

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512



STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

<b>In the Matter of:</b>	)	
<b>HIGH DESERT POWER PROJECT</b>	)	<b>Docket No. 97-AFC-1C</b>
	)	
<b>HIGH DESERT POWER PROJECT, LLC</b>	)	<b>Order No. 06-0719-2</b>
	)	<b>ORDER APPROVING</b> a Petition To Extend
	)	The Period To Inject Surface Water Into The
	)	Groundwater For A Backup Water Supply

High Desert Power Project, LLC, the owner/operator of the High Desert Power Project (HDPP), has requested to modify condition SOIL & WATER-4 of the Energy Commission Decision to extend the original 5-year requirement to inject a net 13,000 acre feet of surface water into the underground aquifer as a backup supply for project operations. The modifications will allow the project owner to complete its injection requirement in a realistic timeframe of 15 years of commercial operation while protecting water quality of the regional aquifer. The modifications will also result in installation of an ultraviolet treatment system to remove biological contaminants from the injected water stream, thus reducing the amount of chloramines to an insignificant level, and require installation of a reverse osmosis system to stay under the limit for total dissolved solids, if needed, to maintain the injection schedule.

#### STAFF RECOMMENDATION

Energy Commission staff reviewed the petition and finds that it complies with the requirements of Title 20, Section 1769(a) of the California Code of Regulations and recommends approval of High Desert Power Project, LLC's petition to modify HDPP Condition of Certification SOIL & WATER-4.

#### ENERGY COMMISSION FINDINGS

Based on staff's analysis, the Energy Commission concludes that the proposed changes will not result in any significant impact to public health and safety, or the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769(a) concerning post-certification project modifications;
- The modification would not change the findings in the Energy Commission's Final Decision pursuant to Title 20, section 1755;
- The project would remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;

- The change would be beneficial to the public and the project owner in that it would provide a realistic period of time to establish a backup water supply for project operations and protect groundwater quality; and
- The change is based on new information that was not available to the parties prior to Energy Commission certification. The new information indicates that the quality of SWP water has been significantly poorer than indicated by the information that was available during the certification process.

### **CONCLUSION AND ORDER**

The California Energy Commission hereby adopts Staff's recommendations and approves the following changes to Condition SOIL & WATER-4 of the HDPP Decision. New language is shown double-underlined, and deleted language is shown in ~~strikeout~~.

### **CONDITION(S) OF CERTIFICATION**

#### **SOIL&WATER-4 Injection Schedule:**

- a. The project owner shall inject one thousand (1000) acre-feet of SWP water within twelve (12) months of the commencement of the project's commercial operation.
- b. By the end of four years and two months from the start of commercial operation, the project owner shall install and begin operation of a pre-injection ultraviolet (UV) disinfection system.
- c. By the end of the fifth year of commercial operation, the project shall submit a report to the CPM demonstrating that HDPP has maintained an average THM concentration level consistent with the WDR permit requirements.
- d. The project shall install and implement a pre-injection reverse osmosis treatment system within one (1) year if any water banking milestone is not met, as defined in the following table.

**Table of Milestones for Calculated Water Bank Reserve (1)**

<u>Water Banking Year</u>	<u>Anniversary Date (2)</u>	<u>End of Year Milestones (3)</u>	<u>Contingency Plan: Criteria for Installation of Reverse Osmosis</u>
<u>8</u>	<u>April 21, 2011</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 2,500 ac-ft</u>
<u>9</u>	<u>April 21, 2012</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 5,400 ac-ft</u>
<u>10</u>	<u>April 21, 2013</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 8,300 ac-ft</u>
<u>11</u>	<u>April 21, 2014</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 9,200 ac-ft</u>
<u>12</u>	<u>April 21, 2015</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 10,100 ac-ft</u>
<u>13</u>	<u>April 21, 2016</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 11,000 ac-ft</u>
<u>14</u>	<u>April 21, 2017</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 12,000 ac-ft</u>
<u>15</u>	<u>April 21, 2018</u>	<u>Water Banking Goal</u>	<u>Calculated Water Bank Reserve ≤ 13,000 ac-ft</u>

- (1) Calculated Water Bank Reserve = Injection minus Extraction minus Dissipation. (Amount of water available to HDPP is equal to Injection minus Extraction minus Dissipation **minus** 1000 acre-feet, as defined in **SOIL&WATER-6.**)
- (2) Start of Commercial Operation: April 22, 2003.
- (3) Milestones are designed to determine if injection falls significantly behind schedule.

de. No later than ~~By~~ the end of the fifteenth (15) ~~fifth~~ year of commercial operation, the amount of water injected minus the amount of banked groundwater used for project operation, minus the amount of dissipated groundwater shall meet or exceed thirteen thousand (13,000) acre-feet.

ef. ~~After the requirement of section e. has been satisfied~~After the fifteenth (15) ~~fifth~~ year of commercial operation and until three (3) years prior to project closure, the project owner shall replace banked groundwater used for project operation as soon as SWP water is available for sale by MWA. The project owner may choose to delay replacement of a limited quantity of banked groundwater used for project operations during aqueduct outages until the cumulative amount of groundwater withdrawn from the bank reaches one thousand (1,000) acre-feet.

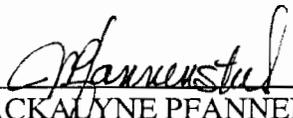
Once the limit of one thousand (1,000) acre-feet has been reached, the project owner shall replace banked groundwater used for project operation during aqueduct outages as soon as SWP water is available for sale by MWA.

**Verification:** The project owner shall submit an installation and operation report describing the pre-injection ultraviolet disinfection system (UV) by the end of the fourth year of commercial operation. The project owner shall submit a UV performance report by the fifth year of commercial operation. For other related items, See the verification to Condition 5. See also the verification to Condition 12.

**IT IS SO ORDERED.**

Date: July 19, 2006

STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

  
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JACKALYNE PFANNENSTIEL  
Chairman