

**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

DIRECT TESTIMONY OF JARED KNERR

ON BEHALF OF

JARED KNERR, ENGINEER OF LICKING COUNTY, OHIO

September 9, 2021

1 Q-1. Please state your name, title, and business address.

2 A-1. My name is Jared Knerr. I am the Engineer for Licking County, Ohio. My business address
3 is 20 South Second Street, Newark, Ohio 43055.

4 Q-2. What is your educational and professional background?

5 A-2. I have a Bachelors of Science in Surveying and Civil Engineering from The Ohio State
6 University. I have been a registered Professional Surveyor and registered Professional
7 Engineer in Ohio for 21 years. Prior working for Licking County, I worked for a private
8 engineering firm for over 22 years, where I became a project manager and worked with
9 commercial clients as well as many development companies. In 2013, I left private practice
10 to become the roadway engineer for the Licking County Engineer's Office. In 2017, I was
11 elected as the Engineer of Licking County, Ohio.

12 Q-3. What are your duties as the Engineer for Licking County, Ohio?

13 A-3. My duties are statutory in nature and defined in R.C. 315.08. To summarize, my duties are
14 to prepare all plans, specifications, details, estimates of cost, and submit forms of contracts
15 for the construction, maintenance, and repair of all bridges, culverts, roads, drains, ditches,
16 roads on county fairgrounds, and other public improvements, except buildings, constructed
17 under the authority of any board within and for the county.

18 Q-4. On whose behalf are you offering testimony?

19 A-4. I am testifying on behalf of myself as the Licking County Engineer.

20 Q-5. What is the purpose of your testimony?

21 A-5. The purpose of my testimony is to convey several engineering concerns that I have
22 regarding the Project.

23 Q-6. Are you familiar with the Project?

1 A-6. Yes.

2 Q-7. What is a Road User Maintenance Agreement (“RUMA”)?

3 A-7. A RUMA is an agreement between a local government and a private energy developer to
4 repair and maintain roadways that are damaged or degraded by the traffic associated with
5 the private energy developer’s development of real property. A RUMA may also address
6 additional concerns that the local government may have regarding the private energy
7 developer’s use of roads within the local government’s jurisdiction.

8 Q-8. Has the applicant submitted a proposed RUMA to Licking County?

9 A-8. Yes.

10 Q-9. Did Licking County agree to the terms of the proposed RUMA?

11 A-9. No.

12 Q-10. Why not?

13 A-10. Because the applicant failed to properly address safety and engineering concerns that I have
14 regarding the Project.

15 Q-11. Please identify the first concern that you have regarding the Project.

16 A-11. My first concern is in relation to overweight and/or oversized construction vehicles
17 traversing on roads and bridges during the construction of the Project. The proposed
18 RUMA does not include a maximum weight or size of the construction vehicles that the
19 applicant can use for construction. Depending upon the maximum weight and/or size of
20 the construction vehicles, the construction vehicles may cause the roads and/or bridges to
21 be damaged. Due to the fact that the proposed RUMA does not include a maximum weight
22 or size of the construction vehicles, I cannot ensure that lives and property in Licking
23 County are protected.

1 Q-12. Please identify the second concern that you have regarding the Project.

2 A-12. My second concern is in relation to the proposed driveways for the Project. The applicant
3 intends to construct five driveways for the Project. However, under the proposed RUMA,
4 the applicant is required to submit one design for one driveway. The applicant is not
5 required to submit designs for the remaining four driveways. As a result, I am not able to
6 review and determine whether the remaining four driveways have adequate stopping sight
7 distance.

8 Additionally, the Access Management Regulations of Licking County govern driveways
9 in Licking County. Under the Access Management Regulations, there are rules regarding
10 driveway spacing, the maximum number of driveways permitted per parcel, and again,
11 stopping sight distance. Because the proposed RUMA does not require the applicant to
12 submit designs for the remaining four driveways, I cannot determine whether the remaining
13 four driveways are acceptable under the Access Management Regulations.

14 Q-13. Please identify the third concern that you have regarding the Project.

15 A-13. My third concern is in relation to the issue of a utility crossing permit. Specifically, utility
16 crossing permits are required when working in Licking County's right-of-way. The
17 applicant intends to work in Licking County's right-of-way. However, the applicant has
18 failed to submit a utility crossing permit.

19 Q-14. Please identify the fourth concern that you have regarding the Project.

20 A-14. My fourth concern goes hand-in-hand with my third concern. Generally speaking, a utility
21 crossing permit is reserved for a utility. However, I am not convinced that the applicant is
22 a utility. As such, I am concerned that the applicant does not have standing to receive a
23 utility crossing permit. I would like the applicant and/or the Board to address this issue.

1 Q-15. Please identify the fifth concern that you have regarding the Project.

2 A-15. My fifth concern is in relation to stormwater issues. The applicant has addressed
3 stormwater quality, but the applicant has not addressed stormwater quantity. In simple
4 terms, stormwater quality pertains to whether Project is going to cause dirty water to go
5 downstream. On the other hand, stormwater quantity pertains to the amount of stormwater,
6 regardless of whether the stormwater is or is not dirty, to go downstream. The applicant's
7 failure to address stormwater quantity is a concern because additional stormwater increases
8 the likelihood that the Project causes downstream properties to flood.

9 Q-16. Are you aware of R.C. 5727.75(F)(4) that requires energy projects to repair all roads,
10 bridge, and culverts affected by construction as reasonably required to restore them to their
11 preconstruction condition, as determined by the county engineer?

12 A-16. Yes.

13 Q-17. Is the statutory requirement in R.C. 5727.75(F)(4) sufficient to address your concerns as it
14 relates to damaged roads, bridges, and culverts?

15 A-17. No.

16 Q-18. Why not?

17 A-18. Because the statutory requirement in R.C. 5727.75(F)(4) also requires the owner or lessee
18 of the energy project to post a bond in an amount established by the county engineer and
19 to be held by the board of county commissioners to ensure funding for repairs of roads,
20 bridges, and culverts affected during the construction of the Project. However, the owner
21 or lessee of the Project has not posted the required bond.

1 Q-19. What is the amount of the bond that you believe is sufficient for the applicant to post to
2 ensure funding for repairs of roads, bridges, and culverts that may be affected during the
3 construction of the Project?

4 A-19. \$4,500,000.

5 Q-20. Do you have any additional concerns or comment about the Project?

6 A-20. No.

7 Q-21. What would you like the Siting Board do as it relates to the concerns you identified during
8 your testimony?

9 A-21. I would like the Siting Board to disapprove or table the applicant's application until my
10 concerns have been addressed to my satisfaction.

11 Q-22. Does this conclude your direct testimony?

12 A-22. Yes. However, I reserve the right to offer supplemental testimony if necessary.

CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case.

/s/ Matthew D. Stewart
Matthew D. Stewart (0098688)

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/9/2021 2:22:28 PM

in

Case No(s). 20-1757-EL-BGN

Summary: Testimony of Jared Knerr on behalf of Jared Knerr, Engineer of Licking County, Ohio electronically filed by Matthew D. Stewart on behalf of Jared Knerr, Engineer of Licking County, Ohio