

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION R5-2012-0119

APPROVING AN INITIAL STUDY
AND
ADOPTING A NEGATIVE DECLARATION
FOR
OLAM TOMATO PROCESSORS, INC., AND
WESTLAKE FARMS, INC.
OLAM TOMATO PROCESSING LEMOORE PLANT
KINGS 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 revised Waste Discharge Requirements (hereafter WDRs) for the discharge of tomato wastewater from the tomato processing plant (Plant) owned by Olam Tomato Processors, Inc. (Olam) to a 995-acre Land Application Area (LAA) owned by Westlake Farms, Inc. (Westlake) and for the discharge of tomato processing solids and wastewater to a 13-acre parcel owned by Olam.
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 Negative Declaration in accordance with California Code of Regulations, title 14, section 15063.
3. The Plant is currently regulated under WDRs Order R5-2007-0157. In May 2010, Olam submitted a Report of Waste Discharge (RWD) for a proposed discharge of tomato processing solids and wastewater to a 13-acre parcel owned by Olam. In December 2011, Olam submitted a RWD for the discharge of tomato processing wastewater to a new 995-acre LAA. The RWD indicated that 555 acres would be used for primary disposal and 440 acres would be used in emergencies. Olam subsequently committed to using the entire 995-acre LAA for wastewater reuse. The Board's approval of the new LAA acreage requires new WDRs, which triggers CEQA review.
4. Olam's proposal to utilize the entirety of the 995-acre LAA for primary disposal will result in a more even application of wastewater over the entire discharge area, thereby lowering loading rates and further reducing the potential for any negative environmental impacts. Therefore, though the Initial Study and Proposed Negative Declaration states that 555 acres will be used for primary disposal and 440 acres will be used in emergencies, the Board's conclusion that there will not be any significant environmental impacts as a result of the issuance of new WDRs remains unchanged.
5. Copies of the Initial Study and Negative Declaration were transmitted to or made available to all agencies and persons known to be interested in these matters.
6. The Central Valley Water Board received comments regarding the Initial Study and Negative Declaration from Olam and the Native American Heritage Commission. In a 15 October 2012 letter, Olam requested that the Project sponsor's name and address on Section II, Line 5 of the Initial Study and Negative Declaration be corrected as follows:

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- a. Physical Address: 1175 South 19th Avenue, Lemoore, California, 93245
 - b. Plant Mailing Address: P.O. Box 160, Lemoore, California, 93245
 - c. Address for Legal Documents: 205 E. River Park Circle, Suite 310, Fresno, California 93270
7. The Central Valley Water Board considered all testimony and evidence at a hearing held on 7 December 2012 in Rancho Cordova, California and good cause was found to approve the Initial Study and adopt a Negative Declaration.
 8. Central Valley Water Board staff drafted tentative WDRs. The proposed WDRs contains discharge prohibitions, effluent and groundwater limitations, and will be developed to protect the beneficial uses of receiving water and prevent conditions of nuisance.

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 Negative Declaration for the adoption of Waste Discharge Requirements (WDRs) for Olam Tomato Processors, Inc., discharge of tomato processing wastewater from the Olam Tomato Processing Lemoore Plant to 995 acres of farmland owned by Westlake Farms, Inc.
2. Finds, on the basis of the whole of record before the Central Valley Water Board, that there is no substantial evidence that approving the proposed WDRs will have a significant effect on the environment and that the negative declaration reflects the Central Valley Water Board's independent judgment and analysis.

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 7 December 2012.

Original signed by:

PAMELA C. CREEDON, Executive Officer

Resolution Attachments:
Initial Study and Negative Declaration