

Ambre Energy and Port of Morrow File Appeals Against Oregon Department of State Lands Permit Decision

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PORTLAND, Ore.--([BUSINESS WIRE](#))--Ambre Energy and the Port of Morrow in Boardman, Oregon have filed appeals against the permit decision made by the State of Oregon's Department of State Lands (DSL).

Last month, DSL denied a removal/fill permit for the Morrow Pacific project, a proposed coal export facility. The permit is needed to construct a dock at the Port of Morrow to transfer a bulk commodity to barges.

"The permitting process for a rail-to-barge facility should be project-specific and not influenced by the commodities involved," said Everett King, executive director, president and CEO of Ambre Energy North America. "It's pretty clear the politics of coal overshadowed this process from the beginning."

In the opening segment of the appeal Ambre Energy writes:

In its Application, Coyote Island Terminal proposes to place pilings in the Columbia River to construct a new barge-loading dock at the Port of Morrow near Boardman, Oregon. Coyote Island Terminal seeks to use the dock to load a bulk commodity into barges for shipment overseas. Because that bulk commodity is coal, it is a process that the State of Oregon does not support politically. Instead of fairly evaluating Coyote Island Terminal's application, DSL chose to base its decision on factors that far exceed the scope of analysis DSL has previously engaged in, improperly elevating special interests above long-standing, statutorily preferred Port industrial uses. In doing so, DSL exceeded its lawful authority while ignoring its legal obligations. The decision must be reversed.

"We disagree with DSL's decision. We designed the project to protect the environment while supporting the economy," said John Thomas, VP of legal, Ambre Energy. "We've done that, and we will prove that again through the appeals process."

“Not only does this permit denial create a road block for the well-designed Morrow Pacific project – it sets new regulatory precedent that has the risk of shutting down future development opportunities at the Port of Morrow,” said Gary Neal, general manager, Port of Morrow. “We are appealing so that this political decision does not limit economic opportunity in rural Oregon.”

In the opening segment of the appeal the Port of Morrow writes:

As the second largest port in the State of Oregon, the Port of Morrow must be able to enter into leases for development of its lands without the State unduly interfering with the Port of Morrow’s economic decisions. The Port of Morrow has invested over \$50 million in development of infrastructure to support the Port of Morrow East Beach Industrial Park, which is slated to include five docks – including the dock proposed by Coyote Island Terminal – to support the Port of Morrow’s economic development plans. The dock is slated to be constructed in an area specifically set aside by the United States Army Corps of Engineers for port industrial development, and will not interfere with fishing. The Port of Morrow is committed to Eastern Oregon and helping to revitalize Oregon’s economy. With this decision, the State of Oregon has sent the clear message that it does not support the Port of Morrow in these endeavors, and that allegations of fishing will overpower the state and federal determination that the Port of Morrow is the best location for Port Economic Development.

Following the notice of appeal, DSL has 30 days to send the notice to an administrative law judge. Under the rule, the judge must assign a hearing date within 30 days of receiving the notice.

About Ambre Energy

Ambre Energy Limited is a privately held company with predominantly Australian and U.S. shareholders. It is headquartered in Salt Lake City, Utah, with Australian headquarters located in Brisbane. Ambre Energy is developing new port infrastructure in the U.S. to facilitate an emerging coal export and marketing business, as well as operating and co-owning U.S. thermal coalmines. Working with government, the community and its partners, Ambre is developing world-

class export infrastructure while creating jobs and trade opportunities. For more information, please visit www.AmbreEnergy.com.

About the Port of Morrow

The Port of Morrow was established in 1959 and has since grown to be the second-largest port in Oregon. The port owns 12,000 acres of industrial land with the mission to maintain a positive business environment, develop freshwater resources, provide and expand utility services, expand its role as a regional transportation hub, and enhance the community. For more information, please visit www.PortofMorrow.com.

About the Morrow Pacific project

Morrow Pacific is a coal export project being developed by Ambre Energy. The project will create jobs, support schools and invest in rural Oregon counties, while shipping cleaner-burning, low-sulfur coal from the U.S. Intermountain region to trade allies such as Japan, South Korea and Taiwan. The Morrow Pacific project is setting new standards for protecting the environment while supporting the economy. For more information, please visit www.MorrowPacific.com.

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