

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION R5-2012-XXXX

APPROVING AN INITIAL STUDY
AND
ADOPTING A MITIGATED NEGATIVE DECLARATION
FOR
SUNNYGEM, LLC, SANDRIDGE PARTNERS, LP,
AND MCCARTHY FAMILY FARMS, INC.
SPICER CITY JUICE PROCESSING PLANT
KERN COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds:

1. The Central Valley Water Board proposes to adopt Waste Discharge Requirements (hereafter WDRs) for the discharge of fruit juice processing wastewater to unlined ponds for storage before application to approximately 2,200 acres of crops (Reuse Areas) by SunnyGem, LLC, and Sandridge Partners, LP (hereafter Discharger), from their Spicer City Juice Processing Plant in Kern County. McCarthy Family Farms, Inc., owns a portion of the Reuse Areas and submitted a Report of Water Reclamation for wastewater application to these areas.
2. The Central Valley Water Board is the lead agency for this project under the California Environmental Quality Act (CEQA) and has conducted an Initial Study and prepared a Mitigated Negative Declaration in accordance with Title 14 of the California Code of Regulations, entitled *Guidelines for the Implementation of the California Environmental Quality Act*.
3. The Plant was regulated under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Wineries* (Conditional Waiver), Order No. R5-2009-0097. In August 2011, SunnyGem, LLC, and Sandridge Partners, LP, submitted a Report of Waste Discharge (RWD) to expand operations to produce juice concentrate for pomegranates and other fruits. The expanded discharge will exceed the discharge limit of 100,000 gallons per year specified in the Conditional Waiver and, therefore, individual waste discharge requirements are necessary. The fruit juicing operation with proposed waste discharge to land requires issuance of Waste Discharge Requirements (WDRs) by the Central Valley Water Board and compliance with the CEQA.
4. Copies of the Initial Study and Mitigated Negative Declaration were transmitted to or made available to all agencies and persons known to be interested in these matters.
5. The Central Valley Water Board received comments regarding the Initial Study from the Department of Fish and Game. These comments have been considered and addressed by minor modifications to the project description in the Initial Study.
6. The Central Valley Water Board considered all testimony and evidence at a hearing held on _____ 2012 in Rancho Cordova, California and good cause was found to approve the Initial Study and adopt a Mitigated Negative Declaration.
7. Central Valley Water Board staff drafted tentative Waste Discharge Requirements that incorporate the various mitigation measures described in the Initial Study as part of the project.

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The proposed WDRs will contain discharge prohibitions, effluent and groundwater limitations, and will be developed to protect the beneficial uses of receiving water and prevent conditions of nuisance.

8. Along with the WDRs, the Board will issue a Monitoring and Reporting Program that will ensure that the project will not create significant effects to the environment and that all of the mitigation measures incorporated into the WDRs will be implemented. This Monitoring and Reporting Program will therefore satisfy the requirements of Public Resources Code section 21081.6(a)(1).

THEREFORE BE IT RESOLVED, pursuant to Section 21080, et seq. of the California Public Resources Code, the Central Valley Water Board, after considering the entire record, including written and oral testimony at the hearing:

1. Approves the Initial Study and adopts the Mitigated Negative Declaration for the adoption of Waste Discharge Requirements (WDRs) for the SunnyGem, LLC, Sandridge Partners, LP, and McCarthy Family Farms, Inc., discharge of fruit juice processing wastewater from the Spicer City Juice Processing Plant.
2. Finds the record before the Central Valley Water Board contains no substantial evidence that a fair argument has been made that the project may have a significant effect on the environment.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region on _____.

PAMELA C. CREEDON, Executive Officer

Resolution Attachments:
Initial Study and Mitigated Negative Declaration