



**California Energy Commission  
May 26, 2025, Business Meeting  
Backup Materials for Agenda Item No 6:  
Mojave Solar Project – Petition to Amend (09-AFC-05C)**

The following backup materials for the above-referenced agenda item are available as described below:

1. **Proposed Order**, attached below.
2. **Petition to Amend**, available at:  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=253750&DocumentContentId=89004>,  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=253751&DocumentContentId=89005>, and  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=253752&DocumentContentId=89006>.
3. **Staff Analysis** is available at:  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=269451&DocumentContentId=106542>.
4. **Errata Sheet #1**, is available at:  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=269965&DocumentContentId=107116>.

For the [complete record](#) for this item, please visit:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=09-AFC-05C>.

To stay informed about this project and receive documents as they are filed, please subscribe to the proceeding [Topic](#), which can be accessed here:

<https://www.energy.ca.gov/powerplant/solar-thermal/mojave-solar-project> under “Subscribe”. The Topic sends out email notifications and direct links when documents are filed in the proceeding docket.

# CALIFORNIA ENERGY COMMISSION

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## IN THE MATTER OF MOJAVE SOLAR PROJECT (09-AFC-05C)

### **PROPOSED** ORDER APPROVING POST CERTIFICATION CHANGE

ORDER NO: [YY-MMDD]-xx

#### **I. BACKGROUND**

On December 26, 2023, Mojave Solar LLC, the project owner of the Mojave Solar Project (MSP), filed a post certification petition ([TN 253750](#), [TN 253751](#), [TN 253752](#)) for Changes in Project Design, Operation, or Performance and Amendments to the California Energy Commission (CEC). The project owner is requesting to amend the 2010 Final Commission Decision (Decision) to construct two new permanent evaporation ponds, one at Alpha and one at Beta power blocks. This change will enhance water storage capacity and facilitate the maintenance of the four existing evaporation ponds. On September 25, 2024, the project's owner filed an addendum to the petition requesting to update the description of the project to a 275-megawatt (MW) plant to reflect an increase of 25 MW as a result of an amended Large Generator Interconnection Agreement (LGIA) that was approved by the California Independent System Operator (CalSO) and Southern California Edison (SCE) in 2015.

The Mojave Solar Project is a 250 MW solar electric generating facility located at 42134 Harper Lake Road in Hinkley, San Bernardino County. The project was certified by the CEC in September 2010 and began commercial operation in December 2014.

Based on a review of the petition and addendum, Staff proposes to modify the existing conditions of certification (COCs) and add a new COC, as follows:

- Modify COCs **BIO-1** (Designated Biologist), **BIO-13** (Burrowing Owl Impact Avoidance, Minimization and Mitigation Measures), and **BIO-19** (Evaporation Pond Monitoring and Adaptive Management Plan) for consistency with the California Endangered Species Act (CESA) for biological resources.
- Add a new COC **BIO-22** (Burrowing Owl Habitat) for consistency with the CESA for biological resources.

- Modify COCs **SOIL & WATER-2** (Waste Discharge Requirements) and **SOIL & WATER-8** (Wastewater Collection System Requirements) to ensure consistency with the Lahontan Regional Water Quality Control Board's (LRWQCB) Waste Discharge Requirements and to better monitor the water balance between water treatment plant intake and discharge to the evaporation ponds.
- Modify COC **WASTE-10** (Heat Transfer Fluid Contaminated Soil Testing) to ensure LRWQCB staff is included in the notification submittal for hazardous material reporting as well as any update to the applicable United States Environmental Protection Agency testing method 8270E.

The COC modifications and additions proposed by the CEC staff would allow the project to continue to operate in compliance with applicable laws, ordinances, regulations, and standards (LORS) and that there would continue to be a less than significant effect on the environment.

## **II. STAFF RECOMMENDATION**

Staff recommends the CEC approve the petition to amend including the new and modified COCs provided herein.

Staff has reviewed the petition for potential environmental effects and consistency with applicable LORS pursuant to California Code of Regulations, title 20, section 1769. Staff concludes that the addition of the new and amended conditions of certification will not result in significant effects on the environment. Staff also concludes that the project would continue to comply with all applicable LORS and that the findings specified in California Code of Regulations, title 20, section 1748(b), do not apply to the proposed changes. Staff also concludes that adding and modifying the COCs do not meet any of the criteria requiring the preparation of subsequent or supplemental environmental review pursuant to Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163. Staff's assessment of the petition was subject to a 30-day comment period.

## **III. ENERGY COMMISSION FINDINGS**

Based on the record, including staff's analysis, the CEC concludes that the proposed modified COCs and new COC will not result in any significant impacts to public health and safety, or to the environment. The CEC finds that:

- The petition meets all the filing criteria of California Code of Regulations, title 20, section 1769(a) concerning post-certification project changes;
- The modifications will not change the findings in the CEC's Final Decision, pursuant to California Code of Regulations, title 20, section 1748;
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code, section 25525;
- The proposed project change does not meet the criteria requiring the preparation of subsequent or supplemental environmental review pursuant to Public

Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163;

- Notice of the staff assessment was mailed to the CEC’s list of interested parties and property owners of all parcels within 500 feet of any affected project linears and 1,000 feet of the project site as well as emailed to the MSP subscription list; and
- The staff assessment was posted to the docket on April 9, 2026, and was subject to a 30-day comment period. The single comment received during the comment period is addressed in the errata adopted by the CEC.

#### **IV. CONCLUSION AND ORDER**

Based on the its independent review of staff’s analysis (TN 269451), the CEC hereby adopts the findings set forth herein and approves the petition to amend and the new and modified conditions of certification as set forth in the staff analysis, as amended by in accordance with the Errata Sheet #1 ([TN 269965](#)).

**IT IS SO ORDERED.**

**APPROVED AND ADOPTED** this 26th day of May 2026, by the following vote:

AYE:

NAY:

ABSENT:

ABSTAIN:

#### ***CERTIFICATION***

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on May 26, 2026.

Kim Todd  
Secretariat

## ERRATA SHEET #1

On May 8, 2026, Lahontan Regional Water Quality Control Board (LRWQCB) staff provided comments seeking minor editorial revisions ([TN 269908](#)) to conditions proposed within the Mojave Solar Project (09-AFC-05C) CEC Staff Analysis for the Petition to Amend the Final Commission Decision to Install Two New Evaporation Ponds, docketed on April 9, 2026.

The changes set forth below to the Staff Analysis ([TN 269451](#)) are necessary to clarify that the waste discharge requirements (WDRs) contain enforceable requirements that fully protect water quality and are consistent with laws, ordinances, regulations, and statutes (LORS). Incorporating explicit references to proper operation and maintenance, including adequate laboratory controls, quality assurance procedures, and the use of backup systems when needed, strengthens the license ability to ensure continuous compliance with the WDRs. Additionally, tying the WDRs directly to the definitions of nuisance, contamination, and pollution in Water Code section 13050 ensures consistency with LORS. Deleted text is shown in ~~striketrough~~ and new text is shown as **bold underline**.

Attachment B, section II.7, is revised as follows:

The Applicant must always properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used to achieve compliance with the WDRs. Proper operation and maintenance include adequate laboratory control, ~~where appropriate,~~ and appropriate quality-assurance procedures. This ~~provision~~ **obligation** requires the operation of backup or auxiliary facilities or similar systems ~~that are installed by the Applicant,~~ when necessary to achieve **maintain** compliance with the conditions of the WDRs. **All activities and waste discharges associated with the Facility must be conducted in a manner that does not cause, or threaten to cause, a nuisance, contamination or pollution as defined in Water Code section 13050.**