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January 30, 2026

Garrett Lehman
Director of Development
Coval Infrastructure
140 Broadway, 46th Floor
New York, NY 10005-1155

Determination of Complete Application for Prairie Song Reliability Project (25-OPT-02)

Dear Garrett Lehman:

In compliance with California Code of Regulations, title 20, section 1878(b), this letter is to notify you that the California Energy Commission (CEC) staff has completed its review of Prairie Song Reliability Project, LLC's most recent supplemental application filings, and all prior project application submittals pursuant to Public Resources Code, section 25545.4. **Based on this review, and in consideration of the totality of the record present in the project docket, the CEC staff has determined that the submitted application complies with Public Resources Code, section 25545.2, and therefore is complete. Notwithstanding this determination, staff requires responses to the attached requests for information by February 13, 2026, for staff to include in the staff assessment and to ensure no delay in the certification proceeding.**

Consistent with California Code of Regulations, title 20, section 1878(c), no later than 45 days after an application is deemed complete, please provide information updating or supplementing the information in the application to support the findings relative to community benefits agreements as required by Public Resources Code section 25545.10.

The fact that an application is deemed complete does not mean the proposed project will be approved, will be found to meet all the requirements of Public Resources Code, sections 25545 through 25545.13, or that the CEC staff's independent information gathering activities have ended.

Pursuant to Public Resources Code, section 25545.4(e), the CEC shall determine whether to approve or deny the proposed project within 270 days of this letter or as

soon as practicable thereafter. Pursuant to Public Resources Code, sections 25545.6 and 25545.7, CEC staff will review the application, consider other independently derived information, prepare a staff assessment that includes an environmental impact report, and prepare a recommendation on whether to approve or deny the proposed project for consideration at a business meeting.

CEC staff will continue to conduct independent analyses through consultation with experts in relevant fields and other public agencies, by consulting with California Native American tribes, and by seeking input from interested members of the public. CEC staff will also consider information filed in the docket and presented at noticed public events to ensure a thorough analysis and supported conclusions.

If you have any questions about this letter, please email the CEQA project manager, Lisa Worrall, at Lisa.Worrall@energy.ca.gov.

Sincerely,

Drew Bohan
Executive Director

Attachment: REV 2 Data Requests (Biological Resources and Public Health)

cc: Commissioner Noemi Gallardo
Dian Vorters, Deputy Director, Siting, Transmission, and Environmental Protection Division

REV 2 DATA REQUESTS

BIOLOGICAL RESOURCES

The applicant provided an Incidental Take Permit (ITP) application for Crotch's bumble bee as part of Data Request Response 3_Part 3 (TN 268042). However, the response to REV 1 DR BIO-2 in Data Request Response 3_Part 1 (TN 268043), states that "the application is submitted for review and processing only and submission should not be construed as acceptance of any future permit terms relating to potential take of the Crotch's bumble bee". Therefore, it is unclear if the applicant is seeking in-lieu take authorization for Crotch's bumble bee.

If the project is not seeking take authorization for the species, any project impacts would require full avoidance, and measures would need to be developed to ensure no take of Crotch's bumble bee individuals or nesting sites occur. If the project is seeking take authorization, avoidance and minimization measures would need to be developed such that impacts of the authorized take are fully mitigated pursuant to California Fish and Game Code subsection 2081(b)(2) and California Code of Regulations, title 14, subsection 783.4(a)(2).

The California Energy Commission (CEC) staff continue to recommend that the applicant seek incidental take authorization for Crotch's bumble bee under the CEC's in-lieu permitting authority to help prevent potential project delays associated with implementing full avoidance measures or pursuing a post-certification project change to obtain take authorization should the species be detected on the project site in the future.

The current analysis focuses heavily on project-level habitat loss and minimization/mitigation measures, but it does not provide the elements required for a thorough and detailed jeopardy analysis.

REV 2 DR BIO-1. Please confirm whether or not the project is seeking incidental take coverage for Crotch's bumble bee under the CEC's in-lieu permitting authority. If confirmed, please update the Incidental Take Permit application included as Attachment 5 (TN 268042) to include the following information required in California Code of Regulations, title 14, subsection 783.2(a)(1)(a)(10). Please provide clean and a redline strikeout version of the incidental take authorization application, including referenced documents, when resubmitting.

a. An analysis of known population trends that references severe, documented range-wide decline (67 to 98 percent depending on the source) and the loss from most of the historic Central Valley range with major contractions throughout California. Integrate this information to evaluate whether additional habitat loss that is small in acreage could contribute to jeopardy given an already highly imperiled baseline.

b. An analysis of how the project may affect core biological functions is not addressed. These would include colony establishment (March to May), worker foraging success (April to August), and specific nest site availability within the project area (e.g., subterranean burrows, grass tussocks, dead wood cavities). The jeopardy analysis should include an explicit discussion of how the project affects survival and reproduction, not just habitat area.

c. The jeopardy analysis should consider project impacts in the context of existing threats, such as habitat fragmentation and widespread loss, urbanization pressure, climate-driven heat and drought impacts, declining floral resources, and pesticide exposure. The current analysis is limited to invasive plants and temporary human presence.

d. Include a discussion of cumulative effects in the jeopardy analysis in consideration of other related and/or foreseeable regional projects, landscape-level habitat fragmentation, and broader trends that interact with the project's impacts. The current analysis is limited to isolating the project's footprint and lacks an evaluation whether the project adds to regional cumulative stressors (e.g., renewable energy build-out, development pressure in the Antelope Valley/Acton area).

e. Although the application includes acreage numbers, it lacks an analysis of habitat function and importance. This analysis should include a thorough discussion of the presence of floral resources within the project site, suitability for nesting within the project site, and seasonal resource availability. Acreage alone cannot clearly demonstrate whether the impact is truly "small" relative to population needs and current threats.

f. Currently, the analysis assumes mitigation would offset impacts to Crotch's bumble bee. Given the species' decline trajectory, mitigation must be tied to species viability and not simply acreage. Please describe how the mitigation will address any potential nesting sites encountered during the project and demonstrate how post-construction conditions will maintain or improve foraging and nesting resources.

g. The conclusion states that the project would not jeopardize the species but does not present the complete analysis required by CDFW regulations. A compliant determination must include: (1) a discussion on population trends; (2) a discussion of known threats; (3) an evaluation of cumulative impacts; and, (4) an explicit analysis of survival and reproduction. The conclusion should be based on these factors as they relate to the project and then the determination if jeopardy is or is not expected can be completed.

REV 2 DR BIO-2. Section 6.1 of the ITP Application suggests that compensatory mitigation for impacts to Crotch's bumble bee habitat may include on-site habitat

preservation, purchase of credits from an existing in-lieu fee program, and/or conservation/mitigation banks, and/or off-site habitat acquisition and preservation. CEC staff, in coordination with CDFW, are unaware of any currently established in-lieu fee programs or conservation/mitigation banks for Crotch's bumble bee. Please revise to only include on-site habitat preservation and/or off-site habitat acquisition and preservation.

The CEC staff, in coordination with CDFW staff, have determined that the onsite preservation lands as described in TN 268042 may provide mitigation under CESA for the Crotch's bumble bee pursuant to California Fish and Game Code subsection 2081(b)(2) and California Code of Regulations, title 14, subsection 783.4(a)(2) sufficient to meet the fully mitigate standard. Further, staff recommends that onsite compensatory lands be managed in perpetuity in such a manner that habitat uplift will benefit the species. Habitat uplift refers to the ability to restore sustainable ecological functionality from a less-than-optimal or desirable state on the property. This may be accomplished in a variety of ways; however, staff recommends the following actions, minimum. Bare areas within existing preservation lands should be restored with floristic resources appropriate to onsite growing conditions, and suitable for the species (such as those within the Asclepiadaceae, Asteraceae, Boraginaceae, Brassicaceae, Ericaceae, Fabaceae, Hydrophyllaceae, Lamiaceae, Orobanchaceae, Plumbaginaceae, Polygonaceae, Scrophulariaceae, and Solanaceae families), onsite patches of disturbed native vegetation communities should be restored, and weed management and removal of invasives should occur.

REV 2 DR BIO-3. On-site preservation lands, if proposed for Crotch's bumble bee mitigation, should be evaluated and described within the ITP Application. How will those lands specifically offset impacts? Please provide the following information:

a. How will the lands be managed in perpetuity? Please describe what specific management actions would be implemented, and how these might individually and cumulatively benefit the species, detailing in particular mechanisms to achieve habitat uplift and the perceived benefit to the species. Please add a discussion of weeding efforts. Please elaborate performance standards for weeding throughout the onsite preservation lands and for restoration activities (both in disturbed preservation lands habitat and on temporarily impacted areas).
b. Describe the funding required for ensuring onsite conserved lands are maintained in perpetuity for the species. Detail methodology in determining endowment level and how this would provide for changing conditions at the site in perpetuity. Describe how costs were estimated and how/if they were adjusted for inflation. Since the location and condition of the proposed preservation lands is known, please provide a description of anticipated funding generally per category of task to be completed, e.g., management, monitoring, and reporting. Discuss if and how CESA funding changes during construction to operation of the facility.

REV 2 DR BIO-4. Table 9 of the ITP Application provides impact acreages for potential permanent and temporary impacts to vegetation communities and land cover types in the study area. However, the table includes both gen-tie options combined, which would represent an overestimation of actual impacts depending on the route that would be ultimately selected. In order to calculate compensatory mitigation acreages, please provide a table that separates the acreages between the BESS site and each of the northern and southern gen-tie options independently.

The applicant provided impact acreages for potential permanent and temporary impacts to vegetation communities and land cover types in the study area as part of Data Request Response 3_Part 1, Appendix 3.2G (TN 268043). However, the data includes both gen-tie options combined, which would represent an overestimation of actual impacts depending on the route that would be ultimately selected. In order to clarify impacts and ensure consistency between reports, please separate the northern and southern gen-tie options and present the acreages independently.

REV 2 DR BIO-5. Please update: Section 3.2 Biological Resources, SEA Biota Report, Protected Tree Report, and the LSA, as needed, to be consistent with any changes to other reports that have been resubmitted, including responses to Land Use REV 2 Data Requests as provided in TN 268262. Please provide clean and a redline strikeout version of the reports, including referenced documents, when resubmitting. See also **REV 2 DR BIO-4**.

Staff reviewed the response to REV 1 DR BIO-4 (TN 268041; appendix 3.2k) and has the following question about the Lake and Streambed Alteration (LSA):

REV 2 DR BIO-6. Please confirm whether the dirt road improvements over the stream are not being culverted or changed outside of road prism.

Staff reviewed the response to REV1 DR BIO-5 (TN 268041) and has the following question:

REV 2 DR BIO-7. Figure 3 Mapbook – Jurisdictional Water Impacts shows the BESS project footprint and stream work at NWW-9; however, this figure does not appear to map all waters, and existing roads, specifically, adjacent to project work area (north of east end of BESS on page 43 of the pdf) out to 250 feet. Please map this area or explain why it is not necessary.

Staff reviewed the response to REV 1 DR BIO-9 (2) and has the following question:

REV 2 BIO-8. Please confirm that for the transmission pole sites 5 and 7 where there would be 90-degree pull angles, there is sufficient area to accommodate pulls within the gray shaded work area for the gen-tie as shown in Figure 2.A Conceptual Project Design- Project Components in Appendix D within Appendix 3.2G of the Updated Biota Report.

PUBLIC HEALTH

The Plume Analysis in Appendix 3.9B of the Data Request Response 1 Part 1 (TN 265874) assumes a total of only 50 cells would be affected during a potential BESS thermal runaway/fire event. However, a worst-case fire could involve a whole BESS unit. In addition, only propane, butane, and carbon monoxide impacts were modeled in the plume analysis. However, a review of the literature indicates that other toxic air contaminants (TACs), such as benzene, particulate matter (including ultrafine particulates), hydrogen chloride, hydrogen fluoride, and hydrogen cyanide, acrolein, formaldehyde, VOCs (toluene, etc.), sulfur dioxide, nitrogen dioxide, phosphoryl fluoride, carbonyl fluoride could also be released, even though they are not available from the cell/module level UL 9540A test report. Staff needs additional analysis of the worst-case impacts during a potential BESS thermal runaway/fire event.

REV 2 DR PH-1. Please provide an impact analysis of all the TACs mentioned above using available representative data from the literature review or measured from any BESS test. If the data come from a BESS test, please also provide the specific analytical method(s) for determining the presence of off-gassing constituents in the test, including sample collection methods, laboratory preparation methods, analytical methods, the MDL (method detection limit) or PQL (practical quantitation limit) or RL (reporting limit) for all measured constituents, and all QA/QC (quality assurance/quality control) data including results of a spiked sample.

REV 2 DR PH-2. Please identify the assumed worst-case scenario, including but not limited to the number of cells or modules involved, state of charge, burn duration, and emission factors. Please provide justification demonstrating that the assumptions are both representative and conservative to be protective of public health. Please compare the modeled TACs concentrations to appropriate health-based exposure thresholds and demonstrate whether the acute hazard Index (HI) of TACs would be higher than the significance threshold of 1.0 at sensitive receptors. Please demonstrate whether the criteria air pollutant impacts would cause or contribute to any exceedance of ambient air quality standards.

REV 2 DR PH-3. If the acute HI would exceed 1.0 or the criteria air pollutant impacts would cause or contribute to any exceedance of ambient air quality standards, please explain what mitigation measures are planned to be implemented to reduce the impacts to less than significant.