

**From:** [Hingtgen, Robert J](#)  
**To:** ["Patrick BROWN"](#)  
**Cc:** [Chris Brown](#)  
**Subject:** 3910 120005, Soitec -- AB900 Acknowledgement Letter  
**Date:** Friday, March 01, 2013 9:54:14 AM  
**Attachments:** [2562\\_001.pdf](#)

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Pat,

The signed letter is attached. I will give you the hard copy later today when you arrive for our meeting unless you need to pick it up sooner.

Thanks,

**Robert Hingtgen**, Planner III  
Planning and Development Services  
5510 Overland Avenue, 3rd Floor  
San Diego, CA 92123  
Tel - (858) 694-3712  
email - [robert.hingtgen@sdcounty.ca.gov](mailto:robert.hingtgen@sdcounty.ca.gov)



Soitec Solar Inc.  
16550 Via Esprillo  
San Diego, CA 92127 (USA)  
T. + 1(0)858-638-0995  
T. + 1(0)949-419-5059  
[Clark.Crawford@soitec.com](mailto:Clark.Crawford@soitec.com)  
[www.soitec.com](http://www.soitec.com)

February 11, 2013

**VIA ELECTRONIC MAIL**

County of San Diego  
Planning & Development Services  
c/o Mark Wardlaw, Director  
5510 Overland Ave, 3<sup>rd</sup> Floor, Room 310,  
San Diego, CA 92123

**AB 900 Application for Environmental Leadership Certification**

Dear Director Wardlaw:

As you are aware, Soitec Solar Inc. has applied to the California Governor's office to request certification of the Soitec Solar Inc. Rugged Solar and Tierra Del Sol Projects (the "Project") as a Leadership Project subject to streamlined environmental review pursuant to the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (the "Act"), Cal. Pub. Res. Code § 21178 *et seq.* By this letter, Soitec Solar Inc. acknowledges and agrees to its obligations under the Act as set forth at Public Resources Code § 21183(d), (e), and (f).

As required by Public Resources Code § 21183(d), Soitec Solar Inc. agrees that all mitigation measures required pursuant to CEQA to certify the Project under the Act shall be conditions of approval, and those conditions will be fully enforceable by the County of San Diego or another agency designated by the County. Soitec Solar Inc. agrees that all environmental mitigation measures required to certify the Project under the Act will be monitored and enforced by the County for the life of the obligation.

As required by Public Resources Code § 21183(e), Soitec Solar Inc. agrees to pay the costs of the Court of Appeal in hearing and deciding any case, including payment of the costs for the appointment of a special master if deemed appropriate by the court, in a form and manner specified by the Judicial Council, as provided in the Rules of Court adopted the Judicial Council pursuant to the Act.

As required by Public Resources Code § 21183(f), Soitec Solar Inc. agrees to pay the costs of preparing the administrative record for the Project, in a form and manner specified by the County, concurrent with review and consideration of the Project pursuant to CEQA and the Act.

**AB 900 Application  
Soitec Solar**

The Office of Planning and Research has asked that we confirm your agreement and acknowledgement of Soitec's commitments by way of signing on the line below and returning this letter to me at your earliest convenience.

Thank you in advance for your assistance.

Best regards,

Acknowledged and agreed to by:



Clark Crawford  
VP Sales and Business Development



Mark Wardlaw  
Director, Planning & Development Services  
County of San Diego

Dated: 2.28.13

Electronic cc:

David Sibbet, County of San Diego, PDS  
Jarrett Ramaiya, County of San Diego, PDS  
Larry Hofreiter, County of San Diego, PDS  
Ashley Gungle, County of San Diego, PDS  
Patrick Brown, Permitting Manager, Soitec Solar Development LLC.  
Brison Ellinghaus, Project Manager, Soitec Solar Development LLC.  
Ryan Waterman, Stoel Rives,  
Whalen and Associates, Jim Whalen  
Alchemy Consulting Group, Chris Brown,

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