

April 15, 2025

VIA EMAIL

TO: Multnomah County Hearings Officer
1600 SE 190th Ave
Portland, OR 97233
LUP-Hearings@multco.us

FROM: Paul Willis
34112 SE Carpenter Ln
Gresham, OR 97080
Willisteam@msn.com

SUBJECT: Portland Water Bureau Filtration Facility and Pipelines
County Case File T3-2022-16220 - Remand

Hearings Officer:

I will show that Portland Water Bureau [PWB] cannot meet the Multnomah County Code [MCC] 39.7515[B] requirements of not having their proposed community service use [use of a water filtration plant on Gresham's Carpenter Ln] adversely affect any natural resources.

"It's intuitively obvious," is a phrase, although frequently used and considered a trite expression, that most definitely is an appropriate response to the question, "Does the use and operation of a \$2B mega-industrial water filtration plant complex located on 94 acres of previously farmed lands, and located in a designated Rural Reserve adversely affect any natural resources in the area?" It is "intuitively obvious" that natural resources are adversely affected.

MCC 39.7515[B] explicitly states that any proposed use must not adversely affect natural resources and includes functioning natural systems such as wetland or stream systems, wildlife habitat, minerals, fuels, and agricultural resources. PWB's plan, which would covert 94 acres of prime agricultural land into an industrial complex will undoubtedly have a sever, long-lasting, and irreplaceable impacts on the natural environment and wildlife that cannot be effectively and timely mitigated.

Adverse Affect on Wildlife and Habitat

It is widely documented that the operation of large industrial plants disrupts the migration and feeding patterns of wildlife. For example, studies have shown that large-scale industrial facilities—especially those involving noise, light, and human activity—displace local wildlife and disrupt their established patterns. A study by the U.S. Fish and Wildlife Service, for instance, highlights how the introduction of unfamiliar, continuous machinery noise in rural or suburban areas can cause wildlife to abandon important habitats, leading to significant shifts in their natural behavior.

The Plant's construction and operation has and will lead to wildlife displacement. I have noticed such a change:

- **Geese**, which previously landed in nearby nurseries as part of their migratory pattern, are now absent.
- An **owl** that reliably nested in a ~100-foot-tall Douglas fir on my property is no longer present.
- **Deer, rabbits, and coyotes** that used to frequent adjacent fields are now less frequent.

This indicates not only a loss of habitat but also an alteration and adverse effect on the delicate ecological balance in the area.

Scientific literature supports what I am witnessing. A study published in *Biological Conservation* (2009) shows that industrial development in rural areas significantly disrupts wildlife movement patterns, particularly due to increased noise, light pollution, and vehicle activity. Another study from the *Journal of Wildlife Management* (2014) found that avian species avoid nesting and feeding near radio towers and lighted facilities, citing elevated stress and disorientation in migratory birds.

Additionally, the communications tower installed at the site, likely emitting high-frequency signals, will interfere with the flight paths of migratory birds like geese and songbirds, consistent with findings by the U.S. Fish and Wildlife Service which links microwave and RF towers with bird flight path disorientation, collision risk, and habitat avoidance.

Furthermore, numerous studies have documented the effects of industrial activity on wildlife migration and feeding patterns. For example, research published by the *Journal of Applied Ecology* notes that noise pollution from industrial operations can lead to significant alterations in the migration behavior of birds, particularly in areas where the noise is consistent and continuous. Additionally, studies have shown that high communication towers, such as the one proposed for this site, can disrupt bird migration patterns, as birds are drawn to the electromagnetic fields generated by these structures. The *Journal of Ornithology* has published studies demonstrating that electromagnetic radiation from such towers can cause disorientation in migratory birds, leading them to deviate from their normal flight paths.

The operation of the Plant would bring numerous adverse effects to the local environment that cannot be mitigated:

- **Noise Pollution:** The machinery noise, constant hum of industrial operations, and the sound of large delivery and maintenance trucks and cars servicing the Plant will severely disturb the quiet, rural landscape. This type of industrial noise is known to displace wildlife, especially migratory birds and sensitive species like owls and deer.
- **Light Pollution:** The Plant's lights, particularly at night, will interfere with nocturnal wildlife, including migrating birds, which rely on natural cues such as starlight and

moonlight for navigation. Excessive artificial light can disrupt circadian rhythms and lead to disorientation, causing birds to alter their migration routes or become more vulnerable to predators.

- **Air and Water Pollution:** The Plant's operation will introduce chemicals used in water treatment into the air and possibly surrounding water bodies. These chemicals can negatively affect the local flora and fauna. The surrounding land and streams may suffer contamination from runoff, jeopardizing aquatic life and wildlife that rely on clean, uncontaminated water sources.
- **Habitat Fragmentation:** The operation of an industrial complex in this area would fragment wildlife habitat, making it difficult for species to migrate freely or access resources. The infrastructure required for the Plant, such as fencing, large parking lots, and paved roads, creates barriers that impede wildlife movement, especially for species like deer and coyotes.
- **Chemical Exposure:** The use of industrial chemicals at the Plant poses additional risks to nearby wildlife. Even with best practices in place, the potential for chemical runoff, spills, or vaporization into the atmosphere cannot be entirely eliminated, and it would directly affect local species' health and the quality of nearby water resources.

Impact on Agricultural Resources

This industrial development would also build on some 94 acres of prime agricultural land—land that is currently used for vital farming purposes. Once lost, this agricultural resource cannot be reclaimed. The loss of productive farmland undermines the county's agricultural economy and directly contradicts the goals outlined in the Multnomah County Comprehensive Plan, which prioritizes the protection and enhancement of rural lands, open spaces, and agricultural resources. The conversion of these lands into an industrial facility is incompatible with the county's goals to maintain and restore natural resources and to protect the rural character of the area.

As stated above, the Plant's presence and operation are in direct contradiction to the stated **GOAL in Chapter 5** of the Multnomah County Comprehensive Plan:

“To protect and restore rivers, streams, wetlands, wildlife habitat and other natural resources; and maintain and enhance air, water and land quality; conserve scenic areas and open spaces; and maintain natural resources that contribute to the rural character of the County.”

The Plant undermines every component of this goal. Rather than protecting and restoring, the Plant disrupts and depletes. Instead of conserving, it consumes—agricultural lands, wildlife corridors, peace, and quiet. It represents a significant shift away from a functioning rural environment toward an industrialized future that is incompatible with the County's stated objectives.

Violation of the Rural Reserve's Purpose

The Plant's size and industrial nature go far beyond what could reasonably be considered a low impact "community service use." The sheer scale and intensity of operations at the facility will further exacerbate the adverse effects on the surrounding natural resources. The Plant's sprawling infrastructure, including large storage tanks, machinery, and an industrial-scale filtration system, would contribute to a permanent degradation of the eco-system. The Rural Reserve designation exists specifically to prevent urban-scale infrastructure from encroaching into rural and resource lands. Approving this project would set a dangerous precedent for similar incursions, undermining the entire concept of Oregon's land use planning system and long-term rural preservation.

Conclusion: The PWB's Proposal Fails to Meet MCC 39.7515[B]

Given the overwhelming evidence of the adverse affects on natural resources, i.e., on local wildlife, wildlife habitat, and agricultural resources, it is clear that the PWB's use, and operation of the water filtration plant cannot meet the requirements of MCC 39.7515[B]. The potential adverse effects on local ecosystems, wildlife migration, water quality, and agricultural resources are not merely speculative—they are real and significant. These impacts cannot be mitigated or reversed once the plant is constructed and operational.

Therefore, I urge, you, the Heading Officer, to reject the PWB's application for a conditional use permit to construct a water filtration plant on Carpenter Ln. This project would not only harm our environment but also undermine the principles of sustainable development and the protection of our rural and agricultural resources. Let us prioritize the protection of natural resources and the preservation of wildlife habitats over the expansion of industrial infrastructure in rural areas. Community service use should not come at the cost of our region's precious natural resources.

I respectfully request that you carefully and conscientiously consider the above and I thank you for this opportunity to communicate my thoughts.

Please place this testimony in the remand record of these proceedings and provide me notice of your decision.

Very truly yours,

Paul Willis



LUP Comments <lup-comments@multco.us>

MultCo Case File T3-2022-16220; PWB Remand Testimony Submission 041525

1 message

Paul Willis <willisteam@msn.com>

Tue, Apr 15, 2025 at 12:36 PM

To: "LUP-Hearings@multco.us" <LUP-Hearings@multco.us>

Cc: Paul Willis <willisteam@msn.com>, LUP Comments <lup-comments@multco.us>



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Please enter the attached Remand Testimony into the Record for the Remand proceedings for Case File T3-2022-16220 and provide to the Remand's Hearing Officer.

Thank you

Paul Willis

503-880-4670



PWB Case File # T3-2022-16220; Testimony for Remand 041425.pdf
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