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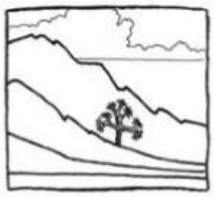
Please Select a No Project Alternative for Soda Mountain Solar

Additional submitted attachment is included below.



Basin and Range Watch

WESTERN WATERSHEDS PROJECT

August 30th, 2025

To: California Energy Commission, Soda Mountain Solar EIR

re: Comments on Notice of Preparation of a Draft Environmental Impact Report for the Soda Mountain Solar Project

Basin and Range Watch is a 501(c)(3) non-profit working to conserve the deserts of Nevada and California and to educate the public about the diversity of life, culture, and history of the ecosystems and wild lands of the desert.

Western Watersheds Project is a non-profit organization with more than 15,000 members and supporters. Our mission is to protect and restore western watersheds and wildlife through education, public policy initiatives, and legal advocacy.

The Soda Mountain Solar Project has a long history of failures and attempts to reinitiate the project. It has had previous owners and has been opposed universally by conservation organizations, recreational groups, San Bernardino County and even the Los Angeles Department of Water and Power (LADWP).

In 2016, LADWP refused to enter a power purchase agreement with Soda Mountain Solar over the impacts it would have had on the public lands in the California Desert.

In 2016, the San Bernardina County Board of Supervisors rejected the Soda Mountain Solar Project[1] over impacts to the Mojave National Preserve, water use, recreational access, wildlife impacts and visual impacts. A petition against the project with 2,500 signatures also convinced the county to reject the project.

[1] newssodamtn.pdf

Sadly, California took permitting power away from land-use planning authority, as it pertains to renewable energy projects, out of the hands of county officials across California which is why the California Energy Commission (CEC) is reviewing the latest version of the project. California did this against the will of the taxpayers. We are skeptical that the CEC would listen to popular opinions opposing this project which we find disturbing, but would like to request that you select a No Project Alternative anyway.

In reviewing the Docket Log on the CEC Soda Mountain page, we don't see any effective new mitigation that would justify the approval of this project.

Against the wishes of the public, the Bureau of Land Management approved the project in 2016 and were not willing to do a supplemental NEPA review, even though the project plans and components dramatically changed. BLM added BESS (Battery Energy Storage Systems). Battery energy storage creates an entirely new risk of fires and toxic contamination. There is also a high-speed rail planned for the center line that reconfigured the project. BLM's refusal to add an additional NEPA analysis over lithium battery storage is illegal and we have made a request to the current Interior Secretary that they be required to do so.

We have the following comments on resources that would be impacted by the project.

Lithium Battery Risks:

Lithium thermal runaway is an extremely dangerous situation and there are limited resources in the local area to control these fires. Lithium fires create toxic smoke which will require closing Interstate Highway 15 and local communities like Baker and Barstow will bear the burden and expense of controlling the fires. The fires cannot be controlled and often burn for days, even weeks. The batteries could easily malfunction and pollute the watershed. Malfunctioning lithium batteries can release cobalt, copper and nickel into local watersheds. In 2024, Highway 15 was closed for two days after a toxic lithium battery fire.

The CEC should review a No Lithium Battery Storage On Site alternative.

We remember very well when the I-15 was closed for two days due to a truck tipping over and causing a BESS Lithium fire which burned for 24 hours and apparently caused toxic fumes to be emitted. We remember when there were problems with drivers trapped on a remote desert stretch of highway in the middle of summer suffering from hear exposure and thirst, and lack of gasoline. We are thankful that no one died. It is unacceptable to continue plans for transporting Lithium battery units on these busy freeways without deep planning—not streamlining.

From PV Magazine: https://pv-magazine-usa.com/2024/08/01/battery-fire-shuts-down-california-highway/.

Visual Resources:

The SWCA Visual Technical Report is not adequate and undermines the full impacts.

Night lighting: *"Lighting would be provided at the Rasor Road site entrance, O&M building, substation, and switchyard. Exterior security lighting would be installed to provide safe access to project facilities as well as visual surveillance."*

The CEC should take night lighting impacts more seriously and require an alternative that has no lighting period. Many of the solar projects in Southern Nevada have done this.

The gen-tie line will fragment the visual landscape and add a 3-dimensional impact to the visual landscape.

Painting the battery storage banks brown will do little to hide the appearance because the ground must be fully bladed to prevent fuel for potential fires.

Project construction will produce extreme 3-dimensional dust plumes and due to the massive disturbance of the landscape, will continue to be an issue throughout most of the project life span. Construction will take about 2 years, that is two years of dust/visual impacts.

^Amargosa Valley, Nevada - This is a dust devil created by the construction of the Greenlink West Transmission Project in May of 2025. Huge visual disturbance.

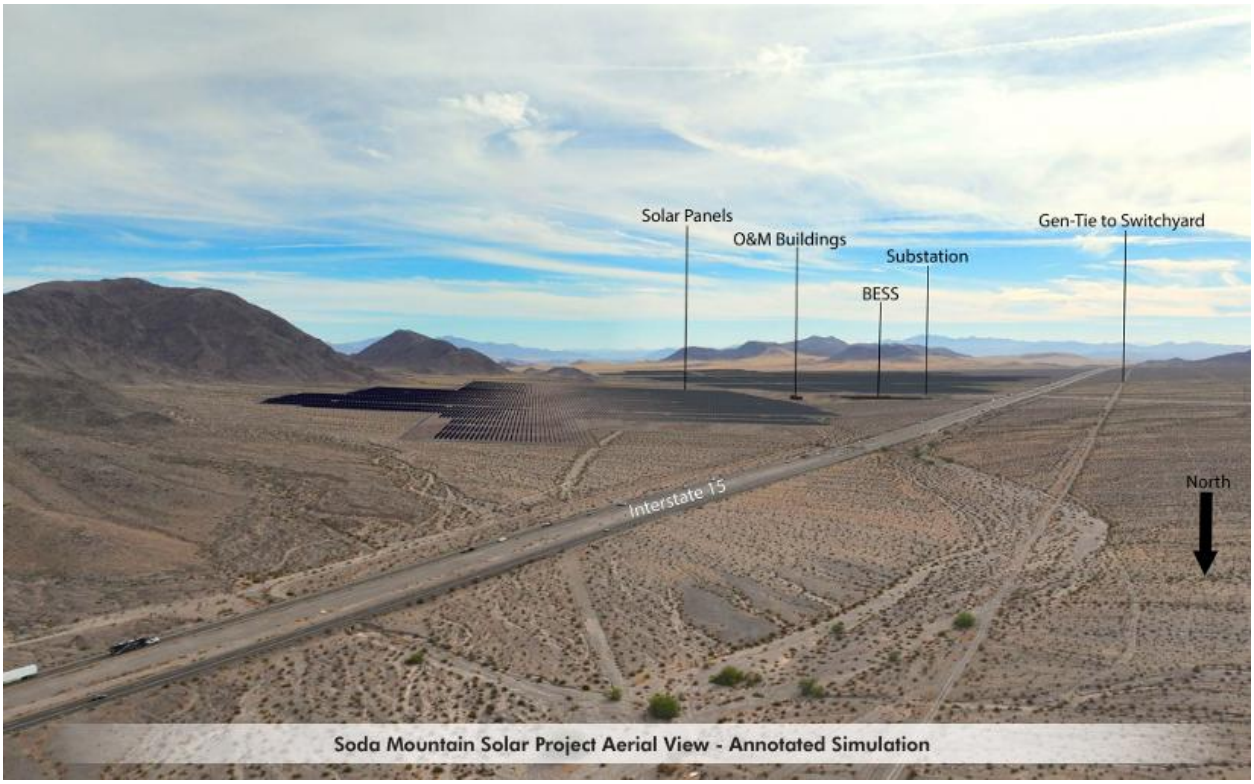
The Soda Mountain Project is a VRM Class IV project but the designation has been updated to include the standards of the Desert Renewable Energy Conservation Plan. This review could be paused until a plan amendment could be made to upgrade the VRM Class to VRM Class III. The objective of VRM Class III is to: *"Partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape."*[2]

The CEC could create an alternative that protects the Visual Landscape of the area by requesting that the Bureau of Land Management amend the Desert Renewable Energy Conservation Plan and upgrade the VRM Class of the area to VRM Class III.

The visual KOP simulations by SWCA are better than their past efforts for other projects but should also show simulations from higher elevations in the Mojave National Preserve. The

[2] Microsoft Word - VRM Process.doc

photo below shows the project footprint but does not show the full impacts and the panels are simulated fading away due to axis tracking. This would be a much stronger contrast and should be emphasized more. This simulation has been designed to undermine the full visual impact.



Biological Resources:

The project location is controversial because it lies next to the western boundary of Mojave National Preserve, a popular national park unit, and would have huge biodiversity impacts. A population of desert bighorn sheep (*Ovis canadensis nelsoni*) uses the area as a migration corridor, and Mojave fringe-toed lizards (*Uma scoparia*) also inhabit the sandy creosote habitats on the site. Mojave fringe-toed lizard populations have been significantly impacted by large-scale solar developments in Chuckwalla valley, Riverside County, CA, and the cumulative impacts of Soda Mountain Solar need to be analyzed.

A population of federally endangered and state endangered Mojave tui chub (*Siphaletes bicolor mohavensis*) inhabits a nearby artificial spring-fed lake at Zzyzx, which serves as a refuge population as the species' original habitat in the Mojave River has suffered degradation.

The project will also be using a very large amount of groundwater for dust mitigation during construction and additional water for panel cleaning during the project lifespan. The hydrology in the region is poorly understood. A solar project of this size traditionally uses 1,000 to 2,000 acre-feet of water during construction. One of the past solar developers for Soda Mountain, Bechtel, claimed they would use about 600 acre-feet, which is a large amount for such an arid region. The aquifer is poorly understood and the lack of higher mountains in the area indicate that there is little recharge from precipitation. Desert aquifers are delicate and in many ways irreplaceable. This water supplies the Soda Springs complex and if it is removed, the Mojave tui chub which is endangered could be threatened with potential decline.

Federally threatened Mojave desert tortoises (*Gopherus agassizii*) also inhabit these alluvial fans. Already in severe decline, habitat for this federally threatened species is being chopped up little by little each year. In 2024 the California Fish and Game Commission determined that the California population of the Mojave desert tortoise was warranted for uplisting from state threatened to state endangered under the California Endangered Species Act (see https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=232682&inline) a decision which should requite complete avoidance of its habitat here. Mojave desert tortoise is state endangered due to present or threatened modification or destruction of its habitat, according to the Commission.

We photographed this herd of desert bighorn sheep at springs and rush (*Juncus*) meadows next to Zzzyx, at the base of the Soda Mountains. This is very close to the proposed giant solar project, which is proposed just around the ridge to the west of this scene. See below:

We agree with Bighorn sheep biologist Clinton Epps from Oregon State University gave a public comment about his research into this bighorn population. He has been studying this syetm since 1999. Populations of desert bighorn are small, with probably not more than about 5,000 in California. Each mountain range in the desert has dozens to a few hundred bighorn at most.

Survival in this harsh environment depends on the ability to move either seasonally or permanently between mountain ranges: to seek forage and water sources or to disperse. Genetic diversity is maintained between populations north of I-15 and those to the south. Soda Mountain was colonized from the Cady Mountains, and a new wildlife overpass crossing is planned over I-15 in order to mitigate the planned high speed train track which will block all connectivity along the freeway. I-15 has certain wash undercrossings that sheep sometimes may use, but a train track would completely block these.

Epps is concerned that sheep would not have time to familiarize themselves with any new wildlife overcrossing if a vast solar project were constructed before the train corridor was built. Bighorn also occasionally use the desert flatlands to forage, where the solar project is proposed. This is all habitat.

The Old Spanish National Historic Trail:

The National Trails System (NTS) was created in law, by Congress, in 1968. National Trails System Act, Pub. L. No. 90-543. In 1978, Congress amended such law, and the National Trails System to include congressionally established National Historic Trails (NHTs). National Parks and Recreation Act of 1978.

The congressionally designated alignment of the Armijo Route of the Old Spanish National Historic Trail (OSNHT) is present just outside of the visual analysis area to the east and south of the project. The visual analysis determines the project will not be seen from the trail, yet the trail is only 3.4 miles from the project site.

The Interior Department (Bureau of Land Management/National Park Service) failed to implement a required Old Spanish National Historic Trail Comprehensive Management Strategy.

The Interior Department never established a required National Trails System Act Right of Way for the Old Spanish National Historic Trail.

Under FLPMA (43 U.S.C. §1732) lands must be managed in accordance with the mandates of the NTSA as such precedential laws dedicate said lands with limitations and allowances of greater specificity than the broad multiple use purposes of FLPMA.

The analysis of this project should be paused until a Comprehensive Management Plan can be established for the Old Spanish National Historic Trail.

Please keep us informed of all further substantive stages in this and related review processes and documents.

Sincerely,

Kevin Emmerich

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