

DOCKETED	
Docket Number:	24-OPT-03
Project Title:	Soda Mountain Solar
TN #:	268870
Document Title:	California Native Plant Society Comments - CNPS Comment - Soda Mountain Solar Project SA-DEIR
Description:	N/A
Filer:	System
Organization:	California Native Plant Society
Submitter Role:	Public
Submission Date:	2/27/2026 3:32:44 PM
Docketed Date:	2/27/2026

Comment Received From: California Native Plant Society
Submitted On: 2/27/2026
Docket Number: 24-OPT-03

CNPS Comment - Soda Mountain Solar Project SA-DEIR

February 27, 2026

California Energy Commission
Attn: Lisa Worrall, Project Manager
715 P Street
Sacramento, CA 95814

Submitted via email to: STEPsiting@energy.ca.gov, Chair.Hochschild@energy.ca.gov,
CommissionerGallardo@energy.ca.gov

Submitted via the web to: <https://efiling.energy.ca.gov/>

Re: California Native Plant Society Comments on Soda Mountain Solar Project Staff
Assesment/Draft Environmental Impact Report

Dear Ms. Worrall, Chair Hochschild, and Commissioner Gallardo:

Thank you for the opportunity to comment on the Soda Mountain Solar Project Staff Assessment (SA)/Draft Environmental Impact Report (DEIR). The following comments are submitted on behalf of the California Native Plant Society (CNPS), a non-profit environmental organization with over 13,000 members in 35 Chapters across California and Baja California, Mexico. CNPS's mission is to protect California's native plants and their natural habitats, today and into the future, through science, education, stewardship, gardening, and advocacy. We work closely with decision-makers, scientists, and local planners to advocate for well-informed policies, regulations, and land management practices.

Opposition to Project Siting

While our organization is in strong support of the development of renewable energy, where we place renewable energy projects and how we meet our energy needs are critical to the conservation of remaining intact habitats, preservation of biodiversity, and achieving California's 30x30 goals. The proposed Soda Mountain Solar Project is not compatible with these goals.

This project is not sited within a designated development focus area as designated by the Desert Renewable Energy Conservation Plan (DRECP), a plan that has provided access to huge swaths of lower conflict lands for solar development. Both the National Park Service and the California Department of Fish and Wildlife (CDFW) have cited concerns with the impacts to desert bighorn sheep, a CDFW fully protected species,



CALIFORNIA
NATIVE PLANT SOCIETY

2707 K Street, Suite 1, Sacramento, CA 95816-5130 (916) 447.2677 www.cnps.org

Protecting
California's native
flora since 1965

February 27, 2026

California Energy Commission
Attn: Lisa Worrall, Project Manager
715 P Street
Sacramento, CA 95814

Submitted via email to: STEPsiting@energy.ca.gov, Chair.Hochschild@energy.ca.gov,
CommissionerGallardo@energy.ca.gov

Submitted via the web to: <https://efiling.energy.ca.gov/>

**Re: California Native Plant Society Comments on Soda Mountain Solar Project Staff
Assesment/Draft Environmental Impact Report**

Dear Ms. Worrall, Chair Hochschild, and Commissioner Gallardo:

Thank you for the opportunity to comment on the Soda Mountain Solar Project Staff Assessment (SA)/Draft Environmental Impact Report (DEIR). The following comments are submitted on behalf of the California Native Plant Society (CNPS), a non-profit environmental organization with over 13,000 members in 35 Chapters across California and Baja California, Mexico. CNPS's mission is to protect California's native plants and their natural habitats, today and into the future, through science, education, stewardship, gardening, and advocacy. We work closely with decision-makers, scientists, and local planners to advocate for well-informed policies, regulations, and land management practices.

Opposition to Project Siting

While our organization is in strong support of the development of renewable energy, where we place renewable energy projects and how we meet our energy needs are critical to the conservation of remaining intact habitats, preservation of biodiversity, and achieving California's 30x30 goals. The proposed Soda Mountain Solar Project is not compatible with these goals.

This project is not sited within a designated development focus area as designated by the Desert Renewable Energy Conservation Plan (DRECP), a plan that has provided access to huge swaths of lower conflict lands for solar development. Both the National Park Service and the California Department of Fish and Wildlife (CDFW) have cited concerns with the impacts to desert bighorn sheep, a CDFW fully protected species, that would result from this development. The project would block access to the legislatively required, and taxpayer funded, wildlife crossing planned to improve habitat connectivity for desert bighorn sheep. This project is now being brought forward by its fourth owner after failing to advance under previous lead agencies.

SA/DEIR Comments

Project Alternatives

We would strongly encourage the CEC to disclose the alternative sites that were stated to be considered but dismissed, as is reported in the SA/DEIR. There are many areas within DRECP Development Focus Area that would be more suitable for large scale solar development than this site. An analysis of an alternative to repurpose the Ivanpah Solar Generation Site should also be considered. This information and additional alternatives analysis should be circulated for public review in a supplemental SA/DEIR prior to the development of the FSA/FEIR.

MM BIO-6

The development of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) should not be deferred until after project approval. There is sufficient information in the PSA/DEIR to guide the development of the BRMIMP as required by § 15126.4 (a)(1)(B) of CEQA which states that "mitigation measures shall not be deferred until some future time," unless "it is impractical or infeasible to include those details during the project's environmental review." Additionally, the BRMIMP must be fully enforceable through permit conditions, agreements, or other legally binding instruments as required by §15126.4(a)(2) of CEQA and must include explicit performance standards and monitoring requirements to define and evaluate when these standards are being met. Provisions to require adaptive management and additional monitoring in the event that standards are not being met should be incorporated into the BRMIMP. A supplemental SA/DEIR including the BRMIMP should be circulated for full public review and comment prior to the development of the FSA/FEIR.

MM BIO-7

This mitigation measure should indicate that avoidance of botanical resources should be prioritized over any form of compensatory mitigation.

MM BIO-8

The development of the Vegetation Management Plan (VMP) should not be deferred until after project approval. There is sufficient information in the SA/DEIR to guide the development of the VMP as required by § 15126.4 (a)(1)(B) of CEQA which states that "mitigation measures shall not be deferred until some future time," unless "it is impractical or infeasible to include those details during the project's environmental review." Additionally, the VMP must be fully enforceable through permit conditions, agreements, or other legally binding instruments as required by §15126.4(a)(2) of CEQA and must include explicit performance standards and monitoring requirements to define and evaluate when these standards are being met. Provisions to require adaptive management and additional monitoring in the event that standards are not being met should be incorporated into the VMP. The VMP should explicitly require the use of locally sourced and genetically appropriate seed or cuttings, preferably sourced from material within the project site. All mentions of the allowance for the Compliance Project Manager (CPM) to approve the use of material from other sources should be removed from this mitigation measure. MM BIO-8 should include language indicating that collecting seed or cutting material

to be bulked by the California Botanic Garden, or by another native plant nursery in coordination with the California Botanic Garden, may be needed to ensure the required quantities of suitable propagules or transplants. Salvaged topsoil should be stored in a manner to prevent contamination with non-native species and to be kept dry to prevent the germination of the seedbank contained prior to redistribution. A supplemental SA/DEIR including the VMP should be circulated for full public review and comment prior to the development of the FSA/FEIR.

MM BIO-9

The development of the Integrated Weed Management Plan (IWMP) should not be deferred until after project approval given the significant information regarding invasive species present on the project site and the potential for project activities to introduce invasive species and to facilitate the proliferation of invasive species, as required by § 15126.4 (a)(1)(B) of CEQA which states that "mitigation measures shall not be deferred until some future time," unless "it is impractical or infeasible to include those details during the project's environmental review." Additionally, the IWMP must be fully enforceable through permit conditions, agreements, or other legally binding instruments as required by §15126.4(a)(2) of CEQA and must include explicit performance standards and monitoring requirements to define and evaluate when these standards are being met. Provisions to require adaptive management and additional monitoring in the event that standards are not being met should be incorporated into the IWMP. A supplemental SA/DEIR including the IWMP should be circulated for full public review and comment prior to the development of the FSA/FEIR.

MM BIO-12

This mitigation measure should clearly define "feasible" regarding avoidance of special status plant species. The minor modification or reduction of the project footprint or placement of project facilities that would allow for the majority of project objectives to be achieved, or minor changes to the alignment of access routes, should be considered as feasible when considering the avoidance of sensitive resources. Avoidance of botanical resources should be prioritized over any form of compensatory mitigation. BIO-12 states that CRPR 1 or 2 ranked species would receive a 3:1 mitigation ratio and in the next line state that these species would receive a 2:1 mitigation ratio, this should be amended to clarify that the 3:1 mitigation ratio would apply to "any state or federally listed plants and CRPR 1 or 2 ranked species" and that a mitigation ratio of 2:1 would be applied to "CRPR 3 or 4 ranked species." The development of a relocation plan for special status plants should not be deferred until a point at which "salvage and relocation is not believed to be feasible for special status plants." This relocation plan should be developed in coordination with California Botanic Garden, BLM, or another qualified entity at the point that it is determined that the relocation of a special status species is deemed necessary and this plan should help to guide decisions whether the relocation of the species in question is feasible, or if the development of a propagation and reintroduction plan is necessary. The performance standards and term of mitigation are not clearly defined in this mitigation measure to a level to achieve enforceability as required by § 15126.4 (a)(2) of CEQA. This mitigation measures must include explicit performance standards, as well as a mechanism to ensure that these standards are achieved, and contingencies for additional mitigation and adaptive management.

MM BIO-13

The Vegetation Resources Management Plan (VRMP) should be developed and circulated in a revised Staff Assessment (DEIR) for public review prior to project approval. The VRMP is essential to the success of mitigation measures BIO-13. Given that there is sufficient information regarding the anticipated impacts of the project to develop the VRMP the deferral of developing this plan is in violation of section 15126.4 (a)(1)(b) of CEQA which only allows for specific details to “be developed after project approval when it is impractical or infeasible to include those details during the project’s environmental review.” This mitigation measure should prioritize the avoidance of botanical resources over any form of compensatory mitigation. These measures also lack the required enforceability required in section 15126 (a)(2) of CEQA. This mitigation measures must include a fully developed VRMP as well as explicit performance standards and a full description of mechanisms to ensure that these standards are achieved, contingencies for additional mitigation and adaptive management, and a guarantee for the funding of mitigation, monitoring, and enforcement. A supplemental SA/DEIR including the VRMP should be circulated for full public review and comment prior to the development of the FSA/FEIR.

Maintenance and Monitoring

We strongly recommend the following requirements regarding the development of mitigation measures, the term of mitigation, and the ongoing monitoring of performance standards throughout the life of the project be incorporated into MM BIO-6, MM BIO-8, MM BIO-9, MM BIO-12 and BIO-13:

- Avoidance of impacts to special status species and sensitive vegetation communities should be prioritized over any form of restoration or compensatory mitigation.
- Species-specific restoration plans should be developed for all special status plants with the potential to be impacted, including detailed criteria for determining the success of restoration or compensatory mitigation.
- Restoration plans should be developed for all sensitive plant communities with the potential to be impacted, including detailed criteria for determining the success of restoration or compensatory mitigation.
- Areas identified as potential recipient sites must be surveyed following CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (Protocols) to ensure that compensatory mitigation sites would be suitable for target species or vegetation communities and that mitigation efforts would not cause harmful impacts to existing botanical resources. Low conflict areas that have been degraded by previous land uses should be prioritized for restoration, leaving intact natural habitat undisturbed by restoration efforts.
- While onsite mitigation is preferred, if contiguous acreage to achieve mitigation needs is not present on the project site restoration activities may be implemented offsite.
- Maintenance and monitoring of compensatory mitigation and restoration sites should occur each year for the first five years of the mitigation term. After five years of maintenance, yearly monitoring of the site should demonstrate a self-sustaining area of occupation and population numbers with no management actions for years 6-8.
- If monitoring shows stable populations after three years (following the initial 5-year period of annual monitoring) with no maintenance, the populations should be monitored

every two years throughout the life of the project.

- If the populations do not demonstrate stability/adherence to species specific success criteria after the initial five year maintenance and monitoring period, after three years without maintenance, or if subsequent monitoring shows loss or decline of populations, as determined by the required mitigation ratio and/or performance standards for compensatory mitigation and/or restoration, then yearly maintenance and monitoring shall be resumed for a five year period, again requiring that yearly monitoring show self-sustaining populations for three years post maintenance before returning to a two year monitoring cycle.

In conclusion, please develop a supplemental SA/DEIR to address the siting issues outlined above and to incorporate the listed recommendations to improve the mitigation measures for botanical resources. Thank you for the opportunity to comment on this project and please contact me if you have any questions.

Sincerely,

Brendan Wilce
Conservation Program Coordinator
California Native Plant Society
bwilce@cnps.org