

November 1, 2014

Chairperson Janice Rutherford and Supervisors Robert Lovingood, James Ramos,  
Josie Gonzales and Gary Ovitt, San Bernardino County  
385 North Arrowhead Ave, Fifth Floor  
San Bernardino, CA 92415-0110

Mr. Bart W. Brizzee  
Principal Assistant County Counsel  
San Bernardino County  
385 North Arrowhead Ave, 4th Floor  
San Bernardino, CA 92415-0140

RE: P201100036  
RE: P200900339  
APN: 0531-231-55

SUBJECT: COUNTY REFUSAL TO PROVIDE PUBLIC RECORDS CONCERNING THE MYSTERIOUS  
PLANNING DIVISION APPROVAL OF THE 27-FOOT-TALL SOITEC SOLAR PANEL  
RENEWABLE ENERGY PROJECT ON 20 ACRES IN THE MIDDLE OF A RESIDENTIAL  
NEIGHBORHOOD IN NEWBERRY SPRINGS, ON MT. VIEW ROAD.  
SIX PREVIOUS PUBLIC RECORDS ACT REQUESTS STONEWALLED. NO ONE BEING  
HELD ACCOUNTABLE. TIME TO GET RID OF DEADWOOD ADMINISTRATORS.  
COUNTY PLANNING DIVISION SHOULD BE ELIMINATED, WITH FUNCTIONS  
CONTRACTED OUT TO MORE PROFESSIONAL CONSULTANTS BEFORE THE DESERT  
RENEWABLE ENERGY CONSERVATION PLAN (DRECP) IS FINALIZED.

Chairperson Supervisor Rutherford and Supervisors Lovingood, Ramos, Gonzales  
and Ovitt and Mr. Brizzee:

Today we received a shocking letter from Mr. Bart Brizzee, County Counsel's  
Office, dated October 30, 2014, in reply to the last of our six Public Records  
Act requests re the cloudy approval process for the Soitec 27-foot tall solar  
energy project, in the middle of a residential neighborhood on Mt. View Road  
in Newberry Springs. The centerpiece of Mr. Brizzee's letter is a patently  
untrue statement, "The County provided what were believed to be complete  
responses to your numerous inquiries and has supplied copies of all public  
documents related to the approvals of the project. There is nothing left  
to produce...." We don't think Mr. Brizzee knowingly made his untrue statement.  
We think he was bamboozled by someone in the County Planning Division.

In his reply letter of August 29, 2014, at the bottom of page 3 and continued  
on page 4, Mr. Brizzee describes in detail 75 pages of requested public records  
pertaining to the Soitec energy project on Mt. View Road in Newberry Springs  
which we could acquire for \$14.20.

We sent a check for \$14.20 on September 5, 2014 to Tom Hudson at Land Use  
Services Department requesting said 75 pages. We never received a reply  
to our request, but the County did cash our check. It posted on September 11th.  
Where are the 75 pages we paid for?

We get double-talk when we ask for the public notices published for the original  
and revised Soitec project, but we never get the notices, if any, that were  
published.

It would seem that noone has been held to account for the above-referenced  
Planning Division renewable energy "dump" on this community. We are concerned  
that more targeting of this community by the County Planning Division may be  
in the works. It's time to get rid of the County Planning Division, to be  
replaced by more professional contracted consulting firms. This needs to be  
done before the County Planning Division signs onto the draft Desert Renewable  
Energy Conservation Plan (DRECP) which has targeted this entire community for  
renewable energy development, without a drop of community input, except perhaps

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for a wink and nod from the County Planning Division.

There is a long history of the County Planning Division "dumping" on this community, consistently taking anti-environment positions contrary to CEQA and other land use laws. We intend to defend this community as best we can.

We understand that this community has been classified as economically disadvantaged and partly as severely economically disadvantaged. We think that may give us "standing" in a possible lawsuit against certain County officials, as individual defendants, for denial of our civil rights, based on the 14th Amendment and Title 42, Section 1983, et seq, if the County tries to turn this poor rural community into a giant dumping ground for the renewable energy industry, as per the DRECP's initial site targeting plans, which we suspect as having some encouragement from the County Planning Division.

Sincerely,



Robert Berkman, President

CEQA-NOW

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CC: CONGRESSMAN PAUL COOK, ATT: MR. DAKOTA HIGGENS, STAFF ASSISTANT  
CC: MR. RON FRAME, SENIOR FIELD REPRESENTATIVE, SUPERVISOR ROBERT LOVINGOOD  
CC: MR. KEN ALEX, DIRECTOR. GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
CC: MR. TOM HUDSON, DIRECTOR, LAND USE SERVICES DEPARTMENT, SAN BERNARDINO COUNTY  
CC: MS. TERRI RAHHAL, PLANNING DIRECTOR, SAN BERNARDINO COUNTY  
CC: MR. GREGORY C. DEVEREAUX, CHIEF EXECUTIVE OFFICER, SAN BERNARDINO COUNTY  
CC: MR. MICHAEL RAMOS, DISTRICT ATTORNEY, SAN BERNARDINO COUNTY  
CC: MR. ROBERT HINGTGEN, PROJECT MANAGER, SAN DIEGO COUNTY DEPARTMENT OF  
PLANNING AND DEVELOPMENT  
CC: MR. ROBERT SPRINGER, CHAIRPERSON AND DIRECTORS ROBERT VASSEUR, ROBERT  
ROYALTY, ROBERT SHAW, AND PAULA DEEL, NEWBERRY SPRINGS COMMUNITY  
SERVICES DISTRICT  
CC: MR. LE HAYES, GENERAL MANAGER, NEWBERRY SPRINGS COMMUNITY SERVICES DISTRICT  
CC: MS. YVONNE JOHNSON, SAN BERNARDINO COUNTY OFFICE OF COMPLIANCE AND ETHICS  
CC: MR. CHUCK BELL  
CC: MR. TED STIMPFEL, NEWBERRY SPRINGS COMMUNITY ALLIANCE  
CC: DR. GAVIN ERASMUS  
CC: DR. DEBRA HUGHSON  
CC: MR. STEVE HUNT, EDITOR, DAILY PRESS  
CC: MR. JOE NELSON, REPORTER, THE SUN  
CC: MR. TONY BARBOZA, ENVIRONMENTAL REPORTER, LOS ANGELES TIMES  
CC: MS. ELLEN JOHNSON, PRESIDENT PRO-TEM, NEWBERRY SPRINGS PROPERTY OWNERS ASSN.