

Email: SCE Ivanpah Control

From: Jeff Aardahl <jaardahl@defenders.org>
Sent: Friday, May 15, 2026 10:42 AM
To: Ivanpah-Control Project Team
Subject: Ivanpah Control Project
Attachments: Ivanpah Control Project Comments Defenders of Wildlife.pdf; DRECP MGS Important Areas Map.pdf

Attached is the comment letter from Defenders of Wildlife on the Draft Environmental Impact Report for the Ivanpah Control Project.

Please confirm receipt of our letter.



Jeff Aardahl

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May 15, 2026

John Forsythe, CPUC Project Manager

Ivanpah-Control Project

c/o Aspen Environmental Group

235 Montgomery Street, Suite 967

San Francisco, CA 94104

Via email to: Ivanpah-Control@aspeneg.com

Dear Mr. Forsythe:

Defenders of Wildlife (Defenders) appreciates the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the Ivanpah-Control Project (Project). For over 75 years, Defenders has been the premier U.S. national conservation organization dedicated to the protection and restoration of imperiled species and their habitats in North America, with 2.1 million members and supporters in the U.S. and more than 311,000 in California.

Brief Project Description

Southern California Edison (SCE) has applied for a Permit to Construct the Project that would entail correcting or remediating physical clearance discrepancies along 262 miles of SCE's existing 115 kilovolt subtransmission lines located in Inyo, Kern, and San Bernardino counties. The California Public Utilities Commission (CPUC) issued General Order 95 to SCE that requires increasing the distance between electrical conductors and the ground to meet current safety requirements.

Comments

We provide the following comments on the DEIR.

1. Alignments

Three segments of the Project would be realigned – Crater Mountain, Manzanar and Fossil Falls. These realignments would require replacement structures to be installed outside the

existing transmission corridor, for which SCE has a right-of-way or easement from the landowner. SCE would need to obtain new rights-of-way from the Bureau of Land Management (BLM), Bureau of Indian Affairs, Department of Defense, the California State Lands Commission, the Los Angeles Department of Water and Power, or private landowners.

Comment: The three realigned segments would result in more ground disturbance than the proposed Project:

Crater Mountain (14 miles long) - from 113 to 159 acres, a 40% increase

Manzanar (30 miles long) - from 225 to 390 acres, a 73% increase

Fossil Falls (14 miles long) - from 117 to 228 acres, a 95% increase.

We recommend that the increased ground disturbance areas be restored so that soils will be stabilized, native annual and perennial plants return to the sites. The standards for restoration are provided elsewhere in our comment letter.

2. Impacts to Special Status Species

Western Joshua tree (California Threatened Candidate): There are 6.65 acres of Western Joshua Tree Woodland that occur in Segment 1. The number of live Western Joshua trees for each segment are shown below:

Live Western Joshua Trees

Segment 1- 5,646

Segment 2 - 0

Segment 3N - 54

Segment 3S - 4

Western Joshua trees are given the same protection as a formal listing, and any take of Western Joshua tree will need to be mitigated pursuant to CESA and the Western Joshua Tree Conservation Act, and any required Incidental Take Permit (ITP).

Comment: The DEIR provides adequate protection through Impact Mitigation Measures for Joshua Trees within the Project construction areas. In addition, SCE will need to obtain an ITP for any take of Western Joshua Trees from the California Department of Fish and Wildlife (CDFW), which will include compensatory mitigation requirements. The DEIR includes compensatory mitigation for loss of Joshua Tree Woodland at a 5:1 ratio.

Desert tortoise (Federal Threatened, California Endangered): Desert tortoise and sign were observed in all segments of the Project. Designated critical habitat occurs along the proposed route in Segments 2, 3N, and 3S. There were 25 living desert tortoises and 196 sign found along the Project alignment. U.S. Fish and Wildlife Service (USFWS)-designated critical habitat is present overlapping Segment 2 on both sides of the Rand Mountains, adjacent to Segment 2 between the Rand Mountains and Kramer Junction, overlapping Segments 3N and 3S between Kramer Junction and Hinkley, overlapping Segment 3N north of Barstow, adjacent to Segment 3S south of Barstow.

Compensatory mitigation is required for loss of desert tortoise habitat. SCE will be required to prepare a Habitat Compensation Plan that identifies the ratios of compensation for permanent impacts to habitat and the means of compensation, either through off-site habitat acquisition and management or participation in an approved in-lieu fee mitigation bank.

Comment: The desert tortoise was formally listed as Endangered in California by the Fish and Game Commission in 2025. The FEIR indicates it is listed as Threatened in California.

Comment: On page 3.13-10 of the DEIR, the following Recovery Units for the desert tortoise are identified as being within the California Desert Conservation Area: Upper Virginia River, Eastern Mojave, Northwestern Mojave, Western Mojave, and Colorado Desert. The “Upper Virginia River” is the Upper Virgin River Unit, which is located in Utah and therefore should be removed in the Final EIR. The Recovery Units within California are the Western Mojave, Eastern Mojave and Colorado Desert.

Comment: The Desert Renewable Energy Conservation Plan (DRECP) requires that various Conservation Management Actions (CMAs) apply to activities that impact the desert tortoise and its habitat, as follows:

[Land Use Plan Amendment] LUPA-BIO-IFS-1: Activities within desert tortoise linkages that may have a negative impact on the linkage will require an evaluation, in the environmental document(s), of the effects on the maintenance of long-term viable desert tortoise populations within the affected linkage. The analysis will consider the amount of suitable habitat, including climate refugia, required to ensure long-term viability within each linkage given the linkage’s population density, long-term demographic and genetic needs, degree of existing habitat disturbance/impacts, mortality sources, and most up-to-date population viability modeling. Activities that would compromise the long-term viability of a linkage population or the function of the linkage, as determined by the BLM in coordination with USFWS and CDFW, are prohibited and will require reconfiguration or re-siting.

LUPA-BIO-IFS-2: Construction of new roads and/or routes will be avoided to the maximum extent practicable (see Glossary of Terms) within desert tortoise habitat in tortoise conservation areas (TCAs) or tortoise linkages unless the new road and/or route is beneficial to minimize net impacts to natural or ecological resources of concern for desert tortoise. TCAs and identified linkages should have the goal of “no net gain” of road density. Any new road considered within a TCA or identified linkage will not be paved and will be designed and sited to minimize the effect to the function of identified linkages or local desert tortoise populations and shall have a maximum speed limit of 25 miles per hour.¹

Roads requiring the installation of long-term desert tortoise exclusion fencing for construction or operation will incorporate wildlife underpasses (e.g., culverts) to reduce population fragmentation.

LUPA-BIO-IFS-3: All culverts for access roads or other barriers will be designed to allow unrestricted access by desert tortoises and will be large enough that desert tortoises are unlikely to use them as shelter sites (e.g., 36 inches in diameter or larger). Desert tortoise exclusion fencing may be utilized to direct tortoise use of culverts and other passages.

LUPA-BIO-IFS-4: In areas where protocol and clearance surveys are required, prior to construction or commencement of any long-term activity that is likely to adversely affect desert tortoises, desert tortoise exclusion fencing shall be installed around the perimeter of the activity footprint in accordance with the Desert Tortoise Field Manual or the most up-to-date USFWS protocol. Additionally, short-term desert tortoise exclusion fencing will be installed around short-term construction and/or activity areas (e.g., staging areas, storage yards, excavations, and linear facilities), as appropriate.

LUPA-BIO-IFS-9: Vehicular traffic will not exceed 15 miles per hour within the areas not cleared by protocol level surveys where desert tortoise may be impacted.

LUPA-BIO-COMP-1: Impacts to biological resources, identified and analyzed in the activity specific environmental document, will be compensated using the standard biological resources compensation ratio, except for the biological resources and specific geographic locations listed as compensation ratio exceptions:

Exceptions to the Biological Resource Standard Compensation Ratio

Desert tortoise designated critical habitat: 5:1 (in the same Critical Habitat Unit)

Western burrowing owl (California Endangered Candidate): Western burrowing owls

¹ Also see LUPA-BIO-IFS-9, below.

were observed in Segments 1 and 3N. No burrowing owls were observed along the proposed alignment, but two burrows were observed along Segment 3N: one burrow on the south side of Harper Lake and the other between the Calico Mountains and the Mitchel Range to the west. There is high potential for nesting in Segment 1, between Big Pine and Little Lake, and south of Little Lake to the Inyokern area.

SCE is required to obtain an ITP from CDFW for any take of Western burrowing owls or disturbance of their habitat. An ITP will include requirements to avoid, minimize, and compensate for impacts to individuals, populations, and their habitats. The compensation ratio in the DEIR is 3:1 for loss of suitable habitat.

Comment: The DEIR includes all appropriate impact Mitigation Measures to protect the Western burrowing owl.

Golden eagle (Fully Protected): One golden eagle was observed in Segment 2 near Randsburg. Golden eagles have been observed along the Project route in all segments and there is high potential for golden eagles to forage in suitable habitat throughout the Project area. Nesting may occur on suitable steep cliffs and ledges in nearby mountain ranges.

Comment: Numerous golden eagle nests were documented along the route of the Project in 2012 under a BLM California State Office contract with BioResource Consultants, Inc.² We recommend that SCE contact Mark Massar (mmassar@blm.gov), wildlife biologist in the BLM California Desert District Office, to obtain golden eagle nest locations along and adjacent to the Project alignment.

Comment: The DRECP includes the following CMAs for the golden eagle that apply to the Project:

LUPA-BIO-IFS-24: Provide protection from loss and harassment of active golden eagle nests through the following actions:

- Activities that may impact nesting golden eagles will not be sited or constructed within 1-mile of any active or alternative golden eagle nest within an active golden eagle territory, as determined by BLM in coordination with USFWS as appropriate.

LUPA-BIO-IFS-25: Cumulative loss of golden eagle foraging habitat within a 1 to 4 mile radius around active or alternative golden eagle nests will be limited to less than 20%. See CONS-BIO-IFS5 for the requirement in Conservation Lands.

² BioResource Consultants, Inc. 2012. Results of 2012 Golden Eagle Nesting Surveys of the California Desert and Northern California Districts - Appendix A Nest Locations and Survey Routes.

LUPA-BIO-IFS-26: For activities that impact golden eagles, applicants will conduct a risk assessment per the applicable USFWS guidance (e.g., the Eagle Conservation Plan Guidance) using best available information as well as the data collected in the pre-project golden eagle surveys.

LUPA-BIO-IFS-27: If a permit for golden eagle take is determined to be necessary, an application will be submitted to the USFWS for a take permit.

LUPA-BIO-IFS-31: As determined necessary by BLM in coordination with USFWS, and CDFW as appropriate, for activities/projects that are likely to impact golden eagles, implement site-specific golden eagle mortality monitoring in support of the pre-construction, pre-activity risk assessment surveys.

LUPA-BIO-COMP-3: BLM and third-party initiated activities, will provide specific golden eagle compensation in accordance with the most up to date BLM or USFWS policies, including applicable USFWS Eagle Conservation Plan Guidance.

LUPA-BIO-COMP-4: Third-party applicant/activity proponents are required to contribute to a DRECP-wide golden eagle monitoring program, if the activity/project(s) has been determined, through the environmental analysis, to likely impact golden eagles.

CONS-BIO-IFS-5: The cumulative loss of foraging habitat within a 4 mile radius around active or alternative golden eagle nests will be limited to less than 10% in BLM LUPA conservation designations.

Western Yellow-billed cuckoo (Federal Threatened, California Endangered): Critical habitat for western yellow-billed cuckoo is located near the alignment at the south end of Segment 1, west of Inyokern. They nest in dense riparian forest and can be found along the broad, lower flood-bottoms of larger river systems within willow and cottonwood forests. They nest in willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape. Western yellow-billed cuckoo has low potential to occur in Segments 1, 3N, and 3S.

Comment: The DRECP includes the following CMA for the Yellow-billed cuckoo:

LUPA-BIO-RIPWET-3: For activities that occur within 0.25 mile of a riparian or wetland DRECP vegetation type and may impact BLM Special Status riparian and wetland bird species, conduct a pre-construction/activity nesting bird survey for BLM Special Status riparian and wetland birds according to agency-approved protocols.

Based on the results of the nesting bird survey, setback activities that are likely to impact

BLM Special Status riparian and wetland bird species, including but not limited to pre-construction, construction and decommissioning, 0.25 mile from active nests during the breeding season (February 1 through August 31 or otherwise determined by BLM, USFWS and CDFW). For activities in areas covered by this provision that occur during the breeding season and that last longer than one week, nesting bird surveys may need to be repeated, as determined by BLM, in coordination with USFWS and CDFW, as appropriate. No pre-activity nesting bird surveys are necessary for activities occurring outside of the breeding season.

Mohave ground squirrel (California Threatened): The Mohave ground squirrel has high potential to occur in Project Segments 1, 2, 3N, and 3S. The BLM Mohave Ground Squirrel Conservation Area overlaps the project area in all segments. The DEIR states that “Permanent habitat loss shall be compensated at a minimum 1:1 ratio.”

Comment: Various CMAs are required for the Mohave ground squirrel as specified in the DRECP:

LUPA-BIO-IFS-35: Protocol surveys³ are required for activities in Mohave ground squirrel key population centers and linkages [see Figure 1]. Results of protocol surveys will be provided to BLM and CDFW to consult on, as appropriate, for third party activities.

LUPA-BIO-IFS-36: Activities in Mohave ground squirrel key population centers requiring an Environmental Impact Statement are required to assess the effect of the activity on the long term function of the affected key population center.

Activities within a key population center must be designed to avoid adversely impacting the long-term function of the affected key population center.

LUPA-BIO-IFS-37: Activities in key population centers will be sited in previously disturbed areas, areas of low habitat intactness, to the maximum extent practicable.

LUPA-BIO-IFS-38: Disturbance of suitable habitat from activities, requiring an EA or EIS, within the Mohave ground squirrel key population centers and linkages will not occur during the typical dormant season (August 1 through February 28) unless absence is inferred and supported by protocol surveys or other available data during the previous active season.

LUPA-BIO-IFS-39: During the typical active Mohave ground squirrel season (February 1 through August 31), conduct clearance surveys throughout the site, immediately prior to

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>

initial ground disturbance. In the cleared areas, perform monitoring to determine if squirrels have entered cleared areas. Contain ground disturbance to within areas cleared of squirrels.

Detected occurrences of Mohave ground squirrel will be flagged and avoided, with a minimum avoidance area of 50 feet, until the squirrels have moved out of harm's way. A designated biologist may also actively move squirrels out of harm's way.

LUPA-BIO-IFS-40: Activities sited in a Mohave ground squirrel linkage that may impact the linkage are required to analyze the potential effects on connectivity through the linkage. The activity must be designed to maintain the function of the linkage after construction/implementation and during project/activity operations. Linkage function will be assessed by considering pre-and post-activity ability of the area to support resident Mohave ground squirrels and provide for dispersal of their offspring to key population centers outside the linkage, and dispersal through the linkage between key population centers. Activities that occur in Mohave ground squirrel linkages must be configured and located in a manner that does not diminish Mohave ground squirrel populations in the linkage.

LUPA-BIO-COMP-1: Impacts to biological resources, identified and analyzed in the activity specific environmental document, from activities in the LUPA Decision Area will be compensated using the standard biological resources compensation ratio [1:1], except for the biological resources and specific geographic locations listed as compensation ratio exceptions:

Exceptions to the Biological Resource Standard Compensation Ratio

Mohave ground squirrel: Key Population Centers: 2:1

Desert kit fox (California Fully Protected): Desert kit fox is a protected fur-bearing mammal. Title 14 of the California Code of Regulations (CCR), Section 460, stipulates that desert kit fox may not be taken at any time. Desert foxes were observed along the proposed Project route in Segments 3N and 3S, in creosote bush scrub east of Kramer Junction, and in the Waterman Hills north of Barstow. There is high potential for them to occur along the proposed route in suitable open shrubby habitat between Kramer Junction and Yermo along Segments 3N and 3S.

Comment: The DEIR provides adequate protection for Desert kit foxes through impact Mitigation Measures.

Desert bighorn sheep (California Fully Protected): The DEIR describes measures to

avoid and minimize impacts on Desert bighorn sheep in the vicinity of the Cady Mountains and Clark Mountain.

Comment: The DEIR refers to the “TLRR Habitat and Sensitive Species Reports for the Control-Haiwee and Ivanpah-Coolwater-Kramer-Inyokern” areas. We recommend that the TLRR reports be included in the Final EIR and that the Desert bighorn sheep occupied habitats and lambing areas be identified. The DEIR provides little information on this fully protected species, the populations in the Cady Mountains and Clark Mountains and their movements between mountain ranges.

SCE should consult with the CDFW to determine if the proposed impact avoidance and mitigation measures are sufficient.

3. Restoration of Disturbed Habitat: The DEIR includes the requirement that SCE will clean up all areas that would be temporarily disturbed by construction of the Proposed Project (which may include the material yards, construction work areas, and stringing sites, among others) to as close to pre-construction conditions as feasible, or to the conditions agreed upon between the landowner and SCE following the completion of construction of the Proposed Project. SCE has committed to implementing APM BIO-RES-1, Habitat Restoration and Revegetation Plan to address restoration and revegetation within sensitive habitats to be implemented after construction is complete. Approximately 2,172 acres would be temporarily disturbed.

Comment: Temporary disturbance on public lands managed by the BLM will require restoration under provisions of the DRECP. Recovery of Ground Disturbance is defined as follows:

In California Desert National Conservation Lands and/or Areas of Critical Environmental Concern (ACEC), ground disturbance recovery will be determined during the decadal ground disturbance threshold ecoregion trend monitoring assessments. California Desert National Conservation Lands and/or ACEC recovery may be assessed at intermediate intervals, in between the decadal assessments, at BLM’s discretion based on adequate funding and staffing. Between the decadal assessments, BLM will assume disturbed areas and units are not yet recovered until data is presented and BLM determines the area meets one of the two criteria below:

- Field verification that disturbed area(s) are dominated by the establishment of native shrubs, as appropriate for the site, and demonstrated function of ecological processes (e.g., water flow, soil stability).

- Ground disturbance can no longer be seen at the 1:10,000 scale using the best available aerial imagery.

Comment: Under the DRECP, BLM established a cumulative 1% ground disturbance limit within California Desert National Conservation Lands and/or ACECs. If existing ground disturbance exceeds this limit, restoration in the form of compensatory mitigation is required to reduce ground disturbance below the limit. Restoration of ground disturbance will be determined by BLM using the two criteria, above.

SCE should consult with BLM to obtain the amount of existing disturbance on public lands designated as California Desert National Conservation Lands and/or ACECs, which will then determine to what extent SCE will be required to bring the level of disturbance below the 1% limit. ACECs overlap the project area in all segments.

Comment: According to the DEIR, the Project transmission alignment crosses substantial amounts of BLM lands designated as California Desert National Lands, National Scenic Areas and ACECs, as follows:

Segment	Acres ⁴	BLM Designation	Protected Resources
1	223	Crater Mountain ACEC	Wildlife
1	24.3	Alabama Hills National Scenic Area	Vegetation, Geology, Scenic Views, Recreation
1	166.2	Fossil Falls ACEC	Wildlife, Cultural, Geology
1 and 2	1,787.5	Mohave Ground Squirrel ACEC	Wildlife, Vegetation
3S	1,049.9	Daggett Ridge Monkey flower ACEC	Vegetation
2	2,453.9	El Paso to Golden Valley Wildlife Corridor ACEC	Wildlife, Vegetation, Geology
2 and 3N	11,164.6	Fremont-Kramer ACEC	Desert tortoise

⁴ Includes a 1,000-foot buffer surrounding the existing and proposed subtransmission lines, telecommunication line, and contractor storage yards.

Segment	Acres ⁴	BLM Designation	Protected Resources
1	730.4	Olancha Greasewood ACEC	Vegetation
1	2,415.8	Owens Lake ACEC	Wildlife, Vegetation, Cultural
1	273	Rose Spring ACEC	Cultural
2	15.6	Western Rand Mountains ACEC	Desert tortoise
Total	20,304.2		

Conclusion

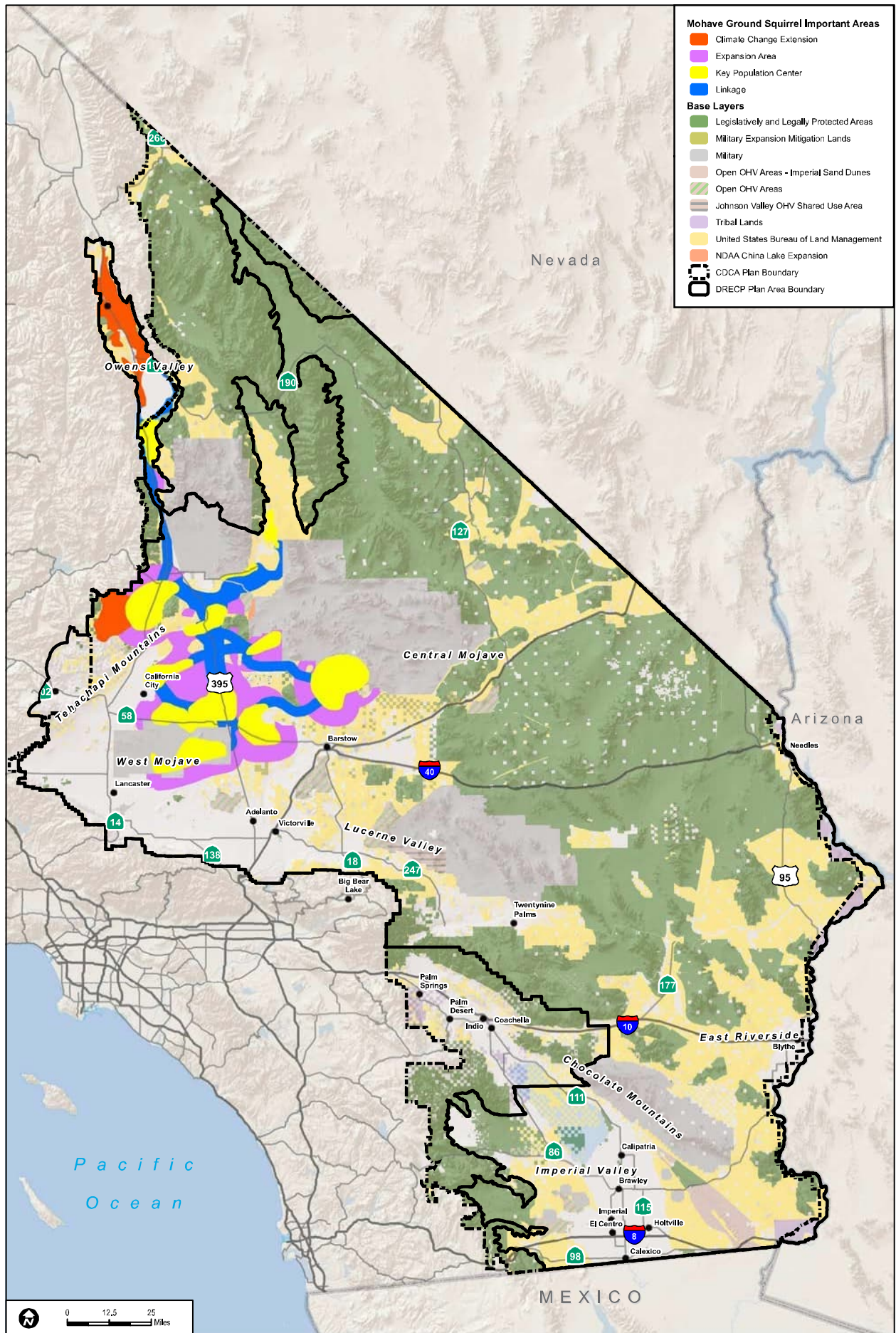
I hope the comments and recommendations from Defenders are helpful in preparing the Final EIR for the Project. Please contact me via my email address if you would like to discuss our comments or would like additional information.

Sincerely,



Jeff Aardahl
Senior California Representative
jaardahl@defenders.org

Attachment: Figure 1 Mohave Ground Squirrel Important Areas



Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE D-18
Mohave Ground Squirrel Important Areas