

PUBLIC NOTICE

Muddy Creek Energy Park

Notice of Intent

Summary:

Notice Date: June 27, 2023

Proposal: An approximately 199 megawatt (MW) proposed solar photovoltaic energy generation facility to be located in Linn County, Oregon.

Proposed Facility Location: Approximately 8 miles south of Brownsville and immediately east of Interstate 5 in unincorporated Linn County.

Public Comment Deadline: August 11, 2023 at 5:00 PM Pacific Daylight Time (PDT). See page 3 for information about how to submit comments.

In Person and Remote Public Informational Meeting:

Date: July 25, 2023

Time: 5:00 PM PDT – In person Meet and Greet and 1 on 1 questions with Oregon Department of Energy (ODOE or Department) and Applicant

6:00 PM PDT – Presentation/Webinar by ODOE and Applicant followed by Q&A or comment

Location: Community Room
Brownsville City Hall
255 N. Main St, Brownsville OR
(Please note that entrance is at the rear of the building)

Call In: +1-408-418-9388
Access Code: 233 498 22158

Webinar:
<https://odoe.webex.com/odoe/j.php?MTID=m34629d505213c3efb6ecae0b065e8bcf>

Webinar number: 2334 982 2158
Password: EFSC (3372)

Additional Information: Additional maps and documents associated with this project are available

at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/MCEP.aspx>

Applicant: Muddy Creek Energy Park LLC., a wholly owned subsidiary of Hanwha Q CELLS USE Corp.

Proposed Facility Description: The facility is a proposed solar photovoltaic energy generation facility with a generating capacity of approximately 199-MW.

The Applicant has also proposed related and supporting facilities that include a 199-MW battery energy storage system (either Lithium-ion batteries, flow batteries, or DC coupled batteries), an electrical collection system, collector substation, an approximate 0.5 mile 230-kilovolt (kV) gen-tie line, point of interconnection (POI), service roads, fencing, and temporary construction staging areas.

The 230-kV gen-tie line will connect the Facility's collector substation to the POI with PacifiCorp's existing 230-kV transmission line at the Diamond Hill Substation.

More detailed information about the proposed facility components and the related and supporting facilities is available in Exhibit B of the NOI.

Proposed Facility Location: The proposed Site Boundary would include approximately 1,588 acres (2.5 sq. miles) of private land zoned for Exclusive Farm Use (EFU) in unincorporated Linn County, approximately 8 miles south of Brownsville and immediately east of Interstate 5. The proposed facility site boundary is also being proposed as a micrositing corridor, comprised of three separate areas connected by 100 foot wide collector line easements. A map of the site boundary is attached to this document.

EFSC Review Process Overview: The site certificate process is a consolidated, comprehensive permitting process with several opportunities for public participation and comment. The applicant must

demonstrate that the proposed facility meets the standards established by Council in Oregon Administrative Rule (OAR) Chapter 345, as well as all other applicable Oregon statutes, rules and standards. The Oregon Department of Energy (ODOE or Department) serves as staff to the Council and conducts much of the application review process.

Notice of Intent: On May 19, 2023, the Department received a Notice of Intent to File an Application for Site Certificate (NOI) for the proposed facility. Submitting the NOI is the first step in the process of obtaining a site certificate. The NOI includes information about the site and characteristics of the proposed facility and discusses potential impacts from construction and operation of the proposed facility. The NOI, and any comments on the NOI from the public, state agencies, local governments, or Native American Tribes will be used to establish the legal standards and evidentiary requirements for the review of the full application in the Project Order.

Land Use Standard: The applicant may choose to meet the Council's Land Use Standard, OAR 345-022-0030, by obtaining land use approval from the affected local governments or by seeking a determination of compliance from Council. In the NOI the applicant has indicated that it intends to seek a determination from Council.

If the applicant chooses to obtain local land use approval later in the process, any person interested in land use issues should participate in the affected local governments' land use processes if they are not yet complete.

Public Comments: This notice initiates the public comment period on the NOI. Comments are encouraged to help the Department and the applicant identify issues and concerns early in the process. **Comments must be received by August 11, 2023 at 5:00 PM PDT**, to be considered in the development of the Project Order.

The Department is now accepting public comments through an online portal. The portal is intended to provide a convenient option to participate in Council proceedings. The portal can be accessed at: <https://odoe.powerappsportals.us/SitingPublicComment/>

To comment on this project, select "Muddy Creek Energy Park" from the drop-down menu and follow the instructions. You will receive an email confirmation after submitting your comment.

Written comments may also be submitted by mail, e-mail, or by fax. Please send comments to:

Oregon Department of Energy
ATTN: Chase McVeigh-Walker, Senior Siting Analyst
550 Capitol Street NE
Salem, OR 97301
Phone: (971) 600-5323
Fax: (503) 373-7806
Email: chase.mcveigh-walker@energy.oregon.gov

Please Note: Submitting comments does not automatically register you to receive notices. If you would like to receive notices for this or any other siting project, please sign up here: <http://web.energy.oregon.gov/cn/a6n53/subscribe>

Informational Meeting: The Department will host a public informational meeting on the NOI to provide additional an opportunity for the public to learn about the proposed facility and the state siting review process, provide written or oral comments, and ask questions. Details on the date, time, and location of the meetings are provided on page 1 of this notice.

The informational meeting is not a public hearing, and participation in the informational meeting is not required to establish eligibility to participate in the contested case proceeding.

Project Order

Based on the Department's review of the NOI and all comments received during the NOI comment timeframe, the Department will issue a Project Order establishing the state and local standards and criteria that must be met for Council to issue a site certificate.

Preliminary Application for Site Certificate

An applicant has two years from the date of submitting the NOI to submit their preliminary application for site certificate. In the NOI the applicant states they intend to submit their preliminary application in November 2023.

During this phase, the Department, along with applicable state agencies, local governments and

tribal governments will review the preliminary application to ensure it is complete.

Complete Application for Site Certificate

Under OAR 345-015-0190(5), an application is complete when the Department finds that the certificate holder has submitted information adequate for Council to make findings or impose conditions on all applicable Council standards.

This phase will include another public notice and a public informational meeting. However, there is no public comment timeframe associated with this phase.

Draft Proposed Order

The Draft Proposed Order contains the Department's initial recommendation to Council, who are the final decision makers, on whether each applicable standard is met. The Draft Proposed Order will include staff's analysis of the request as well as comments received from state agencies, local governments, and tribal governments. The Draft Proposed Order will include recommended findings of facts, conclusions or law and conditions of approval.

Issuance of the Draft Proposed Order will initiate a public comment period. In addition to the written public comment period, there will be an opportunity for oral comments at one or more public hearings. In order to preserve your right to request to participate in the contested case proceeding and any subsequent appeal of the Council's decision, you must comment either orally at the public hearing or in writing during the comment period on the Draft Proposed Order.

Following the conclusion of the comment period, Council will review the Draft Proposed Order and all submitted comments, and will provide their comments to the Department.

Proposed Order

Taking into consideration all the comments received, the Department will issue a Proposed Order, staff's second recommendation to Council. Council will appoint a Hearing Officer to conduct a contested case hearing on the Proposed Order.

Contested Case

The purpose of the contested case proceeding is for an impartial hearing officer to evaluate properly raised issues and make a recommendation to Council

on those issues. Only people who commented on the Draft Proposed Order may request to participate in the contested case proceeding.

Final Order

Following a contested case proceeding, Council shall issue a Final Order either approving or denying the proposed facility.

For more information, please visit:

<http://www.oregon.gov/energy/facilities-safety/facilities/Pages/Siting-Standards.aspx>

Receipt of this Notice: You are receiving this notice because:

1. You own property within 500 feet or adjacent to the property on which the proposed facility would be located. You will automatically receive all future EFSC notices for this facility if the site boundary remains the same.
2. You have previously signed up to receive notices on energy facility siting projects. You will automatically receive all future email notices per your request, unless you unsubscribe. You may unsubscribe at: <http://web.energy.oregon.gov/cn/a6n53/subscribe>
3. The Department identified you as a person with a potential interest in a resource that could be affected by the proposed facility.

If you do not wish to receive future notices on this facility, please contact the Department.

More Information: Additional information about the proposed facility and the EFSC review process can be obtained:

Online: More details on the Muddy Creek Energy Park, including an electronic copy the NOI, this notice, and other documents are available at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/MCEP.aspx>

Resources describing the State Siting Process, including "Oregonians Guide to Siting and Oversight of Energy Facilities" are available at:

<https://www.oregon.gov/energy/facilities-safety/facilities/>

By Email: Subscribe to receive email updates on the proposed facility or other energy facilities at:
<http://web.energy.oregon.gov/cn/a6n53/subscribe>

To receive notices by U.S. Mail, please contact the Department and request to be added to the paper notice list.

At the Oregon Department of Energy: The NOI and other materials are available for public inspection at the following location at no cost:

Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301

Please contact the Department to arrange viewing of the NOI. Printed copies will be provided at reasonable cost upon request.

Accessibility information:

The Oregon Department of Energy is committed to accommodating people with disabilities. If you require any special physical or language accommodations, or need information in an alternate format, please contact Nancy Hatch at 503-428-7905, toll-free in Oregon at 800-221-8035, or by email at nancy.hatch@energy.oregon.gov.

FACILITY SITE BOUNDARY VICINITY MAP

