or recirculate it on a regular basis. Get rid of any unnecessary items that might trap or hold water
- Repair window and door screens. Eliminate any other openings where the insects may enter
- For personal protection, use insect repellents with deet, picaridan or oil of eucalyptus. Wear protective clothing when possible and limit your time outdoors from dusk until dawn



There are many places to find information about the West Nile virus and report problem areas:

- **West Nile Virus Hot Line: (520) 243-7999**  
Call to report green pools or to get prevention tips. Staff from the appropriate jurisdiction will treat and mark locations as needed
- **Pima County Health Department: (520) 243-7797**  
Call for information about illness in humans and horses. Most humans will not get the virus. However, if contracted, symptoms may include fever, body aches, fatigue, and other flu-like symptoms
- **Town of Oro Valley: (520) 229-5070**  
Call to report standing water and mosquito activity
- **City of Tucson: [www.tucsonaz.gov/wnv](http://www.tucsonaz.gov/wnv)**



Rob Wilson, of the Stormwater Utility, gives presentations to elementary school classes about our stormwater systems, how pollution affects them and how to stay safe around them. For more information call (520) 229-5059.

## Upcoming Events

### Dispose-A-Med Saturday

April 17 & May 15  
10 a.m. – 2 p.m.

### Oro Valley Target (First & Oracle)

The Oro Valley Police Department, in partnership with the Drug Enforcement Administration, SOBER Project, Meth Free Alliance, Oro Valley Optimist Club, Golder Ranch Fire District and Pima County Wastewater, will host this event. Bring your unused prescription medications and they will dispose of them properly. For more information call (520) 229-5084.

### Oro Valley Buffel Busters

Saturday  
April 10  
7 – 10 a.m.

Let's pull together now to remove buffelgrass, an invasive, non-native grass, from our roadways, washes and parks! The second Saturday of every month the Buffel Busters have a local pull. For more information, or to sign up, contact Carmen Ryan at (520) 229-5070 or by email at [cryan@orovalleyaz.gov](mailto:cryan@orovalleyaz.gov).



**Start Exploring!**

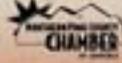
- An online business directory
- Find the products and services you need
- Save time and gas
- Support your community

**Shop Oro Valley!**

- Keep Oro Valley dollars in our community
- Maintain our quality of life
- Support local businesses

➤ To receive your Shop OV bag visit Northern Pima County Chamber of Commerce or Oro Valley Town Hall




Sponsored by: **EXPLORER** 

[www.orovalleyaz.gov](http://www.orovalleyaz.gov) / (520) 229-4735



2. 2009/2010 Update Documents  
D. Ordinance Revision

TOWN OF ORO VALLEY  
COUNCIL COMMUNICATION

TO: HONORABLE MAYOR AND COUNCIL

Item #: 3

TC Regular Session

Date: 04/07/2010

Requested by: Kathryn Cuvelier, Town Clerk      Submitted By: Kathryn Cuvelier, Town Clerk

Department: Town Clerk

---

Information

**SUBJECT:**

**PUBLIC HEARING - ORDINANCE NO. (O)10-04** AMENDING THE ORO VALLEY TOWN CODE, CHAPTER 15, ARTICLE 24, SECTION 15-24-13, STORMWATER UTILITY FEE SYSTEM, ADDING SUBSECTION 15-24-13(K)(4), TO CLARIFY PROCEDURES FOR COLLECTION OF STORMWATER UTILITY FEES

**SUMMARY:**

The Stormwater Utility Fee was approved by Town Council in November 2007 and fees have been collected since January 2008. This Town Council amendment is necessary to clarify utility fee collection procedures specifically dealing with delinquent accounts. The clarification includes new subsection 15-24-13(K)(4) stating that the Town will use all legal means necessary to pursue payment of delinquent Stormwater Utility Fees.

**DISCUSSION:**

The current Town Code section 15-24-13(K) provides that the Stormwater Utility will collect overdue fees in the same manner as delinquent Oro Valley Water Utility fees and late fees will be a lien on real property. Since the Stormwater Utility also separately bills residents who receive their water from Tucson Water, Metro Water and wells, this addition clarifies that the Town can and will use alternative methods for collecting delinquent accounts outside of the manner used by the Oro Valley Water Utility system.

**FISCAL IMPACT:**

No fiscal impact.

**CONCLUSION/RECOMMENDATION:**

Staff recommends approval of this ordinance amendment to clarify the delinquent stormwater fee collection procedure for non Oro Valley water customers.

**SUGGESTED MOTION:**

I move to adopt Ordinance No. (O) 10-04.

Or

I move to deny Ordinance No. (O) 10-04.

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Attachments

Link: [Ordinance amending Section 15-24-13](#)

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2. 2009/2010 Update Documents  
E. Stormwater Utility Map

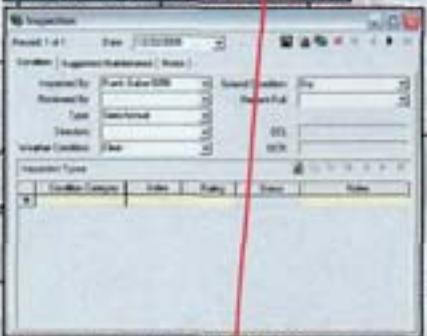
GPS-Located photograph linked to point on map



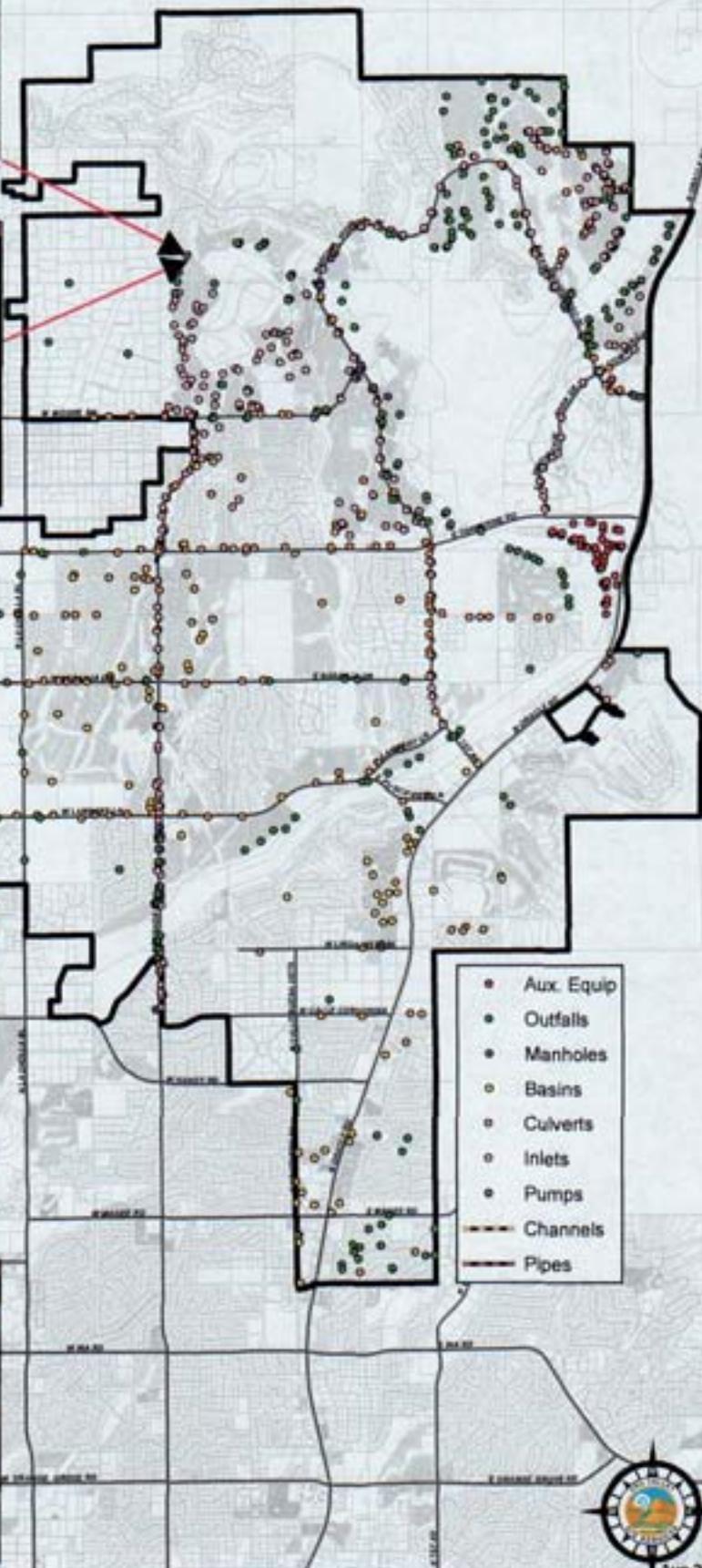
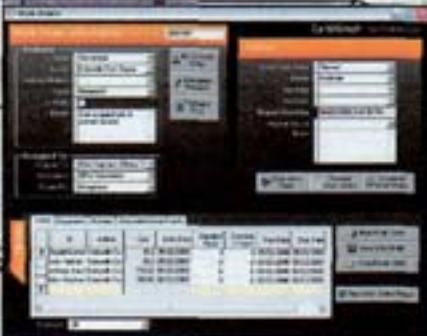
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Inspection form attached to attribute



Work order form attached to attribute



2. 2009/2010 Update Documents  
F. Updated Annexation Map

