

Date: September 5, 2023

To: Mr. Rappleyea, Multnomah County Hearings Officer

From: "The Laners" Residents of Carpenter Lane east of Cottrell, the quiet, dead-end part.

RE: Case File #T3-2022-16220 PWB Land Use Application for Filtration Plant & Pipelines

Criteria referenced: Farm Use Impacts in Multnomah County as they apply to approval criteria MCC 39.7515 A, C, D and E.

Please accept these videos and this document as testimony for the record in opposition of Portland Water Bureau's proposed filtration and pipeline project and application for a condition use permit as a community service. We, the community, vehemently oppose this project being sited in our quiet, rural community. The applicant's proposal does not meet the criteria of MCC 39.7515 A, fitting with the character of the area, and evidenced by numerous written, oral and video testimony on the record. Just because the applicant hired expensive consultants to try and word it on paper to appear to fit, the residents who live here are the true experts on the character of the area. Please carefully review the changes – both during the 7 years of construction that will paralyze our street and possibly drive us from our homes, and the permanent ones, such as losing our unstriped, barely paved country road that serves just 6 homes and a nursery and rarely sees more than a dozen cars a day. The traffic that will flood this area during construction will make it impossible for the children here to grow up as they are now – playing in their driveways and front yards along the street, riding the bikes in front of their house, and walking their dog up and down the road. They'll miss out on the next 7 years of those quiet, country-life activities that are a crucial part of the character here on Carpenter Lane and the surrounding areas. We adults worry about the dust and noise invading our neighborhood, the lights from a 24/7 operational plant flooding our beautiful night sky, and 10-20 employees driving up and down our road 3 times a day at shift change. We're concerned about the structural damage to our homes, foundations, septic systems, and driveways from a construction plan that will paralyze our quiet dead-end road for what's now said to be 7 years, while the road is widened into the right of way, power lines and water lines moved, and the plant is built in our backyard. In no way does a 30-building campus, with a 24/7 operating plants and fancy offices, paved parking and a massive 180-ft lattice tower fit with the character of this area. It doesn't. And it will forever change the way we live out here. Our road will never again be a quiet, dead-end country lane. It will be a 24/7/365 jobsite, with 26 employees commuting in and out and everyday – which is more people than live on this road! It will have a minimum of 5 heavy duty tanker trucks coming and going every day – during the busiest shipping season at the neighboring nursery we don't even see 5 trucks as *week*! NONE of these new conditions are compatible with the character here. They will change it forever. We chose to live here because it's quiet, dead-end street, where kids grow up riding bikes and playing in the road, riding horses, walking dogs, and visiting with other pedestrians who also love this end of Carpenter Lane for its peaceful charm. Changing the physical characteristics of Carpenter Lane itself is a permanent change to the character of the area, and for that reason this application does not meet the approval criteria of MCC 39.7515 (A).

The applicant's proposal also fails to meet criteria C, D, and E of the same code, MCC 39.7515, as well as the community outreach component initially attempted through their Good Neighbor agreement. The Good Neighbor Agreement is discussed in previous written testimony by numerous community members who felt that PWB failed miserably in their approach. Our concerns were not listened to, information was not forthcoming, and the plan constantly changed. We feel as if this was intentional to hold off our opposition so they could gain momentum with the application process.

As you will see in the videos, local nurseries, especially Surface and R&H, will undoubtedly experience higher operating costs due to the logistical nightmare that will become Carpenter Lane. Criteria D requires that "no public services other than those existing or programmed for the area" will be needed, however, the applicant must move our power line and water services to accommodate the widening of our road, strictly necessary only for their project traffic demands. This includes changing the flow of traffic and widening the intersections of Cottrell Rd and Dodge Park Blvd as well as Cottrell Rd and Carpenter Lane. These changes will allow for traffic to move at a much faster rate through our quiet, pastoral community. The power service also must be upgraded, with larger power poles to accommodate a dedicated service for the filtration plant. This is a Hazardous conditions (E) are created when farm tractors are forced onto roads they generally try to avoid, such as Cottrell Road south to Bluff, and also from the hundreds of large, heavy-duty construction and dump trucks that will travel our quiet section of Carpenter Lane non-stop for years, putting children and pedestrians at risk.

A few extra descriptions might be helpful for the videos, but most have audio descriptions in them.

Video: "Cottrell Tractor v Dump Truck"

In this video, a tractor pulling a 16' disc is using Cottrell Rd (coming from Bluff Rd), which is the new route they will have to take as the applicant is closing off the current easement they use to reach their Bluff Rd fields. The video shows the tractor's encounter with a dump truck hauling gravel. The dump truck pauses, likely waiting to see if the tractor will pull off the road which it cannot because of the very wide implement it is pulling. The tractor can't move over because it would wipe out the mailbox on the side of the road, and also the tractor driver can't look behind him to watch where the implements tires are and at the same time look forward while driving. The dump truck attempts to pass the tractor on the shoulder, driving over a grass strip that borders a pasture (hopefully where no water lines are running, as the dump truck likely weighs 75,000 pounds when loaded). When the dump truck driver realizes there still isn't enough room (and hears me tell him to back up, as clearly he is not familiar with encountering farm equipment), he backs up and causes the traffic behind him to also back up about 100 feet and pull off into a gravel driveway. The tractor and the traffic behind it pass, slowly, and then the southbound traffic is able to pull back onto the road. In this instance, the tractor encountered one dump truck and caused about a 5-minute delay. When site construction begins, this road is shown to be a primary haul route to avoid construction traffic leaving the main site causing congestion on Carpenter Lane (Exhibit I.86). The amount of dump truck trips per day on this or any road connecting to and including Carpenter Lane, estimated at 180 trips per day (see CPO exhibit XXX), is not compatible with farm traffic use and will absolutely cause massive congestion and delays to the farm traffic and regular traffic, as well as the construction traffic. It is also reasonable to conclude that this was a very stressful encounter for the farm worker driving the tractor and the dump truck driver, as well as frustrating for the other drivers on the road.

This video is also referenced in Surface Nursery's responses to the farm and traffic consultant's comments.

Video: "Cottrell - Dangerous alt route causes delays"

This video has an audio explanation. It is a good example of why not only do the significant operational changes to Surface Nursery's use of favored, direct routes is not only a significant change to their farming practices, it also creates a hazardous condition of having a tractor with a wide implement maneuvering a narrow road with a dangerous blind crest in it. This condition also forces significant delays to traffic that could otherwise travel at the posted speed. Prior to the applicant ending its lease with Surface, this tractor and others like it would not be on Cottrell but for a short distance before turning on Carpenter Lane east which is not a through road and therefore does not have very much traffic. The tractor would then proceed on a farm road that borders R&H Nursery until it reaches the Surface fields. The applicant has stated that they will be blocking access on that road which forces Surface's farm traffic to travel a much greater distance on public roads, including the narrow, unstriped Cottrell Road south and the higher-speed, busy Bluff Road. Forcing Surface to alter its historical routes and travel on roads which their tractors are not accustomed to is a significant change for their tractor operators and Surface's accepted farm practices. This change also drives up operating costs by adding time and mileage to tractors now forced onto Cottrell and Bluff Roads. Although the distance only equates to about a 6-minute additional travel time, if the tractor meets even one passenger car, it must slow down and attempt to yield especially for oncoming cars. When the applicant's construction activities place hundreds of trips per day by heavy, over-sized dump trucks and construction vehicles, these encounters will add significant delays as evidenced in the first video footage.

Video: "Dangerous Alt route for Surface on Cottrell"

This video has an audio description and shows the dangerous conditions imposed on Surface employees when they have to drive tractors on this road. See description of Video 2 also.

Video: Impatient Car passes Dump trucks on Cottrell & Bluff"

This video shows a passenger vehicle illegally pass TWO dump trucks at the stop sign and turn left onto Bluff. It further shows the dump trucks travelling on Bluff Road westbound as if they were headed to Gresham. This is the GPS directed route for travel south on Cottrell, west on Bluff to Gresham. This route eventually goes right in front of West Orient Middle School.

We know you have much material to review, so we will let our pictures and videos speak for themselves. Thank you for your time, care and consideration in this very life-changing matter.

Sincerely,

The 'Laners (The residents of the east end of Carpenter Lane)

The Leathers' Family

The Kost Family

The Davis Family

The McKenzie & Roberts Families

The Meyer Family

Case File No. T3-2022-16220 (Portland Water Bureau)

1 message

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

Wed, Sep 6, 2023 at 11:56 AM

**External Sender** - Be Suspicious of Attachments, Links, and Requests for Payment or Login Information. [T3-2022-16220 rubuttal to application criteria ...](#) [Tractors in farm building.jpg](#) [Tractor with disc on road.jpg](#) [Tracked farm equipment.jpg](#) [MCC A and E Dodge Pk Cottrell intersection conc...](#) [Cottrell - Dangerous alt route causes delays .mp4](#) [Dangerous Alt route for Surface on Cottrell .mp4](#) [Impatient car passes dump trucks Cottrell and B...](#) [COTA drive typical route 302nd to Carpenter Lan...](#) [COTA pedestrians on Carpenter Lane 8-30-23.mp4](#) [Cottrell Tractor v. Dump truck.mp4](#) [Equip on low boy Dodge Pk.mp4](#) [Farm traffic June Dodge Park.mp4](#) [Bicycles on Dodge Park 8-28-23.mp4](#) [Farm traffic Dodge Park Blvd 8-28-23.mp4](#) [Low volume months misreported by Globalwise.mp4](#) [Farm traffic Cottrell Rd north row tractor 8-28...](#) [Normal route Carpenter to Pleasant Home/Dodge i...](#)

 [Main site route to Bluff.mp4](#)

 [Dodge Park GPS maps detour to Carpenter Lane.mp4](#)

 [Bluff Rd hazardous condition.mp4](#)

 [Dump truck and kids on Carpenter Lane.mp4](#)

 [Carpenter-Cottrell intersection for COTA.heic](#)

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Please accept this attach

Criteria Addressed: MCC 39.7515 (C) Will not force significant changes in or costs to accepted farming practices; and (A) Is consistent with the character of the area.

General rebuttal to Applicant's conclusion that the proposed project satisfies these criteria

Dear Hearings Officer Rappleyea,