

# TML Development, LLC

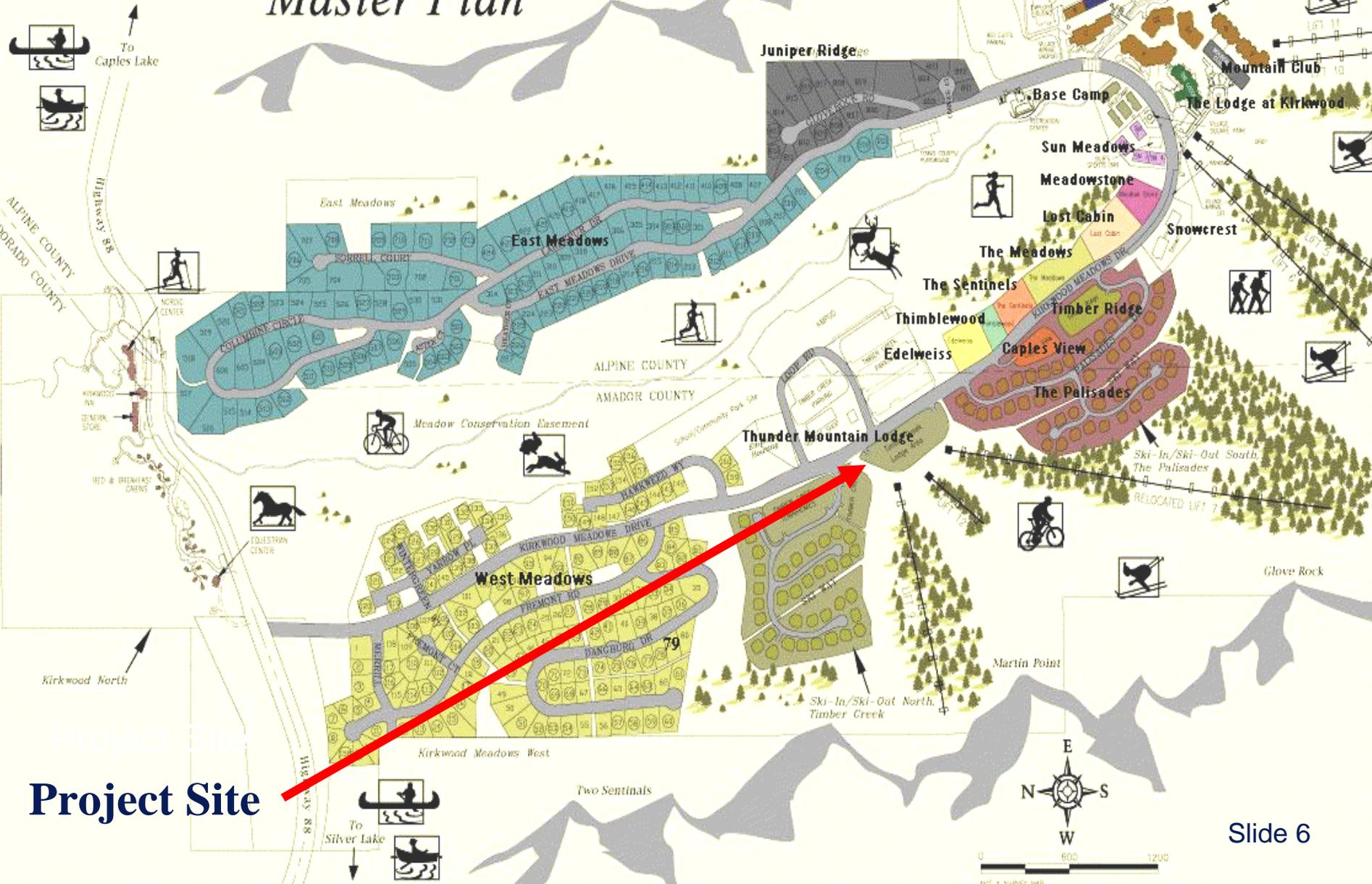
# Thunder Mountain Lodge



## Stormwater Enforcement Workshop

# Kirkwood Mountain Resort

## Master Plan



**Project Site**

# Kirkwood Valley



- Concerned citizens
- Headwaters of American River
- Turbid discharges can be detrimental to aquatic life

# Kirkwood Meadow



Collaborative process to prevent further deterioration of the ecosystem and improve habitat in Kirkwood Valley



Artist's View of the Proposed Project

# Non-Storm Water Discharges



**Kirkwood**

- Can impact water quality
- Most dischargers install BMPs
- Controllable



Approximate Scale



## Satellite View of the TML Project



**Overview of a portion of the construction site  
7 June 2007**



**Another portion of the construction site  
7 June 2007**



**Discharge Hose**

**Turbid discharge from construction site flowing in the diverted stream channel**

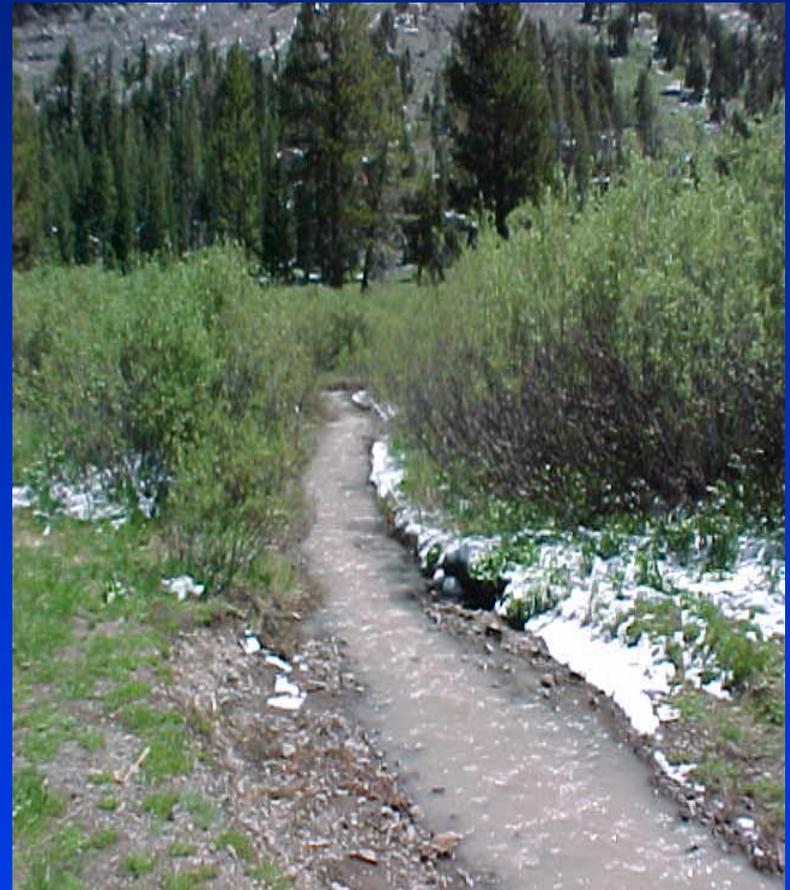


**Discharge point : 1600 NTUs**

## Turbid discharge flowing into Kirkwood Meadow



**Turbid discharge flowing downstream**



**DFG : deleterious to aquatic life**

# Timeline

- ◆ 7 June 2007 - inspection / 27 June 2007 - NOV
- ◆ 17 July 2007 - TML responded to NOV
- ◆ 7 May 2008 - ACLC issued / ACLC returned
- ◆ 28 May 2008 - ACLC faxed to TML, 3 more weeks to respond
- ◆ July Board Meeting - extended comment due date
- ◆ TML copied file; requested then canceled meeting
- ◆ TML requested and granted hearing delay
- ◆ September Board hearing
- ◆ TML given another extension for written comments
- ◆ 15 August 2008 - TML submits comments
- ◆ Discharger says he will pay changes mind
- ◆ September 23 2008 - discharger finally pays

# TML's Violations

- Permit coverage in April 2007
- 7 June 2007 – Inspection
  - ◆ Pumped turbid water into creek
  - ◆ Failed to plan for snowmelt runoff
  - ◆ Failed to implement effective BMPs
  - ◆ Discharged highly turbid water
  - ◆ Turbidity downstream of construction site was 1600 NTUs, upstream was less than 100 NTUs

# Summary

- Violated General Permit – inadequate BMPs
- Sensitive receiving waters
- Deleterious to aquatic life
- Liability based on one day of violation; does not include gallons discharged

# Construction Storm Water General Permit

- Federal and State requirement
- Implement Best Management Practices (BMPs)
- Non-storm water discharges – Provision C.3

# Basin Plan Turbidity Objective

- Background = 10-100 NTU, maximum increase of 20%
- Background = 100 NTU, max = 120 NTU
- Discharge was 1600 NTU or 10 times allowable level
- Violation of Water Quality Objective

# Positive Case Developments

- **Discharger installed BMPs after inspection**
- **Increased stormwater compliance throughout Kirkwood Valley**

# Negative Case Developments

- Large amount of staff time for small ACL
- Paid just prior to Board hearing
- Significant potential water quality Impacts