

September 6, 2014

Mr. Tom Hudson, Director
Land Use Services Department
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

RE: P200900339
APN: 0531-231-55

Mr. Ken Alex, Director
Governor's Office of Planning and Research
POB 3044
Sacramento, CA 95812-3044

SUBJECT: INRE THE SOITEC SOLAR ENERGY PROJECT ON MT. VIEW ROAD IN NEWBERRY SPRINGS, WHEREAT PREVIOUSLY APPROVED 7-FOOT PANELS MYSTERIOUSLY WERE REVISED TO 27-FOOT TALL PANELS, IN A RESIDENTIAL NEIGHBORHOOD, DOES THE FACT THAT THE REPUTED ENGINEER'S REVISION PLANS BEAR NO ENGINEER'S CERTIFICATION STAMP DELEGALIZE THE COUNTY'S APPROVAL PROCESS?

Dear Mr. Hudson and Mr. Alex:

We have just located legible (36" x 24") CUP revision plans dated March 15, 2011 and conditionally approved by the County planner two days later on March 17, 2011. These are the plans that revised the height of the solar panels from about 7 feet to about 27 feet, and presumably were somehow responsible for the disappearance of Planning Commission conditions of approval such as the requirement for a living-fence around the project perimeter and the paving of the boundary road on north edge of the project, etc.

There can be no certainty as to who actually prepared the CUP revision plans, in that they bear no civil engineer's certification stamp, which would show the engineer's registration number, the expiration date of the engineer's license and the type of civil engineer,

We talked to a licensed civil engineer regarding the lack of a stamp on the CUP revision application drawings. In his opinion, it was probably illegal for the County to grant an approval based on a submission that lacks a valid engineer's stamp.

The unstamped CUP revision drawings make the claim that the revision would modify the photovoltaic technology to use less equipment...That statement seems to have been unquestioned by the County. In our view, 27-foot tall solar panels are more equipment than 7-foot solar panels, and they certainly are more disruptive of community esthetics. Mt. View Road (the site of the Soitec solar energy project) got its name for its views of the Newberry Mountains, a federal Wilderness Area, based on scenic qualities, now violated by this huge eyesore.

If the CUP revision plans state that less equipment will be used in the revised project, when actually more equipment will be used, together with the fact that the CUP revision submission bears no civil engineer's stamp,

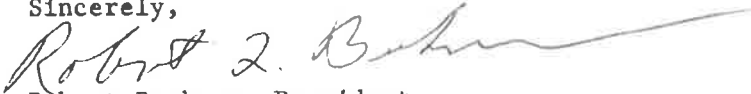
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we wonder if that misrepresentation and omission isn't grounds for the County revoking the Soitec permits on Mt. View Road?

We also wonder if it might not be a good idea to have an impartial third party take a close look at the entire Soitec project approval process, which was initiated by another company. The third party most suited for that investigation would presumably be the District Attorney's Office.

Thank you for your consideration of this subject and we look forward to your reply.

Sincerely,



Robert Berkman, President

CEQA-NOW

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CC: MR. BART BRIZZEE, PRINCIPAL ASSISTANT COUNTY COUNSEL, SAN BERNARDINO COUNTY
CC: MR. ROBERT HINGTGEN, PROJECT MANAGER, SAN DIEGO COUNTY DEPARTMENT OF PLANNING
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CC: MR. LE HAYES, GENERAL MANAGER, NEWBERRY SPRINGS COMMUNITY SERVICES DISTRICT
CC: MR. ROBERT VASSEUR, DIRECTOR, NEWBERRY SPRINGS COMMUNITY SERVICES DISTRICT
CC: MS. YVONNE JOHNSON, SAN BERNARDINO COUNTY OFFICE OF COMPLIANCE AND ETHICS
CC: DR. GAVIN ERASMUS
CC: DR. DEBRA HUGHSON
CC: MR. TED STIMPFEL, NEWBERRY SPRINGS COMMUNITY ALLIANCE
CC: MS. TERRI RAHHAL, PLANNING DIRECTOR, SAN BERNARDINO COUNTY
CC: MR. CHUCK BELL