

# IT'S A WASH

## TERMINOLOGY

404

A designated area in which any activity that disturbs the soil or interrupts the natural flow of water is prohibited without a permit from the U.S. Army Corps of Engineers (USACE). The name is derived from Section 404 of the Clean Water Act, which establishes the protective program.

Wash

Any topographic feature that carries or holds stormwater, including rivers, lakes and wetlands. In Arizona, it also refers to dry desert and retention areas and manmade canals that serve as a natural flow for stormwater.

Culvert

A structure that allows water to flow under a road, railroad, trail or similar obstruction; typically embedded, so as to be surrounded by soil in the desert washes.

NAOS

Natural Area Open Space, or areas in proximity to washes that act as watershed area for a wash. Some requirements of the USACE 404 permit require developers to set aside "NAOS," which almost all the undeveloped land in Anthem is designated.

## WHAT ABOUT?

### OVERGROWN VEGETATION

- Any unauthorized landscaping or maintenance the washes is illegal. To determine if removal of vegetation falls within the NAOS policies, contact the ACC Parks & Facilities Maintenance department at 623-879-3028. Also, refer to HOA desert vegetation policies.
- **Dead plants, like saguaros that have fallen, cannot be removed unless the situation poses a health or safety concern to human life or prevents the flow of water.**



*The above is an example of overgrown vegetation in its natural state and, per NAOS requirements, it cannot be removed unless its hazardous or blocking drainage.*



### TRAILS

- Interact with nature on the community's 10 miles of hiking and biking trails, linking centralized amenities with various neighborhoods.
- Bike, hike and walk on designated trails only. Going off-trail is considered trespassing.
- Riding All-Terrain Vehicles (ATVs), even on trails, is illegal.

### CULVERTS

- Culverts are not for recreational use. Any discovery of manmade disturbance to culverts will result in criminal charges. Examples include BMX tracks, forts, etc.

Even the slightest change in the landscape can disrupt the fragile ecosystem of many unique and rare species in the community; not to mention, it can be dangerous to humans.

- If you witness someone in the washes causing destruction or conducting any kind of illegal activity, call 9-1-1, not your HOA.
- Educate each other and youth on the different areas, what is/isn't allowed in these areas and why it is important to preserve them.

# WHO HAS AUTHORITY?

## Federal Government, U.S. Army Corps of Engineers & the Environmental Protection Agency

Washes are monitored and regulated by the federal government and the U.S. Army Corps of Engineers (USACE) Arizona Regulatory Branch, which closely guards the wash environments annually as a part of the Waters of the State and the Environmental Protection Agency's (EPA) Clean Water Act.

The USACE and the EPA enforce regulations in the 404s established by the Clean Water Act.

## Local Law Enforcement

"No Trespassing" signs are located in areas where trespassing has become an issue to the extent of damaging the area. Trespassing can result in criminal charges.

Additional signs are planned in collaboration with the Maricopa County Sheriff's Office (MCSO) and Phoenix Police Department (PPD) in areas that have become "walk-throughs" or shortcuts in the community.

## Anthem Community Council

In Anthem's Declaration of Covenants and Easements, it states that NAOS areas must be preserved in their natural condition by the ACC.

The USACE grants the ACC a permit with special terms and conditions that apply only to the Anthem community. The ACC has the permit and maps on file that show which areas are designated, as well as all the details and regulations associated with the 404 areas for the community.

## MAINTENANCE IN A WASH

Lightweight, rubber-tired carts are used in place of heavy equipment for any wash activities. These carts are to be used by authorized personnel only.

Maintenance is limited to the authorized removal of **manmade debris**, noxious weeds and invasive plants, such as Desert Broom and Saltcedar.



The ACC maintains the trails inside wash areas, up to three feet on either side of the trail.



In the event of flooding, which causes movement of rocks, dirt and silt across the trails, the ACC will coordinate repairs immediately for safety reasons.

## MORE INFORMATION

[OnlineAtAnthem.com/404-washes](http://OnlineAtAnthem.com/404-washes)

Contact 623-879-3035 to report locations in need of attention.