



Enforcement News

Central Valley Regional Water Quality Control Board

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Kirkwood Mountain Resort Agrees to Settlement for Allegations of Clean Water Act Violations

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SACRAMENTO – The Central Valley Regional Water Quality Control Board has reached a \$754,732 settlement agreement with Kirkwood Mountain Resort for alleged violations of the federal Clean Water Act.

These alleged infractions occurred when recycled asphalt pavement grindings entered drainages that flow into Kirkwood Creek and Kirkwood Meadows during snow removal activities in the winter of 2015-2016. In early 2016, the Regional Water Board conducted a joint inspection with the California Department of Fish and Wildlife (CDFW) to assess the extent of the discharge. Following this inspection, staff from CDFW and the Regional Water Board started working with Kirkwood Mountain Resort to fully investigate and clean up the asphalt grindings.

Kirkwood Mountain Resort has cooperated with the agencies and worked diligently to address the recent and past asphalt grindings discharged at the resort. Kirkwood has committed to modifying snow removal procedures and conducting regular inspections to minimize future discharges of asphalt grindings during snow removal activities. Cleanup work and restoration of additional areas at the resort is ongoing.

“We are pleased to reach a settlement with Kirkwood Mountain Resort that restores and protects Kirkwood Creek and the surrounding area,” said Andrew Altevogt, assistant executive officer for the Regional Water Board. “This settlement also sends a strong message about the importance of preserving the sensitive water bodies of the Sierra Nevada.”

Potential impacts from discharging asphalt grindings into waterways include smothering aquatic habitat and spawning areas, toxicity to fish eggs and other impacts to aquatic life.

Nearly half of the penalty amount will be used to fund restoration of the Carson River through portions of the lower Hope Valley in Alpine County. The remainder of the penalty will be paid to the State Water Resource Control Board’s Cleanup and Abatement Account, which is used to



provide public agencies, including tribal governments and disadvantaged communities, with grants for the cleanup or abatement of a condition of pollution when there are no viable responsible parties available to undertake the work. In addition, CDFW received reimbursement for its costs and to conduct a multi-year biological assessment of Kirkwood Creek.

The Central Valley Regional Water Quality Control Board is a California state agency responsible for the preservation and enhancement of water quality. For more information, visit the Central Valley Water Board's [website](#).

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