



TOWN OF FOUNTAIN HILLS

16705 E. Avenue of the Fountains, Fountain Hills, AZ 85268
480.816.5100 | Fax: 480.837.3145

ADEQ Storm Water Permit/Notice of Intent (NOI) Questions and Answers

What is a storm water permit/NOI and who is required to obtain one?

This permit is for new construction activities that may discharge storm water from sites that enter Arizona surface waters or a storm drain system leading to surface waters, associated with construction activities that;

- Disturb 1 or more of acres of land, or
- Are less than 1 acre in size but are part of a larger common plan of development or sale that will ultimately disturb 1 acre or more

Is my construction site part of a larger “common plan of development?”

Yes. All land within the Town of Fountain Hills is master planned and so is a part of a larger common plan of development. However, some lots may be exempt if they are located within a plat that contains less than 1 acre of remaining disturbance area. Town staff can assist applicants in identifying these lots when necessary.

Does the Town of Fountain Hills discharge to Arizona surface waters?

Yes. The Town was issued permit number AZG2002-002 in June 2003, since portions of the town are within 2.5 miles of the Verde River.

Where can I obtain a storm water permit/NOI?

The Arizona Department of Environmental Quality (ADEQ) issues Storm Water Permits. You can file and submit on-line. Or, you can download a printable version of the application at (<http://www.azdeq.gov/node/524>) and submit it to ADEQ.

NOTE: When filling out the application you will be asked if your site is part of a “common or greater plan of development or sale.”

If your property is in Fountain Hills, your answer is “YES”.

As part of your NOI application, you will be required to have a Storm Water Management Plan (SWMP) which indicates what “Best Management Practices” (BMPs) you will be using on your job site to mitigate illicit discharges off of the site, and to provide adequate erosion control. Your architect can supply these details as part of your building plans.

The Town of Fountain Hills reviews all building plans, which must contain an erosion control plan that includes BMPs for erosion control. If you already have an approved Storm Water Management Plan (SWMP) the Town will accept it as your erosion control plan.

What are the penalties for not obtaining a permit from ADEQ?

Applicants are required to provide evidence that an NOI has been submitted to ADEQ when applying for a Building Permit. The Town is required to report to the Arizona Department of Environmental Quality any Town-issued permits for new construction that did not provide evidence of an NOI submittal to the ADEQ.

ADEQ has the authority to issue a “Stop work order” and to issue a monetary penalty of up to \$27,500 per day to permit holders for sites that do not obtain the proper permit.

Who to contact for dispute resolution?

ADEQ Ombudsman Email: bingham.ian@azdeq.gov or 602-771-4322