

PUBLIC NOTICE



Madras Solar Energy Facility

Request for Comments on Request for Amendment 1 and Draft Proposed Order

Summary:

Notice Date: October 18, 2024

Approved Facility: A not-yet constructed 63 megawatt (MW) solar PV electrical generating facility on 284 acres.

Amendment Request: Extend the construction commencement deadline 3 years; with a new completion deadline of 18 months after construction commences. Adjustments to quantities of previously approved facility components.

Approved Facility Location: Jefferson County, approximately 5.5 miles west of the City of Madras.

Recommendation: The Oregon Department of Energy (ODOE or Department) recommends that the facility, with the changes proposed in Request for Amendment 1 (RFA1), complies with all required standards and should be approved by the Energy Facility Siting Council (EFSC or Council).

Public Comment Period: October 18, 2024 through the close of the public hearing on November 14, 2024. The public may provide written or verbal comments regarding RFA1 and attachments and the Draft Proposed Order (DPO) including but not limited to recommended amendments to site certificate conditions.

In Person & Remote Public Hearing Information:

Date: November 14, 2024
Start Time: 5:30 p.m. Pacific Time (PT)
In Person: Inn at Cross Keys Station
66 NW Cedar Street
Madras, Oregon 97741

Remote Webex Webinar

Link:
<https://oregondepartmentofenergy.webex.com/oregondepartmentofenergy/j.php?MTID=m41f09d5e93285be7f6ff9f9645ffce22>

Number: 2662 311 3335
Password: EFSC (3372 from phones and video systems)

Please use your full name to sign in to help staff manage public comments.

Remote Teleconference
Number: 1-650-479-3208 US Toll
Access code: 2662 311 3335

Description of Approved but Not Yet Constructed Solar PV Facility:

- Energy Facility
- 63 MW generating capacity
 - Solar modules (137,673; 8-10 feet high at full rotation)
 - Steel posts (114,000 with each at least 8 feet in the ground)
 - Power conversion stations consisting of inverters and transformers (19 with each being 20 feet by 40 feet by 10 feet high)

Related or Supporting Facilities

- Battery energy storage system (a maximum of 120 in shipping containers 8 feet by 40 feet by 9.5 feet tall)
- 34.5 kV collector lines (4 miles in length and 3 feet below ground)
- 230 kV transmission line (200 feet in length with up to four polls 80 feet high)
- Substation and switching station (on approx. 2 acres)
- Operation and maintenance building (320 square feet and 8.5 feet high)
- 5,000 feet of access, perimeter and service roads
- perimeter fencing (5.4 miles in length and 8-foot high)
- Temporary construction areas

EFSC approved the facility and issued a site certificate on June 25, 2021 with a requirement to commence construction by June 25, 2024 and complete construction within 18 months from the construction start date.

Description of Changes Proposed in RFA1:

1. Extend the construction commencement deadline 3 years; from June 25, 2024 to June 25,

- 2027; with a new completion deadline of 18 months after construction commences.
- Adjustments to previously approved facility component quantities.

Facility Location: Approximately 5.5 miles west of the City of Madras and the facility surrounds the point at which NW Elk Dr. becomes NW Pelton Dam Rd. The facility is approved on 284 acres of privately owned land zoned for Exclusive Farm Use. Maps of the approved site boundary are included in this notice. The approved facility map is available at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/MSE.aspx> or visit our online mapping tool at <https://tinyurl.com/EFSCmap>.

EFSC Review Process: The EFSC review is a consolidated, comprehensive permitting process. The certificate holder must demonstrate through a preponderance of evidence on the record that the facility, with the proposed changes, complies with all applicable Oregon Revised Statutes, other applicable laws and Council standards that protect a resource or interest that could be affected by the proposed change; and the amount of the bond or letter of credit required under OAR 345-022-0050 is adequate. OAR 345-027-0375. For more information relating to EFSC standards, please visit: <http://www.oregon.gov/energy/facilities-safety/facilities/Pages/Siting-Standards.aspx>

Madras Solar Energy Facility Request for Amendment 1 Process Overview:

Request for Site Certificate Amendment
Madras PV1, LLC., (certificate holder), a wholly owned subsidiary of Ecoplexus Inc. filed preliminary Request for Amendment 1 on June 25, 2024. Based on the Department's review of the preliminary request and responses to its requests for additional information received, the Department notified the certificate holder that the amendment request was complete on October 17, 2024. A complete amendment request was received on October 17, 2024. RFA1 is available on the project webpage for review, as described in the More Information section below.

Draft Proposed Order Issuance

On October 18, 2024, the Department issued a Draft Proposed Order (DPO) on RFA1. The DPO, ODOE's

first evaluation for the amendment request, includes recommended findings of fact, conclusions of law and recommends new and amended site certificate conditions, all of which are open for the public to comment on. The DPO recommends that Council approve the changes proposed in the amendment request. The DPO is available on the project webpage for review, as described in the More Information section below.

Public Hearing and Comment Period

EFSC will hold the public hearing on RFA1 and the DPO on November 14, 2024, which will be both in person and remote. See meeting details on page 1.

During the hearing, there will first be a brief overview by ODOE on the siting process, approved facility and requested amendment, followed by an overview of the hearing format and finally an opportunity to provide oral comments on RFA1 and the DPO. **Each person wishing to provide oral comments will be given 7 minutes to do so, however, depending on the number of persons who wish to provide oral comments at the public hearing, it may be necessary to reduce the amount of time each person is provided to comment. Persons who believe they may want to request a contested case should bear this in mind when deciding whether to provide oral or written comments.**

Except for certain circumstances described in OAR 345-027-0371(5), only those persons who comment / raise an issue in person or in writing before the close of the record on the DPO on November 14, 2024 may request a contested case proceeding on the Proposed Order addressing the requested amendment to the site certificate.

To raise an issue on the record, a person must raise the issue in person at the public hearing or in a written comment submitted after the date of this notice of the public hearing and received by the Department before the close of the record of the public hearing on November 14, 2024, unless extended by Council.

If you do not raise an issue in person or in writing prior to the close of the record, with sufficient specificity to afford Council, the Department and the certificate holder an opportunity to respond to the

issue, you will be precluded from presenting that issue in a contested case.

To raise an issue with sufficient specificity, in their written and/or oral comments, a person must present facts, that support the person's position on the issue.

The Council will not accept or consider any further public comment on the request for amendment or on the Draft Proposed Order after the close of the record of the public hearing.

Comments may be submitted in the following ways until the close of the public comment period at the conclusion of the public hearing on November 14, 2024, unless extended by EFSC:

1. By mail or email to:
Chase McVeigh-Walker, Senior Siting Analyst
550 Capitol Street NE
Salem, OR 97301
Phone: 971-600-5323
Email: chase.mcveigh-walker@energy.oregon.gov
2. Orally during the public hearing. If using Webex or telephone, additional instructions will be provided at the hearing. **Please note that individual commentors will be limited to seven minutes. However, as noted above, that time may be decreased (or increased) based on the number of commentors.**
3. Hand Delivered at the address listed above or during the public hearing
4. Online Comment Portal - <https://odoe.powerappsportals.us/SitingPublicComment/>
Choose Madras Solar Energy Facility from the drop-down menu. Click "Next" and follow the instructions on the screen. You will receive an email confirmation after submitting your comment.

ODOE also has an online docket system which displays comments that have been submitted on this and other projects. Comments will normally be

available to view within 3 business days of receipt. The docket can be accessed via the following link: <https://odoe.powerappsportals.us/en-US/sitingdocket/>

Please note: Comment submission does not register your contact information to receive future notices. If you would like to receive notices for this facility or any other EFSC facility, and have not already done so, please follow the ClickDimensions link included in the More Information section below.

Council Review of the Draft Proposed Order

Following the close of the record of the public hearing on the DPO, and during a Council meeting, EFSC will review the DPO, comments received on the record of the DPO and provide any comments they have to ODOE.

Proposed Order

ODOE will evaluate the public comments, certificate holder comments and responses to comments and Council comments received on the record of the DPO, and make any necessary changes to the Department's recommended findings of fact, conclusions of law and conditions. These will be reflected in the Proposed Order, ODOE's second evaluation of whether the changes proposed in RFA1 comply with the applicable requirements.

Contested Case

Along with the issuance of the Proposed Order, ODOE will issue a notice of an opportunity to request a contested case proceeding to all persons who commented on the record of the DPO public hearing and provided a physical or email address.

To justify a Contested Case proceeding, a person must have properly raised an issue with sufficient specificity as described in the DPO section above. Additionally, the issue must be within the jurisdiction of EFSC and must raise a significant issue of fact or law that is reasonably likely to affect EFSC's determination whether the facility, with the changes proposed in the amendment request, meets applicable laws and EFSC standards.

A ten minute video describing the Type A Amendment Contested Case threshold is available at <https://www.youtube.com/watch?v=uBBGGhRXHu8>.

For more information related to the Proposed Order process and Requests for Contested Case under Type A Review, see <https://tinyurl.com/OAR-345-027-0371>.

“A Public Guide to Energy Facility Siting in Oregon” contains information on the EFSC process, including the contested case process and is accessible via: <https://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Public-Guide.pdf>

Final Order

Following the contested case proceeding, or the Proposed Order phase if no requests for a contested case proceeding are received and granted by EFSC, EFSC will issue a Final Order either approving or rejecting RFA1. If approved, an Amended Site Certificate will be issued.

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 on which the facility is located. You will automatically receive all future notices on this facility.
2. You have previously signed up to receive email related to the Madras Solar Energy Facility or all EFSC project-related notices. You will automatically receive all future notices per your request, unless you unsubscribe via ClickDimensions by following the link in the [More Information](#) section below.

More Information:

1. Madras Solar Energy Facility [webpage](#): RFA1, ODOE’s DPO and facility maps are available at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/MSE.aspx>
2. [Physical copies](#) of RFA1 and the DPO are available for public inspection at no cost at the address listed above. Physical copies will also be provided at reasonable cost upon request. Please contact Chase McVeigh-Walker.
3. If you would like to receive [email notices](#) of the Madras Solar Energy Facility, other projects, Council meetings or rulemakings, subscribe to

ClickDimensions, a self-managed, automated email system.

<http://web.energy.oregon.gov/cn/a6n53/subscribe>

4. [Additional resources](#) to help you participate in the state siting process can be found at: <http://www.oregon.gov/energy/facilities-safety/facilities/pages/default.aspx>
5. If you have any [questions](#) about the approved facility, RFA1, the DPO or how to provide public comments, please contact Chase McVeigh-Walker.

Accessibility information:

The Oregon Department of Energy is committed to accommodating people with disabilities. For review of RFA1 or 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 Nancy Hatch at 503-428-7905, toll-free in Oregon at 800-221-8035, or email to nancy.hatch@energy.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.

Figure 1: Approved Facility and RFA1 Site Boundary

