

## T3-2022-16220 Comments

1 message

Tami Wensenk <tamiwensenk@gmail.com>  
To: LUP-Comments@multco.us

Mon, Aug 7, 2023 at 11:19 AM



**External Sender** - Be Suspicious of Attachments, Links, and Requests for Payment or Login Information.

RE: T3-2022-16220 Comments

August 7<sup>th</sup>, 2023

To the Esteemed Hearings Officer Alan Rappleyea, and Respected Members of the Multnomah County Land Use Planning Board,

Please accept this letter into the record as our collective objection to the Portland Water Bureau's filtration and pipeline project, based on its failure to meet approval criteria MCC 39.7515 A, B, F & G. We also want to express for the record our dismay and objection to the deletion of approval criteria MCC 39.7515 (I) during a 'housekeeping' session.

This letter refers to the applicant's pre-hearing statement submitted on June 29<sup>th</sup>, 2023, Exhibit H.3, which includes among its many documents a dust mitigation strategy, notes on Carpenter Lane improvements and construction traffic loads, and a Globalwise report titled "Compatibility of Proposed PWB Filtration Facility & Pipelines Construction with Farm Traffic."

The residents of Carpenter Lane stand with and echo all opposition against the PWB filtration and pipeline project, including the resolutions of opposition from Gresham-Barlow and Oregon Trail school districts, Fire District #10, Cottrell CPO and PHCA, 1000 Friends of Oregon, submissions from Oregon Association of Nurseries, Oregon Farm Bureau, and Oregon Department of Agriculture, and every individual farm operator and resident, as well as any other opposition on record to the construction of this project in the heart of our farming community.

It needs to be pointed out that the construction plans for road improvements to Carpenter Lane and the construction of the facility itself will do more than just force a significant change to accepted farming practices in the area, it will destroy the character of our area. We, the residents, are the only qualified citizens to define the character of the area in which we live and make our homes. The dead-end portion of SE Carpenter Lane has a unique and distinctly quaint atmosphere. It's rich in history and many families have been here for multiple generations. This road has never been painted or striped, it has only ever been chip-sealed for repairs and never fully re-paved. The pot holes haven't been fixed in years – we call them our 'speed bumps' now and they keep what little traffic there is to slow, safe speeds. Carpenter Lane is full of children and pets playing in the road, and this is a safe activity because there is so little traffic, especially on our dead-end portion. This portion serves just 8 residences, two of which are owned by Portland Water Bureau and vacant and we believe are set to be destroyed as part of this project. (How can leveling even a single home on a street with so few not be considered changing the character of the area? This project simply does not fit here). Somewhere in their submissions, PWB or their consultant have attributed 9 vehicle trips per household to residents on Carpenter Lane. This is outrageous and laughable. Many of us have lived here our whole lives, and others for decades, and we've never seen 72 vehicles go by in a single day – probably not even in an entire week! We have submitted numerous videos of Carpenter Lane, and they should be reviewed as evidence that the character of Carpenter Lane is one with very few vehicles driving on the road. Instead, there's kids playing and riding their bikes, couples walking their dogs, joggers, cyclists and horse riders (see photos on record and attached here). A seven-year construction plan including road improvements and site construction that sends HUNDREDS of construction vehicles and heavy trucks down our quiet, dead-end street in no way fits with the character of the area, and violated approval criteria MCC 39.7515 A. The construction period must be considered as an overall impact because it will change our way of life for at least 7 years, and permanently change the character of this area. The road improvements alone prove that – extending the road to the edges of the right of way will destroy front yards, driveways and even a building. These homes have been here for hundreds of years, and the people who founded and built Carpenter Lane in the 1800's *never* intended for it to be used for anything more than single family residence and farming access. The fact that it is only built with a 3" (or likely less!) base that is not structurally designed for hundreds of heavy trucks every day is proof that this project will physically change the character of this area. The intersections of Cottrell & Dodge and Cottrell and Carpenter are also planned to be re-built. PWB likes to call these 'improvements' but in reality, they will further destroy the character of our area. The addition of massive concrete retaining walls at the intersection of Dodge Park & Cottrell also creates a significantly hazardous condition. Please refer also to the response from Mike Ard, traffic engineer, for more details on this dangerous intersection. Concrete retaining walls would have caused the last 2 out of 3 accidents there (in the past 12-15 months) to result in multiple fatalities. We don't want these added hazardous conditions as a result of this project.

Exhibit I.42

PWB discusses numerous mitigation strategies, but there is no plan in place to protect the character of the area (because this project makes that impossible), nor is there any plan to protect the residents and our homes. We ask that our concerns over any structural damage, including but limited to our homes, foundations, driveways, septic systems and drain fields, be entered into the record and if this project is allowed to move forward, PWB will provide *assurances of reimbursement* for any damage caused by the presence of project-related construction, construction traffic, road improvements, and the presence of the site itself once operational.

These are valid, legitimate concerns because once the road improvements are complete and site construction begins, documents reviewed in exhibit H.3 state that at the peak traffic hour, vehicle trips (including site employees, contractors and crew, dump trucks, concrete trucks, sand & gravel haul trucks, chemical trucks, craft personnel, service providers, vendors and construction supervisors) will be *restricted* to 387 trips per hour. We are to assume then, that the actual number of trips per hour will be *greater than 387* during the other 8 hours of a 10-hour work day, 6 days a week? PWB has not revealed exactly how many and what types of vehicles we can expect. Also, this report was published prior to Clackamas County denying use of a proposed emergency access road as an additional construction route which it appears would have accommodated one-way construction traffic. Now that those 'vehicle trips per hour' are not only one way – such as the haul and dump trucks and other heavy trucks going back and forth multiple times a day – are we to assume the vehicle trips have doubled? Carpenter Lane, regardless of proposed road improvements, should not be expected to handle this massive amount and scale of construction traffic that will paralyze residents and disrupt their daily lives and activities. During the seven years of construction (or any period, regardless of length), Carpenter Lane will look very different. It will no longer be safe for kids to ride their bikes or play in their front yards, it won't be safe to walk your dogs or ride your horse, joggers and cyclists won't be safe, and young drivers learning to drive will face unnecessary risks and hazardous conditions created by the project's construction. All these are examples of the hazardous conditions this project will create, which are a violation of approval criteria MCC 39.7515 (F).

The impacts to our local wildlife and natural resources are also violations of approval criteria. In an early works bid from a contractor, it is stated that water will be collected and discharged to Johnson Creek. Although PWB's consultants try to claim otherwise, there is simply no way that the amount of impervious surface being created by paving roads and parking lots, the addition of buildings, holding ponds, etc does not impact stormwater runoff. It is a fact that rainwater running off of impervious surfaces gains velocity as it collects and runs off toward whatever catch area it can find. Even if PWB can show on paper how they will mitigate this, it just simply isn't true that this facility, including appx 35 acres of new, impervious surface, will not affect stormwater runoff. Because of the location of this site at the Johnson Creek headwaters, an incredibly important stream system, this must be thoughtfully and realistically considered.

We would also like to reference our neighbor's objection to approval criteria MCC 39.7515 (G), regarding citizen involvement. As a community, we are united in our objection that this criterion has not been met. The Good Neighbor Agreement was not inclusive of our concerns and objections, and our repeated calls to PWB project officials are met with dismissive remarks and numerous indications that there is nothing we as a community can do about it. We would also like to object to the fact that the PWB officials and consultants repeatedly refer to this project as 'federally mandated' and reference the agreement between OHA and PWB, which was at the direction of the EPA. However, the EPA's guidance to PWB and OHA was to come to an agreement on how to treat the cryptosporidium in the Bull Run water supply. There were less expensive, less intrusive and less disruptive methods to do this. However, PWB continues to put out misinformation about the required nature of this project. We want it on record that we are fully aware the plant and pipelines are not mandated, and that it was simply the agreed upon solution of OHA and PWB. Other options were and still are available and acceptable to the EPA. In fact, at this point, where the expense to ratepayers has increased from \$500 million to over \$2 billion and climbing, we suggest PWB looks back at their original consideration of UV treatment as that satisfies the EPA's mandate and can be brought to completion within the mandated timeline without destroying homes and businesses. At a minimum, we would like the language PWB uses in regards to the mandated nature of this project publicly clarified and rescinded where needed. In no way should the framing of this project as 'unavoidable' have any bearing on the actual county approval criteria.

The approval criteria of MCC 39.7515 (I) we believe was conveniently removed from the 'community use' approval criteria so that PWB wouldn't have to prove that their project violated West of the Sandy River Plan, specifically that the community use must primarily serve the needs of the local rural community. PWB's water filtration project serves a very small percentage of local water users. The majority of their customer base is in the Portland area. Many residents in this rural area have wells or are on a Sandy water service. Gresham users also are not being served, as City of Gresham is pulling off of the Bull Run Water service and will be drilling their own wells instead of continuing as a wholesale customer of PWB's. This means that not only does this project not primarily benefit the local rural residents, but it primarily serves residents in a district where we don't even have a vote nor local representation. We also point out that the projected rate increases to all customers as reported on PWB's website are grossly incorrect. They are based on the cost estimate that has not been updated since the estimate has climbed to \$2 billion. Their numbers are also based on spreading out the cost to their retail and wholesale customer base which is inaccurate also, as it now known that City of Gresham, City of Rockwood, and Tualatin-Valley district are choosing not to renew their contracts for 2026 with PWB. The increased cost of this project will be the burden of a much smaller pool of ratepayers, and current ratepayers are unaware of this change. The increased cost also means that the WIFIA-backed loans are now a smaller percentage of the project's costs, yet it will ALL have to be paid back, by the ratepayers, who are largely unaware.

The ripple effect from the construction plans, including the main site and road improvements to and around Carpenter Lane, make this project incompatible with the local area due to its negative impacts on the character of the area, our natural resources, changes and cost impacts on our farming economy, and the creation of hazardous conditions.

We object to the dust mitigation strategies as they do not account for the damaging aspects of dust and airborne construction debris particulate to our health, homes, vehicles and landscaping, which include not only the massive amount of dust and airborne construction debris and particulate generated by hundreds of trips per hour on our small road, but also the dust mites that come with the dust. The amount of water that would be needed to be sprayed on construction zones and on Carpenter Lane itself would create massive amounts of mud, which is not conducive to safe working conditions and brings a new set of problems for residents.

I respectfully request that the entirety of the opposition be considered on the grounds of egregious, irreversible and significant changes to the character of our area and our rural farming economy. Not only are the construction impacts of a project of this magnitude in a rural area such as this disproportionate to any perceived community benefit, they are in many cases, hazardous to residents, farm operators and employees.

Thank you,

The residents of 'dead-end' SE Carpenter Lane

The McKenzie & Roberts' families

The Kost family

The Davis family

The Meyers family

The Leathers family

Welcome to the real Carpenter Lane! Can you imagine more than 387 vehicles per hour, including construction vehicles and dump trucks, on this road? Neither can we.



Please don't let this....

turn into this...





Or cause any more of these...

