

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**RESOLUTION NO. R6V-2007-33  
WDID NO. 6B360303001**

**FOR**

**CERTIFYING A MITIGATED NEGATIVE DECLARATION  
FOR PACIFIC GAS AND ELECTRIC COMPANY  
DESERT VIEW DAIRY LAND TREATMENT UNIT EXTRACTION SYSTEM  
OPTIMIZATION PROJECT, HINKLEY**

San Bernardino County

WHEREAS, the California Regional Water Quality Control Board, Lahontan Region (hereinafter the Water Board) finds:


1. It is the responsibility of the Water Board to regulate the activities and factors which affect the quality of waters of the region, in order to achieve the highest water quality of waters of the region consistent with maximum benefit to the people of the state; and
2. California Water Code section 13260(a)(1) requires that any person discharging wastes, or proposing to discharge wastes other than into a community wastewater collection system, which could affect the quality of the waters of the State, shall file a Report of Waste Discharge (RWD) with the Regional Water Quality Control Board exercising jurisdiction in the area, and that Regional Board shall then prescribe requirements for the discharge or proposed discharge of wastes; and
3. The Pacific Gas and Electric Company (PG&E) (hereinafter Discharger) has filed a RWD and applied for Amended Waste Discharge Requirements to discharge extracted groundwater for treatment of pollutants to the Desert View Dairy Land Treatment Unit (DVD LTU) located on the Desert View Dairy (DVD); and
4. The Desert View Dairy Land Treatment Unit (DVD LTU) groundwater extraction system that is currently regulated under existing waste discharge requirements (Board Order Number R6V-2004-0034) is designed to provide containment of the northern portions of the Hinkley groundwater polluted with hexavalent chromium, Cr(VI), and total chromium, Cr(T), using four existing groundwater extraction wells on the Desert View Dairy (DVD); and
5. The Discharger has proposed to optimize the existing extraction system and enhance hydraulic control of the northwestern portion of the chromium plume by extracting from six additional extraction wells that are not located on the DVD; and
6. The LTU is an unlined, uncovered area for treatment of groundwater affected by Cr(VI). During treatment, the soluble, hexavalent form of chromium is converted to the insoluble, trivalent form within the shallow soil during subsurface drip irrigation that is applied to a variety of grasses at the LTU; and

7. A five-foot treatment zone has been established for the Facility as required by section 20250(b)(5) of Article 3, Title 27, California Code of Regulations; and
8. A water quality protection standard has been established for DVD LTU in waste discharge requirements as required by section 20390 of Article 1, Subchapter 3, Chapter 3, Title 27, California Code of Regulations (formerly Chapter 15); and
9. The Regional Board is the lead agency pursuant to section 15051 of the California Environmental Quality Act (CEQA) Guidelines; and has prepared an Initial Study/Checklist in accordance with section 15063 of the CEQA Guidelines; and
10. Mitigation measures have been incorporated into the Project that bring the level of all potential impacts to a level of insignificance; Water Board staff prepared a Mitigated Negative Declaration, pursuant to section 15070 et seq. of the CEQA Guidelines; and
11. Water Board staff circulated the draft Mitigated Negative Declaration for public review through the State Clearinghouse and through direct mailing to interested parties as required by Water Code section 13244; and made copies of these documents available at specified locations and on the Internet; and
12. The Water Board, in a public hearing, has reviewed and considered the Proposed Mitigated Negative Declaration and all comments received and responses thereto; and
13. The Mitigated Negative Declaration identifies potential impacts on air quality, hazardous materials, and water quality. PG&E has designed the project to incorporate mitigation measures into the project to mitigate the potential effects on air quality, hazardous materials, and water quality to reduce these impacts to less than significant levels; and
14. There is no substantial evidence in the record that the certification of the Mitigated Negative Declaration for the Optimization Project, as mitigated, will have any adverse impacts on the environment.
15. The Water Board has reviewed the Initial Study/Checklist and Mitigated Negative Declaration concerning this Resolution prepared by staff, in compliance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.). The Water Board concurs with the staff findings that a Negative Declaration should be certified.
16. The Water Board considered all testimony and evidence at a public hearing held on November 28, 2007, at Barstow, California and good cause was found to approve the Initial Study/Checklist and proposed Mitigated Negative Declaration. After consideration of the written and oral comments, and staff's professional review and advice, the Water Board finds that there is no evidence in the record to support a fair argument that there may be adverse environmental impacts resulting from the proposed discharge.

**THEREFORE BE IT RESOLVED:**

1. The draft Initial Study/Mitigated Negative Declaration and the responses to public comments constitute a complete and technically adequate environmental document in compliance with the California Environmental Quality Act;
2. The Water Board finds, on the basis of the initial study, Mitigated Negative Declaration, comments received and responses thereto that there is no substantial evidence that the project will have a significant effect on the environment;
3. The Mitigated Negative Declaration is hereby certified;
4. The Executive Officer is authorized to pay the California Department of Fish and Game filing fee (as required by Fish and Game Code section 711.4) and submit payment to the Resources Agency with the Notice of Determination;
5. A copy of this Resolution shall be forwarded to the State Water Resources Control Board and all interested parties;
6. The discharge of Cr(T), Cr(VI), N, and TDS into soil and groundwater shall conform with all requirements, conditions, and provisions set forth in the Discharge Prohibitions and Discharge Specifications of the Order No. R6V-2004-0034A1. Groundwater and air monitoring shall conform to Monitoring and Reporting Program No. R6V-2004-0034A1.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on November 28, 2007.

  
HAROLD J. SINGER  
EXECUTIVE OFFICER