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25-04029

Public Utilities Commission of Nevada
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Payment Reference: 63-9ce8-28b3b667f018
Filed For: Holland and Hart LLP

In accordance with NRS Chapter 719,
this filing has been electronically signed and filed
by: /s Cecilia Martin

By electronically filing the document(s),
the filer attests to the authenticity of the electronic signature(s) contained therein.

This filing has been electronically filed and deemed to be signed by an authorized agent or
representative of the signer(s) and
Holland and Hart LLP

FILED WITH THE PUBLIC UTILITIES COMMISSION OF NEVADA - 10/27/2026

Holland & Hart

Bryce C. Alstead
Partner
Phone 775.327.3067
BAlstead@hollandhart.com
92865.0063

October 27, 2026

VIA ELECTRONIC FILING

Trisha Osborne
Assistant Commission Secretary
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701-3109

Re: Docket No.: 25-04029 - Application of Winston FC Solar, LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Winston Solar Facility consisting of an up to 400 MW photovoltaic solar electric generating facility, a battery energy storage system, a 230 kV generation-tie line, a substation, and associated facilities to be located on private land in Lyon County, Nevada.

Dear Ms. Osborne:

Accompanying this letter for filing with the Public Utilities Commission of Nevada is Winston FC Solar, LLC's Amendment to its Application and Motion to Amend the Compliance Order filed on April 30, 2025.

An ACH payment in the amount of $50.00 has been submitted electronically for payment of the Amendment filing fee.

Please do not hesitate to reach out if you have questions or concerns regarding this filing.

Sincerely,

/s/ Bryce C. Alstead

Bryce C. Alstead
Partner
of Holland & Hart LLP

BCA:cpm
Enclosures

39997263_v1

Location
5470 Kietzke Lane, Suite 100
Reno, NV 89511-2094

Contact
p: 775.327.3000 | f: 775.786.6179
www.hollandhart.com

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Application of Winston FC Solar, LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Winston Solar Facility consisting of an up to 400 MW photovoltaic solar electric generating facility, a battery energy storage system, a 230 kV generation-tie line, a substation, and associated facilities to be located on private land in Lyon County, Nevada.	Docket No. 25-04029

AMENDMENT TO APPLICATION AND MOTION TO AMEND COMPLIANCE ORDER

Winston FC Solar, LLC (the "Applicant"), by and through its undersigned counsel, respectfully files with the Public Utilities Commission of Nevada (the "Commission") an amendment (the "Amendment") to its application under the provisions of the Utility Environmental Protection Act ("UEPA"), filed with the Commission on April 30, 2025, in the above-referenced docket (the "Application"), which the Commission approved in an order dated August 6, 2025 (the "Compliance Order").

The Applicant filed the Application for four permits to construct (each a "PTC") a 400 megawatt ("MW") photovoltaic solar facility and battery energy storage system ("BESS"), an approximately one (1)-mile-long 230 kV generation-tie line ("gen-tie"), and ancillary facilities such as access roads, communications cables, and an operations and maintenance facility (collectively, the "Improvements") in four phases on private lands in Lyon County, Nevada (collectively, the "Project"). On August 6, 2025, the Commission issued the Compliance Order granting the Applicant's Application and concluding that the public interest favored issuing the PTCs, subject to Applicant's submission of various permits and approvals as compliance items for each phase.

Recently, Applicant changed the footprint of its Project to accommodate Lyon County's specific approved setback to the Project. This reconfiguration has required Applicant to obtain additional property from an adjacent landowner for the Project and make other accompanying

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Project design changes. Additionally, upon request of Sierra Pacific Power Company d/b/a NV Energy ("NVE"), the Applicant agreed to change the interconnection voltage. More specifically, the requested Amendment seeks to revise the description of the Project boundary, increase the voltage of the gen-tie and substation from 230 kilovolts ("kV") to 345 kV, add fencing, make slight adjustments to the BESS design, and add a phase to include BESS construction. This Amendment also details the impacts related to the aforementioned proposed Project changes and requests that the Commission issue an amended Compliance Order accordingly.

I. The Applicant Requests That the Commission Approve an Amendment to the Application to Reflect the Revised Project Boundary and Improvements and Update the Permits Required for Construction.

a. Amendment and Environmental Impact

First, as revised, the Project will be located on fewer acres than Applicant described in the Application. Specifically, the Project will be located on approximately 2,374 acres of privately owned land across 11 parcels in Lyon County, Nevada, just east of U.S. Alt Highway 95, rather than the approximately 2,462.1 acres described in the Application. *Compare* ES (Exh. "D"), at Chapter 1 *with* Application, Exh. "F". A legal description of the revised Project boundary is attached hereto as Exhibit "A" and a depiction of the revised Project layout is attached as Exhibit "B".

Second, the Application proposed the construction of an approximately 1-mile-long, 230 kV gen-tie that would connect the Project to the existing NVE Walker River (formerly known as Fort Churchill) Substation. Application, Exh. "F" at Section 2.1.5. This Amendment proposes that the gen-tie would instead be an approximately 4,800-foot-long, 345 kV line. ES (Exh. "D"), at Section 2.1.5. Approximately 500 feet of the gen-tie would be located within the Project area with the remainder within the NVE Walker River Substation yard. *Id.* at Section 2.1.5. The Project substation would likewise be designed to step up voltage to 345 kV. *Id.* at Section 2.1.4.

Third, this Amendment proposes that the perimeters of the solar PV facility areas, the BESS yard, and the operations and maintenance lot will be secured with 6- to 7-foot-tall chain

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link security fencing or game fence, with up to 2 feet of barbed or razor wire if determined necessary, and controlled access gates. *Id.* at Sections 2.1.1–2.1.3.

Additionally, the BESS will be a centrally located lithium-ion system adjacent to the Project substation, which is consistent with one of the BESS configurations described in the Application. Application, Exh. "F", at Section 2.1.2.2. However, total land disturbance associated with the BESS is now expected to be approximately 25 acres rather than the 40 acres contemplated in the Application, and the enclosures are expected to be approximately 24 feet long by 8 feet wide by 9.5 feet high rather than the 70-foot-long by 12-foot-wide by 13-foot-tall enclosures anticipated in the Application. ES (Exh. "D"), at Section 2.1.2. Due to modified construction plans, the Applicant also desires to add a phase of the Project solely for BESS construction.

The Applicant anticipates that Project construction would commence in Quarter 2 of 2027 with commercial operations commencing in Quarter 2 of 2029. Construction of the Project is expected to occur over 18-24 months, and the following table shows the permits that Applicant will be required to obtain for construction of the Improvements described in the Application, as amended by this Amendment. Exhibit "C" contains copies of the permits which Applicant has obtained for the Project.

Permits Required for Project Construction

PHASE 1: SITE PREPARATION		
REQUIRED PERMIT	**ISSUING AGENCY**	**ANTICIPATED ISSUANCE DATE**
Surface Area Disturbance Permit	Nevada Division of Environmental Protection ("NDEP")	2Q 2027
Planned Unit Development	Lyon County	June 24, 2026
Grading Permit	Lyon County	2Q 2027

PHASE 2: SITE ACCESS (US95/SIERRA WAY IMPROVEMENTS)		
REQUIRED PERMIT	**ISSUING AGENCY**	**ANTICIPATED ISSUANCE DATE**

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Temporary Encroachment Permit	Nevada Department of Transportation	2Q 2027
Surface Area Disturbance Permit	NDEP	2Q 2027
Planned Unit Development	Lyon County	June 24, 2026

PHASE 3: SOLAR ARRAYS		
REQUIRED PERMIT	**ISSUING AGENCY**	**ANTICIPATED ISSUANCE DATE**
Hazardous Materials Permit	NDEP	3Q 2027
Construction Stormwater General Permit	NDEP	3Q 2027
Surface Area Disturbance Permit	NDEP	3Q 2027
Cost Recovery Application for Energy Facility	Nevada Department of Wildlife	April 10, 2025
Planned Unit Development	Lyon County	June 24, 2026
Grading Permit	Lyon County	3Q 2027
Building Permit	Lyon County	3Q 2027

PHASE 4: BATTERY ENERGY STORAGE SYSTEM (BESS)		
REQUIRED PERMIT	**ISSUING AGENCY**	**ANTICIPATED ISSUANCE DATE**
Hazardous Materials Permit	NDEP	3Q 2027
Construction Stormwater General Permit	NDEP	3Q 2027
Surface Area Disturbance Permit	NDEP	3Q 2027
Cost Recovery Application for Energy Facility	Nevada Department of Wildlife	April 10, 2025
Planned Unit Development	Lyon County	June 24, 2026
Grading Permit	Lyon County	3Q 2027

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Building Permit	Lyon County	3Q 2027

PHASE 5: STEP-UP SUBSTATION AND GENERATION		
REQUIRED PERMIT	**ISSUING AGENCY**	**ANTICIPATED ISSUANCE DATE**
Hazardous Materials Permit	NDEP	3Q 2027
Construction Stormwater General Permit	NDEP	3Q 2027
Surface Area Disturbance Permit	NDEP	3Q 2027
Cost Recovery Application for Energy Facility	Nevada Department of Wildlife	April 10, 2025
Planned Unit Development	Lyon County	June 24, 2026
Grading Permit	Lyon County	3Q 2027
Building Permit	Lyon County	3Q 2027

Because the revised Project boundary and design differ from those analyzed in the environmental statement attached to the Application, Applicant commissioned ICF to prepare an updated environmental statement, dated September 2026, attached hereto as Exhibit "D" (the "ES"). The pertinent portions of the updated ES, as it pertains to the modified Project, are summarized below.

Water Quality

The two ephemeral drainages identified within the Project area have been severed from their original flow paths by berms, swales, dikes, and ditches and exist within closed basin systems; accordingly, no jurisdictional waters are located in the Project area and the revised Project will not impact water quality or waters of the United States. ES (Exh. "D"), at Section 3.1.

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Air Quality

The use of heavy-duty equipment during construction will result in short-term impacts on air quality from fugitive dust and exhaust emissions. *Id.* at Section 3.2. Applicant has developed a site-specific Fugitive Dust Control Plan to reduce PM10 and PM2.5 emissions in compliance with the NDEP Bureau of Air Pollution Control, and will obtain a Surface Area Disturbance Permit requiring implementation of best management practices during construction. *Id.*

Threatened and Endangered Species

One federally threatened species, the western yellow-billed cuckoo, and one federal candidate species, the monarch butterfly, were identified through the U.S. Fish and Wildlife Service ("USFWS") Information for Planning and Consultation review as having potential to occur in the Project area. ES (Exh. "D"), at Section 3.3.1. The yellow-billed cuckoo is anticipated to have low potential to occur because sparsely vegetated riparian portions of the Project area provide, at most, low-quality habitat. *Id.* No critical habitat for federally listed species has been designated or proposed for designation in or near the Project area. *Id.*

State-Listed Species

Two critically imperiled state-listed plant species, the Churchill Narrows buckwheat and the Mono ragwort, have a low potential to occur in the Project area. ES (Exh. "D"), at Section 3.3.2. During a field survey assessment, no sensitive plant species were found in the area. *Id.* Construction of the Project will result in the removal of approximately 2,374 acres of vegetation; however, impacts on vegetation will be reduced through implementation of a Weed Management Plan and the environmental protection measures. *Id.*

Additionally, two critically imperiled state-listed wildlife species, the California spotted owl and tricolored blackbird, have low potential to occur within the Project area, and loggerhead shrike and golden eagle were also observed during field surveys. *Id.* at Section 3.3.3. Construction may affect state-listed wildlife through the loss of up to 2,374 acres of habitat; however, impacts are anticipated to be minimal because the site was previously disturbed, is not

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considered high-quality habitat, and is surrounded by ample similar habitat to which species can relocate. *Id.* Potential impacts will be further reduced through Applicant-committed environmental protection measures. *Id.*

Migratory Birds

Migratory bird species in the Project area are common throughout Nevada, and it is unlikely that unique migratory bird breeding habitats or migratory pathways are present in the Project area. ES (Exh. "D"), at Section 3.3.4. Avian impacts are anticipated to be minimal and are not expected to result in a significant reduction in population levels; however, the revised Project will remove potential nesting and foraging habitat for migratory birds for the life of the Project, and construction may result in collision or electrocution risk and temporary noise-related disturbance. *Id.* To reduce impacts, the 345 kV gen-tie will be designed consistent with Avian Power Line Interaction Committee guidance for reducing avian collisions and electrocutions. *Id.* at Section 2.2.4.

Visual Resources and Landscape Planning

The natural visual setting of the Project area is consistent with the Central Basin and Range Lahontan Salt Shrub Basin ecoregion, and the existing natural and cultural landscape characters, including agricultural fields, sage scrubland, and the surrounding mountains of the Mason Valley, are well balanced. ES (Exh. "D"), at Section 3.4. The Project's changes to the area's visual setting are likely to impact approximately 40 residents and sporadic travelers along U.S. 95A. *Id.* Because the landscape is relatively flat, the arrays will not dominate the viewshed for residents within 0.25 to 0.5 miles of the Project, and surrounding vegetation and trees will soften the horizon without blocking background views of the mountains or sky. *Id.* The Project will not create new sources of nighttime light, and a ForgeSolar Glare Analysis indicates that potential glint and glare toward drivers descending into the valley on portions of U.S. 95A would be limited to late afternoons when panels are at specific angles. *Id.* The modified Project would moderately affect the existing visual character and quality of scenic views from U.S. 95A, but contrast would be reduced to minor to moderate levels through mitigation measures and a

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Project-specific landscape plan. *Id.* Consistent with that plan, which was developed through the County permitting process, the Project will be set back 0.25 miles east of the highway, and a 30-foot landscape corridor of native plant species will be established within the Project boundary to soften views of the Project, control invasive plant species, and prevent soil erosion. *Id.*

b. The Amendment Is Lawful and Prudent

"If not otherwise prohibited by law and if substantial rights of the parties will not be prejudiced, the Commission will or the presiding officer shall allow any pleading to be amended or corrected or any omission in the pleading to be cured." NAC 703.530.

Here, an amendment is not prohibited by law and will not affect the substantial rights of either the Applicant or the Division of Environmental Protection of the State Department of Conservation and Natural Resources (the only other party to this Docket). The Amendment benefits the Applicant by allowing the Applicant to adhere to its agreement with NVE and construct the Project in a more condensed footprint with fewer impacts. The Division of Environmental Protection of the State Department of Conservation and Natural Resources would not be prejudiced because the revised Project reduces the total Project footprint and associated vegetation and habitat loss compared to the Application, and the potential environmental impacts of the revised Improvements would be minimal and mitigated through the measures identified in the ES. *See* ES (Exh. "D"), Chapters 3–4. Based on the foregoing, there is no legal prohibition on the requested amendment. Accordingly, an amendment to the Application to reflect the revised Improvements is warranted, and Applicant respectfully submits this Amendment to provide for construction of the Improvements as revised.

II. The Commission Should Amend the Compliance Order to Allow for Construction of the Improvements, as Revised by this Amendment, and Update the Compliance Items and Phases.

When an application for a UEPA PTC is submitted, the Commission "may grant . . . the application as filed, or grant the application upon such terms, conditions or modifications of the construction, operation or maintenance of the utility facility as the Commission . . . deems appropriate." NRS 704.8905(2).

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Based on the Amendment to the Application described above, the Applicant requests that the Commission deem it appropriate under NRS 704.8905(2) to amend its Compliance Order to authorize construction of the Improvements as revised by this Amendment. Should the Commission issue an amended Compliance Order consistent with this Amendment, no construction of any Improvements will occur until the Applicant has proved to the Commission that all necessary permits have been obtained for said construction. *See supra* Section I(a) (depicting the permits required for the Improvements).

Accordingly, the Applicant requests that the Commission issue a new Compliance Order authorizing the construction of the Project, as amended by this Amendment. Though the Compliance Order in this docket was issued on August 6, 2025, Applicant does not oppose the parties being permitted to comment on this Amendment.

III. Conclusion

For the foregoing reasons, Applicant hereby moves to amend its Application and requests that the Commission issue to the Applicant a new Compliance Order in the above-referenced docket allowing the issuance of five PTCs for the construction of the Improvements described in the Application and this Amendment, subject to the filing of the necessary permits described herein.

DATED and respectfully submitted this 27th day of October, 2026.

HOLLAND & HART LLP

By: /s/ Bryce C. Alstead

Bryce C. Alstead (Nevada Bar No. 9954)
Amber L. Rudnick (Nevada Bar No. 16314)
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Fax: 775.786.6179

Attorneys for Winston FC Solar, LLC

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RENO, NV 89511-2094

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Holland & Hart LLP and on October 27, 2026, I caused to be served a true and correct copy of the foregoing document to the following:

ELECTRONIC MAIL

Nevada State Clearinghouse
Department of Conservation & Natural Resources,
Division of State Lands
901 S. Stewart Street, Ste. 5003
Carson City, NV 89701
nvclearinghouse@lands.nv.gov

ELECTRONIC MAIL

Jennifer Carr
Nevada Division of Environmental Protection
901 S. Stewart Street, Suite 4001
Carson City, NV 89701
Jcarr@ndep.nv.gov

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Staff Counsel Support
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701-3109
Pucn.sc@puc.nv.gov

ELECTRONIC MAIL

Ernest Figueroa, Esq.
Nevada State Consumer Advocate
Bureau of Consumer Protection
100 N. Carson Street
Carson City, NV 89701
bcpserv@ag.nv.gov

U.S. MAIL TRANSMITTAL

Lyon County Clerk
27 S Main Street
Yerington, NV 89447

/s/Cecilia Martin
Cecilia Martin, Legal Secretary
an employee of Holland & Hart LLP

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Exhibit "A"

Legal Description of Property

[see attached]

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EXHIBIT "A"
LEGAL DESCRIPTION
WINSTON SOLAR PROJECT BOUNDARY

Area 1:

Being Parcel 'A' per Boundary Line Adjustment Record of Survey map recorded on June 28, 2024, as File No. 683390, and Parcel 2 per Record of Survey for Boundary Line Adjustment map, recorded on November 4, 2002, as File No. 285240, in the Official Records of Lyon County, State of Nevada;

Together with those portions of Sections 34 and 35 of Township 15 North, Range 25 East, and Sections 2 and 3 of Township 14 North, Range 25 East, Mount Diablo Meridian, in the County of Lyon, State of Nevada, more particularly described as follows:

Beginning at the northwest corner of said Section 35

Course 1) Thence South 88°10'54" East, along the north line of the northwest quarter of said Section 35, a distance of 1312.39 feet;

Course 2) Thence leaving said north line, South 01°24'47" West, along the east line of the west half of the northwest quarter, a distance of 2663.92 feet to the south line of said northwest quarter;

Course 3) Thence continuing, South 01°24'47" West, along the east line of the west half of the southwest quarter of said Section 35, a distance of 2663.92 feet to the south line of said southwest quarter;

Course 4) Thence leaving said south line, South 01°00'34" West, along the east line of the west half of the northwest quarter of said Section 2, a distance of 2714.73 feet, to the south line of said northwest quarter;

Course 5) Thence along said south line, North 88°53'31" West, a distance of 1317.21 feet to the west quarter corner of said Section 2;

Course 6) Thence North 88°07'48" West, along the south line of the northeast quarter of said Section 3, a distance of 2649.88 feet to the center of said Section 3;

Course 7) Thence along the west line of said northeast quarter, North 01°05'32" East a distance of 2658.97 feet to the north quarter corner of said Section 3,

Course 8) Thence along the north line of said Section 3, North 89°12'23" West, a distance of 660.30 feet;

Course 9) Thence leaving said north line, North 01°41'17" East, along the west line of the east half of the east half of the southwest quarter of said Section 3, a distance of 2698.68 feet to the north line of said southwest quarter;

Course 10) Thence continuing, North 01°41'17" East, along the west line of the east half of the east half of the northwest quarter of said Section 3, a distance of 2698.15 feet to the north line of said Section 34;

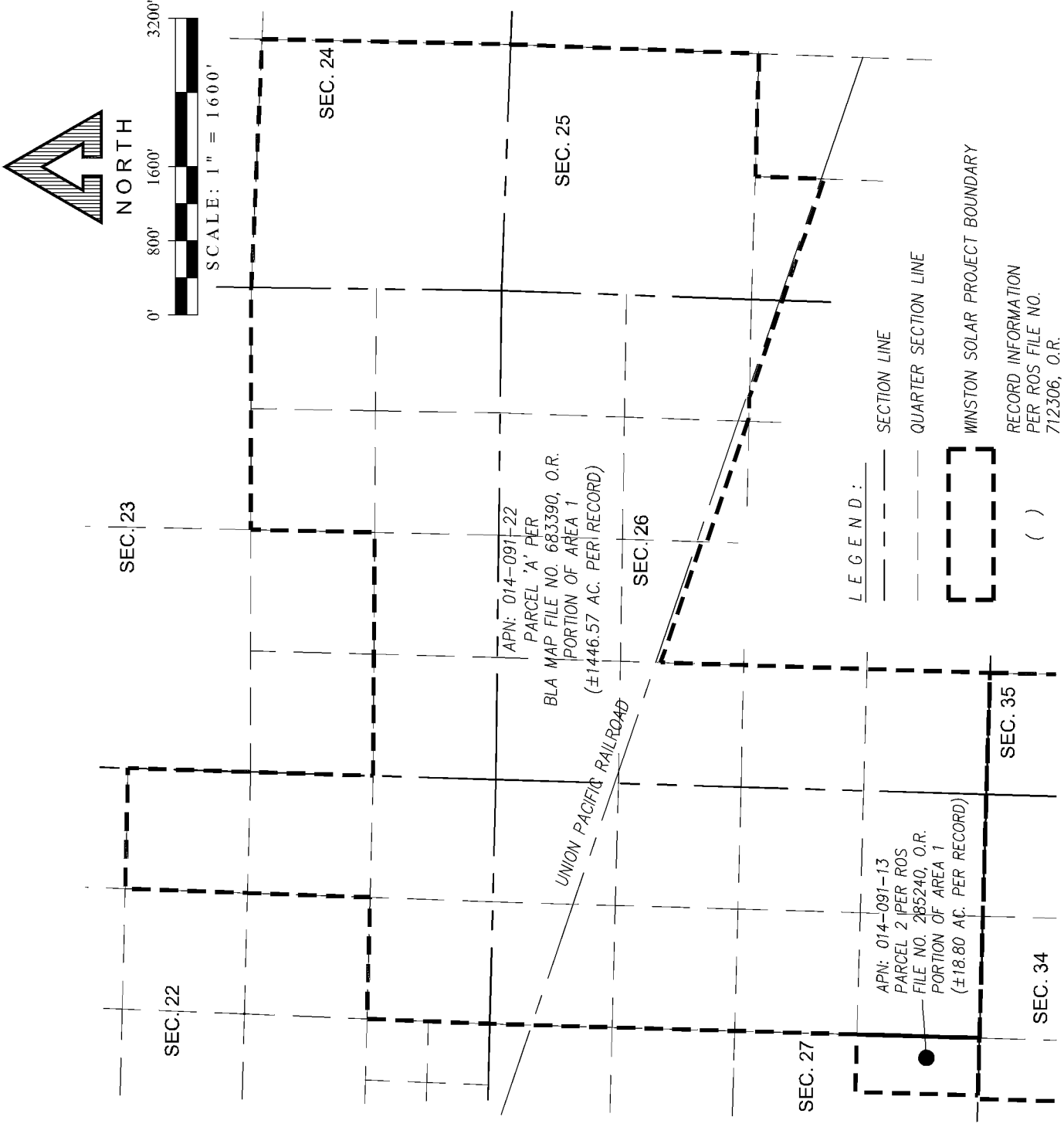
Course 11) Thence along said north line, South 88°23'49" East, a distance of 3284.77 feet to the **Point of Beginning.**

The above description is not intended for use in the conveyance of land.

Containing 813 acres, more or less.

See Exhibit "B" to accompany legal description, attached hereto and made a part hereof.





NOTE: THIS PLAT IS FOR ILLUSTRAVTIVE PURPOSES ONLY

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION FOR:

WINSTON SOLAR PROJECT BOUNDARY

COUNTY OF LYON, STATE OF NEVADA

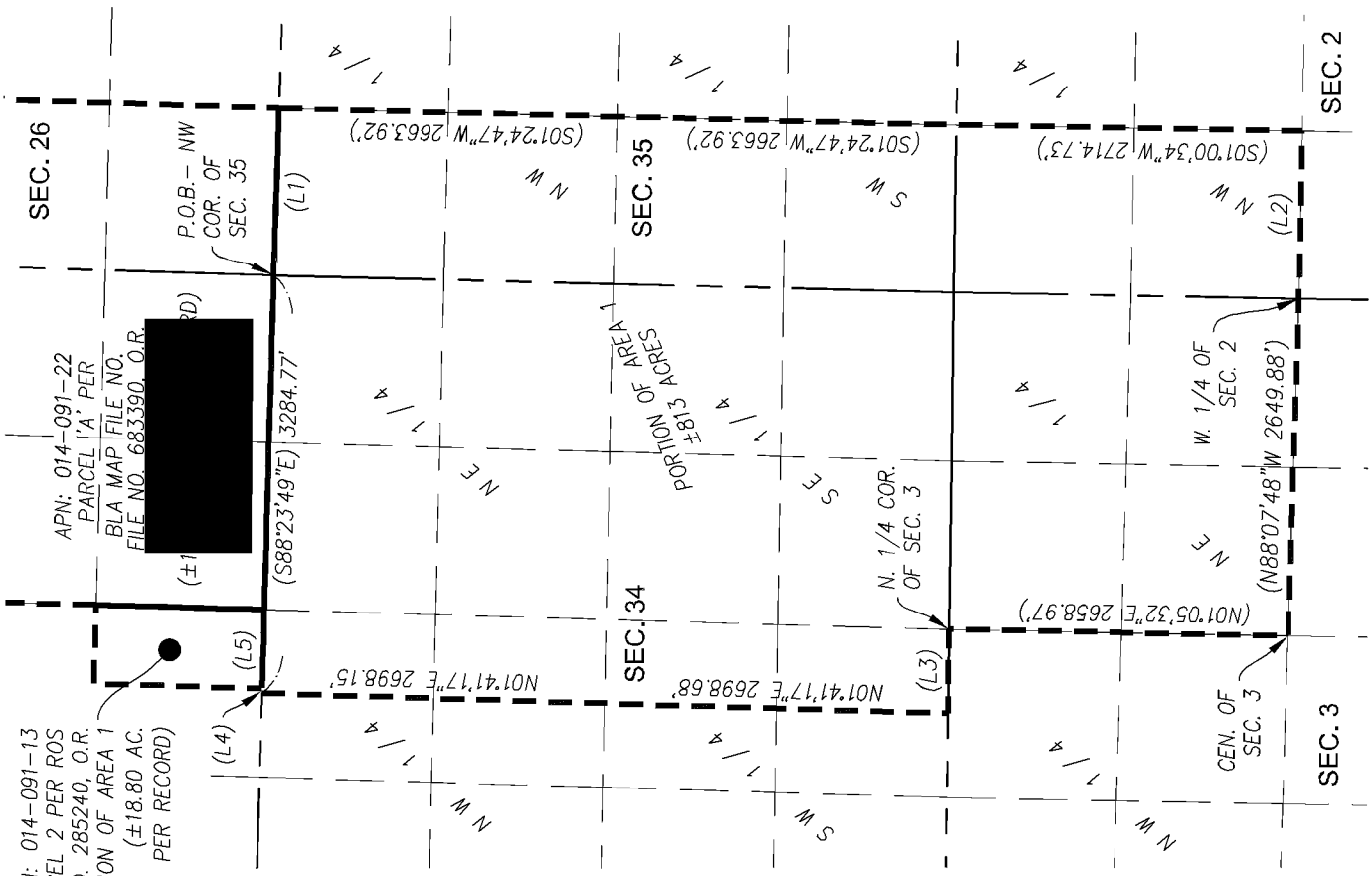
BEING PARCEL 'A' PER BLA ROS MAP FILE NO. 683390, AND PARCEL 2 PER ROS BLA MAP, FILE NO. 285240, IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA

DRAWN BY: C. JIANNINE	DATE: 10-22-2026	JOB NO.: 85-110

SMITHCO
SURVEYING ENGINEERING

P.O. BOX 81626
BAKERSFIELD, CA 93380
PHONE: (661) 393-1217
FAX: (661) 393-1218

PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA
JUAN F. FIERRO
Exp: 06-30-27
No. 13662
PRELIMINARY



NORTH

SCALE: 1" = 1500'

0' 750' 1500' 3000'

LEGEND:

SECTION LINE

QUARTER SECTION LINE

WINSTON SOLAR PROJECT BOUNDARY

RECORD INFORMATION PER ROS FILE NO. 712306, O.R.

( )

LINE TABLE		
LINE	LENGTH	BEARING
L1	(1312.39')	(S88°10'54"E)
L2	(1317.21')	(N88°53'31"W)
L3	660.30'	(N89°12'23"W)
L4	37.29'	(S88°23'52"E)
L5	657.38'	(S88°23'49"E)

NOTE: THIS PLAT IS FOR ILLUSTRAVTIVE PURPOSES ONLY

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION FOR:

WINSTON SOLAR PROJECT BOUNDARY

COUNTY OF LYON, STATE OF NEVADA

SECTIONS 34 AND 35 OF TOWNSHIP 15 NORTH, RANGE 25 EAST, AND SECTIONS 2 AND 3 OF TOWNSHIP 14 NORTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, IN THE COUNTY OF LYON, STATE OF NEVADA

DRAWN BY: C. JIANNINE | DATE: 10-22-2026 | JOB NO.: 85-110

SMITHCO
SURVEYING ENGINEERING

P.O. BOX 81626
BAKERSFIELD, CA 93380
PHONE: (661) 393-1217
FAX: (661) 393-1218

PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA
JUAN F. FIERRO
Exp: 06-30-27
No. 13662
PRELIMINARY

Exhibit "B"

Depiction of Revised Project Layout

[*see* attached]

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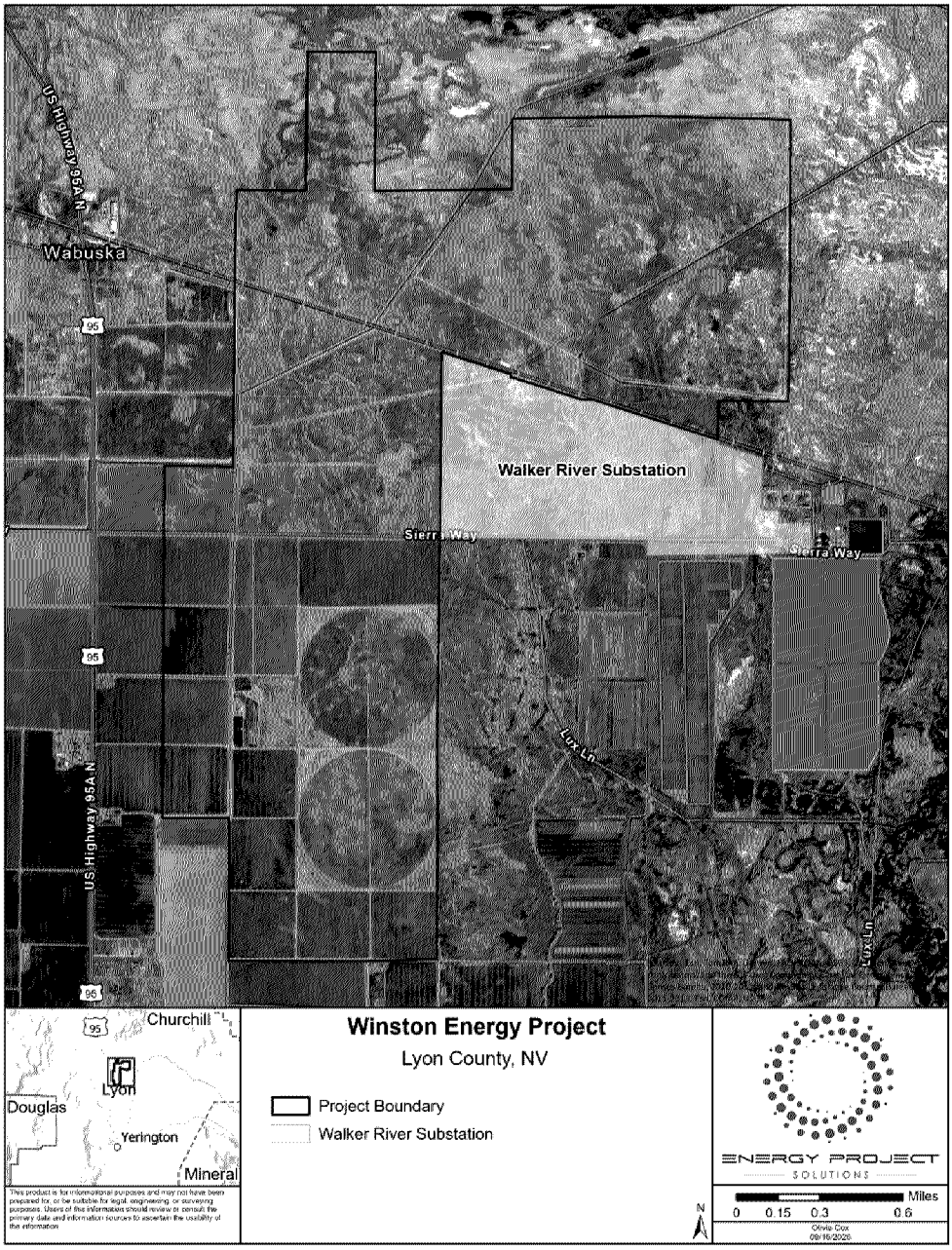


Exhibit "C"

Permits Obtained

REQUIRED PERMIT	ISSUING AGENCY	ISSUANCE DATE
Planned Unit Development	Lyon County	June 24, 2026
Cost Recovery Application for Energy Facility	Nevada Department of Wildlife	April 10, 2025

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APNs# 014-091-13, 014-091-15, 014-091-16, 014-091-17, 014-091-22, 014-201-14, 014-201-17, 014-201-18, 014-201-32, 014-201-33, 014-201-35

Recording Requested by:

Name: **Winston FC Solar LLC c/o Devon Muto**

Address: **15445 Innovation Drive**

City/State/Zip: **San Diego CA 92128**

Mail Tax Statements to:

Name: **Winston FC Solar, LLC c/o Devon Muto**

Address: **15445 Innovation Drive**

City/State/Zip: **San Diego CA 92128**

Doc #: 714215

10/20/2026 11:50 AM Page: 1 of 254

OFFICIAL RECORD

Requested By: HOLLAND & HART LLP

Lyon County, NV
Anita Talbot, Recorder

Fee: $43.00 RPTT: $0.00
Recorded By: abillmeyer

WINSTON ENERGY PROJECT FINAL AMENDED PLANNED UNIT DEVELOPMENT HANDBOOK (L.C.C. 15.349.14)

Title of Document

(Required Field)

FILL IN ALL THAT APPLY:

The Undersigned Hereby Affirms That This Document Submitted For Recording Contains Personal Information As Required By Law*:

Specify Law* _____ Signature _____

Specify Law* _____ Print Name _____ Title _____

*If there is no applicable State or Federal Law, Personal Information must be removed prior to recording.

If this document is a re-record or correction, fill out below:

Correcting Document#: _____ Amending: _____

Reason for re-record: _____

(For Re-records, all pages from original document must be included, $25 Non-conforming Fee may apply)

If legal description is in metes & bounds, indicate where it was obtained:

_____ (Document Title), Book _____ Page _____ or

Document # _____ recorded _____ (date) in the

Lyon County Recorder's Office.

-OR-

If prepared by a surveyor, provide name and address:

_____

_____

*"Personal information" means a natural person's first name or first initial and last name in combination with any one or more of the following data elements:

1. Social security number.
2. Driver's license number or identification card number.
3. Account number, credit card number or debit card number, in combination with any required security code, access code or password.

WINSTON ENERGY PROJECT FINAL AMENDED PUD HANDBOOK

NOTICE is hereby given that the Final Amended Winston Solar Planned Unit Development ("PUD") Handbook for the Winston Energy Project was **APPROVED** by the Lyon Board of County Commissioners on September 3, 2026, and this recording was subsequently authorized by the Lyon County Planning Department on October 6, 2026. A copy of the final approved amended PUD Handbook is attached hereto and incorporated herein pursuant to Lyon County Code 15.349.14 and NRS 247.110(1).

Dated this 15th day of October, 2026.

Devon Muto

Name of Authorized Agent

Signature of Authorized Agent
Devon Muto
Winston FC Solar, LLC

STATE OF_____)

)

COUNTY OF_____)

On this _____day of _____, 2026, before me, a Notary Public, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed in the same in their authorized capacity, and that by their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

See attached

_____

Signature of Notary Public (seal)

CALIFORNIA ACKNOWLEDGMENT CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On October 15, 2026 (Date) before me, Jasmine Abou Chacra, Notary Public, (Here Insert Name and Title of the Officer)

personally appeared Devon Muto (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

JASMINE ABOU CHACRA
Notary Public - California
San Diego County
Commission # 2442412
My Comm. Expires Mar 27, 2027

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

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☐ Corporate Officer – Title(s): _____
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☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer is Representing: _____

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☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
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LYON COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING * DEVELOPMENT ENGINEERING * PLANNING
CODE ENFORCEMENT * ECONOMIC DEVELOPMENT
27 SOUTH MAIN STREET, YERINGTON, NV 89447
PHONE: 775-463-6592 FAX: 775-463-5305
WEBSITE: www.lyon-county.org

October 6, 2026

Winston FC Solar, LLC
C/O Devon Muto
15445 Innovation Drive
San Diego CA 92128

RE: Final Planned Unit Development for the Winston Energy Project - amended
PLZ-2026-061

Dear Mr. Muto,

In accordance with Lyon County Code Section 15.349.13, this letter serves as official confirmation that the Amended Final Planned Unit Development (PUD) for the Winston Energy Project has been approved by the Lyon County Community Development Department and you are authorized to now officially record the amended Final PUD with the County's Recorder's Office.

The first approved Winston Energy Project PUD was recorded on July 10, 2026 (PLZ-2026-040). The Board of County Commissioners approved the request the amend the Final amended PUD on September 3, 2026.

The amended PUD shall serve as the governing document for development of the project in accordance with the terms and conditions of approval. The project shall remain in full compliance with the approved Final PUD at all times. Any proposed changes, modifications, or amendments to the approved Final PUD shall require formal amendment and must be reviewed and approved by the Lyon County Board of County Commissioners prior to implementation.

Should you have any questions or require additional information, please do not hesitate to contact the Lyon County Community Development Department at (775) 463-6592.

Sincerely,

Gavin Henderson

Gavin Henderson
Community Development Director

Cc: File
Energy Project Solutions, 4675 W Teco Ave #230, Las Vegas NV 89118 c/o Antonio Lopez-Bormann
Masini Investments LLC, PO Box 1518, Yerington NV 89447

BOARD OF COUNTY COMMISSIONERS
LYON COUNTY NEVADA
27 South Main Street
Yerington, Nevada 89447
Phone: (775)463-6531 Fax: (775)463-6533

John Cassinelli, District 1
Scott Keller, District 2
Tammy Hendrix, District 3
Robert Jacobson, District 4
Dave Hockaday, District 5
Andrew Haskin
County Manager

September 3, 2026

Winston FC Solar, LLC
c/o Devon Muto
15445 Innovation Drive
San Diego CA, 92128

RE: A request from Winston FC Solar, LLC for an amendment to the approved Planned Unit Development

Dear Mr. Muto,

The Lyon County Board of Commissioners, at a duly noticed public hearing held on Thursday, **September 3, 2026,** considered the above-referenced application.

On the date indicated above, a Notice of Final Action was filed with the Lyon County Clerk, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five day limitation period specified therein.

By **majority** vote (4 Ayes; 1 Nays-Commissioner Hockaday; 0 Abstentions), the Board of County Commissioners motioned to **approve** a request for the Winston Energy Project in Mason Valley. The proposed amendment is for the western setback for the solar energy conversion system associated with the PUD, reducing the setback along U.S. Highway 95A from 1,980 feet to 1,320 feet, in order to accommodate an easement along the eastern portion of the project site. APNs 014-091-[13, 15, 16, 17, 22] and 014-201-[14, 17, 18, 32, 33, 35]; PLZ-2026-061 based on the Findings listed in the Staff Report and copied below.

A. In what respects the plan is or is not consistent with the statement of objectives of this chapter;

B. The extent to which the plan departs from zoning and planned unit development regulations otherwise applicable to the property, including but not limited to density, size and use, and the reasons such departures are or are not deemed to be in the public interest;

C. The purpose, location and amount of the open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of the amount and purpose of the open space as related to the proposed density and type of residential development;

D. A physical design of the plan and in the manner in which such design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, parking requirements, and further the amenities of light and air, recreation and visual enjoyment

E. The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is proposed; and

F. In the case of a plan which proposes a development over a period of years, the sufficiency of the terms and conditions intended to protect the interest of the public and the residents of the planned unit development in the integrity of the plan.

If you have any questions or concerns, please feel free to contact the Community Development Department at 775-463-6592.

Sincerely,

Gavin Henderson
Community Development Director

Cc: File
Clerk's Office
Assessor's Office
Energy Project Solutions, c/o Antonio Lopez-Borman, 4675 W Teco Ave #230, Las Vegas NV, 89118
Masini Investments LLC, PO Box 1518, Yerington NV, 89447

Application for Energy Projects
"Fund for the Recovery of Costs"

Nevada Revised Statutes 701.600-640
Nevada Administrative Code 701.800-820

Applicant:
- [ ] Self
- [x] Private Company
- [ ] Government Agency
- [ ] Other _____

Project Name Winston Solar Project (Amended Application)

Applicant Winston FC Solar, LLC

Mailing Address 15445 Innovation Drive

City San Diego State CA Zip Code 92128

Name of Contact David Calderon Phone (619) 860-6477 Email david.calderon@edf-re.com

Name of Responsible Corp. Officer/Agency Rep. Devon Muto Title VP Development West

Project Type

[x] Solar [ ] Wind [ ] Geothermal [ ] Fossil Fuel [ ] Biomass [ ] Fuel Pipeline [ ] Power Transmission [ ] Other

Net Maximum Generation Capacity 40 MW Estimated Voltage (power transmission) 230 kV

Proposed Project Size (acres) 2462 Proposed Transmission Length (miles) 0.5

Proposed Length of Fuel Lines/Pipelines (miles) _____

Other Infrastructure (e.g., evaporation/holding ponds or tanks, recharge stations; estimated acres) Project will include a step up substation and other infrastructure commonly associated with solar projects

Proposed County Location (submit project map and shapefiles) Lyon County 9 miles North of Yerrington

Project Description This application amends the 3/28/25 application correcting the project company name. Winston FC Solar, LLC, a wholly-owned subsidiary of EDF Renewables, Inc. (EDF), is developing a 400 MW solar + storage power plant, on approximately 2462 acres of private land. The project will include a 230 kv transmission line approximately 0.5 mile in length.

Estimated Project Schedule/Timeline construction is estimated to start on 2Q 2027-3Q 2027, the commercial operation date is estimated to be on 4Q2028

Applicant Signature David Calderon Date 4/10/2025

Enclose initial payment made out to **Nevada Department of Wildlife**.

- Remit **$5,000** for fuel pipelines less than 50 miles in length, power transmission projects greater than 50kV and less than 50 miles in length, or geothermal production projects.
- Remit **$10,000** for fuel pipelines more than 50 miles in length, power transmission projects greater than 50kV and more than 50 miles in length, or solar, wind, fossil fuel or other energy production projects.

Submit project shapefiles (ArcGIS or GoogleEarth are acceptable) to: Jasmine Kleiber at jkleiber@ndow.org

Submit application, payment, and maps to:

Nevada Department of Wildlife
Habitat Division – AB307
6980 Sierra Center Parkway, Suite 120
Reno, NV 89511 USA

Exhibit "D"

Environmental Statement

[*see* attached]

HOLLAND & HART LLP
5470 KIETZKE LANE, SUITE 100
RENO, NV 89511-2094

WINSTON ENERGY PROJECT
ENVIRONMENTAL STATEMENT

PREPARED FOR:

Winston FC, Solar LLC
15445 Innovation Dr
San Diego, CA 92128

October 2026

ICF

ICF. 2026 *Winston Energy Project Environmental Statement*. May. (ICF 104036.0.016.) Fort Collins, CO. Prepared for EDF power solutions, San Diego, CA.

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Acronyms and Abbreviations

Acronym	Definition
AC	alternating current
APE	Area of Potential Effects
APN	Assessor Parcel Number
ARPA	Archaeological Resources Protection Act
BESS	battery energy storage system
BLM	Bureau of Land Management
BMPs	best management practices
DC	direct current
ESA	Endangered Species Act of 1973
facility	solar energy facility
FLPMA	Federal Land Policy and Management Act
gen-tie	generation tie
GIS	geographic information system
GLO	Government Land Office
HVAC	heating, ventilation and air conditioning
IPaC	Information for Planning and Consultation
kV	kilovolt
MW	megawatt
NDEP	Nevada Division of Environmental Protection
NDNH	Nevada Division of Natural Heritage
NDOW	Nevada Department of Wildlife
NEPA	National Environmental Policy Act of 1969
NESC	National Electrical Safety Code
NHD	National Hydrography Data
NHPA	National Historic Preservation Act of 1966
NRHP	National Register of Historic Places
OSHA	Occupational Safety and Health Act
PM	particulate matter
Project	Winston Energy Facility
PV	photovoltaic
SCADA	supervisory control and data acquisition
SWPPP	Stormwater Pollution Prevention Plan
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
Winston Energy	Winston FC Solar LLC

Chapter 1
Introduction

Winston FC Solar LLC (Winston Energy) proposes to construct the Winston Energy Facility (Project), a 400-megawatt (MW) photovoltaic (PV) solar energy facility (facility) with a Battery Energy Storage System (BESS) located on approximately 2,374 acres of privately owned land across 11 parcels in Lyon County, Nevada (**Figure 1-1, Table 1-1**).

The Project site is located just east of U.S. Alt Highway 95 (U.S. Hwy 95A), approximately 15 miles northeast of the City of Yerington, and west of the proposed Walker River Substation. Ancillary facilities include a substation, collection lines, an operations and maintenance facility, and site access roads. Electricity generated by the Project will be connected to NV Energy's transmission system via a newly constructed 4800-ft 345-kilovolt (kV) generation tie (gen-tie) line to the proposed Walker River Substation, which is directly adjacent to the Project site (**Figure 1-1**).

Table 1-1 includes the legal descriptions of the parcels in the Project area.

Table 1-1. Legal Description

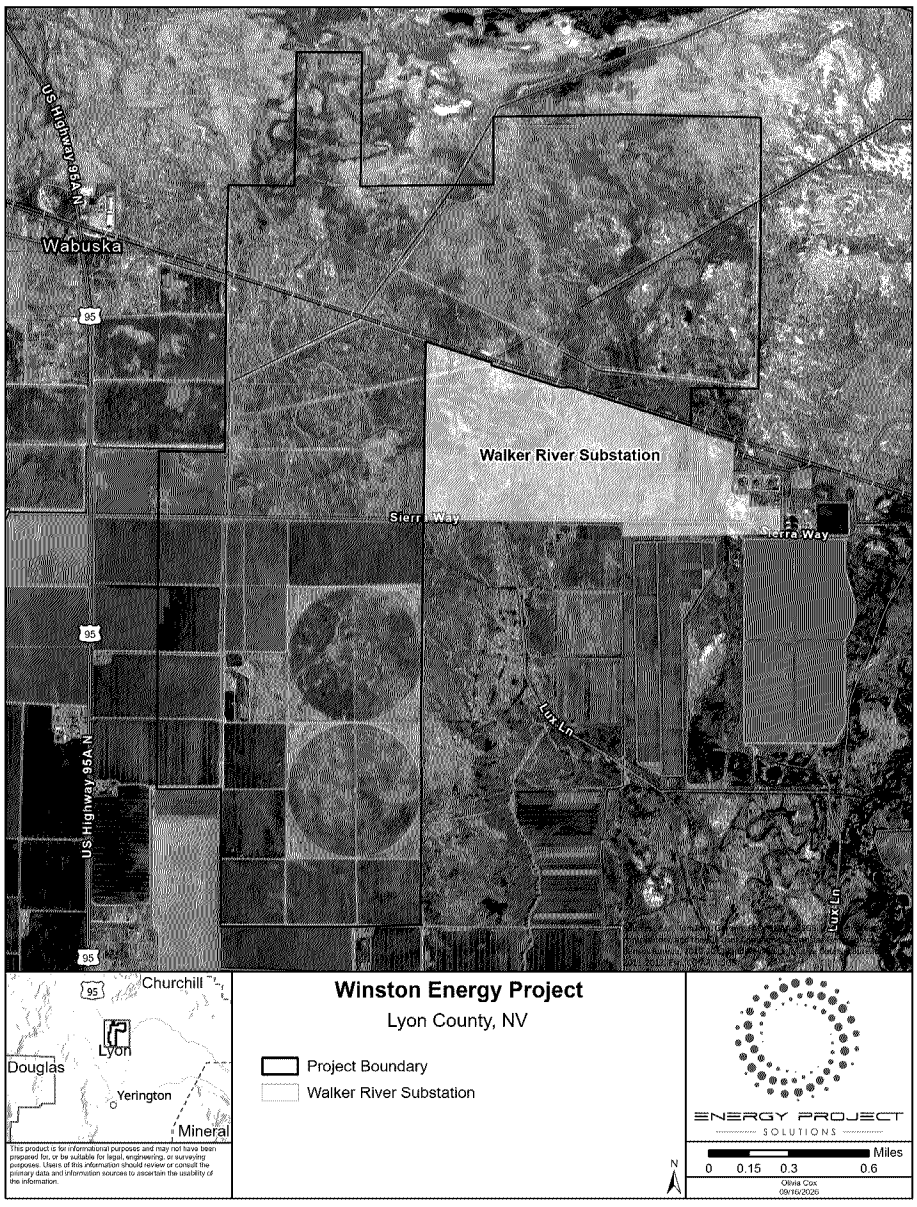
Public Land Survey System Description	Acreage
Section 02, Township 14 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	81.8
Section 03, Township 14 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	162.7
Section 22, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	157.6
Section 23, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	240
Section 24, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	164.5
Section 25, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	181.6
Section 26, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	381.9
Section 27, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	358.3
Section 34, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	482.9
Section 35, Township 15 North, Range 25 East, Mount Diablo Meridian, Lyon County, Nevada	163.2

Table 1-2 summarizes the Assessor Parcel Number (APN) and acreage of the Project within each parcel.

Table 1-2. Parcel and Acreage of the Project

APN	Acreage
014-091-13	18.8
014-091-15	2016.9
014-091-16	4
014-091-17	0
014-201-14	82.8
014-201-17	38.9
014-201-18	492.6
014-091-22	1,444.7
014-201-32	157.3
014-201-33	78
014-201-35	39.7

Figure 1-1. Project Site



1.1 Project Schedule and Timing

Construction of the proposed Project is anticipated to begin in Quarter 2 of 2027, with commercial operations anticipated to commence in Quarter 2 of 2029. Construction of the Project is expected to occur over 18–24 months and will consist of several phases, including mobilization and staging, improvements to access roads, PV facility construction, gen-tie line construction, demobilization of equipment and staging areas, and site reclamation.

Chapter 2
Project Overview

Winston FC Solar, LLC intends to construct the Winston Energy Facility, a 400-MW commercial PV solar energy facility with a BESS facility a substation, collection lines, an operations and maintenance facility, and site access roads. Electricity generated by the Project will be connected to NV Energy's transmission system via a newly constructed 1-mile 345 kV gen-tie line to the proposed Walker River Substation, which is located directly adjacent to the Project site. The proposed Project includes the following primary components:

- 400-MW solar PV facility
- 400-MW 4-hour BESS facility
- O&M facility
- Substation
- 345-kV gen-tie line
- Site access roads

2.1 Project Components

2.1.1 Solar PV Facility

The solar array will be composed of PV modules, support structures, inverters and associated equipment, and solar resources and meteorological equipment as detailed here. All disturbances associated with the solar PV facility will be contained to private lands.

PV modules safely convert the sun's rays into electricity by exciting electrons in silicon cells using the photons of light from the sun. The Project's PV modules will utilize crystalline silicon, bi-facial, or thin-film PV panels that will be mounted on single-axis trackers. The panels will be oriented in north–south rows with the panels moving to track the sun as it moves across the sky during the day to increase overall efficiency and reliability and be mounted to a tracker system specifically designed to withstand wind, snow, and seismic loads anticipated at the site.

The PV modules deployed for use in the proposed Project will comply with industry standards and will be electrically connected to the grounding system of the facility in accordance with local codes and regulations. The final PV module selection will be determined during the detailed engineering phase.

The PV modules, inverters, and transformers will be grouped into array blocks of up to 5 MW DC. Inverter and transformer sizes will be selected based on cost and market availability prior to construction.

The solar arrays will be positioned onto a single-axis tracking system, allowing the PV modules to move through the course of the day to track the sun. The highest point on the single-axis trackers will be up to 12 feet, occurring during the morning and evening hours when the panels are tilted to face the rising or setting sun. The degree of tilt will change over the course of each day for the single-

axis trackers. The PV units will be mounted on driven or pre-drilled H-pile foundations to support the panel mounting system.

Site specific soil tests validate the preliminary engineering and if additional tests or installations conclude that further foundations are required, the vertical steel beams will be attached to concrete ballasts. The electrical equipment (inverters and transformers) will be in enclosures or covered by shade structures approximately 8 to 10 feet high.

The electrical current produced by the solar modules is in the form of direct current (DC). Cables collect and aggregate the DC before it is converted to alternating current (AC) and sent to a substation. Multiple transformers will be connected in parallel via low voltage (12.5 kV or 34.5 kV) collector lines to the Project substation, where the power from the Project will be stepped up for delivery to the grid via the gen-tie lines.

The Project will also include one or more small meteorological monitoring stations to track solar insulation, temperature, wind direction, and speed. These stations will have a height of approximately 10 feet and will be located within the disturbed site.

The perimeter of each continuous area of the solar PV facility will be secured with a 6 to 7-foot tall, chain link metal- fabric security fencing or game fence. If determined necessary, up to 2-foot barbed wire or razor wire may be added to the top. Controlled access gates would be located at the site entrances to each area

2.1.2 Battery Energy Storage System

The Project includes the construction and operation of a lithium Ion BESS that will store power generated by the solar PV facility and allow for the transfer of power to the electrical grid as needed. The BESS containers will be installed in a central location on the Project site, located adjacent to the Project substation.

The BESS will consist of multiple enclosures housing batteries connected in strings and mounted on racks. AC-coupled BESS design standards typically include monitoring equipment, cooling units, active exhaust venting, multiple fire detection units including gas/heat/smoke detectors, and fire safety systems, which adequately address fire risk associated with the unit. (Fire risk and associated design requirements are addressed further in the Fire Safety Section.) AC-coupled BESS units typically require their own inverters on their own skid.

However, some equipment associated with the BESS (e.g., inverters, auxiliary transformer to control the HVAC system) may be adjacent to the enclosure with appropriate spacing considered for O&M access and fire safety.

Because the size of each battery enclosure varies widely by manufacturer, the total number of enclosures to be installed will not be known until a manufacturer has been selected. Each BESS enclosure will house hundreds of battery modules. Typical BESS enclosures are approximately 24 feet long by 8 feet wide by 9.5 feet high; however, these dimensions can vary by manufacturer, the height is not expected to exceed 12 feet. Each BESS enclosure is typically capable of storing between 2 to 5 MWh of energy. The batteries will be predominantly charged directly from the PV solar energy generated by the Project. Energy stored in the BESS will then be discharged into the grid when the energy is needed, providing important electrical reliability services to the local and

regional area. The total land disturbance attributed to the BESS facilities under this scenario will approximately be 25 acres.

The perimeter of the BESS yard will be secured with a 6 to 7-foot tall, chain link metal- fabric security fencing or game fence. If determined necessary, up to 2-foot barbed wire or razor wire may be added to the top. Controlled access gates would be located at the site entrances to the yard.

2.1.3 Operations and Maintenance Building

The proposed O&M building will be approximately 6,000 square feet with a maximum height of approximately 25 feet. The single-story O&M building will contain administrative offices, parts storage, a maintenance shop, plant security systems, and plant monitoring equipment with adjacent worker parking. The O&M building will have exterior lighting on motion sensors, fire and security alarms, and will comply with all applicable laws and regulations (including applicable Occupational Safety and Health Act [OSHA] requirements).

The perimeter of the O&M lot will be secured with a 6 to 7-foot tall, chain link metal- fabric security fencing or game fence. If determined necessary, up to 2-foot barbed wire or razor wire may be added to the top. Controlled access gates would be located at the site entrances to the lot.

2.1.4 Substation

The proposed Project will include construction of a substation within the solar PV facility. The substation will accommodate the 345-kV gen-tie. The substation will include medium voltage (34.5 kV) to high voltage (345 kV) step-up transformer(s) with mineral oil, breakers, bus work, protective relaying, supervisory control and data acquisition (SCADA), and associated substation equipment will be located on the site.

The relative location of the Project substation is shown on the proposed site layout plan for the Project. The substation will be fenced for safety in accordance with applicable codes and one or more structures may be outside the fence for meters and control equipment. The communication system for the substation may include above-ground fiber optic cable and/or a microwave tower. If a fiber optic line is used, it will be mounted on the gen-tie line structures as one of the shield wires. The gen-tie line is described below.

Switching and transformer equipment will be located on-site with a control enclosure. The substation will be designed to accommodate necessary setbacks and spacing between pieces of equipment and will include a drainage collection area consistent with local and state regulations. Transformers will be placed within a secondary containment area according to local and state regulations to prevent pollution of soil and water in the event of a spill.

The substation lighting will be designed to provide the minimum illumination needed to achieve safety and security objectives and will be downward facing and shielded to focus illumination on the desired areas only. All lighting will be shielded downward to minimize contributions to sky glow. Substation lighting will be designed to minimize potential impacts on wildlife and will avoid the casting of light toward surrounding wildlife habitat or surrounding properties in the vicinity of the work area. The substation will be enclosed by fencing according to National Electric Code requirements.

2.1.5 Gen-Tie Line

A new 4,800, 345 kV gen-tie line will be constructed to connect the Project substation to the grid through the existing Walker River Substation. Approximately 500 feet of the proposed gen-tie line will be located within the Project area, and the remaining will be located within the Walker River Substation yard, where the electricity generated by the Project can be transmitted to the electrical grid. The Project will use H-frame or single steel pole structures that will be made of self–weathering or galvanized steel. The structures will range in height from 120 feet to 170 feet.

The design, construction, operation, and maintenance of the transmission lines will meet requirements of the National Electrical Safety Code (NESC); U.S. Department of Labor, Occupational Safety and Health Standards; and the Resource Management Plan's requirements for safety and protection of landowners and their property. Transmission line design will also be consistent with recommendations for reducing negative impacts of power lines on birds found in *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* by Edison Electric Institute and the Avian Power Line Interaction Committee (APLIC 2006) and *Reducing Avian Collisions with Power Lines* by the U.S. Fish and Wildlife Service and the APLIC (APLIC 2012).

2.1.6 Site Access Roads

The Project will require vehicular access during construction, operation, maintenance, and decommissioning. An existing public road, Sierra Way, will be used to provide access to the Project site from SR-95. A limited number of access points along Sierra Way will be established for the Project which provide entry to the site internal access road network. The access will be used to accommodate equipment deliveries, the construction workforce, and ultimately, the operational needs of the Project. Construction traffic, which primarily consists of construction workers and truck deliveries will necessitate traffic management at the intersection of SR-95 and Sierra Way.

2.2 Project Construction

Construction of the proposed Project is anticipated to begin in Quarter 2 of 2027, with commercial operations anticipated to commence in Quarter 2 of 2029. Construction of the Project is expected to occur over 18-24 months and will consist of several phases, including mobilization and staging, improvements to access roads, PV facility construction, gen-tie line construction, demobilization of equipment and staging areas, and site reclamation.

2.2.1 Site Preparation

Site-preparation activities will include surveying, vegetation clearing and grubbing, and grading. Prior to the initiation of any construction, the necessary permits will be obtained.

Vegetation clearing and grubbing for the proposed Project will commence immediately prior to construction to minimize the potential for soil erosion. Vegetation will be permanently cleared from roadways, access ways, and at inverter equipment, substation, BESS locations, and O&M facilities. Following initial site preparation and vegetation removal, grading will be completed with the use of standard heavy equipment, such as bulldozers.

2.2.2 Grading

During construction and operation of the facility, the development, operation, and reclamation of all roads, access corridors, foundation pads, equipment storage and staging areas, and all related facilities will conform to accepted slope stability requirements and all Nevada Division of Environmental Protection (NDEP) best management practices (BMP).

The proposed improvements for the facility will be constructed at existing grade where possible. Within the solar field, some grading will be required for the Project substation, O&M area, battery storage area (s), perimeter roads around the solar arrays, electrical equipment pads and where the panel support foundations are driven or drilled. A small, graded pad could be required within each solar array to accommodate the inverter and transformer or they could be installed on driven piers. A Fugitive Dust Control Plan to reduce fugitive dust during grading will be prepared.

2.2.3 Site Access Road Construction

Disturbance from internal access road construction will occur on private land within the Project area. If necessary, water may be applied to work surfaces to aid soil compaction and for dust control. An estimated 150 to 200 acre feet of water will be needed to aid in dust control.

2.2.4 Collection Line and Gen-Tie Construction

Gen-tie line construction will include installation of the power poles, insulators, travelers, and hardware, which will be attached to each powerline pole. The gen-tie line power poles will be placed directly into the ground along the gen-tie-route using a truck-mounted mobile crane. The Project will use H-frame or single steel pole structures that will be made of self–weathering or galvanized steel. The structures will range in height from 120 feet to 170 feet. Generally, transmission pole structures will be assembled on-site using truck-mounted cranes.

The underground medium voltage collection system for the solar plant involves buried cables that carry alternating current from the inverters to the project step-up substation. These cables are encased in protective conduit and installed at a regulated depth to minimize surface disruption. The path to the substation is strategically chosen to reduce impact. At the substation, the voltage is increased for grid interconnection. The design, construction, operation, and maintenance of the transmission lines will meet requirements of the National Electrical Safety Code (NESC); U.S. Department of Labor, Occupational Safety and Health Standards; and the Resource Management Plan's requirements for safety and protection of landowners and their property. Transmission line design will also be consistent with recommendations for reducing negative impacts of power lines on birds found in *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* by Edison Electric Institute and the Avian Power Line Interaction Committee (APLIC 2006) and *Reducing Avian Collisions with Power Lines* by the U.S. Fish and Wildlife Service and the APLIC (APLIC 2012).

Chapter 3

Baseline Resource Conditions and Environmental Conditions

3.1 Water Quality/Waters of the U.S.

The Project is located entirely within the Fox Ditch-Walker River administrative groundwater basin (Hydrologic Unit Code 160503030104; Nevada Division of Water Resources [NDWR] Hydrographic Basin Number 108 Region 9), which is a watershed of the Central Lahontan (HUC 1605) and Great Basin (HUC 16) watersheds (USGS 2024). The National Hydrographic Dataset (NHD) data displays two ephemeral drainages within the Project Area. Due to extensive construction of berms, swales, dikes, and ditches throughout, and surrounding, the Project Area, these drainages have been severed from their original flow paths and exist within closed basin systems. As a result, these features will not be classified as jurisdictional or WOTUS. The Project does not impact the water quality or WOTUS as no jurisdictional waters are located in the Project Area.

3.2 Air Quality

The use of heavy-duty equipment during construction of the Project will result in short-term impacts on air quality from the creation of fugitive dust and exhaust emissions.

Winston Energy has developed a site-specific and industry-standard Fugitive Dust Control Plan to reduce fugitive dust (particulate matter [PM]10 and PM 2.5) emissions associated with construction activities through the identification of dust generating activities and mitigation measures in compliance with the NDEP Bureau of Air Pollution Control. A Surface Area Disturbance Permit will be obtained from the NDEP Bureau of Air Pollution Control, which will require specific, industry-standard BMPs to be implemented during construction.

3.3 Biological Resources

A GIS and field-based approach was used to evaluate the Project area for biological resources with a focus on sensitive and protected plant and animal species. State-listed species were compiled using the Nevada Division of Natural Heritage (NDNH) sensitive species lists for Lyon County (NDNH 2024)). The Information for Planning and Consultation (IPaC) online system (USFWS 2024) served as reference information to determine the Threatened and Endangered species and/or resources known to occur in or near the Project area. These data sources served as reference information to determine the sensitive species and/or resources known to occur in or near the Project area.

Rock Mountain Ecology (RME) completed a field survey assessment on November 19, 2024, for habitat and wildlife within the Project boundary (RME 2024). The objective of this field survey was to conduct an initial site reconnaissance and document habitat and wildlife occurrence potential within the proposed Project boundary.

3.3.1 Threatened and Endangered Plant and Wildlife Species

Threatened and Endangered species are listed by the U.S. Fish and Wildlife Service (USFWS) and receive protection under the Endangered Species Act of 1973 (ESA), as amended. ICF reviewed an online report generated by the USFWS IPaC tool to assess the potential for federally listed species to occur in the Project Area. One federally threatened species is located within the Project area, along with one federal candidate species. The western, yellow-billed cuckoo (*Coccyzus americanus*) is listed as threatened by the USFWS but is anticipated to have low potential to occur in the Project area. This species has two distinct populations, an eastern population that breeds east of the Rocky Mountains, and a western population that breeds west of the Rocky Mountains. Yellow-billed cuckoos occur in dense foliage near riparian areas; thus, sparsely vegetated riparian portions of the Project area may provide low-quality habitat. Nonetheless, the species occurs in very low numbers in the western region population.

IPaC also reported the monarch butterfly (*Danaus plexippus*), a candidate species, as having potential to occur in the Project area. No critical habitat for federally listed species has been designated or proposed for designation in or near the Project area (USFWS 2024).

3.3.2 State-Listed Plant Species

The Division of Forestry under the Nevada State Department of Conservation and Natural Resources establishes a list of protected native flora and critically endangered plant species. These species may not be removed or destroyed except by permit issued by the State Forester. The proposed Project area provides suitable habitat for a variety of state-protected wildlife species (**Table 3-1**). There are two critically imperiled plant species that have low potential to occur within the Project area, Churchill Narrows buckwheat (*Eriogonum diatomaceum*) and Mono ragwort (*Senecio pattersonensis*).

Table 3-1. State-listed Plant Species with Potential to Occur in the Project Area

Common Name	Scientific Name	State Status	Potential to Occur
Alexander buckwheat	*Eriogonum alexanderae*	S2S3	L
Churchill Narrows buckwheat	*Eriogonum diatomaceum*	S1	L
Nevada suncup	*Camissonia nevadensis*	S3	L
Masonic Mountain jewelflower	*Streptanthus oliganthus*	S2	L
Mono County phacelia	*Phacelia monoensis*	S2	L
Mono ragwort	*Senecio pattersonensis*	S1	L
Tiehm peppercress	*Lepidium tiehmii*	S2	L
Whitebark pine	*Pinus albicaulis*	S3	L
Williams combleaf	*Polyctenium williamsiae*	S2	L

Source: NDNH 2024
Notes: S = Subnational (State), S#S# = Range Rank, 1 = Critically Imperiled, 2 = Imperiled, 3 = Vulnerable, L = Low (unlikely to occur), M = Moderate (habitat is limited, may be used for foraging or passing through), H = High (observed on-site or habitat is widespread, likely nests and forages on-site).

During the field survey assessment on November 19, 2024, field surveyors identified the dominant vegetation in the northern portion of the Project Area as primarily composed of shrub/scrub vegetation communities, dominated by *Atriplex* species and sagebrush (*Artemisia*). The southern portion is almost entirely agricultural farmland; some are barren or stubble fields, and others are dominated by alfalfa. No sensitive plant species were found in the area (RME 2024).

Construction of the proposed Project will result in the long-term removal of approximately 2,374 acres of vegetation. Adverse, indirect, long-term impacts may occur from the spread and establishment of noxious weeds in the Project area. Adverse impacts on vegetation resources are anticipated to be minimal during operation of the proposed Project. Impacts on vegetation will be reduced through implementation of a Weed Management Plan and the environmental protection measures identified in Section 2.4, *Applicant-Committed Environmental Protection Measures*.

3.3.3 State-Listed & Big Game Management Wildlife Species

The State of Nevada defines state-listed species as species with the highest risk of extirpation in the state and are considered to be of long-term concern. The proposed Project area provides suitable habitat for a variety of state-listed- wildlife species (**Table 3-2**). There are two critically imperiled (S1 listing) wildlife species that have low potential to occur within the Project area, California spotted owl (*Strix occidentalis occidentalis*) and tricolored blackbird (*Agelaius tricolor*); other

During field surveys, two state-listed wildlife species were observed in the Project area. Surveyors observed multiple loggerhead shrike (*Lanius ludovicianus*) individuals and an individual golden eagle (*Aquila chrysaetos*) in the Project area. Non-state-listed wildlife species observed during field are outlined in Appendix C. Three raptor nests were documented within the Project Area bounds. All nests showed signs of activity, including whitewash, prey remains, and, at the southern location, two red-tailed hawks (*Buteo jamaicensis*) perched in the nest tree. In addition, a single large mammal (possibly coyote (*Canis latrans*) or American badger (*Taxidea taxus*) burrow was observed in the northeast portion of the Project Area.

Table 3-2. State-listed Wildlife Species with Potential to Occur in the Project Area

Common Name	Scientific Name	State Status	Potential to Occur
American pipit	*Anthus rubescens*	S3B	L
American white pelican	*Pelecanus erythrorhynchos*	S2B	L
Apache silverspot butterfly	*Argynnis nokomis apachena*	S3	L
Big brown bat	*Eptesicus fuscus*	S3S4	M
Black tern	*Chlidonias niger*	S2S3B	L

Common Name	Scientific Name	State Status	Potential to Occur
Brewer's sparrow	*Spizella breweri*	S3B	M
Broad-tailed hummingbird	*Selasphorus platycercus*	S3M	L
California myotis	*Myotis californicus*	S3S4	M
California spotted owl	*Strix occidentalis occidentalis*	S1	L
Common gartersnake	*Thamnophis sirtalis*	S3	L
Common nighthawk	*Chordeiles minor*	S3B	M
Desert horned lizard	*Phrynosoma platyrhinos*	S4	M
Ferruginous hawk	*Buteo regalis*	S3BS4N	M
Flammulated owl	*Otus flamineolus*	S3	L
Desert kangaroo rat	*Dipodomys deserti*	S2S3	M
Golden eagle*	*Aquila chrysaetos*	S4	H
Greater sage grouse**	*Centrocercus urophasianus*	S3	L
Great Basin collard lizard	*Crotaphytus bicinctores*	S4	M
Kit fox	*Vulpes macrotis*	S3	M
Loggerhead shrike	*Lanius ludovicianus*	S3	H
Long-billed curlew	*Numenius americanus*	S2S3B	M
Long-eared myotis	*Myotis evotis*	S3	L
Long-legged myotis	*Myotis volans*	S3S4	L
Long-nosed leopard lizard	*Gambelia wislizenii*	S4	M
Mexican free-tailed bat	*Tadarida brasiliensis*	S4	L
Northern rubber boa	*Charina bottae*	S3S4	L
Northern leopard frog	*Lithobates pipiens*	S2S3	L
Pallid bat	*Antrozous pallidus*	S3	L
Pine siskin	*Spinus pinus*	S3	L
Sagebrush vole	*Lemmiscus curtatus*	S3	M
Sierra gartersnake	*Thamnophis couchii*	S3	L

Common Name	Scientific Name	State Status	Potential to Occur
Swainson's hawk	*Buteo swainson*	S3B	M
Tricolored blackbird	*Agelaius tricolor*	S1B	M
Western burrowing owl	*Athene cunicularia hypugaea*	S3B	M
Western small-footed myotis	*Myotis ciliolabrum*	S3S4	M
White-faced Ibis	*Plegadis chihi*	S3B	L
Yuma myotis	*Myotis yumanensis*	S3	M

Source: NDNH 2024

* Species protected under Bald and Golden Eagle Protection Act

** USFWS Proposed Threatened, but did not appear in the IPaC report (USFWS 2024).

Notes: S = Subnational (State), S#S# = Range Rank, 1 = Critically Imperiled, 2 = Imperiled, 3 = Vulnerable, 4 = Apparently Secure; B = Breeding, N= Non-breeding; L = Low (unlikely to occur), M = Moderate (habitat is limited, may be used for foraging or passing through), H = High (observed on-site or habitat is widespread, likely nests and forages on-site).

Construction of the proposed Project may affect state-listed wildlife species from the loss of at maximum, up to 2,374 acres of habitat. The loss of vegetation in the Project area may reduce as well as the presence of small, ground residence prey. However, these impacts are anticipated to be minimal as the site was previously disturbed and is currently not considered high quality habitat. Additionally, there is ample similar habitat in the area surrounding the Project area where state-listed species can relocate. Mobile wildlife, including big game, raptors, and passerines, will avoid the work area during construction. Potential impacts on state-listed wildlife and their habitat will be reduced through implementation of environmental protection measures identified in Section 2.4, *Applicant-Committed Environmental Protection Measures*.

3.3.4 Migratory Birds

The USFWS defines a migratory bird as any species or family of birds that live, reproduce, or migrate within or across international borders at some point during their annual life cycle.

The Project area includes small tracts of wetlands, areas of native mixed shrublands and grasslands, small riparian areas, which may provide stopover habitat for migrants or individuals during pre- and post- breeding movements. There are several perennial water resources within the Project Area that may provide unique migratory breeding habitats. Based on review of the Project area, it is unlikely that unique migratory bird breeding habitats or migratory pathways are present. Avian species typical of the area are likely to breed and migrate through the area, and some may be year-round residents.

The Project area provides suitable nesting and/or foraging habitat for a variety of migratory bird species, including, but not limited to the lesser yellowlegs (*Tringa flavipes*), California Gull (*Larus californicus*), Clark's grebe (*Aechmophorus clarkii*), pectoral sandpiper (*Calidris melanotos*) and western grebe (*Aechmophorus occidentalis*) (USFWS 2024). The Project will remove approximately 2,374 acres of potential nesting and foraging habitat for a variety of migratory bird species for the life of the Project.

Raptors may be present year-round. The raptor breeding season in Nevada is generally mid-February through the end of July. Small riparian corridors and windrows along nearby agricultural areas could potentially provide raptor nesting and migration stopover habitat for species such as bald eagle and golden eagle. Grasslands and shrublands in the Project area provide foraging habitat for raptor species.

Construction of the proposed Project may result in migratory bird mortalities resulting from collision and/or electrocution associated with the proposed solar facility, gen-tie line, and/or substation. Indirect effects from noise and vibration associated with construction activities may disturb migratory bird behavior in an area exceeding the Project footprint. It is anticipated that migratory birds will return to the area following the completion of construction. Long-term increases in human presence for maintenance purposes may also result in long-term disturbance to migratory birds.

Migratory bird species known to occur within the Project area are commonly found throughout Nevada. Avian impacts associated with Project implementation are anticipated to be minimal and are not expected to result in a significant reduction in population levels. Impacts to migratory birds will be minimized through the application of the applicant-committed environmental protection measures identified in Section 2.4, *Applicant-Committed Environmental Protection Measures*

3.4 Visual Resources and Landscape Planning

The natural visual setting of the Project area is consistent with the typical landscape and vegetation of the Central Basin and Range Lahontan Salt Shrub Basin (13j), as described in the Level IV Ecoregion of Nevada (Bryce et el. 2003). This ecoregion is composed of rolling plains with alluvial fans, scattered hills and buttes, foothills, stream terraces, flood plains, and sand sheets in internally drained basins. The relatively flat terrain of the Project area supports grassland and salt-tolerant shrubs including shadscale, Shockley desert thorn, and Bailey greasewood. Agricultural uses and intermountain cold desert shrub surround the Project site, with some rural residential development to the south and west of the Project site. Surrounding lands are primarily private agricultural, rural, and industrial, in addition to public property administered by the Nevada Division of State Lands.

The existing natural and cultural landscape characters in and around the Project area are well balanced. Views of verdant agricultural landscapes are surrounded by the stark mountains and sage scrubland surrounding the Mason Valley. Fremont cottonwood trees throughout the valley provide vivid green vertical accents in spring and summer and golden yellow accents during fall creating a warm and welcoming landscape. The trees and agricultural fields create a contrast to the native landscape. Rural residential development is minimal and blends into the agrarian landscape. Industrial power plants to the north and east of the valley are tall features at the edge of the valley, and although prominent, do not dominate views.

There are generally two types of viewers in and around the Project area: Neighbors and travelers. Viewer sensitivity is based on viewer exposure measured by proximity, extent, and duration; viewer awareness is measured by attention, focus, and preference. Based on feedback at the public open house on October 23, 2025, and input from community leaders, viewers within this region are moderately sensitive to impacts and have expectations that the natural and cultural landscape will be preserved.

The Project arrays will be in the foreground views for travelers along US 95A and approximately 40 residents. Travelers will have relatively brief and indirect exposure in the northbound direction. Travelers in the southbound direction will have longer but more distant exposure as they descend the pass into the Mason Valley. Their awareness and focus are likely to be high because this is the dominant view. Views are currently dominated by agriculture; however, this will become industrial energy production once the Project is completed. Residents located within 0.25 to 0.5 miles from the project will have foreground views; however, since the landscape is relatively flat the arrays do not dominate the viewshed. Trees and other vegetation surrounding most residences soften the horizon and the arrays will not block background views of the surrounding mountains or sky.

The Project would moderately affect the existing visual character and quality of scenic views from U.S. 95A. Overall visual change within the area would be moderate with the introduction of Project elements that may create contrast with the existing visual landscape. Contrast would be minor to moderate with application of the mitigation measures and the project-specific landscape plan that has been developed for the Project.

The project will not create new sources of nighttime light. Based on a ForgeSolar Glare Analysis completed for the Project, there may be times when some panels reflect sunlight in the late afternoons along portions of US 95A as drivers descend into the valley heading southeast. However, those times would be limited to when the panels are at a specific angle to reflect glint and glare towards drivers.

Viewer sensitivity would be moderate to high during construction. Construction vehicles, installation equipment, and supplies will be noticeable to nearby residences during the construction phase, which is expected to last approximately 24 months. At construction completion, there would be moderate degradation of visual character and quality of public views, primarily from elevated viewpoints and areas where the Project is adjacent to roadways without a setback, until the landscape corridor is revegetated in accordance with the landscape plan.

As noted above, a landscape plan was developed as part of the County Permitting process, which included the following overall objectives:

- Provide visual softening of the Project from nearby residential areas and U.S. Hwy 95A and incorporate the Project into the local natural landscape.
- Control the introduction and establishment of nonnative invasive plant species using best practices for weed control during construction and operations.
- Prevent soil erosion and protect water quality through implementation of Best Management Practices (BMPs) during Project construction and operations.

To meet these goals and objectives, the Project will be set back 0.25 miles (1,320 feet) east of the highway. Within the Project boundary, a 30-foot landscape corridor would be established. The landscape planting would include a 30-foot corridor of native plant species planted to help soften views of the Project. The landscape buffer will either be seeded or planted with nursery grown container plants. The landscape area may or may not use temporary irrigation during establishment, based on method of planting (i.e., seed or rooted nursery stock), size of plant material, density of planting, and seasonal timing. The proposed landscape planting may utilize temporary irrigation during plant establishment to promote successful establishment. If temporary irrigation is used, water would be supplied through a temporary drip irrigation system connected to an existing well.

Chapter 4
Conclusion

Construction and operation of the Project will affect the existing environment in a manner consistent with commercial solar development and the surrounding landscape. Native vegetation in the Project area will be reduced as well as the presence of small, ground residence prey. However, these impacts are anticipated to be minimal as the site was previously disturbed and is currently not considered high-quality habitat.

Potential impacts from the Project will be minimized to the greatest extent possible by compliance with all applicable laws and implementation of all mitigation measures required by the state and local permits obtained for the Project. The Project is not anticipated to have any significant unmitigated impacts on the natural and human environment.

Chapter 5
List of Preparers

The individuals involved with the preparation and review of this report are provided in Table 5-1. Please contact John Priecko at John.Priecko@icf.com with any questions or comments.

Table 5-1. List of Preparers and Reviewers

Name	Title	Affiliation	Role and Qualifications
David Calderon	Development Manager	EDF Renewables	Project Management, Document Review, MS
John Priecko	Project Manager	ICF	Project Management, MS
Tatum Myrlie	Senior Environmental Planner	ICF	Author, MS
Philip Quirk	Archaeologist	ICF	Author, BS
Dave McKenzie	GIS Analyst	ICF	GIS Analysis, Map Production, MA

Chapter 6
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