

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

RESOLUTION R5-2011-XXXX

ADOPTING A MITIGATED NEGATIVE DECLARATION  
AND  
APPROVING AN INITIAL STUDY  
FOR  
POM WONDERFUL, LLC  
WHOLE FRUIT AND JUICE EXTRACTION PLANT EXPANSION  
FRESNO COUNTY

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

1. The Central Valley Water Board proposes to adopt Waste Discharge Requirements (WDRs) for the discharge/recycling of treated food processing wastewater to an approximately 291-acre land application area by POM Wonderful, LLC (hereafter Discharger) from its whole fruit and juice extraction plant located at 5286 South Del Rey Avenue, Del Rey, Fresno County.
2. The Central Valley Water Board is the lead agency for the project in accordance with the California Environmental Quality Act and has conducted an Initial Study in accordance with Title 14, California Code of Regulation, Section 15063, entitled *Guidelines for the Implementation of the California Environmental Quality Act*.
3. The Discharger's plant is an existing plant that currently discharges treated food processing wastewater to a land application area. The plant and land application area are located in Sections 4 and 9, Township 15 South, Range 22 East, Mount Diablo Base & Meridian.
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. The Central Valley Water Board responded to and addressed all public comments on the proposed project. The Initial Study was revised to include a discussion of additional mitigation measures proposed by the commenters, including other agencies. None of the comments identified new significant impacts or showed how impacts previously thought to be insignificant and should instead be considered significant. The additional mitigation measures are equivalent or more effective than those originally proposed, and the new mitigation measures will not cause any adverse effects upon the environment. Re-circulation of Initial Study and Mitigated Negative Declaration is therefore not required pursuant to California Code of Regulations, title 14, section 15074.1(c).
5. The Central Valley Water Board considered all testimony and evidence at a hearing held on \_\_\_ October 2012 in Rancho Cordova, California and good cause was found to approve the Initial Study and adopt a Mitigated Negative Declaration.

6. Central Valley Water Board staff drafted Tentative WDRs that incorporate the various findings described in the Initial Study. The proposed WDRs contain discharge prohibitions, a monitoring and reporting program, and were developed to protect the beneficial uses of underlying groundwater and prevent conditions of nuisance.
7. 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 WDRs and Monitoring and Reporting Program for the discharge/recycling of treated food processing wastewater to an approximately 291-acre land application area by POM Wonderful, LLC from its whole fruit and juice extraction 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 XX October 2012.

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PAMELA C. CREEDON, Executive Officer