

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75-78

RESOLUTION REGARDING REMOVAL OF EL DORADO IRRIGATION
DISTRICT - KIRKWOOD MEADOWS FROM THE 1974-75 PROJECT LIST

WHEREAS:

1. El Dorado Irrigation District - Kirkwood Meadows (Project No. 75D 1015) was placed on the State Board's 1974-75 Sewage Treatment Works Construction Grant Project List on January 17, 1974.
2. The Kirkwood Meadows development has been and is being developed by Kirkwood Meadows, Inc., a private real estate developer.
3. By Resolution No. 70-136, adopted March 20, 1970, the California Regional Water Quality Control Board, Central Valley Region (Regional Board), prescribed waste discharge requirements for the El Dorado Irrigation District - Kirkwood Meadows which would require tertiary waste treatment, and expressed its intent to "assign no portion of the assimilative capacity of the Silver Fork of the American River or its tributaries to any waste discharge originating from or related to the activity of man".
4. On the occasion of adoption of Regional Board Resolution No. 70-136, representatives of El Dorado Irrigation District and Kirkwood Meadows, Inc., expressed their recognition of the need to protect water quality and their intent to meet the parameters contained in the requirements.
5. Regional Board Order No. 70-136, was superseded by an NPDES permit, Regional Board Order No. 74-264, adopted March 22, 1974, which also contains a tertiary treatment requirement.
6. The first homes constructed as a part of the Kirkwood Meadows development were available for occupancy in midsummer of 1971.
7. The existing extended aeration treatment plant began operation in December 1972 and the existing reverse osmosis unit began operation on February 25, 1974, with a rated capacity of 50,000 gallons per day.

8. The existing treatment facilities are currently operating at an actual capacity of 12,500 gallons per day due to failure of the package plant to remove solids from the wastewater properly.
9. The El Dorado Irrigation District has requested funding for improvement and expansion of the Kirkwood Meadows treatment facilities to a level of approximately 200,000 gallons per day.
10. State Water Resources Control Board (State Board) grant regulations (Subchapter 7, Chapter 3, Title 23, California Administrative Code) have consistently included provisions restricting the commitment of grant funds for treatment facilities to serve new development in outlying areas.
11. The current grant regulation regarding capacity for outlying areas, Section 2133(f)(4), Subchapter 7, Chapter 3, Title 23 of the California Administrative Code, was first adopted August 16, 1973, and reads as follows:

"No allowance shall be made for capacity necessary to serve new independent and undeveloped areas, or to serve areas which were or are designed primarily as a separate unit independent from the already existing community, unless the division finds that such allowance is necessary for the protection of water quality. Provision for the capacity to serve such areas shall be the responsibility of the developer of such area."

12. Provision of grant funds to aid El Dorado Irrigation District to upgrade its existing treatment facilities and/or to expand its treatment facilities is not "necessary for the protection of water quality" because the developer and the District obligated themselves to meet the Central Valley Regional Water Quality Control Board's requirements at the time these requirements were originally adopted.
13. In accordance with Section 2110, Subchapter 7, Chapter 3, Title 23 of the California Administrative Code, the State Board may adjust the project list at its option for good cause.
14. A workshop was held by the State Board on August 6, 1975, after due notice to El Dorado Irrigation District, at which representatives of Kirkwood Meadows, Inc., the Kirkwood Meadows Association (representing property owners in Units I and II of the Kirkwood Meadows development), and El Dorado Irrigation District were in attendance and were afforded an

opportunity for a hearing in accordance with Section 2110 of the State Board's regulations and at which the grant applicant, El Dorado Irrigation District, made a presentation to the State Board.

NOW THEREFORE BE IT RESOLVED:

That the El Dorado Irrigation District - Kirkwood Meadows project (No. 75D 1015) be removed from the 1974-75 Project List.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on

AUG 21 1975



Bill B. Dendy
Executive Officer