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*Comment Received From: Christina Aiello
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Aiello & Epps Comments on Soda Mountain Solar Draft EIR

Additional submitted attachment is included below.

February 27, 2026

California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

RE: Soda Mountain Solar Project Staff Assessment SCH #2025080161

We would like to first thank the California Energy Commission (CEC) for seeking information on this project's potential impacts to one of the region's largest and most iconic species, desert bighorn sheep, and for taking the time to meet to discuss these issues in person. We disagree with the Staff Assessment that concludes the "Big Horn Sheep Buffer and Relocated BESS Alternative #2 would reduce the impacts to desert bighorn sheep to less than significant." Analyses we have conducted, including within a report commissioned by the National Park Service for this solar project that was submitted to the CEC in this process, and their conclusions demonstrate that the project, as proposed in Alternative #2, does not reduce environmental impacts to this species to less than significant.

We appreciate that CEC summarized several of the concerns and recommendations we provided in a submitted assessment of the project (Aiello & Epps 2025 Report and Supplement¹), but were surprised and are concerned that the CEC Staff Assessment (heretofore, the Assessment)² did not include an Alternative with the following mitigations package to address the significant impacts our research has identified:

- 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.

The Assessment didn't include any of the recommendations in any alternative. The Assessment provides no data and analysis to dismiss the analyses and associated conclusions and recommendations we have submitted to the CEC since the start of this process. The Assessment indicates the CEC recommends permitting the project if a 0.25-mile buffer from 10% sloped habitat is included, and consistently refers to habitat at and above 10% slope as important habitat

¹ 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>)

² Soda Mountain Solar Project Staff Assessment
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=268057&DocumentContentId=105070>

(pages 341 and 343) – stating that this threshold was defined by CDFW. In the public scoping meeting held on February 5, 2026, CDFW representative Brandy Wood corrected CEC’s reference to these recommendations as tied to a CDFW-published document— stating that the CDFW-led CEQA process was terminated before its completion and the in-progress environmental documents were not finalized nor published by CDFW for public review. Those documents include the Dudek Report, which itself acknowledges their reference to a 0.25mi buffer from the 10% slope is simply a restatement of a carryover CDFW statement originating in 2013, rather than based on any current research and analysis. There is nothing in the record from CDFW or the CEC that states the information we have provided does not represent the best available science, and there is nothing in the record to refute the expert analysis underpinning our 3-part mitigation package, which includes the 0.62 – 1.24-mile buffer. We also note that the CDFW stated that it has not determined what is the appropriate buffer to reduce the impacts to bighorn sheep to less than significant for the purposes of CEQA compliance, because that is CEC’s sole responsibility as a result of the applicant’s decision to opt-in to the AB 205 process. This also lends further weight and consideration on the importance of adopting the mitigation package we have submitted.

We understand and are sensitive to the fact that the CEC and Opt-In permitting process has a role to promote renewable energy as a means to reduce energy needs from sources that contribute to climate change. However, we strongly believe this goal should not compromise state wildlife and conservation goals. 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. 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.

The Aiello & Epps 2025 Report and Supplement represents the most up-to-date science with predictions tailored to local habitat preferences and considerations of visibility-driven influences on behavior. The research referenced in this report, along with the newly published study by Sawyer *et al.* (2025)³, 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

³ Sawyer, H., Smith, K.T., Robb, B.S. and Merkle, J.A., 2025. Ungulate use before and after utility-scale solar development. *Ecological Solutions and Evidence*, 6(3), p.e70071. <https://doi.org/10.1002/2688-8319.70071>

rendering the overpass ineffective at its goal of improving region-wide genetic and demographic connectivity.

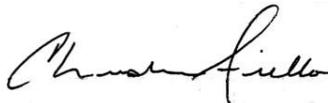
The South Soda Mountains population is already vulnerable due to its isolation, small size, and habitat constraints. Disruption of movement between the Soda and Cady ranges would reduce resilience and increase extinction risk—not only locally, but across the broader bighorn metapopulation.

In addition to a larger buffer mitigation, the construction of any project in the area should be delayed until the local population of bighorn sheep have habituated to using the new overcrossings and it is ensured that any development will not interfere with wildlife movements. Following habituation to the new wildlife crossings and assessment of the environmental setting, additional mitigations should be considered as needed.

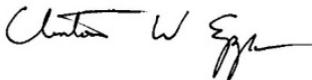
Desert bighorn sheep are not only iconic to the Mojave, but their conservation influences the health of the wider desert ecosystem. With few large-bodied mammals in the region, their role is unique and valuable to the ecological community – including diverse human communities that live and recreate in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

The package of three mitigations described within the Aiello & Epps 2025 Report reflects the best available science and is our recommended approach to reduce adverse impacts to less than significant – we respectfully urge you to adopt it.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Aiello".

Christina Aiello, PhD
Wildlife Biologist
Wildlands Network

A handwritten signature in black ink, appearing to read "Clinton W. Epps".

Clinton W. Epps, Ph.D.
Professor, Department of Fisheries, Wildlife, and Conservation Sciences
Oregon State University