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**Soda Mountain Solar Project Staff AssessmentDraft EIR Comments
24-OPT-03**

Additional submitted attachment is included below.



**Western
Watersheds
Project**



Basin and Range Watch

Soda Mountain Solar Project
California Energy Commission
715 P Street, MS 40
Sacramento, CA 95814

Via email to docket@energy.ca.gov and efilings.

February 25, 2026

Re: Soda Mountain Solar Project Staff Assessment/Draft EIR Comments 24-OPT-03

Dear Commissioners,

Please accept our scoping comments by Western Watersheds Project and Basin and Range Watch on the proposed Soda Mountain Solar Project Staff Assessment and Draft Environmental Impact Report (EIR). Soda Mountain Solar Project is a utility-scale 300 megawatt (MW) photovoltaic solar plus battery storage that is proposed on 2,670 acres of high-value public land in San Bernardino County, California between Barstow and Baker, and next to Mojave National Preserve.

We support solar energy in the built environment, and urge utility-scale solar developers to site their projects on already degraded lands, brownfields, and as a last resort on living ecosystems and wildlife habitat. During the February 5, 2026, public meeting held by the California Energy Commission (CEC), the applicant seeking to build Soda Mountain Solar Project stated that they chose this project and its site because it is “prime for solar” next to an existing high-voltage powerline. This applicant showed no apparent concern for the high-value bighorn sheep habitat and connectivity corridor, state and federal Threatened and Endangered species in the area, relatively intact Mojave Desert ecosystems on public lands, nearness to a popular National Park unit, or local community concerns over Lithium battery fires.

We are repeating and re-emphasizing many of our older comments because the California Energy Commission persists in streamlining hearings, reviews, and signaling early on that any significant impacts will be over-ridden. This streamlining appears to be politically-motivated and not based on the best available science.

Western Watersheds Project is a non-profit organization with more than 50,000 members and supporters. Our mission is to protect and restore western watersheds and wildlife through education, public policy initiatives, and legal advocacy.

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.

Overriding Considerations Seem to be Locked In

During the February 5, 2026, California Energy Commission (CEC) meeting on the Soda Mountain Solar Project, Staff recommended that the Commission issue a Statement of Overriding Considerations—a rubber stamp that ignores significant and unmitigable impacts. Over the years we have watched CEC issue these overriding considerations numerous times, and the entire commenting process begins to seem like a waste of time for the public. Local experts, local governments, and communities are ignored, the science is bypassed, and developers apparently hold sway of the state agencies. When will the CEC ever say No to such a bad project as this?

Opt-In Certification is Illegal Under CEQA

Soda Mountain Solar Project is an Opt-In project according to the CEC, allowing that agency to bypass local laws to streamline renewable energy permitting. The CEC website explains the Op-In process as follows:

Prior to the June 30, 2022, signing of Assembly Bill (AB) 205, the CEC’s powerplant licensing jurisdiction was limited to thermal powerplants 50 megawatts (MW) or larger. To accelerate the state’s transition to renewable energy and to maintain electrical system reliability under this transition and during extreme climate-change-driven events, AB 205, as modified by AB 209 expands the types of facilities that can be certified by the CEC. This “Opt-in” certification process is available to solar photovoltaic and terrestrial wind energy powerplants of 50 MW or more, energy storage facilities of 200 megawatt-hours (MWh) or more, the electric transmission lines from these facilities to the first point of interconnection, and facilities that manufacture or assemble clean energy or storage technologies or their components with a capital investment of at least \$250 million. In addition, thermal powerplants of 50 MW or more that do not use fossil or nuclear fuels may choose the Opt-in process rather than the CEC’s Application for Certification process. AB 205 authorizes the CEC to accept applications for these facilities and provides a new, streamlined process for their review and a decision by the CEC. The CEC is the “lead agency” under the California Environmental Quality Act and is required to prepare an environmental impact report for any facility that elects to opt-in to the CEC’s jurisdiction. With exceptions, the issuance of a certificate by the CEC for an eligible facility is in lieu of any permit, certificate, or similar document required by any state, local, or regional agency, or federal agency to the extent permitted by federal law, and supersedes any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law. The

CEC's authority under the opt-in certification program does not supersede the authority of the California State Lands Commission to require leases and receive lease revenues, if applicable, or the authority of the California Coastal Commission, the San Francisco Bay Conservation and Development Commission, the State Water Resources Control Board or applicable regional water quality control board, or, in the case of manufacturing facilities, the applicable local air quality management district or the Department of Toxic Substances Control.¹ (*Emphasis ours.*)

This hoarding of power by the state should never have been allowed to pass the Assembly, as it raises questions of legality under the California Environmental Quality Act (CEQA) by sweeping away public input and participation. When the state illegally supersedes local and regional ordinances voted on by communities, significant impacts identified by local experts and citizens will go un-analyzed, un-avoided, and un-mitigated because despite any Staff Assessments the CEC is given a free pass by this new law to certify any project, no matter how impactful.

This represents a case study in yet one more roll-back of this landmark state law which has served to safeguard the environment, imperiled species and biodiversity, and local communities from corporate expansion.

Not Consistent with DRECP

Staff admits that the project is inconsistent with local plans for aesthetics and is not consistent with the Desert Renewable Energy Conservation Plan (DRECP) of 2016 in violating Visual Resource class management allowances. Visual Resources would be degraded with no possible mitigation. In addition, the solar application is not located in a Development Focus Area as delineated in the DRECP.

Not Consistent with the Western Solar Plan

The solar application is also not located within a designated Solar Energy Zone, as mapped in the Western Solar Plan.

Does not Conform with San Bernardino County Plan

The California Energy Commission was supposed to consider local community concerns over large power plants, but in the last several years we have seen solar projects streamlined and local concerns bypassed. In 2016, the San Bernardino County Board of Supervisors rejected the Soda Mountain Solar Project² 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. The CEC has apparently ignored this popular local outrage towards such a badly-sited industrial energy project.

¹ <https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv-battery-energy-storage/soda-mountain-solar-project>

² [newssodamtn.pdf](#)

Questions Surrounding Grid Connection

The CEC docket³ says the project would generate and deliver solar power to the regional electrical grid through an interconnection with the existing Marketplace-Adelanto 500-kilovolt (kV) transmission line operated by the Los Angeles Department of Water and Power.

Yet in 2015, Los Angeles Department of Water and Power refused to enter into a power purchase agreement with Soda Mountain Solar proponents over the impacts it would have had on the public lands and sensitive resources in the California Desert Conservation Area.⁴

Desert Bighorn Sheep

As numerous commenters, nonprofits, hunting organizations, scientists, and agency personnel have stated over many years, this is one of the worst places to site a large-scale solar energy project because it would block and degrade crucial connectivity for bighorn sheep.

The Soda Mountain Solar Project is adjacent to an essential bighorn herd in the Cady Mountains that uses the south Soda Mountains extensively. A movement corridor would be partly blocked by the solar project, which needs 8-foot-tall chain-link security fences surrounding the project and which excludes large wildlife, completely blocking any movement by bighorn.

The Soda Mountain Wildlife Crossing over I-15 has been in the works for years, and that project has become a necessity with the future Brightline West high-speed rail project in the planning stages to parallel the interstate highway, further blocking any remaining bighorn connectivity.

CalTrans on its website described the importance of the Soda Mountain Wildlife Crossing project well, a project supported by millions of dollars of California taxpayer's funds:

The need for the proposed project is based on desert bighorn sheep genetic and tracking data that demonstrates I-15 is a movement barrier for sheep that have historically traveled between the northern mountain ranges and southern mountain ranges. While there are several under-crossings (washes and large box culverts) present throughout the I-15, data shows desert bighorn sheep are less likely to move through these structures, unlike other medium and large mammals such as bobcats and mountain lions. Like other large mammals, desert bighorn sheep need large, connected habitats to breed and thrive. I-15 divides the previously connected ranges into isolated habitat fragments. This decreases desert bighorn sheep genetic diversity, increases inbreeding, and increases territorial disputes

³ <https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv-battery-energy-storage/soda-mountain-solar-project>

⁴ <https://renewablesnow.com/news/la-city-not-to-buy-power-from-358-mw-bechtel-pv-park-in-mojave-480337/>

amongst males. The fragmentation of habitat currently forces desert bighorn sheep to cross over I-15, increasing risk of vehicular crashes and desert bighorn sheep fatalities. From 2007 to 2020, at least 59 desert bighorn sheep were killed by vehicles in California. Dedicated wildlife crossings are needed to restore wildlife connectivity.⁵

CalTrans goes on to describe the project (one of three wildlife crossings along I-15) as a bridge with three-span cast-in-place/prestressed concrete box girder structures with openings for the existing northbound and southbound I-15 lanes and the future Brightline West rail in the median. The bridges are proposed to be 100 feet wide and 240 feet to 400 feet long. Railing and fencing will be installed at the edges of the bridges and chain link directional fencing will also be installed at various lengths along the access control line to direct wildlife to the crossings. The surface of the bridges will be composed of native materials to match the characteristics of the surrounding areas. The dedicated wildlife crossings will provide safe and sustainable passages for bighorn sheep and other wildlife across I-15 that restores bighorn sheep wildlife connectivity and allow for the safe movement of animals, and the exchange of genetic material. The project will assist in restoring and enhancing wildlife connectivity among meta-population fragments of bighorn sheep and facilitate crossing of the I-15 of other species.

Brightline on its website says that it has worked with Caltrans and California Department of Fish and Wildlife (CDFW) to develop a coordinated plan to fund, design, construct and maintain these wildlife overcrossings.⁶

CEC Staff admits that construction of the Soda Mountain Solar Project cannot be mitigated to have less than significant impacts to bighorn sheep here. The large-scale solar project would disrupt bighorn movement and use of important habitat, and has the potential to jeopardize the entire Soda Mountain desert bighorn herd.

Staff admits that construction and operation of this solar project would have significant and unavoidable impacts that cannot be fully mitigated. Staff recommended to the Commission an alternative that reduces impacts to bighorn by using a 0.25 mile buffer of the solar field from the connectivity corridor, and by relocating the Lithium Battery Energy Storage System away from this corridor (Alternative 2).

California Department of Fish and Wildlife has commented that they were the original lead agency under the California Environmental Policy Act (CEQA), and they found significant and unmitigable impacts to bighorn sheep in this area from the proposed solar project. The solar applicant then took advantage of the AB 205 Opt-In process where they could ditch CDFW as the lead agency under CEQA and switch to the California Energy Commission which was named under that state law to be able to streamline and circumvent laws and push projects forward.

CDFW found substantial impacts to streambed alteration and incidental take of species listed under the California Endangered Species Act. Mojave desert tortoise and

⁵ <https://dot.ca.gov/caltrans-near-me/district-8/district-8-current-projects/i-15-wildlife-crossings>

⁶ <https://www.gobrightline.com/press-room/2023/brightline-west-wildlife-overcrossings>

Western burrowing owl have impacts that need the best possible mitigation. Bighorn sheep are a fully protected species that may have impacts from the solar project that are not mitigable. The applicant chose to withdraw from the CEQA review where CDFW was the lead agency, and transfer to CEC as the lead agency, knowing that the recent change in state law would afford them an easier path for streamlined environmental review under the CEC. This apparently is resulting in the circumvention of bighorn sheep impacts.

Desert bighorn sheep need flatlands in addition to mountains as foraging areas and stepping-stones in providing connectivity. Bighorn will use areas of less than 10% slope in order to cross basins between mountain ranges. These flatlands are important bighorn habitat, just as much as steep mountain terrain is.

The Soda Mountain-Cady Mountain area bighorn sheep are one of the most important populations in the Mojave Desert, connecting Joshua Tree National Park populations with bighorn in Death Valley National Park.

Staff is not recommending the best science in their recommendations.

We photographed this herd of desert bighorn sheep at springs and rush (Juncus) meadows next to Zzyzx, 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.



Nelson desert bighorn herd at springs and marsh edge at Zzyzx. Photo: Laura Cunningham.

We agree with bighorn sheep biologist Clinton Epps from Oregon State University who gave public comments about his research into this bighorn population

numerous times in front of the agencies, including during the February 5, 2026, public meeting held by the CEC. He has been studying this system 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.

Epps has serious concerns with the latest iteration of this solar project in a key connectivity link that is critical for genetic diversity. The proposed 0.25-mile buffer is inadequate and based on very old recommendations. Since 2013, GPS-collared bighorn show that locations below 10% slope are still important to sheep populations as they use these areas for forage. A buffer needs to be at least 0.6 to 1.2 miles.

Epps recommended that the solar project be delayed until the wildlife crossing is built.

We support the public comment by wildlife biologist Christine Aiello, coauthor of the Wildlands Network connectivity study with the National Park Service pointing out that the Soda Mountain Wildlife Crossing is of the highest priority. A quarter-mile buffer is not large enough to reduce impacts of the solar project to bighorn to less than significant. The bighorn sheep need a stable, safe natural environment as part of their connectivity movements. Bighorn make behavioral decisions based on what they see at a distance.

We believe that the solar project would easily be visible from the wildlife crossing, and could scare off bighorn from using the overcrossing.

The CEC needs to follow the science and not dismiss the huge and very significant impacts of this large solar project next to a planned wildlife overcrossing. Approving the solar project could negate the wildlife crossing structure.

Mojave Desert Tortoise

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 a decision which should require complete avoidance of its habitat here⁷. Mojave desert tortoise is state endangered due to present or threatened modification or destruction of its habitat, according to the Fish and Game Commission.

Take under the California Endangered Species Act (CESA) is requested by the solar developer for Mojave desert tortoise, and staff recommends avoidance and mitigation measures.

The CEC is requiring compensatory mitigation, but already during the February 5, 2026, public meeting the solar applicant was stating that they were concerned that the mitigation ratios and acreages represented the “worst-case scenario”, and that they needed to do less because they were planning on using a “superior terrain-tracking solar system.” This would lessen grading, and permanent impacts would be reduced from 100 acres to 79 acres. The applicant told Staff that they would supply their “true” mitigated impacts for consideration. We have seen discussions of the shortage of private lands available for tortoise habitat compensatory mitigation, and this needs to be discussed transparently.

This all needs to be analyzed publicly in a Supplemental Staff Assessment so that everyone can better understand what the applicant is suggesting.

This is not a large reduction in impacts, as machinery and vehicles will still need to drive over the desert habitat for tortoises in order to construct the solar field. [use BLM Nevada classification system] CEC should maintain full mitigation ratios for such a sensitive landscape.

The applicant also stated that it would construct security fencing around its proposed energy project that would allow desert tortoise to re-enter the project. Has the CEC analyzed this? How much native desert vegetation will be left in the solar field after construction? Will disturbance of desert surfaces impact the quality of tortoise habitat over time? There are many unanswered questions to this snap proposal that need analysis.

Mojave Fringe-toed Lizards

Mojave fringe-toed lizard (*Uma scoparia*) populations have been significantly impacted by large-scale solar developments in Chuckwalla Valley, Riverside County, CA, and the cumulative impacts of the Soda Mountain Solar Project need to be analyzed. There may be cryptic species embedded in the populations across the Mojave and Colorado Deserts of California, and until further genetic sampling is undertaken these populations of potentially new taxa could be drastically impacted before they are even known to science.

Mojave Tui Chub

⁷ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=232682&inline>

A population of federally endangered and state endangered Mojave tui chub (*Siphates bicolor mohavensis*)⁸ inhabits a nearby artificial spring-fed lake at Zzyzx,⁹ which serves as a refuge population as the species' original habitat in the Mojave River has suffered degradation. Groundwater pumping at proposed on-site wells for dust suppression, or trucked local water could impact these springs.

Rare Plants and Plant Communities

Many rare and sensitive plant species may have been missed because these plants do not bloom every year. Rare plant communities could be degraded both directly by driving and construction, and indirectly through the spread of invasive weeds, dust impacting pollen production, and the heat island effect of large solar facilities on surrounding desert habitats. This needs more analysis.

Visual Resources

The Soda Mountain Solar Project violates local plans for aesthetics and has significant and unavoidable visual impacts under the DRECP. Staff determined that the large-scale industrial energy project cannot be camouflaged, screened, colored, and no set-backs can be employed to reduce the impacts to less than significant.

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 II. The objective of VRM Class II is to: *“To retain the existing character of the landscape. Allowed Level of Change: The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer.”*¹⁰

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 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.

Staff recommend Glint and Glare mitigation, but this is untested with the project next to the busy I-15 in an otherwise natural, remote desert landscape.

⁸ <https://www.fws.gov/project/creating-refuge-mohave-tui-chub#:~:text=The%20Mohave%20tui%20chub%20%28Siphates,native%20to%20the%20Mojave%20River.>

⁹ <https://www.nps.gov/moja/learn/nature/chubresearch.htm>

¹⁰ [Microsoft Word - VRM Process.doc](#)

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.

This alone should require the CEC to not certify this project in this location. The DRECP needs to be amended to downgrade the area from Class III to Class IV.

Lithium Battery Fire

300 MW of Battery Energy Storage System (BESS) Lithium battery storage is proposed with the solar project. The City of Baker fire and emergency response services is concerned during public comments over the lack of equipment to fight Lithium battery fires, which have been shown to burn hot for long times (days) with special measures needed to mediate these fires—simply dumping water on them will not work, or many tank-loads of water are needed over several hours. Eastern San Bernardino County is the largest county in the nation, and emergency services have hundreds of square miles to service, taking a long time to reach remote areas such as the Soda Mountain site. The project applicant seems to be pushing the bulk of responsibility on fires onto local communities instead of taking responsibility for proper and detailed response planning for dangerous technology which has a poor track record in hot deserts such as this low Mojave Desert basin.

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.

BESS runaway fires are not rare nor are they compartmentalized. These runaway fires have recently impacted major US highways, large numbers of travelers, impacted economies, and places people in life-threatening situations as local emergency services struggle to deal with these events.

We remember very well when the I-15 was closed for two days in 2024 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.¹¹ We remember when there were problems with drivers trapped on a remote desert stretch of highway in the middle of summer suffering from heat 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 rubber-stamping.

Lithium battery fires on highways are not uncommon now, as we also recall a September 2024 Lithium battery fire when two trucks crashed at night on US 95 in

¹¹ <https://pv-magazine-usa.com/2024/08/01/battery-fire-shuts-down-california-highway/>

Amargosa Valley north of Las Vegas, Nevada. The highway was closed to traffic in both directions while fire crews and hazardous materials crews put out the fire.



Remains of crashed and burned tractor trailer that was hauling Lithium-ion batteries on US 95 in Amargosa Valley, Nevada. Days later the fire was still smoking. Photo: Laura Cunningham.

Congresswoman Dina Titus released the following statement after the crash:

Today's accident and fire on U.S. 95 involving a truck carrying lithium-ion batteries underscores the urgency for Congress to act on the 'Thermal Runaway Reduction Act', legislation I introduced last week in response to a similar accident on Interstate 15 in July. Without better regulation of the transport of these batteries, it is only a matter of time before these accidents and resulting fires take human lives. Furthermore, the resulting road closures and the amount of water needed to extinguish these fires have significant impacts on resources in our region. Congress needs to act quickly to enact live-saving regulations.¹²

If Lithium-Iron-Phosphate batteries are used, how will these newer types of batteries react to onsite fires?

The CEC should review a No Lithium Battery Storage On-Site Alternative in a Supplemental Staff Assessment.

Groundwater and Surface Hydrology

¹² <https://www.8newsnow.com/news/local-news/fiery-semi-truck-crash-involving-lithium-batteries-closes-us-95-northwest-of-las-vegas/>

The project will 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 runoff or snowmelt. Desert aquifers are delicate and irreplaceable. This water supplies the Soda Springs complex and if it is removed, the Mojave tui chub which is endangered could decline in numbers.

The applicant at the February 5, 2026, CEC public meeting stated that they will consider reducing the grading and construction of stormwater control earthworks and features that are normally used to move flash flood runoff around solar fields. This project design modification needs to be analyzed in a Supplemental Staff Assessment so that the public can review and participate in commenting on these large changes.

Plus, we have observed that large flash flood events have damaged large-scale solar projects in operation in California and Nevada deserts, with damage to security fences, modification to surface hydrology, and other impacts that may allow tortoises to accidentally enter areas where they should be prohibited. This needs much better analysis and not streamlining.

Alternatives Will Not Alleviate These Problems

Staff described their “Environmentally Superior Alternative” that would reduce the project footprint and provide for a buffer between the solar project and the bighorn connectivity corridor. The BESS would be relocated away from this sensitive habitat in case of thermal runaway fires to reduce these impacts. But this would result in a longer gen-tie line to the onsite substation (which would further degrade Visual Resources).

But bighorn still use lands with less than 10% slope, so the buffer will not actually help bighorn habitat use.

Staff admitted that even this Alternative 2 would not avoid significant impacts, only lessen the impacts, and therefore Staff recommended that the Commission use a Statement of Overriding Considerations to force a certification for the project. This is unacceptable.

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 this law and the National Trails System to include congressionally established National Historic Trails (NHTs).

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) has for a long time failed to implement a required Old Spanish National Historic Trail Comprehensive Management Plan. The Interior Department never established a required National Trails System Act Right of Way for the Old Spanish National Historic Trail.

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

Conclusion

We strongly oppose this solar project, which has been reviewed with science and popular demand over and over again across many years and different companies, each time reaching the same conclusion: that this is the wrong site for such a large-scale industrial energy project.

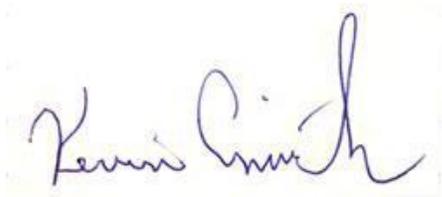
We will be attending the California Energy Commission April 27, 2026, Business Meeting where the Commission will decide whether this project should receive certification.

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

Sincerely,



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