

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of **Union Ridge Solar, LLC** for a Certificate of Environmental Compatibility and Public Need for a Solar Facility Located in Licking County, Ohio. )  
Case No. 20-1757-EL-BGN )

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**MOTION FOR WAIVER**

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Union Ridge Solar, LLC (“Union Ridge” or “Applicant”) will be filing an application to the Ohio Power Siting Board (“OPSB” or “Board”) to construct and operate a 108 megawatt solar facility in Licking County, Ohio. Through this motion, Union Ridge seeks a waiver from Ohio Administrative Code Rule 4906-4-08(D)(2)-(4), which requires a ten-mile study area with respect to the impact on landmarks and cultural resources. Union Ridge submits that good cause exists for granting this waiver, as set forth in the accompanying Memorandum in Support.

WHEREFORE, Union Ridge Solar, LLC respectfully requests that the Board grant waivers from Rule 4906-4-08(D)(2)-(4) of the Ohio Administrative Code.

Respectfully submitted on behalf of  
UNION RIDGE SOLAR, LLC



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**MEMORANDUM IN SUPPORT**

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**I. INTRODUCTION**

Union Ridge is proposing to construct a 108 MW solar powered electric generating facility in Licking County, Ohio (the “Project”). In support of its application to construct the Project, Union Ridge respectfully requests a waiver from Ohio Administrative Code Rule 4906-4-08(D)(2)-(4) with respect to evaluation of impacts to landmarks, identification of and evaluation of impacts to landmarks, recreation and scenic areas, and visual impacts.

As more fully explained below, good cause exists to grant the waiver. Moreover, Union Ridge’s application will provide all information necessary for the Board and its Staff to conduct a review and make the determinations required by Ohio Revised Code Section (“R.C.”) 4906.10.

**II. WAIVER REQUEST**

Union Ridge requests a waiver from the ten-mile study areas required by Ohio Administrative Code Rule 4906-4-08(D). Rule 4906-4-08(D)(2) requires an applicant to provide an evaluation of the impact of the proposed facility on the preservation and continued meaningfulness of mapped landmarks within a ten-mile radius and to describe plans to avoid or mitigate any adverse impact. Rule 4906-4-08(D)(3) requires an applicant to describe and evaluate impacts to the identified recreation and scenic areas within ten miles of the project area.

And Rule 4906-4-08(D)(4) requires applicant to evaluate the visual impact of the proposed facility within a ten-mile radius from the project area.

A waiver to allow a reduction in the area of analysis here better aligns with the characteristics of the Project. Union Ridge has evaluated the impact of the Project on the preservation and continued meaningfulness of the registered landmarks within a two-mile vicinity of the Project Area, and within a five-mile vicinity of the Project Area for scenic and recreation areas, and visibility and viewshed. As part of its review and because of the Project's low profile, as well as screening afforded by vegetation and existing structures, visibility of the planned components is anticipated to be limited to the immediate vicinity of the Project. The Visual Resource Assessment (Exhibit S) provides information on the lack of impact to landmarks. It notes that due to the nature of the technology and the setting specific to the Project, no effects are anticipated on landmarks or scenic and recreation areas outside of the immediate Project Area, though the effects on landmarks outside of the immediate Project Area were studied and considered within a five-mile radius of the Project.

For these reasons, good cause exists—and Union Ridge respectfully requests—a waiver from O.A.C. Rule 4906-4-08(D)(2)-(4), to allow for the focused two- and five-mile study areas rather than the ten-mile study area. The Board has granted similar waivers to other solar projects in the past. *In re Ross County Solar, LLC*, Case No. 20-1380-EL-BGN, Entry (Jan. 20, 2021); *In re Yellowbud Solar, LLC*, Case No. 20-0972-EL-BGN, Entry (July 9, 2020).

#### **IV. CONCLUSION**

For good cause, Union Ridge respectfully requests that the Board or Administrative Law Judge grant waivers in part or in whole as to Ohio Administrative Code Rules 4906-4-08(D)(2)-(4).

Respectfully submitted on behalf of  
UNION RIDGE SOLAR, LLC



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Summary: Motion for Waivers by Union Ridge Solar, LLC electronically filed by Teresa Orahod on behalf of Dylan F. Borchers