

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2005-0113

APPROVING THE INITIAL ENVIRONMENTAL STUDY
AND
ADOPTING A MITIGATED NEGATIVE DECLARATION
FOR
BELL-CARTER OLIVE COMPANY
SURFACE IMPOUNDMENT CLOSURE AND POST-CLOSURE MAINTENANCE
ORANGE COVE
FRESNO COUNTY

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

1. Bell-Carter Olive Company (hereafter Discharger) submitted a Closure Plan dated July 2003 to the California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) for the closure of one inactive surface impoundment at the Discharger's property near Orange Cove. Wastewater discharged to the surface impoundment reportedly consisted of saline wastewater brine. Results of site hydrogeologic investigations indicate the brine wastewater migrated from the impoundment, impacting the underlying soil and groundwater.
2. The proposed closure requires issuance of waste discharge requirements (WDRs) by the Regional Board and compliance with the California Environmental Quality Act (CEQA).
3. The Regional Board has assumed the lead agency role for this project under CEQA and has conducted an Initial Environmental Study in accordance with Title 14, California Code of Regulations, Section 15063, *Guidelines for the Implementation of the California Environmental Quality Act* and prepared a Mitigated Negative Declaration in accordance with Title 14, California Code of Regulations, Section 15070, et seq.
4. The Initial Environmental Study preliminarily identified potentially significant environmental impacts caused by the migration of brine wastewater from the impoundment into the underlying soil and groundwater. The proposed Waste Discharge Requirements (WDRs) require closure and capping of the impoundment. Complying with the WDRs should prevent further groundwater degradation and mitigate further potentially significant impacts to groundwater. The Monitoring and Reporting Program (MRP) attached to the WDRs requires groundwater monitoring. Complying with the MRP should insure the groundwater plume is not migrating and thus, mitigating any potential human health hazard.
5. The Regional Board transmitted the Proposed Mitigated Negative Declaration, the supporting Initial Environmental Study, and proposed WDRs to all agencies and persons known to be interested in this matter.

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6. Copies of the Mitigated Negative Declaration, and supporting Initial Environmental Study, were transmitted to the State Clearinghouse (SCH No. 2005051137) and copies were made available to all agencies and persons known to be interested in this matter initiating the public review and comment period.
7. The record of the proceedings for this project is located at the Fresno office of the Regional Board.
8. The Regional Board received no comments regarding the proposed project, Initial Environmental Study, or proposed Negative Declaration.
9. The Regional Board considered all written comments timely received and testimony and evidence at a public hearing held on 5 August 2005, in Rancho Cordova, California, and good cause was found to approve the Initial Study and adopt a Mitigated Negative Declaration.

THEREFORE BE IT RESOLVED, that pursuant to Section 21080, et seq. of the California Public Resources Code, the Regional Board:

1. Finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Regional Board.
2. Finds, based on the whole record (including the Initial Study and all comments timely received), that there is no substantial evidence that the project will have a significant effect on the environment.
3. Approves the Initial Environmental Study and adopts the Mitigated Negative Declaration for Bell-Carter Olive Company for the closure of the surface impoundment located on their property near the City of Orange Cove.

I, THOMAS R. PINKOS, 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 5 August 2005.

THOMAS R. PINKOS, Executive Officer

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