

**DOCKETED**

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*Comment Received From: National Parks Conservation Association  
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## **Response to Applicant's Memo re Impacts to Bighorn Sheep**

*Additional submitted attachment is included below.*



December 2, 2025

California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

RE: MITIGATION MEASURES PACKAGE IN AIELLO & EPPS 2025 REPORT TO  
MITIGATE SODA MOUNTAIN SOLAR BELOW SIGNIFICANT ADVERSE IMPACT

Dear Commissioners and Staff:

The National Parks Conservation Association (NPCA) has worked for decades in the California desert to conserve desert bighorn sheep. We write with deep concern and urgency regarding the proposed Soda Mountain Solar Project because of the significant, disproportionate risks the project poses to bighorn sheep conservation.

NPCA has long opposed the concept of industrial solar development at this site. The Soda Mountain Solar Project was proposed in 2008, many years prior to “smart-from-the-start” DRECP renewable energy planning in the desert. The application for this zombie project is with its fourth project proponent, having now flipped three times. It is a poster child for an environmental disaster in the making, and its existence erodes public support for renewable energy development.

We have reviewed the recent research and analysis that was prepared for the National Park Service and submitted to the California Energy Commission (Aiello & Epps 2025 Report and Supplement<sup>1</sup>), and agree that the following **package of three mitigation measures** are necessary to reduce the proposed impacts to less than significant:

- 1) **First**, establish a 0.62 – 1.24-mile buffer as part of project design.
- 2) **Second**, delay construction until the completion of the already planned wildlife crossing structure and study is completed on how wildlife are using it.
- 3) **Third**, adjust project mitigations as necessary to reflect relevant new information based on use of wildlife crossing structure.

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<sup>1</sup> Aiello & Epps 2025 Report  
(<https://efiling.energy.ca.gov/GetDocument.aspx?tn=261255&DocumentContentId=97622>) and  
Supplement (<https://efiling.energy.ca.gov/GetDocument.aspx?tn=262621&DocumentContentId=99217>)

We have also reviewed the Project Proponent's Response<sup>2</sup> to the Commission's request for "any compelling biological data" to explain why the recommended 0.62 – 1.24-mile buffer is not necessary to reduce adverse impacts to below a level of significance. The Response states that no buffer is needed. We strongly disagree with this conclusion, as outlined below. While the Commission is likely familiar with why the Response fails to provide the requested "compelling biological data," we nevertheless write to discuss.

The Project Proponent's Response provides no new evidence or biological justification not already discussed and refuted in the previous Aiello and Epps 2025 Report and Supplement. In fact, the only new compelling biological data discussed in Response was a recently published study<sup>3</sup> on the indirect effects of industrial scale solar development on pronghorn antelope that supports the inclusion of buffer lengths recommended in Aiello and Epps 2025. The Project Proponent's primary justification for not needing a buffer is that other developments have been built near bighorn habitat, ignoring that the examples given were often sited further from bighorn habitat than the recommended buffers or that the ecological context was very different at example sites than at Soda Mountain. Each location and population should be expected to have unique circumstances and a one-mitigation-fits-all approach ignores the complicated nature of ecosystems and wildlife ecology. The ecological context at this site – as noted in this letter and affirmed by decades of research by federal and state agencies and universities – demonstrates the significant, disproportionately high risk to bighorn sheep conservation by this project if all 3 mitigation measures in the package are not adopted.

The Mojave National Preserve is a critical ecological anchor for the California Desert, connecting prized national park and Bureau of Land Management landscapes that stretch from Joshua Tree to Death Valley. This value has been recognized by Congress<sup>3</sup> (which established these protections) and the State of California.<sup>4</sup> Maintaining landscape level connectivity is the best defense against a rapidly changing climate and should be a top priority. Indeed, California has recently adopted The Room to Roam Act (A.B. 1889), which will soon require cities and counties in the state to adopt land-use plans that avoid impacts to wildlife connectivity.

The project is proposed adjacent to the South Soda Mountains and lies within direct proximity to a planned wildlife overpass across Interstate 15, a \$35 million effort to preserve and improve bighorn sheep movement between the Mojave National Preserve and northern populations. This overpass is the result of years of planning and state legislation (SB 145) supported by state agencies and a broad coalition.<sup>5</sup>

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<sup>2</sup> SWCA 2025 Technical Memorandum to Project Developer  
(<https://efiling.energy.ca.gov/GetDocument.aspx?tn=265084&DocumentContentId=101857>)

<sup>3</sup> Sawyer et al. 2025. Ungulate use before and after utility-scale solar development.  
(<https://doi.org/10.1002/2688-8319.70071>)

<sup>3</sup> See California Desert Protection Act of 1994 [Legislation](#) and [Letter](#) from US Senator Dianne Feinstein to San Bernardino County opposing Soda Mountain Solar

<sup>4</sup> See Legislative Findings of "The California Desert Conservation Act" [AB 1183 \(Ramos\)](#), signed into law in 2021

<sup>5</sup> See CA Assembly Natural Resources and Transportation Committee Chairs [Letter](#) to Legislators and [Letter](#) from US Senators Dianne Feinstein and Alex Padilla to Governor Newsom

The Aiello & Epps 2025 Report and Supplement represents the best available science, affirming that bighorn sheep use of the proposed project site and surrounding habitat serves to maintain key links between the South Soda, North Soda, and Cady Mountain ranges. The research referenced in this report, along with the newly published study by Sawyer *et al.* (2025), indicates that disturbance from industrial-scale development near occupied habitat—especially within a 0.62 – 1.24-mile range—can risk long-term avoidance, potentially rendering the wildlife overpass ineffective and severing region-wide genetic and demographic connectivity.

The proposed project site also overlaps with seasonal bighorn sheep forage habitat, which is particularly important in this resource-limited, low-elevation range, and is adjacent to an existing movement corridor between the Soda and Cady Mountains. The South Soda Mountains bighorn sheep population is already vulnerable due to its isolation, small size, and habitat constraints. Disruption of movement between the Soda and Cady ranges would reduce resilience and increase extinction risk—not only locally, but across the broader bighorn metapopulation. The presence of existing disturbance from OHV activity (which does not occur at equal intensity throughout the designated area or consistently throughout the year) should act as justification to *prevent*, not allow additional disturbance near this important population.

In addition to the buffer mitigation, the mitigation package calls for delay of construction in the area until the local population of bighorn sheep have habituated to using the new Soda Mountain wildlife overpass, ensuring development does not subvert a \$35 million publicly funded investment that is required by state law. Following habituation to the new wildlife crossings and assessment of the environmental setting, the final mitigation in the package calls for assessment of any potential additional mitigations needed.

Desert bighorn sheep are not only iconic to the Mojave, but their conservation influences the health of the wider desert ecosystem. With few large-bodied mammals in the region, their role is unique and valuable to the ecological community – including diverse human communities that live and recreate in California’s deserts.

The package of three mitigations described within the Aiello & Epps 2025 Report and Supplement reflects the best available science and is necessary to reduce adverse impacts to less than significant.

Sincerely,

A handwritten signature in cursive script that reads "Neal Desai".

Senior Pacific Regional Director  
National Parks Conservation Association