



March 14, 2014

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

SUBJECT: AMENDED PUBLIC RECORDS ACT REQUEST RE THE SOITEC SOLAR ENERGY PROJECT
ON MT. VIEW ROAD IN NEWBERRY SPRINGS. PROJECT NUMBER P200900339.
GOVERNMENT CODE SECTION 6250 ET SEQ.

Dear Mr. Hudson:

This is our amended Public Records Act request on the Newberry Springs Mt. View Road Soitec solar energy project. Our original request was dated February 28, 2014, which was acknowledged by a March 6th written reply from Ms. Chrystale Sonick which stated that your department anticipated completing our request within 30 days.

The original Conditional Use Permit for the above-referenced solar project, was we believe issued in late 2010. Our reading of the County Development Code, Section 86.06.060 (a) (1) is that if the Conditional Use Permit (CUP) has not been exercised, with a final approval, within 36 months, that the authorization shall expire and become void.

Subdivision (b) of same section says the County may extend the time for a planning permit or authorization. Subdivision (b) (1) titled Time for Filing, states the applicant shall file a written request for an extension of time at least 30 days before the expiration of the permit or authorization. We believe that filing deadline would have been in late 2013. In regard the above Development Code specifications and related issues, we amend our February 28th Public Records Act Request as stated below:

PUBLIC RECORDS NOW REQUESTED

- 5--A copy of any application and approval for the CUP's time extension for the solar energy project now still being developed at the Mt. View Road location in Newberry Springs. Project Number 200900339.
- 6--A copy of the minutes or whatever written record there is as to what action the Board of Supervisors took vis-a-vis this project at their meeting which disapproved the appeal from the Planning Commission, for said project.

Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Berkman".

Robert Berkman, President
CEQA-NOW
POB 368
Newberry Springs, CA
92365
760-257-9900
ctcdaggett@mindspring.com

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March 14, 2014

Page 2

CC: SUPERVISOR ROBERT LOVINGOOD, ATT: MR. RON FRAME, FIELD REPRESENTATIVE
CC: MR. ROBERT HINGTGEN, SOITEC PROJECT MANAGER, SAN DIEGO COUNTY DEPARTMENT
OF PLANNING AND DEVELOPMENT (FOR ENTRY INTO THE PUBLIC RECORD RE SOITEC'S
BOULEVARD AREA, PENDING SOLAR ENERGY APPLICATIONS)
CC: MR. ROBERT VASSEUR, DIRECTOR, NEWBERRY SPRINGS COMMUNITY SERVICES DISTRICT
CC: MR. LE HAYES, GENERAL MANAGER, NEWBERRY SPRINGS COMMUNITY SERVICES DISTRICT
CC: MS. PAULETTE MARSHALL, PRESIDENT, NEWBERRY SPRINGS SENIOR SERVICES CENTER
CC: MR. CHUCK BELL, MOJAVE DESERT RESOURCE CONSERVATION DISTRICT
CC: MR. TED STIMPFEL, NEWBERRY SPRINGS COMMUNITY ALLIANCE
CC: DR. GAVIN ERASMUS, ATTORNEY-AT-LAW
CC: DR. DEBRA HUGHSON, SCIENCE OFFICER, NPS
CC: MR. AND MRS. JAMES JOHNSON, NEWBERRY SPRINGS
CC: MS. MIRIAM RAFTERY, EDITOR, EAST COUNTY MAGAZINE
CC: MR. JEFF MCDONALD, REPORTER, SAN DIEGO UNION TRIBUNE
CC: MR. GOEFF FISK, REPORTER, DESERT DISPATCH
CC: MS. BROOKE SELF, REPORTER, DAILY PRESS
CC: MR. DAVAN MAHARAJ, NEWS EDITOR, LOS ANGELES TIMES
CC: MR. JOE LITTLE, CHANNEL 10 NEWS, ABC 10
CC: MS. DONNA TISDALE
CC: MR. DAVID LAMFROM
SOITEC OFFICIALS:
CC: MR. PATRICK BROWN, PERMITTING MANAGER, 619-733-2649
CC: MS. KAREN HUTCHENS, MEDIA AND COMMUNICATIONS ADVISOR, 858-746-9016,
OR 619-985-7800