

PUBLIC NOTICE



Obsidian Solar Center

Rescheduled Public Hearing on the Draft Proposed Order and Request for Comments

Summary:

Notice Date: June 17, 2020

Draft Proposed Order Issuance Date: March 12, 2020

Date of Public Hearing: The previously noticed hearing date of June 23, 2020 is hereby canceled and rescheduled to July 20, 2020, 5:30 p.m.

Proposal: Application for Site Certificate (ASC) from Obsidian Solar Center LLC (owned by Obsidian Renewables, LLC and Lindgren Development, Inc; applicant) for a proposed approximately 400 megawatt alternating current (MWac) photovoltaic solar energy facility on approximately 3,921 acres of nonarable land (includes a "reasons exception" request to the statewide policy embodied in Goal 3, *Agricultural Lands*).

Proposed Facility Location: North Lake County, approximately eight miles northwest of Christmas Valley and seven miles southeast of Fort Rock.

Draft Proposed Order Review: The draft proposed order (DPO) was issued on March 12, 2020, which opened a public comment period. Written comments may be submitted per the instructions in this notice. An opportunity to submit oral and written comments at a hearing on the DPO will be presided over by a third-party hearing officer from the Oregon Office of Administrative Hearings (OAH), appointed by the Energy Facility Siting Council (EFSC). Under ORS 469.370(2), the hearing will be held in the affected area of the proposed facility as well as held remotely, via teleconference/webinar detailed below. The Oregon Department of Energy (ODOE) will provide equipment for individuals to give oral testimony via the webinar described below to EFSC members and the hearing officer.

The Oregon Department of Energy will hold the in-person portion of the public hearing according to policies and guidelines for social distancing, safety of the public and staff in place at the time of the hearing. ODOE will update the project webpage in advance of the hearing with these details:

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

In-Person/Teleconference/Webinar Public Hearing Information:

Date: July 20, 2020

Start Time: 5:30 p.m.

End Time: 7:00 p.m., or later based on public participation

Location: Christmas Valley Community Hall
87345 Holly Lane
Christmas Valley, OR 97641

Teleconference/Webinar Presentation:

<https://odoe.webex.com/odoe/onstage/g.php?MTID=e826a9a37cc8819eb15290118166d73cc>

Join by Phone: (408) 418-9388

Access Code: 711 028 400

ODOE strongly recommends joining the Webex meeting online, if possible. When you join, please use your full name to sign in to help staff manage public comments. Additional information will be provided at the hearing about how to provide an oral comment using Webex features.

Comment Deadline: July 20, 2020, at the close of the hearing listed above.

Description of Proposed Facility: The proposed facility, including related or supporting facilities, includes approximately 400 MWac of photovoltaic solar energy generation equipment to be located on approximately 3,921 acres of nonarable land.

Equipment includes solar modules, tracking systems, posts, cabling, inverter/transformer units (approx. 160); 34.5 kilovolt (kV) collection system; up to 4 collector substations (1 acre/each); up to two operations and maintenance buildings; perimeter/internal roads (approx. 50 miles) and perimeter fencing (approx. 18 miles); 50 MW of battery (flow) storage equipment; 115 kV transmission line (approx. 2 miles); and, a 115/500 kV step-up substation and point of interconnection.

Location of Proposed Facility: The proposed facility would be located within a site boundary of approximately 3,921 acres. The proposed site

boundary is located within Lake County, approximately eight miles northwest of Christmas Valley. A map of the proposed facility and site boundary is included at the end of this notice. Specific locational maps can be found in ASC Exhibit C at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/OSC.aspx> and on ODOE's online mapping tool: <https://tinyurl.com/EFSCmap>.

Overview: On October 17, 2019, ODOE, staff to EFSC, received a complete ASC from the applicant. The complete ASC seeks approval from EFSC to construct and operate the Obsidian Solar Center (proposed facility). Under Oregon law, the applicant must obtain approval of the ASC and be granted a site certificate from EFSC in order to construct and operate the proposed facility. On March 12, 2020, ODOE posted additional information to the ASC on the project webpage listed above. On the same date, ODOE issued a DPO on the ASC. The DPO recommends EFSC approve the ASC and issue a site certificate, subject to recommended conditions of approval. The DPO is not a final order. The purpose of this notice is to inform the public of an in-person and webinar/teleconference public hearing on the DPO on Monday, July 20, 2020 and of an opportunity to provide comments on the DPO, extending from March 12, 2020 through July 20, 2020 at the close of the DPO hearing. Please note that any comments submitted to ODOE after the first March 12, 2020 public notice do not need to be resubmitted.

Public Hearing and Comment Period: A public hearing on the DPO, conducted by the EFSC-appointed third-party OAH hearings officer will be held in-person and remotely via teleconference/webinar at an EFSC meeting on Monday, July 20, 2020. The hearing will begin at 5:30 p.m. and will include a brief overview by ODOE staff on the siting process and proposed facility, followed by an overview of the hearing format provided by the hearing officer. Oral and written comments may be provided at the in-person/teleconference/webinar public hearing described above.

Written comments **must be received by the comment deadline of Monday, July 20, 2020 at the close of the public hearing**, submitted by mail, email hand-delivery or fax to the hearing officer, in care of:

Kellen Tardaewether, Senior Siting Analyst
Oregon Department of Energy
550 Capital Street NE
Salem, OR 97301
Phone: (503) 373-0214
Fax: 503-373-7806
Email: Kellen.Tardaewether@oregon.gov

EFSC will not accept or consider any further public comments on the site certificate application or on the DPO after July 20, 2020, which represents the close of the record on the DPO for the proposed facility.

EFSC Review Process: The site certificate process is a consolidated, comprehensive siting process. The applicant must demonstrate that the proposed facility meets EFSC standards established under Oregon Revised Statute (ORS) 469.501 and set forth in Oregon Administrative Rule (OAR) Chapters 345, Divisions 22 and 24, as well as all other applicable Oregon statutes, rules and standards. ODOE serves as staff to EFSC and conducts the application review process.

The proposed facility is an energy facility subject to EFSC jurisdiction under the definition in ORS 469.300(11)(a)(D)(iii). As such, the proposed facility must receive approval from EFSC of a site certificate prior to construction.

To be eligible to participate in a contested case proceeding, a person must raise an issue either in person at the public hearing or in a written comment submitted on or before July 20, 2020 and received by ODOE before the record closes on July 20, 2020 (close of the public hearing). Even if a person commented before March 12, 2020, that person must raise an issue(s), either via oral comment at the public hearing or in writing during the comment period to be eligible to participate in the contested case. Failure to raise an issue in person or in writing prior to the close of the record of the public hearing with sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes consideration of the issue in a contested case. To raise an issue with sufficient specificity, a person must present facts that support the person's position on the issue. See OAR 345-015-0016(3).

Please note: All comments submitted to ODOE may be disclosed to the public, subject to Oregon Public Records Laws (ORS Chapter 192). Public comments may be available on the ODOE webpage for the Obsidian Solar Center as an attachment to the Proposed Order, to be issued at a later date.

Comment submission does not register your contact information to receive future electronic notices. If you would like to receive notices for this proposed facility or any other EFSC facility, and have not already done so, please follow the information in this notice to subscribe to the ClickDimensions email notification list.

EFSC Decision Process: Following the public hearing and after the close of the record of the hearing on the DPO, EFSC will review the DPO and comments received on the record of the DPO public hearing during a scheduled EFSC meeting. Following its review, either at that meeting or at a subsequent meeting, EFSC will direct staff to prepare and issue a proposed order. Along with the proposed order, ODOE will issue a notice of contested case. Following the contested case proceeding, EFSC will issue a final order on the ASC. The Siting Division Public Guide contains information on the EFSC process, including the contested case process.

To view this information on ODOE's website, please use the following link:
<https://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Public-Guide.pdf>

Receipt of this Notice:

Please note that you may be receiving this notice for multiple reasons:

1. You own property within or adjacent to (within 500 feet) the property boundary on which the proposed facility would be located. You will automatically receive all future EFSC notices for this proposed facility.
2. You have requested to receive paper notices on the Obsidian Solar Center. If you wish to be removed from this mailing lists, please contact Kellen Tardaewether.
3. You have previously signed up via GovDelivery/ClickDimensions to receive email notices related to the Obsidian Solar Center or all EFSC project-related notices.

You will automatically receive all future email notices per your request, unless you unsubscribe via ClickDimensions or by contacting ODOE.

Additional Information: Additional information about the proposed facility and updates on the review process is available using any of the following options.

1) Oregon Department of Energy's webpage:

The ASC, DPO and additional details regarding the proposed facility may be found at:
<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/OSC.aspx> to review and access free of charge.

Additional resources to help you participate in the state siting process can be found at:

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

2) Updates by email/mail:

Subscribe to ClickDimensions, a self-managed, automated email system that sends notices and updates on the Obsidian Solar Center as well as any or all other energy facilities and events under EFSC jurisdiction. For more information, please visit:
<https://tinyurl.com/ODOE-EFSC>. To receive notices by U.S. Mail, please contact Kellen Tardaewether (see contact information provided above).

3) In hardcopy:

Hard copies of the proposed Obsidian Solar Center ASC and DPO are available or have been provided to be available for public inspection at the following locations at no cost. Hard copies will be provided at reasonable cost upon request to ODOE. Please contact the below locations to arrange viewing of hard copies of the ASC and DPO:

Kellen Tardaewether, Senior Siting Analyst
(Agency Representative)
Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301
Phone: (503) 373-0214
Email: Kellen.Tardaewether@oregon.gov

More options below.

Christmas Valley Branch Library
57338 Christmas Tree Ln
Christmas Valley, OR 97641
(541) 576-2336
Hours: Tuesday & Thursday: 10:30 AM – 6 PM
Saturday: 10:30 AM – 3 PM

Silver Lake Branch Library
65522 Hwy 31, Silver Lake OR 97638
(541) 576-2146
Hours: Monday : 10:30 AM – 6 PM

Accessibility information: ODOE is committed to accommodating people with disabilities. For review of the DPO or attendance at the public hearing, if you require any special physical or language accommodations, or need information in an alternate format, please contact Michiko Mata at 503-378-3895, toll-free in Oregon at 800-221-8035, or email to michiko.mata@oregon.gov. For any other accommodation needed to attend the public hearing, please contact ODOE as soon as possible so we may provide the accommodation.

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