

DOCKETED

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CALIFORNIA ENERGY COMMISSION

In the Matter of 2025 Energy Code Community Solar Applications, 25-BSTD-05

**ORDER APPROVING PLUMAS-SIERRA RURAL ELECTRIC COOPERATIVE
(PSREC) T24 COMMUNITY SHARED SOLAR PROGRAM**

ORDER NO: 26-0427-03a

I. BACKGROUND

The 2025 California Energy Code (California Code of Regulations, Title 24, Part 6 and associated administrative regulations in Part 1), allows participation in a community shared solar electric generation (“community shared solar”) system, other community shared renewable system, community shared battery energy storage system (BESS), or combination of the aforementioned approved by the California Energy Commission (CEC) to partially or totally substitute on-site solar electric generation system, BESS installation, or both to comply with requirements specified in Sections 140.0(c), 150.1(a)3, or 170.0(a)3. Any entity may apply to the CEC for approval to administer a community shared solar program that meets the requirements in Section 10-115 of the 2025 Energy Code. The application must demonstrate to the CEC’s satisfaction compliance with each of the requirements specified in Section 10-115 and include detailed explanations of the actions that will be taken to meet those requirements for the time specified. All applicants have the burden of proof to establish that their application should be granted.

This Order considers the application submitted on December 11, 2025 by Plumas-Sierra Rural Electric Cooperative (PSREC) to administer a community shared solar program for newly constructed participating single-family residential buildings in PSREC’s service territory. The application details how the PSREC T24 Community-Shared Solar Program would comply with the Section 10-115 requirements in the 2025 Energy Code.

The PSREC was founded in 1937 to bring power to the Plumas, Lassen, and Sierra Counties. PSREC’s application asserts that it is a consumer-owned, not-for-profit electric utility, which serves more than 6,700 members in Northeastern California in Climate Zone 16 and a small portion of Washoe County in Nevada. Most of the cooperative’s members are households in single-family residential buildings. PSREC stated in its application that new residential construction in PSREC’s territory is minimal, with fewer than 25 newly constructed residential service locations each year. Multifamily building construction is virtually nonexistent.

Over several years, the PSREC planned and developed a 2.5-megawatt (MW) solar installation at the Sierra Army Depot (SiAD), one of the PSREC's four commercial members. The SiAD resource came on-line in 2018 and is wholly owned by the PSREC to fulfill several purposes. The resource serves as a mutually beneficial project for both PSREC and SiAD. In 2017, the PSREC's Board of Directors committed 10 percent of the output (250 kilowatts [kW]) from the SiAD resource to PSREC members participating in its community solar programs. Fifty percent (125 kW) would be dedicated to PSREC's non-T24 Community Solar Program for existing customers, and 50 percent to PSREC's T24 Community-Shared Solar Program for future members to demonstrate compliance with the Energy Code.

Staff reviewed PSREC's application to administer its T24 Community Shared Solar Program, which documents how the PSREC will meet each of the following 2025 Energy Code Section 10-115 requirements, and detailed their findings in the staff report titled "Staff Review of the Plumas-Sierra Rural Electric Cooperative Community Shared Solar Electric Generation System Program Application". Staff made the draft staff report available for public review from March 4, 2026, through April 1, 2026. No written comments were received. The final staff report was published without any change on April 2, 2026. Staff finds, based upon their own analysis, that the application provided includes detailed explanations of the actions that PSREC will take or has taken to meet the requirements in each of the required subsections of Section 10-115 (CCR Title 24, Part 1). Further, staff notes that the application was presented and approved at the December 5, 2025, Meeting of the PSREC Board of Directors. Based on the PSREC commitments in the application, staff is satisfied that PSREC's application demonstrates compliance with the 2025 Energy Code Section 10-115 requirements.

II. STAFF RECOMMENDATION

Staff recommends approval of PSREC's application to serve as administrator of the community shared solar program, named the "T24 Community Shared Solar Program", for the 2025 Energy Code cycle based on staff's satisfaction that PSREC's application demonstrates compliance with all Section 10-115 requirements. The approval date will determine the annual reporting date in accordance with Section 10-115(a)8A, which will allow the CEC to evaluate PSREC's compliance as outlined in Section 10-115 on an ongoing basis for the time specified by the requirements.

III. CALIFORNIA ENERGY COMMISSION FINDINGS

Based on the entirety of the record, the CEC finds that:

1. On December 11, 2025, PSREC submitted an application to the CEC under Section 10-115 of the 2025 Energy Code to administer a community shared solar program for newly constructed participating single-family residential buildings in PSREC's service territory.
2. Staff evaluated PSREC's application and accompanying documentation, which details how the PSREC T24 Community-Shared Solar Program would comply with the Section 10-115 requirements in the 2025 Energy Code. Staff provided their findings and recommendation for approval in the draft staff

report titled "Staff Review of the Plumas-Sierra Rural Electric Cooperative Community Shared Solar Electric Generation System Program Application" available at

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=268933&DocumentContentId=106126>.

On March 4, 2026, the CEC provided a copy of PSREC's application materials and the draft staff report to interested persons for an opportunity for public comment which ended on April 1, 2026 without comments. The public notice was posted to Docket Number 25-BSTD-05 available at

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=268934&DocumentContentId=106127>.

3. On April 2, 2026, the CEC provided the finalized version of the staff report titled "Staff Review of the Plumas-Sierra Rural Electric Cooperative Community Shared Solar Electric Generation System Program Application" available at <https://efiling.energy.ca.gov/GetDocument.aspx?tn=269398&DocumentContentId=106488>.
4. Following the public comment period, staff evaluated PSREC's application, and supporting documentation. Staff finds to its satisfaction, based upon their own analysis, that the application provided includes detailed explanations of the actions that PSREC will take or has taken to meet the requirements in each of the subsections of Section 10-115.
5. Staff recommends that the CEC approve PSREC's application to administer a T24 Community Shared Solar Program for newly constructed participating single-family residential buildings in PSREC's service territory.
6. Staff has considered the application of the California Environmental Quality Act (CEQA) to the approval of PSREC's community shared solar program application to administer the T24 Community-Shared Solar Program and conclude that the action is not a project, as defined, under CEQA or, in the alternative, if it is a project, it is exempt from CEQA pursuant to the common-sense exemption and recommends the CEC confirm this determination.

IV. CONCLUSION AND ORDER

The CEC has considered the application materials, staff's analysis, all written comments submitted, oral comments made at today's business meeting, and CEC staff's responses to all comments on this matter. Therefore, the CEC concludes the following in accordance with Section 10-115 of the 2025 Energy Code:

- 1) The application submitted by PSREC demonstrates to the CEC's satisfaction that each of the requirements specified in Section 10-115(a) will be met and include detailed explanation of the actions that will be taken by the PSREC to ensure that each requirement is met over the period of time specified in Section 10-115 for each building for which a partial or total offset is used to demonstrate compliance.

2) That PSREC is approved as Administrator of the T24 Community Shared Solar Program and builders within the scope of the Program may use participation to comply with Section 150.1(a)3 of the 2025 Energy Code.

3) Approval of this application is not a project, as defined, subject to the California Environmental Quality Act (CEQA) and, alternatively, if it is a project, it is exempt pursuant to the common-sense exemption under Section 15061(b)(3) of the CEQA Guidelines.

V. IT IS SO ORDERED.

APPROVED AND ADOPTED this 27th day of April 2026, by the following vote:

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: None

ABSENT: Skinner

ABSTAIN: None

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on April 27, 2026.

A handwritten signature in cursive script that reads "Kim Todd".

Kim Todd
Secretariat



CALIFORNIA ENERGY COMMISSION
RESOLUTION:
LOCAL ORDINANCES FOR THE CITY OF MENLO PARK
RESOLUTION NO: 26-0427-03b

WHEREAS, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff California Environmental Quality Act (CEQA) findings contained in the CEQA analysis (attached below); and

WHEREAS, The City of Menlo Park adopted Ordinance No. 1127, which establishes certain locally adopted building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402(a) and (b) establishes that the CEC shall prescribe, by regulation, statewide building energy efficiency and conservation standards; and

WHEREAS, Public Resources Code section 25402.1(h)(2) provides that nothing in Public Resources Code section 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code section 25402(a) and (b); and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code section 25402.1(h)(2); and

WHEREAS, The City of Menlo Park submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1127 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 1127 will require the diminution of energy consumption levels compared to the 2025 Building Energy Efficiency Standards (Energy Code), as required by California Code of Regulations, Title 24, Part 1, section 10-106, on November 20, 2025; and

WHEREAS, The City of Menlo Park adopted a determination at a public meeting on November 4, 2025, that the locally adopted energy efficiency standards contained in Ordinance No. 1127 are cost-effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 1127 will require the diminution of energy

consumption levels compared to the 2025 Energy Code, and determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency’s application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

WHEREAS, The City of Menlo Park, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, section 10-106(b)(4); and

WHEREAS, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to approval of the City of Menlo Park’s application to enforce its local energy efficiency ordinance and finds that the approval does not meet the definition of a “project” under Cal. Code Regs., Title 14, section 15378(a), because the approval has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Even if the approval was to be considered a project, the project would either be an exempt ministerial project under the California Code of Regulations, Title 14, section 15286, as the required CEC findings for approval are non-discretionary, or fall under the “common sense exemption” in California Code of Regulations, Title 14, section 15061(b)(3) because it can be seen with certainty that there is no possibility the approval of the City of Menlo Park’s application would have a significant effect on the environment; and

WHEREAS, The locally adopted energy efficiency and conservation standards application filed by the City of Menlo Park satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to CEQA:

The CEC has considered the application of CEQA to the resolution and concluded that, on the basis of the entire record before it, the CEC hereby adopts staff’s finding that the approval of the City of Menlo Park’s application to enforce its local energy efficiency ordinance is not subject to CEQA because the approval is ministerial and does not meet the definition of a “project” as it is not an activity that has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Even if it was a project, it is exempt from CEQA pursuant to the “common sense exemption” (Cal. Code Regs., tit 14, 15061(b)(3)) because it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment; and

THEREFORE, BE IT RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of Menlo Park has filed the basis

of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1127 are cost-effective, and (2) Ordinance No. 1127 will require the diminution of energy consumption levels compared to the 2025 Energy Code; and

THEREFORE, BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

APPROVED AND ADOPTED this 27th day of April 2026, by the following vote:

AYE: Hochschild, Gunda, McAllister, Gallardo
NAY: None
ABSENT: Skinner
ABSTAIN: None

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on April 27, 2026.



Kim Todd
Secretariat



CALIFORNIA ENERGY COMMISSION

**RESOLUTION: ADOPTING THE DEMAND SIDE GRID SUPPORT PROGRAM
GUIDELINES, FIFTH EDITION (22-RENEW-01)**

RESOLUTION NO: 26-0427-05

WHEREAS, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff California Environmental Quality Act (CEQA) findings that these Guidelines are exempt from CEQA under California Code of Regulations, Title 14, Sections 15307, 15308, and 15061(b)(3); and

WHEREAS, the Demand Side Grid Support Program Guidelines, Fifth Edition, clarify program requirements and incorporate lessons learned for the 2026 season, while aligning the program with the estimated funding level projected to be available after the 2025 compensation payout; and

WHEREAS, Assembly Bill (AB) 205 (Ting, Statutes of 2022, Chapter 61), added, among other statutes, Public Resources Code section 25792, which directs the California Energy Commission (CEC) to implement and administer the Demand Side Grid Support (DSGS) program to incentivize dispatchable customer load reduction and backup generation operation as on-call emergency supply and load reduction for the state's electrical grid during extreme events using moneys appropriated therefor; and

WHEREAS, AB 205, as amended by AB 107 (Gabriel, Statutes of 2024, Chapter 22), AB 102 (Ting, Statutes of 2023, Chapter 38), as amended by Senate Bill (SB) 109 (Wiener, Statutes of 2024, Chapter 36) and SB 101 (Wiener, Statutes of 2025, Chapter 4), and SB 108 (Wiener, Statutes of 2024, Chapter 35), as amended by AB 157 (Gabriel, Statutes 2024, Chapter 994), appropriated an overall program budget of \$109.5 million for the DSGS program to provide incentives and to be used for associated mitigation costs; and

WHEREAS, Public Resources Code section 25792, section 18 of AB 205, section 11 of SB 109, and section 15.14(e) of AB 107 provide that the CEC shall develop and adopt regulations, guidelines, or other standards for the program in consultation with California balancing authorities and the California Air Resource Board (CARB) and that the Administrative Procedure Act (commencing with Government Code section 11340) does not apply to regulations, guidelines, or other standards for the program adopted at a CEC business meeting; and

WHEREAS, the CEC has consulted with the Public Utilities Commission, California balancing authorities, and CARB in developing these guidelines; and

WHEREAS, Public Resources Code section 25792 directs the CEC to “allocate moneys to develop a new statewide program that provides incentives to reduce customer net load during extreme events with upfront capacity commitments and for per-unit reductions in net load”; and

WHEREAS, section 18 of AB 205 and SB 109 provide that the CEC may “[u]se any type of third- party block grant or contract with incentive program implementers for the purposes of implementing the program”; and

WHEREAS, section 18 of AB 205 and SB 109 provide that “[c]ontracts, grants, or loans entered into with these funds shall not require the review, consent, or approval of the Department of General Services or any other state department or agency and do not need to comply with requirements under the State Contracting Manual, the Public Contract Code, or the contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code;” and

WHEREAS, section 18 of AB 205 provides that “[t]hese funds shall be available for encumbrance or expenditure by the [CEC] until June 30, 2026, and shall be available for liquidation until June 30, 2030;” and

WHEREAS, SB 109 provides that “[t]hese funds shall be available for encumbrance or expenditure by the [CEC] until June 30, 2027, and shall be available for liquidation until June 30, 2030;” and

WHEREAS, SB 108 provides that “[t]hese funds shall be available for encumbrance or expenditure by the [CEC] until June 30, 2028, and shall be available for liquidation until June 30, 2032;” and

WHEREAS, the CEC at its August 10, 2022, business meeting adopted the DSGS Program Guidelines, First Edition; and

WHEREAS, AB 209 (Ting, Statutes of 2022, Chapter 251) amended Public Resources Code section 25792 to expand DSGS program eligibility to include “all energy customers in the state, except those enrolled in demand response or emergency load reduction programs offered by entities under the jurisdiction of the Public Utilities Commission;” and

WHEREAS, Public Resources Code section 25792, as amended by AB 209, provides that the CEC, in consultation with the Public Utilities Commission, may adopt additional participation requirements or limitations; and

WHEREAS, the CEC at its July 26, 2023, business meeting adopted the DSGS Program Guidelines, Second Edition, to expand program eligibility consistent with the requirements of AB 209 and address lessons learned from the initial program implementation; and

WHEREAS, the CEC at its May 8, 2024, business meeting adopted the DSGS Program Guidelines, Third Edition, to address lessons learned from summer 2023 program implementation and grow participation from clean resources; and

WHEREAS, the CEC at its April 10, 2025, business meeting adopted the DSGS Program Guidelines, Fourth Edition, to refine and clarify requirements to improve program effectiveness and add provisions to expand participation from clean resources; and

WHEREAS, the DSGS Program Guidelines, Fifth Edition, were informed by stakeholder feedback and were published in draft form to the DSGS program docket (22-RENEW-01) and emailed to the email subscription list, Demand Side Grid Support, on February 18, 2026; and

WHEREAS, a revised draft DSGS Program Guidelines, Fifth Edition, was published to the DSGS program docket (22-RENEW-01) and emailed to the email subscription list, Demand Side Grid Support, on February 27, 2026; and

WHEREAS, CEC staff conducted a public workshop on March 9, 2026, to solicit stakeholder feedback on the draft DSGS Program Guidelines, Fifth Edition, and accepted written comments from February 18, 2026, through March 16, 2026; and

WHEREAS, CEC staff published a final set of revisions of the DSGS Program Guidelines, Fifth Edition, to the DSGS program docket (22-RENEW- 01) and to the email subscription list Demand Side Grid Support, which incorporated additional changes based on stakeholder feedback; and

WHEREAS, the CEC's staff has considered the application of the California Environmental Quality Act (CEQA) to the CEC's adoption of the DSGS Program Guidelines, Fifth Edition, and concludes that these Guidelines are exempt from CEQA under California Code of Regulations, Title 14, Sections 15307, 15308, and 15061(b)(3); and

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to CEQA:

- The CEC has considered the application of CEQA to the regulations and concluded that these Guidelines are exempt from CEQA under California Code of Regulations, Title 14, Sections 15307, 15308, and 15061(b)(3).

With regard to the Administrative Procedure Act:

- Section 18(b)(1) of AB 205, section 11 of SB 109, and section 15.14(e) of AB 107 provide that the Administrative Procedure Act (commencing with Government Code section 11340) does not apply to regulations, guidelines, or other standards for the program adopted at a CEC business meeting;

THEREFORE, BE IT RESOLVED, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the DSGS Program Guidelines, Fifth Edition, and finds that its adoption is exempt from CEQA under California Code of Regulations, Title 14, Sections 15307, 15308, and 15061(b)(3); and

FURTHER BE IT RESOLVED, that, after considering all comments received, and based on the entire record of this proceeding, the CEC hereby adopts the DSGS Program Guidelines, Fifth Edition, as published on April 17, 2026, and incorporating any changes presented and adopted today along with any non-substantive changes such as correction of typographical errors. We take this action under the authority of sections 25213 and 25218(e) of the Public Resources Code, section 18(b)(1) of AB 205, section 11 of SB 109, and section 15.14(e) of AB 107; and

FURTHER BE IT RESOLVED, that the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to implement the DSGS program as specified in the DSGS Program Guidelines, Fifth Edition, including entering into contracts for the disbursement of money in accordance with the Guidelines and verifying compliance with program and contract requirements and, if necessary, making grammatical or other non-substantive changes to the DSGS Program Guidelines, Fifth Edition.

FURTHER BE IT RESOLVED, that documents and other materials that constitute the record can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in [Docket Number 22-RENEW-01](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-RENEW-01), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-RENEW-01>.

APPROVED AND ADOPTED this 27th day of April 2026, by the following vote:

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: None

ABSENT: Skinner

ABSTAIN: None

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on April 27, 2026.



Kim Todd
Secretariat



CALIFORNIA ENERGY COMMISSION

In the Matter of Soda Mountain Solar Project, Docket No. 24-OPT-03

**ORDER CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT,
ADOPTING A MITIGATION MONITORING OR REPORTING PROGRAM,
ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, CERTIFYING
THE RECORD OF PROCEEDINGS, AND GRANTING THE OPT-IN APPLICATION
FOR CERTIFICATION**

ORDER NO: 26-0427-06

I. BACKGROUND

On July 21, 2025, Soda Mountain Solar, LLC filed an application seeking a certification for the Soda Mountain Solar Project (24-OPT-03) (project) under the California Energy Commission's (CEC) Opt-In Certification Program. The project would include construction and operation of a 300 megawatt (MW) utility-scale solar photovoltaic electrical generating facility, 300 MW battery energy storage system (BESS), substation, 500 kilovolt (kV) generation-intertie line, utility switchyard, and 500 kV transmission loop-in lines. The project is on approximately 2,670 acres of land administered by the U.S. Department of Interior, Bureau of Land Management (BLM), California Desert District, managed by the Barstow Field Office in San Bernardino County.

Under the Opt-In Certification Program, the CEC may grant a certification to an eligible facility if the commission finds that the project meets all applicable requirements under Chapter 6.2 of Division 15 of the Public Resources Code (Chapter 6.2). Moreover, Public Resources Code section 25545.7 designates the CEC as the "lead agency" under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) for Opt-In applications.

On December 29, 2025, the CEC staff filed a Staff Assessment on the project. The Staff Assessment included an analysis of the project's engineering, its consistency with all applicable local, state, and federal laws, plans, policies, and regulations, and its compliance with mandatory Opt-In requirements, as well as a draft environmental impact report (EIR), prepared in accordance with CEQA (TN 268059).

In the draft EIR, the CEC identified that the project, as submitted, had significant, unavoidable environmental impacts on visual resources and biological resources. As required by CEQA, CEC staff analyzed three alternatives to the project. CEC staff concluded the Bighorn Sheep Buffer and Relocated Battery Energy Storage System

Alternative #2 was the environmentally superior alternative compared to the proposed project. The alternative would still cause significant, unavoidable impacts to visual resources but would, with mitigation incorporated into the project, no longer cause significant impacts on biological resources, particularly related to desert bighorn sheep.

On February 27, 2026, the project applicant affirmed that this alternative “represents a feasible project alternative that the Applicant team can implement.” CEC staff thus recommended that the CEC adopt the Bighorn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2 and issue a certification to construct and operate a facility consistent with that alternative scenario. Additionally, while there are significant and unavoidable impacts to visual resources, CEC staff concluded that there is substantial and compelling evidence in the record to support a CEC decision to certify the final EIR and approve the project by issuing a Statement of Overriding Considerations.

On March 27, 2026, CEC staff filed an Updated Staff Assessment. (TNs 269349, 269350). This Updated Staff Assessment includes revisions in response to comments and recommendations received on the Staff Assessment that raised significant environmental issues, to correct typographical errors, or for clarity. On April 17, 2026, CEC staff filed the Errata to the Updated Staff Assessment to address concerns raised by the applicant and to correct an inadvertent omission, fix typographical and mitigation calculation errors, and provide clarifying language. (TN 269516). On April 24, 2026, CEC staff filed Errata #2 to add new information regarding a second community benefits agreement. (TN 269633). The Errata and Errata #2 did not provide significant new information or alter the understanding of the project’s environmental impacts.

II. EXECUTIVE DIRECTOR’S RECOMMENDATION

Public Resources Code section 25545.6 and California Code of Regulations, title 20, section 1879(c) require the CEC’s Executive Director to file a recommendation on whether the CEC should certify an EIR and issue a certificate for the construction and operation of the facility.

Based on the entire record of this proceeding, the Executive Director recommends that the CEC certify the Final EIR, contained in the Updated Staff Assessment, as modified by the Errata and Errata #2, adopt a Statement of Overriding Considerations as set forth in the Updated Staff Assessment, as modified by the Errata and Errata #2, in **Section 11, Override Findings and Recommendations**, adopt a Mitigation Monitoring and Reporting Program, and issue a certificate to construct and operate the Soda Mountain Solar Project as described under the Bighorn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2.

III. ENERGY COMMISSION FINDINGS

Based on the exercise of independent judgment and review, and considering the record as a whole, including the Opt-In Application; public comments; Staff Assessment, including the Draft Environmental Impact Report (EIR); and Updated Staff Assessment,

which includes the Final EIR, Errata, and Errata #2, we concur with the Executive Director's Recommendation to issue a certificate to construct and operate the Soda Mountain Solar Project as described under the Bighorn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2. The CEC adopts the following findings under CEQA, the CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.), the Warren-Alquist Act (California Public Resources Code, section 25000, et seq.), and California Code of Regulations, title 20, chapter 5, article 4.1:

1. The Soda Mountain Solar Project is an eligible facility under Public Resources Code, Chapter 6.2.
2. As detailed in the Updated Staff Assessment, as modified by the Errata and Errata #2, applicant's project results in significant and unavoidable impacts in the areas of biological resources and visual resources.
3. Based on substantial evidence in the record, the Environmentally Superior Alternative is the Big Horn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2. This alternative has been determined to be feasible by the applicant.
4. The Big Horn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2 would, with mitigation incorporated into the project, reduce the impacts to desert bighorn sheep to less than significant. Under the Environmentally Superior Alternative, a statement of overriding considerations is not required for impacts to biological resources.
5. Impacts to visual resources would remain significant and unavoidable under the Big Horn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2. Specifically, the project would substantially degrade the existing visual character or quality of public views of the site and its surroundings from all 11 applicant-submitted key observation points (KOP).
6. No feasible mitigation measures were identified in the Updated Staff Assessment that could mitigate or avoid the project's significant effects on visual resources. Specifically, CEC staff concluded that with implementation of conditions of certification the application of surface colors and finishes, combined with the restoration and revegetation of temporarily impacted areas, and installation of landscape screening would reduce the project's impact on the visual character or quality of public views of the site and its surroundings but not to a level that would be less than significant.
7. There are no feasible alternatives to the project that would avoid or substantially lessen the significant impacts to visual resources and achieve most of the benefits and objectives of the project.
8. The project would provide the following benefits: assist the State of California in

achieving its Renewables Portfolio Standard and greenhouse gas emissions reduction objectives, assist the state in achieving its energy storage mandates, contribute to the diversity of renewable generation, contribute to the state's electrical grid reliability, use existing unused transmission capacity, and support the San Bernardino County economy by investing in the local community, creating local construction jobs, and increasing tax and fee revenue to the County.

9. In accordance with California Code of Regulations, title 14, sections 15091 and 15093, and based on substantial evidence in the record, on balance, the project's significant impacts to visual resources are outweighed by the project's benefits.
10. Imposition and implementation of the conditions of certification contained in the Updated Staff Assessment will ensure protection of environmental quality and ensure reasonably safe and reliable operation of the project. The conditions of certification also ensure that changes or alterations have been incorporated into the project that avoid or substantially lessen the project's significant environmental impacts. For components of the project outside the CEC's jurisdiction, the Updated Staff Assessment recommends mitigation measures that can and should be adopted by another public agency.
11. The CEC has not recommended minimum standards of efficiency for the project pursuant to Public Resources Code section 25402(d) because no minimum efficiency standards apply to this project. The applicant is therefore not required to demonstrate compliance with minimum standards of efficiency pursuant to Public Resources Code section 25402(d).
12. Imposition and implementation of the conditions of certification contained in the Updated Staff Assessment (including a Final EIR), as modified by the Errata and Errata #2, will ensure that the Soda Mountain Solar Project will be designed, constructed, sited, operated, and decommissioned in conformity with applicable public safety standards, applicable air and water quality standards, and with other applicable local, regional, state, and federal plans, polices, and regulations.
13. The site would be restored as necessary to protect the environment if the CEC denies approval of the application, as required by Public Resources Code section 25523(e).
14. The Updated Staff Assessment, as modified by the Errata and Errata #2, contains a discussion of the public benefits from the project, including but not limited to, economic benefits, environmental benefits, and electricity reliability benefits, as required by Public Resources Code section 25523(h).
15. The Updated Staff Assessment identifies the public agencies that received notice of the Opt-In Application.

16. The project site is not located in a prohibited area as identified in Public Resources Code sections 25526 and 25527.
17. There is a rebuttable presumption that the construction or operation of the Soda Mountain Solar Project will have an overall net positive economic benefit to San Bernardino County. No evidence was presented in the record that rebuts this presumption.
18. The applicant has entered into a legally binding and enforceable agreement with the Friends of El Mirage, a California 501(c)(3) non-profit organization, where there is mutual benefit to the parties to the agreement, satisfying Public Resources Code section 25545.10 (see TN 265953).
19. The applicant has certified its commitment to implementing the labor requirements of Public Resources Code sections 25545.3.3 and 25545.3.5.
20. In accordance with Public Resources Code section 25901, the CEC's findings are based on substantial evidence and come after an independent analysis of project information contained in the docketed record, consultation with experts in the field, collaboration with other state and local agencies, and independent research as described in each of the technical sections in the Staff Assessment and Updated Staff Assessment, as well as information from public events held pursuant to Public Resources Code sections 25545.7.2 and 25545.7.6.
21. The Final EIR (included within the Updated Staff Assessment), which includes responses to comments and revisions, and as further modified by the Errata and Errata #2, has been completed in compliance with CEQA. The CEC reviewed and considered the information contained in the Final EIR prior to approving the Soda Mountain Solar Project.
22. The proceedings leading to this Order have been conducted in conformity with the regulations governing the consideration of an Opt-In Application and thereby meet the requirements of Public Resources Code section 25545 et seq. This includes circulating the Draft EIR (included within the Staff Assessment) for a 60-day public review period in compliance with Public Resources Code section 25545.7.6, subdivision (b).
23. The conditions in Chapter 6.5 (commencing with Section 21178) of Division 13, including Sections 21183.6, 21186, and 21188, have been met for the Soda Mountain Solar Project, and CEC staff prepared the record of the proceedings concurrently with its review of the Opt-In Application.

IV. CONCLUSION AND ORDER

1. The Updated Staff Assessment (including the Final EIR) is hereby modified in accordance with the Errata to the Updated Staff Assessment filed on April 17, 2026 (TN 269516) and Errata #2 filed on April 24, 2026 (TN 269633).

2. We hereby CERTIFY that the Final EIR (within the Updated Staff Assessment, as modified by the Errata and Errata #2) complies with CEQA, reflects the CEC's independent judgment and analysis, and was considered and reviewed by the CEC before a decision on the certification of the Soda Mountain Solar Project.
3. We hereby CERTIFY that the CEQA record of proceedings is complete.
4. The CEC finds that the project's significant impacts to visual resources are outweighed by the project's benefits, as set forth in the Updated Staff Assessment, as modified by the Errata and Errata #2. The CEC hereby ADOPTS a Statement of Overriding Considerations.
5. The CEC hereby ADOPTS CEC staff's recommendations and findings and the conditions of certification and compliance verifications set forth in the Updated Staff Assessment, as modified by the Errata and Errata #2, as its monitoring program required by Public Resources Code section 25532 and as the mitigation monitoring or reporting program required by Public Resources Code section 21081.6.
6. All conditions shall take effect immediately upon adoption of this Order and apply to all construction and site preparation activities including, but not limited to, ground disturbance, site preparation, and permanent structure construction.
7. The approval of the Opt-In Application for Certification for the Soda Mountain Solar Project is subject to the timely performance of the conditions of certification and compliance verifications. The conditions of certification and compliance verifications are integrated within this Order and are not severable therefrom. While the project owner may delegate the performance of a condition or verification, the duty to ensure adequate performance of a condition or verification may not be delegated.
8. The Opt-In Application for Certification for the Soda Mountain Solar Project, as described under the Bighorn Sheep Buffer and Relocated Battery Energy Storage System Alternative #2 in the Updated Staff Assessment (including the Final EIR), as modified by the Errata filed on April 17, 2026, and Errata #2 filed on April 24, 2026, and a certificate to construct and operate the project are hereby GRANTED.
9. This Order is adopted, issued, effective, and final on April 27, 2026.
10. The CEC staff shall file a Notice of Determination with the State Clearinghouse within five business days of April 27, 2026.

IT IS SO ORDERED.

APPROVED AND ADOPTED this 27th day of April 2026, by the following vote:

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: None

ABSENT: Skinner

ABSTAIN: None

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly approved and adopted by the affirmative vote of the CEC at a meeting held on April 27, 2026.

A handwritten signature in cursive script that reads "Kim Todd".

Kim Todd
Secretariat