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**DIRECT TESTIMONY
OF EDWARD A. ZARECKY, WITNESS FOR
ONCOR ELECTRIC DELIVERY COMPANY LLC**

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Exhibit EAZ-1 – Resume of Edward A. Zarecky

1 **DIRECT TESTIMONY OF EDWARD A. ZARECKY**

2 **I. POSITION AND QUALIFICATIONS**

3 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

4 A. My name is Edward A. Zarecky. I hold the title of Environment Technical Services
5 Manager at Oncor Electric Delivery Company LLC ("Oncor"). My business address
6 is SOSF – Building 112, 2471 South Dallas Avenue, Lancaster, Texas 75146.

7 Q. PLEASE DESCRIBE YOUR PROFESSIONAL QUALIFICATIONS.

8 A. I graduated with a Bachelor's degree in Geology and Earth Science from Clarion
9 University of Pennsylvania in 1997 and undertook graduate studies in Geological
10 and Earth Sciences at Baylor University from 1997 to 2000. Before joining Oncor,
11 I was employed by Corrigan Consulting Inc. as a Field Geologist, then by
12 Rosengarten, Smith & Associates Inc. as a Project Geologist. I joined Oncor in
13 2008, where I began as a Senior Field Environmental Specialist before assuming
14 my current role in July 2015. In my role with Oncor, I manage a staff of eight to
15 ensure that ecological assessments, environmental programming, and permitting
16 obligations are observed and complied with for Oncor projects. I am also
17 responsible for directing the development and implementation of policies and
18 programs to ensure compliance with local, state, and federal laws and regulations,
19 as well as corporate policies and procedures.

20 Q. HAVE YOU EVER SUBMITTED TESTIMONY BEFORE THE PUBLIC UTILITY
21 COMMISSION OF TEXAS ("COMMISSION")?

22 A. No, I have not.

23 **II. PURPOSE OF DIRECT TESTIMONY**

24 Q. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?

25 A. The purpose of my direct testimony is to: (1) describe Oncor's typical
26 environmental permitting activities associated with the construction of a newly
27 certificated transmission line; (2) provide general background and observations
28 regarding letters from the Texas Parks and Wildlife Department ("TPWD")
29 concerning Oncor's application to amend its Certificate of Convenience and

1 Necessity (“CCN”) for the Old Country Switch 345 kV Tap transmission line project
2 (the “Proposed Transmission Line Project”); and (3) respond to certain
3 recommendations contained in the letters from TPWD.

4 **III. ONCOR’S ENVIRONMENTAL PERMITTING ACTIVITIES**

5 Q. HAVE YOU EVER BEEN INVOLVED IN THE PERMITTING EFFORTS THAT
6 ONCOR UNDERTAKES TO CONSTRUCT NEW TRANSMISSION LINES?

7 A. Yes, insofar as I manage the group that performs this task. My group performs
8 environmental permitting, environmental regulatory agency coordination, and
9 project-specific environmental compliance related to the construction of new
10 transmission lines. Once a project route has been determined, my group assesses
11 the project right-of-way for threatened and endangered species and their habitat,
12 storm water pollution prevention plan permitting requirements, U.S. Army Corps of
13 Engineers permitting requirements, potential cultural resources impacts, and any
14 other environmental permits that might be required.

15 Q. PLEASE DESCRIBE THE ENVIRONMENTAL-RELATED PERMITTING
16 ACTIVITIES ONCOR UNDERTAKES WHEN CONSTRUCTING A NEW
17 TRANSMISSION LINE.

18 A. After the Commission selects and approves a transmission line route, qualified
19 experts on my team conduct an assessment of the entire length of the project to
20 identify water resources, cultural resources, potential migratory bird issues, and
21 threatened/endangered species habitat that may be impacted as a result of the
22 transmission line project. Preliminary siting of storm water controls are identified
23 during this process. As a result of these assessments, my group identifies which
24 permits are necessary, obtains all required environmental permits, and facilitates
25 compliance with the relevant permit conditions during construction and operation
26 of the transmission line. Oncor has implemented these processes successfully
27 over many years and on numerous projects. These processes are, and will
28 continue to be, Oncor’s standard practice.

1 **IV. GENERAL COMMENTS ON TPWD LETTERS**

2 Q. PLEASE DESCRIBE THE CORRESPONDENCE FROM TPWD REGARDING
3 THE PROPOSED TRANSMISSION LINE PROJECT.

4 A. TPWD has provided two letters containing recommendations for the Proposed
5 Transmission Line Project, one to Oncor and one to the Commission. Early in the
6 project's development, Oncor's environmental and routing consultant, Freese and
7 Nichols, Inc. ("Freese and Nichols"), solicited input from TPWD regarding the
8 project and surrounding area for use in the *Environmental Assessment and*
9 *Alternative Route Analysis for the Proposed Old Country Switch 345 kV Tap*
10 *Transmission Line Project in Ellis County* ("Environmental Assessment and
11 Routing Study"), which is included as Attachment No. 1 to Oncor's CCN application
12 (the "Application"). In response, TPWD provided a letter to Oncor on April 26, 2021
13 (the "April Letter") with comments and recommendations for minimizing the
14 Proposed Transmission Line Project's impacts on fish and wildlife resources. This
15 correspondence is included in Appendix A to the Environmental Assessment and
16 Routing Study. The April Letter's recommendations were based on the general
17 location of the Proposed Transmission Line Project.

18 After Freese and Nichols completed the Environmental Assessment and
19 Routing Study, a copy was provided to TPWD concurrent with Oncor's filing of the
20 Application. On October 27, 2021, TPWD provided a second letter (the "October
21 Letter"), this time addressed to the Commission, a copy of which was filed in this
22 docket. The October Letter provided recommendations and TPWD's opinion of
23 beneficial management practices ("BMPs") for the Commission's consideration.
24 My testimony will focus primarily on the October Letter and TPWD's
25 recommendations and proposed BMPs to the Commission.

26 Q. THE TPWD LETTERS CONTAIN RECOMMENDATIONS REGARDING
27 COORDINATION WITH REGULATORY AUTHORITIES WHEN
28 CONSTRUCTING NEW TRANSMISSION LINES, INCLUDING WITH TPWD.
29 DOES THE COMMISSION REQUIRE ONCOR TO COMPLY WITH

1 ENVIRONMENTAL LAWS AND REGULATIONS OR COORDINATE WITH
2 REGULATORY AUTHORITIES WHEN CONSTRUCTING NEW TRANSMISSION
3 LINES?

4 A. Yes. Oncor is obligated to comply with all applicable environmental laws and
5 regulations, independent of any language the Commission includes in an order.
6 However, as part of the typical order approving a CCN amendment, the
7 Commission specifically orders utilities to coordinate certain activities with
8 appropriate agencies and take into consideration certain environmental policies
9 when undertaking construction of the transmission line.

10 Q. THE TPWD LETTERS CONTAIN VARIOUS COMMENTS REGARDING
11 COMPLIANCE WITH ENVIRONMENTAL REGULATIONS. WHAT IS ONCOR'S
12 COMPLIANCE PHILOSOPHY REGARDING ENVIRONMENTAL
13 REGULATIONS?

14 A. Oncor takes regulatory compliance very seriously and is an industry leader in the
15 field. If Oncor identifies that it has committed a violation of an environmental
16 regulation, it is Oncor's standard practice to self-report the violation to the
17 appropriate regulatory authority. Oncor also participates in and, in some cases,
18 leads various federal and state initiatives associated with environmental issues.

19 Q. WHAT ARE YOUR GENERAL THOUGHTS ON THE TPWD LETTERS?

20 A. While Oncor respects and supports TPWD's mission, many of its
21 recommendations are either unnecessary, not operationally practical, or do not
22 take into consideration all elements of Public Utility Regulatory Act § 37.056 and
23 Commission Substantive Rule 25.101. Others are duplicative of or run counter to
24 the Commission's standard ordering language for transmission line projects and/or
25 are already part of the existing post-certification process. And several of TPWD's
26 recommendations are ambiguous and require elaboration from TPWD regarding
27 their intended application. Without TPWD's participation in this proceeding to
28 support the need for these recommendations and provide clarity as to their
29 meaning, preferably as the sponsored exhibits of a capable witness who would be

1 available to answer clarifying questions at the hearing on the merits, these
2 recommendations would increase costs, cause contention with landowners, and
3 still not be certain to accomplish the protection for natural resources that TPWD
4 seeks.

5 **V. RESPONSES TO TPWD'S RECOMMENDATIONS**

6 Q. ON PAGE 6 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT THE
7 COMMISSION REQUIRE ONCOR TO ASSESS THE APPROVED ROUTE FOR
8 POTENTIAL STOPOVER HABITAT FOR THE WHOOPING CRANE, TO MARK
9 LINES WITH BIRD FLIGHT DIVERTERS NEAR AREAS OF POTENTIAL
10 STOPOVER HABITAT, AND TO CONSULT WITH THE U.S. FISH AND WILDLIFE
11 SERVICE ("USFWS") PURSUANT TO THE ENDANGERED SPECIES ACT
12 ("ESA"). DOES ONCOR AGREE WITH THIS RECOMMENDATION?

13 A. Where required, Oncor already installs bird flight diverters and bird deterrents to
14 reduce potential whooping crane collision risk under its Section 10(a)(1)(B)
15 USFWS permit ("Section 10 Permit"). The Environmental Assessment and
16 Routing Study explained that, while the study area is located within the whooping
17 crane's designated migration corridor, there are no areas within the study area that
18 would provide suitable habitat for the whooping crane, and while there is a chance
19 that whooping cranes could use the smaller wetted habitat or fields in the study
20 area as a stopover on their migratory route, it is very unlikely that they would be
21 affected by the Proposed Transmission Line Project. Nonetheless, pursuant to
22 Oncor's Section 10 Permit, my group will review the project area for suitable
23 whooping crane habitat once a route is approved. In instances where the
24 transmission line route is located near potential whooping crane stopover habitat,
25 Oncor will make a determination regarding the need for visual markers based on
26 the requirements of Oncor's Section 10 Permit. Oncor believes these steps will
27 adequately address TPWD's concern in this regard. Generally requiring the
28 installation of bird flight diverters at potential stopover sites would provide minimal

benefit for the reasons stated above, while increasing costs and operations and maintenance issues.

Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS AVOIDING VEGETATION CLEARING DURING THE GENERAL BIRD-NESTING SEASON FROM MARCH 15 – SEPTEMBER 15, SURVEYING FOR ACTIVE BIRD NESTS, AND AVOIDING DISTURBANCE UNTIL BIRDS HAVE FLEDGED. DOES ONCOR AGREE WITH THESE RECOMMENDATIONS?

A. No. Based on the estimated schedule for the Proposed Transmission Line Project, clearing during the general bird nesting season from March through September is unavoidable. Compliance with this recommendation would essentially blackout half of the year (and often the most productive months for transmission line construction). However, to safeguard active bird nests, Oncor will use best practices to minimize its impact on nesting species encountered during right-of-way clearing and will avoid these species to the extent possible. As part of Oncor's standard preconstruction activities, biologists assess the presence of avian species and their habitat in rights-of-way. Oncor holds a USFWS Depredation permit and currently utilizes the services of Rogers Wildlife Rehabilitation Center in Hutchins, Texas and other permitted entities to ensure compliance with the Migratory Bird Treaty Act ("MBTA"). Oncor staff biologists will coordinate the relocation of bird species when their nests are impacted by utility construction activities that cannot be avoided. In an effort to comply with aspects of the MBTA, Oncor has relocated eggs and/or young nesting birds to the Rogers Wildlife Rehabilitation Center where they are cared for and eventually released back into the wild. Oncor believes that these steps will adequately protect nesting species without the need for a six-month construction blackout.

Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS CONSTRUCTING SUBSTATIONS USING MINIMAL NIGHT-TIME AND UPWARD-FACING LIGHTING TO MINIMIZE SKYGLOW. DOES ONCOR AGREE WITH THIS RECOMMENDATION?

1 A. Oncor can generally comply with this recommendation as it applies to the
2 Proposed Transmission Line Project. Oncor's current standard involves the use
3 of luminaires that utilize photocells to disable lighting during daylight hours and
4 enable lighting outside of daylight hours so personnel can safely and securely
5 approach the station. The amount of lighting used at a station depends on
6 numerous factors, including the station's layout, location, and surroundings, but
7 Oncor does not use any more light than is deemed necessary for the safe and
8 reliable operation of the station and for the safety and security of Oncor personnel.

9 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS EDUCATING
10 EMPLOYEES AND CONTRACTORS REGARDING THE STATE-LISTED
11 THREATENED SPECIES WITH POTENTIAL TO OCCUR IN THE AREA. DOES
12 ONCOR AGREE WITH THIS RECOMMENDATION?

13 A. Yes. Oncor already complies with this recommendation as part of its standard
14 practice.

15 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS UTILIZING A
16 BIOLOGICAL MONITOR DURING CONSTRUCTION, WHEN FEASIBLE. DOES
17 ONCOR AGREE WITH THIS RECOMMENDATION.

18 A. No, Oncor does not believe this recommendation is necessary, given Oncor's
19 standard practices regarding protected species in the right-of-way. As noted
20 above, Oncor already makes employees and contractors aware of the potential for
21 federal and state-listed species that may occur within the project area with an
22 emphasis on avoiding impacts to all wildlife that may be encountered.

23 Hiring a TPWD-permitted biological monitor to be generally present during
24 construction or to translocate species is not currently a feasible option. Oncor has
25 requested additional information from TPWD regarding the availability of permitted
26 biological monitors, but the TPWD's response indicated that the agency does not
27 maintain a publicly available listing of biological monitors. As a result, Oncor is
28 unable to assess the potential impact of this recommendation on the Proposed
29 Transmission Line Project's schedule, and it is also unclear how Oncor would

1 obtain the services of a TPWD-permitted biological monitor if a listing of these
2 qualified individuals is not available. In addition, based on estimates from
3 consultants with similar ecological qualifications, the cost of a qualified biological
4 monitor can range from \$1,500 to \$2,000 per day per individual. Finally, it is
5 unclear if TPWD is recommending a single biological monitor per project, per area,
6 or per work crew, which will greatly affect the associated costs.

7 When appropriate, Oncor currently utilizes permitted biological monitors to
8 ensure compliance with the ESA and other applicable regulatory requirements.
9 Oncor is not currently required, however, to use a biological monitor for
10 identification of state-listed or unlisted species. A similar recommendation from
11 TPWD in the April Letter explained that if the presence of a biological monitor
12 during construction is not feasible, state-listed threatened species observed during
13 construction should be allowed to safely leave the site. Oncor's standard practice
14 is to allow species observed during construction to safely leave the site when
15 feasible.

16 If required by the Commission, Oncor will expend the resources necessary
17 to hire a biological monitor. However, doing so will add significant expense to the
18 Proposed Transmission Line Project that was not accounted for in the cost
19 estimates that were provided with the Application.

20 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
21 ALLOW WILDLIFE TO SAFELY LEAVE THE SITE ON THEIR OWN, WITHOUT
22 HARASSMENT OR HARM, OR TO USE A TPWD-PERMITTED INDIVIDUAL TO
23 TRANSLOCATE STATE-LISTED SPECIES THAT WILL NOT READILY LEAVE
24 THE SITE ON THEIR OWN. DOES ONCOR AGREE WITH THESE
25 RECOMMENDATIONS?

26 A. As explained above, Oncor does not intend to harass or harm any wildlife during
27 the Proposed Transmission Line Project's construction and will attempt to allow
28 wildlife to safely leave the site on their own to the extent feasible. While Oncor
29 agrees with this recommendation as an aspiration, Oncor does not believe it is

1 practical as an absolute requirement. Instances do and will arise where wildlife
2 must be ushered out of the right-of-way. In fact, Oncor's federal permits expressly
3 recognize Oncor's right to take protected species. Further, as I previously
4 explained, it is generally not feasible to employ a TPWD-permitted individual to
5 assist in relocating species because TPWD does not maintain a public list of
6 individuals permitted by TPWD, and even if a list of such individuals were available,
7 to do so would add significantly to the cost of the project. For all of these reasons,
8 Oncor believes its existing practices are sufficient to safeguard protected species
9 encountered in the right-of-way.

10 Q. PAGE 7 OF THE OCTOBER LETTER INCLUDES A RECOMMENDATION THAT
11 ONCOR INSTALL ESCAPE RAMPS IN TRENCHES AND INSPECT TRENCHES
12 FOR TRAPPED WILDLIFE PRIOR TO BACKFILLING. WHAT IS ONCOR'S
13 PRACTICE WITH RESPECT TO THESE AREAS?

14 A. Oncor does not believe this recommendation is applicable to the Proposed
15 Transmission Line Project, as the construction process will generally not involve
16 trenching. Construction of the Proposed Transmission Line Project will involve
17 drilling foundation holes where structures will be located. For the lattice towers
18 that will be used for this project, the holes are approximately three feet in diameter
19 and can be as deep as thirty-five feet. Even assuming the TPWD considers
20 foundation holes at this depth to be a trench, it is not operationally practical to
21 install escape ramps in these holes given their dimensions. Regardless, Oncor's
22 typical practice is to not leave any foundation holes open overnight so that wildlife
23 cannot enter and become trapped. Oncor believes this practice is adequate to
24 prevent wildlife from becoming trapped in excavated areas.

25 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
26 REFRAIN FROM USING EROSION CONTROL BLANKETS CONTAINING
27 POLYPROPYLENE FIXED-INTERSECTION MESH. DOES ONCOR AGREE
28 WITH THIS RECOMMENDATION?

1 A. No. Oncor is unaware of any erosion control blankets that do not contain
2 polypropylene fixed-intersection mesh. Oncor is willing to explore the possibility
3 of using such products if they can be identified and obtained cost-effectively.
4 However, without TPWD's participation in this proceeding to provide guidance in
5 that regard, it is impractical, if not impossible, for Oncor to comply with this
6 recommendation.

7 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
8 REPORT ENCOUNTERS OF THREATENED SPECIES, ENDANGERED
9 SPECIES, AND SPECIES OF GREATEST CONSERVATION NEED ("SGCN") TO
10 THE TEXAS NATURAL DIVERSITY DATABASE ("TNDD"). DOES ONCOR
11 AGREE WITH THIS RECOMMENDATION?

12 A. Oncor does not agree with this recommendation. No state or federal
13 environmental law or regulation requires such reporting, and Oncor is concerned
14 that reporting encounters of SGCN, threatened, and endangered species on
15 publicly available databases, such as the TNDD, could encourage trespassing on
16 private properties and be considered by private landowners to be an invasion of
17 privacy.

18 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
19 PREPARE AN AQUATIC RESOURCE RELOCATION PLAN ("ARRP") AND
20 COORDINATE WITH THE TPWD KILLS AND SPILLS TEAM ("KAST") TO
21 OBTAIN APPROPRIATE PERMITS FOR WORKING IN INLAND WATERS.
22 DOES ONCOR AGREE WITH THIS RECOMMENDATION?

23 A. As I explained above, Oncor complies with all applicable laws and regulations and
24 will obtain all permits that are required for the Proposed Transmission Line Project.
25 After the construction schedule is established, Oncor will engage a consultant to
26 determine whether an ARRP is needed, then coordinate an approved ARRP with
27 the KAST regional representative as necessary.

28 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
29 PREPARE AND FOLLOW AN AQUATIC INVASIVE SPECIES TRANSFER

1 PREVENTION PLAN IF EQUIPMENT WILL CONTACT INLAND WATERS.
2 DOES ONCOR AGREE WITH THIS RECOMMENDATION?

3 A. Yes. Oncor agrees and will comply with this recommendation if project
4 construction will involve equipment contacting inland waters.

5 Q. ON PAGE 7 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
6 PREPARE AND FOLLOW A REVEGETATION AND MAINTENANCE PLAN TO
7 MONITOR, TREAT, AND CONTROL TERRESTRIAL INVASIVE SPECIES
8 WITHIN THE RIGHT-OF-WAY. DOES ONCOR AGREE WITH THIS
9 RECOMMENDATION?

10 A. No. Oncor's standard soil and plant conservation practices will be undertaken to
11 protect native vegetation and ensure a successful restoration program for
12 disturbed areas, emphasizing native species. As part of its standard practice, after
13 construction activities are complete, Oncor revegetates the right-of-way in
14 accordance with the requirements of the Texas Commission on Environmental
15 Quality Texas Pollutant Discharge Elimination System General Permit
16 No. TXR150000 and the Commission's applicable order. Under the Commission's
17 longstanding standard ordering language, Oncor routinely revegetates rights-of-
18 way using native species in consultation with landowner preferences while
19 considering wildlife needs.

20 Oncor cannot follow a revegetation and maintenance plan to monitor, treat,
21 and control invasive species within the right-of-way. Such a maintenance plan
22 would be both very expensive and intrusive to private landowners. Oncor's
23 ongoing vegetation management maintenance plan includes monitoring and
24 controlling incompatible plant species based on Integrated Vegetation
25 Management BMPs. Oncor does not specifically target invasive species that are
26 compatible with its use of the right-of-way. One reason for this is that the typical
27 easement language Oncor acquires from landowners does not specifically allow
28 Oncor to manage compatible vegetation that does not interfere with the operation
29 of its facilities. As such, compliance with this TPWD recommendation would

1 require a substantially more intrusive presence on landowner property than exists
2 today. Further, as Oncor's transmission line easements are non-exclusive
3 easements, Oncor does not have the right to conduct the maintenance plan
4 recommended by TPWD. Accordingly, Oncor's existing practices will adequately
5 protect native vegetation and strike an appropriate balance between controlling
6 invasive species and respecting the desires of private landowners, as the
7 Commission has historically required.

8 Q. ON PAGE 8 OF THE OCTOBER LETTER, TPWD RECOMMENDS THAT ONCOR
9 INCLUDE FLOWERING HERBACEOUS SPECIES IN REVEGETATION PLANS
10 FOR THE BENEFIT OF POLLINATORS. DOES ONCOR AGREE WITH THIS
11 RECOMMENDATION?

12 A. Oncor does not agree with this recommendation, as the Commission's
13 longstanding standard ordering language requires Oncor to consider landowner
14 preferences when revegetating. While Oncor will generally plant flowering
15 vegetation if requested by the landowner, many landowners may prefer to not
16 revegetate using flowering species.

17 TPWD's suggestion that revegetation should be conducted for the benefit
18 of pollinator species is problematic for these same reasons, but also because it
19 could be read to imply the need for additional activities (e.g., applying pre-
20 emergent and planting species at different times of the year) that would only drive
21 costs higher. These activities would be difficult to fit into construction scheduling,
22 and Oncor anticipates that numerous landowners would be opposed to
23 revegetating using flowering herbaceous species, considering that such vegetation
24 (e.g., weeds) may be less than desirable. Accordingly, Oncor believes its standard
25 revegetation practices appropriately balance the needs of wildlife with the desires
26 of private landowners.

27 VI. CONCLUSION

28 Q. PLEASE SUMMARIZE ONCOR'S RESPONSE TO THE TPWD LETTERS.

1 A. As previously stated, Oncor understands and respects TPWD's mission to protect
2 the State's parks and wildlife for the citizens of Texas and already incorporates
3 many of TPWD's recommendations into its post-certification construction process.
4 Notwithstanding, some of the recommendations included in the TPWD Letters are
5 not necessary or are not operationally practical and should not be adopted by the
6 Commission.

7 Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?


8 A. Yes, it does.

AFFIDAVIT

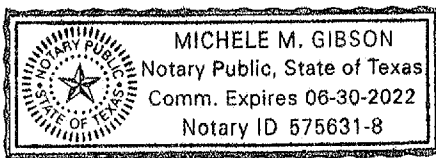
STATE OF TEXAS §
 §
COUNTY OF DALLAS §

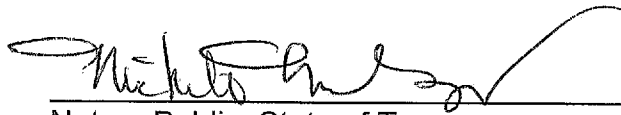
BEFORE ME, the undersigned authority, on this day personally appeared Edward A. Zarecky, who, having been placed under oath by me, did depose as follows:

My name is Edward A. Zarecky. I am of legal age and a resident of the State of Texas. The foregoing testimony offered by me is true and correct, and the opinions stated therein are, to the best of my knowledge and belief, accurate, true and correct.


Edward A. Zarecky

SUBSCRIBED AND SWORN TO BEFORE ME by the said Edward A. Zarecky this 16th day of December, 2021.




Notary Public, State of Texas
My Commission Expires: 06-30-2022

Edward A. Zarecky, P.G.

SOSF - 2471 S. Dallas Avenue, #112, Lancaster, Texas 75146 • (214) 789-6813
edward.zarecky@oncor.com

PROFESSIONAL EXPERIENCE

Manager, Environment Technical Services

July 2015 – Present

Oncor Electric Delivery – Dallas, TX

- Manage a staff of 8 to ensure ecological assessments and permitting are completed for projects (>\$750M annually) and ensure environmental program and permit reports are accurate and submitted by deadlines.
 - Permitting for TCEQ, TPWD, THC, US FWS, US EPA, US ACE, US Forest Service, etc.
- Provide risk assessments, reviews of Phase I & II reports, and recommendations for property transactions and easement language to company Legal, Real Estate, and Right-of-Way Depts.
- Oversee staff providing > 100 annual training sessions and conduct periodic reviews of presentations for technical accuracy and appropriateness for intended audiences.
- Responsible for staff technical training, professional development, mentoring, semi-annual performance appraisals, promotions, improvement action plans, and terminations.
- Prepare annual budget, develop incremental budget requests, submit monthly and annual accruals, review and update quarterly fixed labor distribution and the labor forecast plan.
- Direct the strategic development and implementation of policies and programs to ensure compliance with federal, state, and local regulations and corporate policies and procedures.
- Company representative (Policy and Steering Committees) to numerous trade groups that evaluate, develop, and promote environmental policies for federally proposed laws and regulations.
- Environmental liaison to company senior management and regulatory agencies to provide updates, negotiate agreements and/or settlements, and drive buy-in to take action.

Senior Field Environmental Specialist

November 2008 – July, 2015

Oncor Electric Delivery – Dallas, TX

- Directed emergency response (ER) and clean-up activities of ~425 spills per year. Provided updates to management regarding high-profile incidents. (Extended work hours; on-call 24/7/365)
- Maintained an active role as a company liaison during regulatory inspections/ investigations.
- Created and provided ~20 workforce environmental training sessions per year.
- Created regulatory compliance documents to minimize impact to operations and budgets.
- Responsible for generating and the maintenance of ~200 SPCC Plans for regulated facilities.
- Responsible for annual compliance visits of facilities and resolving non-compliance items.
- Assisted with Phase I & II Environmental Site Assessments involved with property transactions.
- Completed large PCB remediation projects and managed budgets, contractors, and reporting.

Project Geologist

May 2002 – November 2008

Rosengarten, Smith & Associates, Inc. (Acquired by 360factors, 2014) – Austin, TX

- Completed risk-based closure of three RCRA SWMUs and prepared a Compliance Plan/Hazardous Waste Permit renewal for a facility. Managed field activities, auditing, and reporting.
- Completed a soil gas survey and soil investigation at a CERCLA facility for a sizeable RP group.
- Designed and installed a Dual Phase Vapor Extraction System to remediate soil and groundwater.
- Led an investigation for potential impairments prior to the sale of a commercial property. Liaison for client to the buyer during due diligence. Created 5-year budgets for ongoing remediation after buyer redevelopment.

- Completed a demolition project of two buildings impacted with asbestos, conducted numerous Phase I & II ESAs, and completed monitor well installations at a large LPST site.

Field Geologist

June 2000 – April 2002

Corrigan Consulting, Inc. (Acquired by Kleinfelder, 2011) – Houston, TX

- Completed soil borings, well installation, data interpretation, and reporting for a large RCRA SWMU.
- Completed numerous low-flow groundwater sampling events at a CERCLA Facility.
- Developed project proposals, budgets, and prepared reports for LPST sites and Phase I & II ESAs.

PROFESSIONAL CERTIFICATION & DEVELOPMENT

- Texas Professional Geoscientist, P.G. – License #10574, 2009 – Present
- Corporate Member – Utility Solid Waste Activities Group (USWAG) and Energy and Wildlife Action Coalition (EWAC)
 - USWAG & EWAC Policy Committee Corporate Representative, 2015 – Present
 - EWAC Steering Committee Corporate Representative, 2017 – Present
- Corporate Member – Utility Water Act Group (UWAG), Ceased Membership in 2017
 - UWAG Policy Committee Corporate Representative, 2015 – 2016
- Corporate Member – Edison Electric Institute (EEI), Avian Power Line Interaction Committee (APLIC), Society of Texas Environmental Professionals (STEP), North Texas Association of Environmental Professionals (NTAEP), and Industry Council on the Environment (ICE)
- Continuing Education Courses – TCEQ Environmental Trade Fair, 2005 – 2008, & 2012 – Present
- TPCA & PASS Training – Class A & B UST Facility Operator, 2012 – 2018
- Regularly attend local professional meetings for STEP, NTAEP, Air & Waste Management Association (AWMA), and Association of Environmental & Engineering Geologist (AEG)
- OSHA 40 Hour HAZWOPER Course and 8 Hour Refresher, 2000 – 2015
- Asbestos Inspector Training & Supervisor Training, 2009 -2010
- TCEQ Texas Risk Reduction Program (TRRP) Training Program, 2001

EDUCATION

Baylor University, Waco, TX

1997 – 2000

Completed 30 credit hours towards a M.S. in Geology

- Recipient – The Geological Society of America South-Central Region Research Grant, 1999
- Research Assistant, Center for Applied Geographic and Spatial Research, 1999 – 2000
- Teaching Assistant and Drill Rig Operator, Geology Department, 1997 – 1999

Clarion University of Pennsylvania, Clarion, PA

1993 – 1997

B.S., Geology & Earth Science; Cum Laude

- Recipient – Tracy Buckwalter Memorial Award for the outstanding senior in geology, 1997
- Research Assistant, Impacts of Acid Mine Drainage in the Toby Creek Watershed, 1996-1997