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State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Soitec Solar Development LLC AB 900 Application

To Whom It May Concern:

Soitec Solar Development LLC (“Soitec”) has filed an application under the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (the “Act”) (Pub. Res. Code, § 21178 et seq.). This letter is submitted to support and augment the information provided in that application, and specifically addresses the requirements found in Public Resources Code section 21183.

The Soitec Solar Energy Project (the “Project”) is comprised of two sub-component projects, the Rugged Solar Farm, with a capacity of up-to 84 megawatts (MW), and the Tierra del Sol Solar Farm, with a capacity of 60 MW, to be built in San Diego County, California. The capital expenditures for the entire Project are estimated to represent an investment approaching \$500,000,000.00 Therefore, the Project is expected to far exceed the one hundred million dollar minimum investment in California in accordance with Public Resources Code section 21183(a).

During construction, the Soitec Solar Energy Project will create high-wage, highly skilled jobs for construction professionals. Soitec intends to contract with Union-affiliated contractors and pay wages as negotiated through appropriate collective bargaining agreements for non-artisan on site craft labor. These wages are anticipated to meet or exceed the prevailing wages for job classifications as set forth by the Davis-Bacon and Related Acts, 40 U.S.C. 3141 et seq., which provides workers with the right to receive at least the locally prevailing wage rate and fringe benefits, as determined by the Department of Labor, for the type of work performed. San Diego County has not adopted a living wage. However, should the County adopt a living wage going forward, Soitec commits to complying with any wage requirements contained therein.

As required by Public Resources Code section 21183(d), Soitec 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 agrees that all environmental mitigations 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 section 21183(e), Soitec agrees to pay the costs of the Court of Appeal in hearing and deciding any case, including payment of the costs of 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 by the Judicial Council pursuant to the Act.

As required by Public Resources Code section 21183(f), Soitec 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.

Finally, as Vice President of Business Development and Sales North America for Soitec Solar Inc. and the sole member of Soitec Solar Development LLC, I am authorized to acknowledge and to bind the Project as outlined above.

Best Regards,



Clark Crawford,
VP Sales and Business Development

Electronic cc:

Mark Wardlaw, Director Planning and Development Services, County of San Diego
Mark Richards, Corporate Counsel, Soitec Solar USA
Patrick Brown, Permitting Manager, Soitec Solar Development LLC.
Brison Ellinghaus, Project Manager, Soitec Solar Development LLC.
Ryan Waterman, Stoel Rives, San Diego CA
Elizabeth Cason, Stoel Rives, San Diego CA
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Alchemy Consulting Group, Chris Brown