

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

**RESOLUTION NO. R6V-2007-0013  
WDID NO. 6B360105004**

**ADOPTING A SECOND ADDENDUM TO THE FUNCTIONAL EQUIVALENT OF AN  
ENVIRONMENTAL IMPACT REPORT CERTIFIED BY THE  
CALIFORNIA ENERGY COMMISSION**

FOR

**VICTOR VALLEY WATER DISTRICT AND  
HIGH DESERT POWER PROJECT LIMITED LIABILITY CORPORATION,  
HIGH DESERT POWER PLANT – GROUND WATER BANKING OPERATION**

San Bernardino County

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

1. The High Desert Power Project (HDPP) Limited Liability Corporation and Victor Valley Water District (VVWD) submitted a Report of Waste Discharge (RWD) for a project to operate a water treatment plant, water distribution system and a series of ground water injection/extraction wells for the High Desert Power Plant. The project injects treated State Water Project (SWP) water into the underground aquifer. In the RWD, HDPP and VVWD propose a revision of total dissolved solids (TDS) and trihalomethane (THM) discharge requirements.
2. Before taking action on the RWD the Water Board, as a Responsible Agency, must comply with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.).
3. The California Energy Commission (CEC), as the CEQA Lead Agency, circulated a Commission Decision (Docket No 97-AFC-1) for the project and certified it on May 3, 2000, which includes conditions regarding potential impacts to water quality. The CEC process is certified by the California Secretary for Resources as meeting the requirements of Public Resources Code section 21080.5 for environmental review and written documentation and is the functional equivalent of an Environmental Impact Report (EIR).
4. The RWD indicates that treated SWP water will be of lower quality than originally evaluated in the *“Revised Addendum to Functional Equivalent of an Environmental Impact Report Certified by the California Energy Commission”* (First Addendum), which was adopted by the Water Board in February 2002, due to the revision of TDS and THM discharge requirements. The CEC’s EIR and the First Addendum did not address the potential impacts to water quality resulting from the proposed changes in discharge requirements. Therefore, the Water Board prepared a second Addendum to the EIR called *“Second Addendum to Functional Equivalent of an*

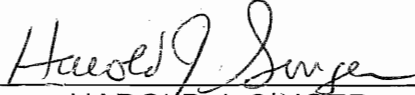
*Environmental Impact Report Certified by the California Energy Commission”*  
(Second Addendum).

5. California Code of Regulations, title 14, section 15164 describes when an Addendum to an EIR is appropriate to make minor changes in the EIR.
  - a. As described in the Second Addendum and in California Code of Regulations, title 14, section 15164, subdivision (a), none of the conditions described in California Code of Regulations, title 14, section 15162 that may require a subsequent EIR have occurred.
  - b. As described in the Second Addendum and in California Code of Regulations, title 14, section 15164, subdivision (b), there are only minor technical changes required to the original EIR certified by the CEC.
  - c. As described in the Second Addendum and in California Code of Regulations, title 14, section 15164, subdivision (c), the Second Addendum can be included in or considered attached to the final EIR certified by the CEC. It was circulated to the Water Board’s agenda mailing list for this item.
  - d. As described in California Code of Regulations, title 14, section 15164, subdivision (d), the Water Board considered the Second Addendum with the CEC’s final EIR.
  - e. As required in California Code of Regulations, title 14, section 15164, subdivision (e), the Second Addendum describes that the Water Board decided that a subsequent EIR was not necessary because impacts from the modified project are less than significant.

**THEREFORE BE IT RESOLVED:**

1. The Water Board, as a CEQA Responsible Agency, pursuant to California Code of Regulations, title 14, section 15164, circulated, considered and adopts the Second Addendum.
2. Pursuant to California Code of Regulations, title 14, sections 15094 and 15096, the Water Board’s Executive Officer is authorized to submit a Notice of Determination with the Office of Planning and Research indicating the Water Board has adopted this Second Addendum.

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 March 14, 2007.



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HAROLD J. SINGER  
EXECUTIVE OFFICER