

## Alisa Lembke

---

**From:** Micah Mitrosky <mmitrosky@ibew569.org>  
**Sent:** Thursday, April 9, 2020 1:57 PM  
**To:** Meetings @ Valley Clean Energy  
**Cc:** bward@ibewlocal340.org; Noah Painter  
**Subject:** Item 13. Power Purchase Agreement with Rugged Solar

Good Afternoon:

Please see below public comments on behalf of IBEW Local 569 regarding Item 13 - PPA with Rugged Solar. We request these comments to please be read into the record during today's Board Meeting.

- Regarding PPA for Rugged Solar in San Diego County.
- In 2013, Governor Brown determined Soitec Solar project, of which Rugged Solar is a part, eligible for streamlined judicial review under AB900, the Jobs and Economic Improvement Act.
- The Governor determined Soitec Solar met State Law requirements based on Owner's certifications to the Governor.
- Soitec did not move forward. Now, Rugged Solar, LLC (affiliated with Clean Focus Renewables, Inc.) is moving forward with Rugged Solar and proposes modifications.
- Soitec made several commitments in the AB900 process. **We urge the Board not to approve this PPA until Rugged Solar LLC/Clean Focus Renewables, Inc. ("Rugged Solar") commits to comply with the AB900 certifications that were made.**
- Specifically:
  1. Does Rugged Solar consider itself a successor, heir, or assignee, under section 21180(a) of the Public Resources Code?
  2. Does Rugged Solar agree it shall implement all certifications and conditions of the Soitec Solar Project?
    - a. As set forth in the labor certification, does Rugged Solar agree it shall contract with Union-affiliated contractors and pay wages as negotiated through appropriate collective bargaining agreements for non-artisan on site craft labor?
    - b. As set forth in the labor certification, does Rugged Solar agree it shall incorporate the latest DIR wage determinations at the time contracts go out to bid for construction of Rugged Solar?
    - c. As set forth in the labor certification, does Rugged Solar agree the worker benefits as described on the DIR website shall be included in a project labor agreement for Rugged Solar?
    - d. Does Rugged Solar agree project shall not result in any net additional emission of greenhouse gases and shall comply with waste management requirements, as set forth in its certification?

- e. Does Rugged Solar agree all mitigation measures required pursuant to CEQA shall be conditions of approval and fully enforceable for Rugged Solar?

Thank you,

Micah Mitrosky  
Environmental Organizer  
IBEW 569  
4545 Viewridge Ave Suite 100  
San Diego, CA 92123  
619-957-2596

## Alisa Lembke

---

**From:** Noah Painter <npainter@ibewlocal340.org>  
**Sent:** Thursday, April 9, 2020 2:01 PM  
**To:** Meetings @ Valley Clean Energy  
**Cc:** Micah Mitrosky; Bob Ward  
**Subject:** Comment - ITEM 13 - Approve Power Purchase Agreement between Valley Clean Energy and Rugged Solar LLC for the procurement of energy from a new 72 megawatt solar photovoltaic project located in San Diego County, California.

Chair Saylor, members of the board, my name is Noah Painter I am the Political Director for IBEW Local 340. Thank you for allowing the IBEW to address the board via these comments. We appreciate your commitment and partnership in all aspects of our work in the community.

We are reaching out to you to bring to your attention the need for clarification from the Rugged Solar developer whether they will honor the commitments made during the project's AB 900 CEQA streamlining approval process. During the AB 900 process commitments were made that the developer, at that time would do the following:

Contract with Union-affiliated contractors and pay wages as negotiated through appropriate collective bargaining agreements for non-artisan on site craft labor.

Incorporate the latest DIR wage determinations at the time contracts go out to bid for construction of Rugged Solar.

That the worker benefits as described on the DIR website shall be included in a project labor agreement for Rugged Solar.

That the project shall not result in any net additional emission of greenhouse gases and shall comply with waste management requirements, as set forth in its certification.

All mitigation measures required pursuant to CEQA shall be conditions of approval and fully enforceable for Rugged Solar.

If Rugged Solar is unwilling to publicly commit to the above outlined representations, we respectfully request the board reject the Purchase Power Agreement.

Noah Painter  
Political Director  
IBEW Local 340  
916.307.3379  
[npainter@ibewlocal340.org](mailto:npainter@ibewlocal340.org)