

Katherine P. Loayza  
(512) 236-2259 (Direct Dial)  
kloayza@jw.com

December 8, 2020

**Via Electronic Mail**

Judge KP George  
Fort Bend County  
401 Jackson Street  
Richmond, Texas 77469  
Email: FBC.Judge@fortbendcountytexas.gov

Re: Fort Bend County Development Regulations and Approvals

Dear Judge George,

My firm represents Cutlass Solar II LLC, owner of the Cutlass Solar II LLC Project in Fort Bend County, Texas (the "**Project**"). The Project is in the design phase and no site work has commenced.

Our client has requested verification regarding the status of any regulations or requirements that may affect the Project, and I am hoping that you will be able to assist me in this regard.

It is our understanding that based solely on Fort Bend County, Texas regulations, ordinances and requirements currently in effect:

1. Except as identified on the attached addendum, there are no regulations, ordinances or other requirements that pertain to or otherwise affect solar energy generation projects that may be constructed in Fort Bend County, Texas (including, without limitation, noise, subdivision, planning, development, building permits, or certificates of occupancy);

2. Fort Bend County, Texas is a community participating in the National Flood Insurance Program ("**NFIP**"), and the U.S. Federal Emergency management Agency ("**FEMA**") and has defined or made digitally available Special Flood Hazard Areas ("**SFHA**") within the county. Permits are required to insure that the proposed Project meets the requirements of the **NFIP** and the community's floodplain management ordinance. For that reason, we are asking you to provide approval of the Project under your authority found in the Texas Water Code, Chapter 16, Subchapter 1, to the extent that a portion of the Project is located in flood-prone areas and/or **SFHA** and notwithstanding that it is possible that certain of the improvements for the Project may be located in flood-prone areas and/or **SFHA**; and

3. In the event of any damage, destruction or other casualty to the Project, it would be permissible to repair and/or reconstruct such Project to its original form without additional permits or consent from Fort Bend County, Texas with the exception of repair or replacement of any habitable structure on the project site if the repair or replacement exceeds fifty percent of the building's value.

Please confirm our understanding and your approval regarding the matters set forth herein by signing a counterpart of this letter in the space provided below and emailing it back to me at kloayza@jw.com.

Thank you for your time and assistance with this matter. Should you have any questions, please do not hesitate to contact me.


Sincerely,



Katherine Loayza  
Land Use Consultant

**Acknowledged and Confirmed:**

FORT BEND COUNTY

By:   
KP George, County Judge

ATTEST:

FORT BEND COUNTY CLERK

By:   
Laura Richard, County Clerk



cc: Roy Cordes, Jr. (Via email: roy.cordes@fortbendcountytexas.gov)  
Fort Bend County Attorney

ADDENDUM  
PERMIT TO BE SUBMITTED

1. Commercial Development Permit subject to the Fort Bend County Floodplain Management Regulations, adopted March 4, 2014.
2. Right of Way Permit for proposed work to lay, construct, maintain and/or repair cable, conduit and/or pole lines within Fort Bend County Drainage District maintained drainage features and easements.
3. Driveway Permit for (2) driveway connections to the County maintained Boothline Road.
4. Water Well Permit subject to the Fort Bend Subsidence District Rules, Amended in 2019.