



Comment from: PWB Treatment Plant - 143197

1 message

Webform via Multnomah County <webmaster@multco.us>

Thu, Jun 29, 2023 at 2:07 PM

Reply-To: Webform <webmaster@multco.us>

To: LUP-Comments@multco.us

Submitted on Thursday, June 29, 2023 - 2:07pm

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Testimony:

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

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

My name is Shawn Nerison, I am the Vice President of Surface Nursery, a wholesale ornamental nursery stock business located at [33740 SE Lusted Road](#) in Multnomah County. (See attached map). I've spent my life in the local nursery industry. My wife and I raised our family here in the local area, and I've been part of Surface Nursery for almost 40 years. On behalf of Surface Nursery, its owners, and employees, I would like to express my strongest and most sincere opposition to the water filtration plant and pipeline project for which Portland Water Bureau is currently applying for a conditional use permit. Please consider this statement our response of opposition to their overall application and farm, traffic, and construction impact reports.

About Surface Nursery: Surface Nursery is in its 98th year of business. 100 is just around the corner, and until Portland Water Bureau's plans to take our land and invade our community with their filtration project, that milestone was never in question. Founded in 1925, Surface Nursery has continued to value the legacy of our founders Melvin and Richard Surface, Father and Son. 98 years later it is still owned, operated, and farmed by the Surface family. We take pride in producing quality plant material and honoring our reputation of fairness and loyalty towards our long-term customers and valued employees. Many long-time employees keep the quality of the Surface name intact with the wisdom Richard bestowed upon them. Melvin Surface had a hope and a dream when he founded Surface Nursery after graduating in 1925, holding a diploma in one hand and one ounce of Azalea Mollis seed in the other. We hope the land use and zoning laws that we have followed for a century will protect that dream and ensure that our locally grown family farm business sees its centennial birthday.

The wholesale ornamental nursery stock industry is a huge export business for Oregon. At Surface, approximately 95 percent of our products are exported to other states. The local nursery industry not only brings in revenue to the State but creates both seasonal and permanent local jobs. A high percentage of nursery workers are from marginalized demographics, not always English-speaking, and often need annual, seasonal job opportunities. The jobs created by nurseries like ours offer these community members a way to make a living for themselves and their families. Surface Nursery employs, on average, 50 employees, depending on the time of year. Nursery workers live in the same rural area as the farms, their children go to the local schools, and their families drive on the same local, rural roads that are typical of this area. They are familiar with the pedestrian and bicycle traffic, bus stops, and school drop off and pick up routines, and they often carpool to work together. Surface Nursery is currently a 277-acre active and operating nursery. Part of our land is leased land from residents in the area, as is common in the nursery industry. This provides a valuable income for those landowners and most importantly keeps the land in farm production, as was intended by the overall plan for the area set by local and state officials. Land for lease is hard to come by, expensive, and creates additional challenges of moving equipment, employees and trees between locations that are typically not next to each other. It's important to maintain any and all leased land as long as possible because it is difficult to replace, and costly to move trees once they're planted.

Surface Nursery specializes in bare root stock. We grow hundreds of varieties of nursery stock, flowering, and shade trees. As a wholesale nursery, I deal only with wholesale customers, generally through a broker or sales rep of the buyer. I do not sell directly to the public. Most of the states we export to lack either the climate or the rich soil and farmland needed to grow ornamental nursery stock. Oregon is one of the top three nursery production states in the nation, and we lead the nation in several ornamental plant categories. The nursery industry is an important economic force in the State of Oregon, made possible by the rich soil of our farmland and the farmers willing to dedicate their lives to farming. Our fields right here in East Multnomah County have some of the most productive soils in the world, and that farmland should be protected. In fact, nursery stock and greenhouse products have ranked as Oregon's number one agricultural commodity in sales for 8 of the last 10 years, according to Oregon Association of Nurseries.

Normal farm operations at Surface Nursery

Employees: Surface Nursery employees work, on average, 8-9 hours a day Monday through Friday with occasional Saturdays, year-round. A typical workday is from 7am to 4:30pm but shifts to earlier times when operationally

necessary. The nursery is closed on Sundays. We employ on average 50 employees. They report for work at our main location on Lusted Road. We always have significantly fewer cars in the parking area than employees on the clock because many of them carpool together or are dropped off. Most if not all nursery work, especially field work, is done during daylight hours, so the work schedule might change throughout the year to accommodate the available hours of daylight. At no time does a nursery, including Surface, operate on a 24-hour basis.

Our employees report to the main farm location, or headquarters, on Lusted Road at the start of the workday to receive their work assignments for the day. On any given day, roughly 50 employees travel in up to 4 of our buses to up to 7 different locations within a 3-mile radius. Employees also transport tractors, equipment, trees, supplies, and more to these off-site locations using farm vehicles with trailers as well as driving the tractors themselves. The tractors used for regular field work are small, compact tractors designed to fit between rows of trees in a field. Farm equipment is kept only at headquarters, so any work to be done at locations separate from the main farm requires transporting the necessary equipment. This is for security reasons as well as logistics, as the headquarters is the only location equipped to maintain and service the farm equipment, as well as where all supplies are stored to prepare for various job tasks. We have well-established routes to move employees and equipment from headquarters to off-site locations; these routes take into consideration how fast regular traffic moves on the road, and how heavy the traffic is to ensure the safety of my employees who will be moving slower than regular traffic. Our routes also consider school bus routes, bus stops, and pick up/drop off routines, as well as the safest roads to operate on should we encounter poor weather conditions. For all these reasons, it's imperative I have multiple, open route options to ensure the safety of my employees and efficient mobility of my equipment. The attached maps demonstrate the most common routes to our off-site field locations that are part of our normal farming operations, but again, these routes may change as needed due to many factors, and unrestricted mobility is an important key characteristic of well-established farm practices. Employees travel back to the main farm headquarters at the conclusion of the day and leave in their personal vehicles at that time. Unless moving a tractor or other farm implement to the work location, employees are bussed or use farm pickups to get to the off-site field locations. Travel between the main farm and off-site work locations takes place multiple times a day and throughout the entire year as necessary. The nursery foremen and I go between sites multiple times a day to check in with crews, repair equipment, deliver supplies, or for several other reasons. Normal farm operations at Surface Nursery include but are not limited to field work, greenhouse work, maintenance & repair on farm equipment & buildings, and filling & shipping customer wholesale orders. These activities could take place at all our field sites. When trees need to be moved, they are loaded onto trailers and hauled behind farm trucks or tractors back to the main farm location. Equipment and employee mobility is hugely important in the nursery business to maintain efficiency, productivity, and profitability. On a given workday, there could be as many as 8 small, compact tractors driving from the main location to off-site fields. These tractors are driven by employees and generally go 2-8 mph. There is very little traffic on the routes we carefully choose, as described above, and in over 98 years we've never had a conflict with traffic or pedestrians when moving our farm equipment. It is imperative to maintain a normal farming operation so that the use of local roadways to move our farm equipment is not restricted or limited in any way.

Tractor work in fields: Tractors and other farm equipment are part of accepted farm practices and normal farming operation at Surface. When tractor work is being performed, there are typically 1-4 tractors operating in a field. Tractors used for fieldwork are small and compact as they need to fit in between the narrow rows of trees. My employees drive these tractors to and from the fields adjacent to the main farm location, typically using one of the routes as shown on the attached map. These tractors typically go 2-8mph.

Tractors are operated by employees during their normal 8-9-hour workday and never scheduled on Sundays. By nature, tractor work is not done after dark and is only done in short increments of time. Employees shut down the tractors during lunch and other breaks, so tractors are generally operating in the fields for less than 4 hours at a time. Tractors move across the fields through the rows, turn around at the end of the row, and travel back in the opposite direction. When tractors are within audible range of residences, it is for a brief amount of time, only minutes, while they are turning at the end of the rows. Only in small fields might a tractor be in audible range throughout the whole field, and these small fields do not take much time to complete the work needed. Tractors do not work in every field every day; once the task involving a tractor is completed, a tractor may not return to that field for days or even weeks.

Manual work in fields: Manual work is a large part of accepted farming practices. Here at Surface Nursery, manual work involves essential tasks such as digging, planting, pruning, trimming, tying & staking, budding, irrigation and water management, and field maintenance. Employees perform these tasks on foot in fields, generally walking up and down the rows of trees, performing tasks by hand or with small hand-held tools. My employees often comment that they like field work on foot because it is enjoyable and quiet in the fields, and they commonly sightings of deer and coyotes traveling through the fields from our property to neighboring farmland, especially at our Bluff Road site which borders the PWB land and sits above the Sandy River. Those fields are a popular place for deer, elk, and other wildlife because it's calm and quiet out there, with very few houses. Manual work in the fields is quiet work – there are typically and intentionally no tractors doing row work in the fields where employees are working on foot. There's little if any dust stirred up by these tasks, and it's quiet enough they can hear each other across the fields. Employees enjoy their lunch and other breaks out in the fields where they can enjoy listening to birds, perhaps see wildlife, and visit with each other. Again, transporting employees as needed, when needed, to field locations throughout our system is imperative to our farm practices and to maintain normal, uninterrupted farm operation.

Mobility of Farming Operations: Trips per day between the main farm location and off-site fields range from 1 to 10 round trips or more, and involve tractors, pickups, and our employee farm buses. Driving and transporting equipment on the rural roads in our area is a slow process because the roads are full of potholes and often have heavy pedestrian, school bus, bicycle, or equestrian traffic on them, so we drive very slow and respectful of these conditions. Facing delays and detours or interference from increased traffic could create unsafe situations on these roads

because the reduced speeds at which we safely drive will cause drivers unfamiliar with our roads to want to pass unsafely. It is not possible to plan and predict every time equipment may need to be transported on local roads, and any delays in doing so costs us money in the way of having to pay overtime, having to hire more employees to get the workload completed because other employees are delayed on the roads, and ultimately lost revenue if orders are unable to be filled on time according to customer needs.

Irrigation: Irrigation & water management involves moving pipes by hand and with tractors within the fields, performing maintenance or replacing irrigation pipes, looking for breaks, checking and adjusting flows and coverage, and all well maintenance and repair.

Surface Nursery's irrigation wells, including one near the main site of the proposed filtration plant, are all on the Deep Troutdale Aquifer as is common of many area nurseries and farms. A big concern regarding the new filtration plant is that some of PWB's wholesale customers, such as City of Gresham, City of Rockwood, and Tualatin Valley will not be renewing their contracts due to the rate increases and have opted to drill their own wells. When large-scale wells such as those for a municipality are drilled on the same aquifer, local area farmers including Surface Nursery could see a decline in water availability. This will result in having to dig deeper or drill a new well altogether, an extremely costly endeavor of anywhere from \$100,000 to \$300,000 or more for a new well. Damage from construction vibrations at the adjacent site during the 4 to 5-year period of construction is also a big concern. Sustained vibrations from drilling into and under the ground near a well can cause extensive damage, especially with horizontal drilling, and require repairs that can easily cost \$60,000 or more. A well belonging to a neighboring property adjacent to the PWB plant site was already damaged in test drilling and had to be replaced. If any of our wells are damaged during irrigation season, the impact would be disastrous and result in dead trees and cancelled orders.

Field & plant health management: All field health and plant health management are done so following best management practices for application. This is a necessary and accepted industry standard that acknowledges nursery operators are preventative in their approach to maintain the health of our fields and trees, but we must also be able to react quickly if a new threat or changing condition is identified, spraying what is needed when it is needed, following all industry guidelines, label precautions and instructions. This is an accepted farm practice throughout the nursery stock industry. Supplies used for addressing field and plant health concerns include pesticides and fertilizers. We typically receive one large annual shipment that may come by commercial freight truck, but the rest are delivered by a regular company pickup, and frequency is based on operational needs, but generally not more than one delivery from a pickup per week.

Order Preparation: Another part of normal nursery operations at Surface Nursery is preparing orders for shipments. This includes digging trees in fields, hauling those trees to our home tree storage facility, and organizing trees for upcoming loading. Trees are dug and moved to the holding/loading areas at the main farm site throughout the year, sometimes multiple times a day. There are times we could be moving trees every day for two weeks and then not again for a month, it depends on many factors such as customer orders, weather, growth cycle, and field planning. Multiple trips per day on surrounding roads take place daily throughout the year as needed to maintain normal farm operations. For any of these trips to be delayed or detoured on roads is a costly disruption, causing extended work hours or overtime rates to be paid to employees to maintain the normal operational schedule and avoid a disruption to fulfillment of orders.

Nursery shipping logistics: Surface Nursery loads, in an average year, approximately 100-130 semi-trucks to ship customer orders. Trucks are loaded during normal hours of operation and on normal workdays, in a designated loading area at the main headquarters. For the past 98 years, Surface Nursery's loading activities have not caused any interference with pedestrian or vehicle traffic on Lusted Road.

Typically, once an order is placed and it's coming time for that order to be shipped out, a truck broker schedules the load and lets the nursery know when the truck will be there and when it will need to be finished loading and leaving in order to stay on schedule. The trucks are often arranged through a broker who works to get the customer's total order onto a truck and delivered to the customer. Customers are not local, and the trucks are delivering to out-of-state locations. The truck drivers for these shipments are common carrier over-the-road commercial truck drivers. They are typically following the order of a load sheet or designated route from which they cannot deviate. Sometimes our trucks are also loaded at other nurseries in the area on the same trailer, and it needs to be loaded in a specific order according to the customer or broker. Trucks can't deviate from their stops and go to another nursery out of order due to road delays and closures. If we're the only wholesaler on that truck, they definitely can't just come a day later or earlier according to our local road issues. They have an end customer to satisfy and deliver that load to, and unless inclement weather makes it unsafe to do so, their schedules are strictly followed. If there are regular delays or closures on the roads leading to and from my nursery, we will lose customers and orders which would be devastating. Orders can be anywhere from \$5k to over \$100k which will severely impact our bottom line. When a truck is delayed getting to or from a nursery there are multiple consequences, ranging from a reduction in invoices or sales, an increased risk of damaged trees, lost income, and unhappy customers. Ultimately brokers and customers will avoid purchasing products from nurseries with shipping issues, even if it is not the fault of the nursery itself. The wholesale nursery market is very specialized, and sales reps and brokers share information amongst each other. Shipping delays and order fulfillment issues will result in negatively impacting the reputation of our nursery as well, which could put even a large nursery like ours out of business. According to their application, construction impacts of the PWB filtration plants are expected to last a minimum of 4 years but could take even longer, which will have an obvious and sustained, long-term and potentially permanent negative impact on our nursery.

Additional Farm Operations: General maintenance and repair of farm equipment & buildings is performed routinely and as needed. It's important that my employees and I have reliable access to nearby towns to pick up things needed for urgent repairs and prevent a disruption to normal operations. Equipment, tractor, and vehicle repair is performed in a dedicated area on the main farm site and requires parts to be picked up and/or delivered from businesses in town on

a regular basis year-round to complete necessary repairs and maintenance to prevent unnecessary disruption to normal operations.

Regular pickup and delivery of farm supplies is another component of normal farm operations at Surface Nursery. Me and our foremen make multiple trips daily to check on crews at offsite locations and/or pick up parts or other supplies from various suppliers in town (most commonly to Gresham, Troutdale, Sandy, Clackamas, Oregon City, Wilsonville, etc).

Outside deliveries to the nursery include Supplies needed for typical nursery operations from various suppliers, sand, mulch, potting soil, burlap, baskets, pots, wire, tape, fertilizer, shears, shovels, gloves, etc. Parts and supplies needed for regular maintenance and repair are also ordered and delivered to the farm on an as needed, often next-day basis. These supplies, as mentioned above, are delivered to the main farm location on Lusted by pickups on a weekly basis on average, but more or fewer trips may be necessary as operational needs determine.

The portable restrooms at the main farm are serviced every week of the year, regardless of season. They are transported as needed to off-site locations by pickup truck and trailer. Servicing the portable restrooms is done on a schedule set by the service provider. Disruptions to this schedule, such as road closures on roads surrounding Surface Nursery, could result in the provider cancelling the contract. Road closures preventing us from transporting restrooms to off-site locations is also not acceptable and creates a significant change to normal farming operation.

Employees have a fundamental right to have clean restrooms available at all locations. In accordance with Oregon OSHA Requirements, it is mandatory for employers to provide sanitary toilet facilities that are readily accessible to all workers. Any delays in meeting this requirement would directly affect our ability to fulfill this law.

A nursery is a dynamic and flexible business that relies on various factors for smooth operations. While certain periods of the year may be busier than others, the nursery must always be ready and adaptable. External elements like weather and market conditions play a significant role and can lead to order delays or changes, requiring immediate adjustments in priorities and work assignments. Surface Nursery needs to maintain unrestricted operations to effectively respond to these changes. For instance, if weather conditions affect the loading schedule in other parts of the country, I may reassign employees to work on different tasks in other locations until they are required for loading. This involves moving crews, equipment, and rearranging field tasks at different sites promptly. However, the estimated construction period of 4-5 years, as stated by PWB, poses a significant obstacle to carrying out normal farm operations for Surface Nursery. It particularly hampers our ability to quickly adapt and redirect our workforce.

The ongoing disruption caused by the construction of PWB's plant, pipeline, and infrastructure will have severe and permanent consequences for my farm business. Therefore, the construction period should be considered as part of the overall negative impact of PWB's land use application, which is deemed unacceptable.

These additional concerns are detailed below

Construction congestion on roads: The construction of the filtration plant & pipelines on and around our property will be completely prohibitive to the continuation of our normal farming operation at Surface Nursery. Construction and operation of the PWB plant will severely impact Surface Nursery's normal farm operations and accepted farming practices. It is inevitable that there will be times that Surface Nursery will be completely inaccessible due to the full closure planned on Lusted Road as well as the massive road repair and construction on roads surrounding the nursery that our employees drive to work on and that we rely on to move our crews, trees, and equipment. Every road that feeds into Lusted near our nursery is planned for some kind of construction, closure, or to be used as a detour route and will be flooded with an additional traffic load, much of which will be traffic from out of the area travelling to PWB work sites. The full closure of Lusted as well as off-loading detoured traffic from other closures will create amounts of traffic this community has never experienced, and that our roads were not intended to handle. My own ability to drive from my home to my nursery will be impacted, which means my ability to respond to an emergency or urgent need at the nursery will be impacted. The planned construction on these roads and others also means that there will be times when not only will employees not be able to reach the farm and report to work, but semi-trucks, farm equipment, and farm trucks hauling equipment on large trailers will be unable to enter or exit the farm. The inability of employees to access the farm and the restricted mobility of farm operations will have devastating financial impacts ultimately resulting in trees not being able to be managed properly and customer orders not being prepared, loaded and shipped. When employees are unable to get to work, production is halted. When employee commute times are extended due to delays, detours, and closures on their usual routes to and from work, they will seek work at a different nursery where the commute is easier, resulting in loss of work force which will negatively impact productivity. Impacted productivity is ultimately reflected in the number of orders completed. A customer order can be worth \$100,000 or more and is impossible to predict and to arrange alternative operations to fill an order if there are delays and labor availability issues due to area road closures, delays, and detours. The months when the most construction will be done on the surrounding roads are the same months that are typically the busiest in the nursery industry because both are highly dependent on dry weather conditions. The impact from reduced workforce efficiency and productivity will directly impact Surface Nursery's bottom line, and even as little as one order not completed or not completed on time can result in a financial loss of up to \$100,000 or more. Losing any order leaves me with unsold trees I've already paid employees to dig and prepare for shipping. These losses will be compounded the longer the construction at the main site and on area roads is sustained.

Interference with semi-trucks entering and exiting our loading area is a major concern. Is it extremely disruptive to reschedule these trucks, if it's even at all possible, due to detours and road closures. It is also dangerous for semi-trucks to navigate alternative routes when main roads are closed because these long-haul commercial truck drivers are not from this area and are not familiar with our community's network of rural roads. Many of our rural roads cannot accommodate the size and turn radius of a semi-truck. It is not safe for other vehicle and pedestrian traffic to have semi-trucks attempting to navigate unfamiliar detour routes on our rural roads, with numerous hidden driveways, multiple school bus stops, no lane striping, and no shoulders, and no safe areas to turn around. Many of our roads out

here do not have adequate width or shoulders for semi-trucks to share the road with bicycles, pedestrians, equestrians, slow-moving farm equipment, and other non-vehicle traffic that is a normal part of life in this rural area. Re-routing semi-trucks and heavy-duty construction traffic onto side roads and detours routes will create risk to other drivers and area residents. If our nursery loses orders because of the massive network of road construction surrounding our location – even just one order – it will negatively impact our bottom line, especially over the course of 4 years or more. We understand the construction will be done in phases and not all at once, however; our operation will be impacted in every phase because our fields and work locations are widely distributed throughout the overall project area.

The alternative routes currently being suggested are not suitable for our tractors or trailers to navigate. We are explicitly prohibited from using Lusted Hill that is East of Cottrell due to safety concerns, and rightfully so, as it is an unsafe road for our purposes. I have numerous concerns regarding the routes that will be available during construction and its potential impact on Surface Nursery. The connecting roads between Oxbow and the locations our employees need to reach are equally problematic. They are no better than Lusted Hill in terms of safety. These routes present unnecessary risks to the well-being of our Surface employees. They are ill-equipped to handle high volumes of traffic and have a history of accidents. It is essential to consider the well-being of our employees and ensure their safety. We need a route that is conducive to the transportation of our trailers and equipment without needlessly endangering them.

Health Concerns: The scope and scale of construction necessary for this proposed project will impact more than just our normal farm operation, it will have impacts on our employees' health as well. In addition to the road construction throughout the area we farm, PWB is proposing to build a construction access road right on Surface property. Noise and dust from the construction of this road and the constant use of this road will have a significant impact on nursery operation and accepted farm practices and will expose myself and my employees to noise and dust levels much higher than normal and expected in nursery work. Noise generated from the construction activities (excavating, drilling, jackhammering, diesel-exhaust brakes and back up alarms) at the main site and from the hundreds of trucks driving through our field where employees will far exceed noise levels found in normal farm operations and accepted farm practices in the nursery industry. To protect the hearing and respiratory health of our employees, it is reasonable to anticipate the need to purchase industrial-quality hearing and respiratory protection for my employees, beyond the scope of what is usual and expected with accepted nursery farming practices. For example, the back-up alarms on the equipment at the main site will be constantly alarming. These are by nature extremely loud and piercing in what is normally a very quiet area performing quiet tasks. The constant maneuvering of construction equipment at the primary site will completely change the work environment for myself and my employees. We might hear a backup alarm from a forklift in the loading area while arranging trees or loading a truck, but these instances are confined to those work areas and expected noises associated with those tasks. Field work, especially on foot within feet of their proposed construction access road, does not have piercing noises associated with the task or anywhere within the audible range of the field.

Noise-cancelling headphones must have Bluetooth capability so employees can still be reached by phone or radio if needed. Headphones must also be weather, water and dustproof, lightweight and comfortable to ensure employees will wear them, and highly durable for use in an outdoor ag setting. Headphones will be replaced at a minimum annually due to the nature of the work environment. Headphones of this style cost approximately \$165 per set. To allow for headphones that may be damaged during the year, and new employees, I would have to purchase 55 sets to be dispersed between 50 employees, with 5 sets in reserve. Total cost for hearing protection: \$9,075 per year x 4 years = \$36,300. This is a significant cost to our farming operations.

Dust and compromised air quality from dust, diesel particulate and construction debris in the air is another serious and significant impact on our employees' health. It is in a nursery's best interest to generate as little dust as possible, for the employee's health as well as the health of the trees and plants. We achieve this by spacing out tractor work in fields, avoiding field work on foot when a tractor is doing row work nearby, and by avoiding tractor work in windy conditions to prevent or minimize the loss of topsoil. Normal farm operations and accepted farm practices include regular work in the fields on foot performing essential tasks such as hand pruning and trimming, working on or moving irrigation, hand spraying, planting, digging, and more. During these activities, the fields are quiet and free of equipment stirring up dust. At our Bluff Road fields, my employees regularly perform this work in the fields adjacent to the southern border of the main site of the PWB plant. If PWB takes our land from us and builds a construction access road, it will mean that massive construction equipment and haul trucks with trailers will be traveling right through the middle of my fields within feet of where my employees are working. If PWB is allowed to build the filtration plant on this farm property and access it through our fields, not only will myself and my employees working in adjacent fields be exposed to high levels of construction noise completely out of character from noise associated with accepted farming practices, but also massive amounts of dust and construction debris and particulate in the air.

Spraying water on the construction site is not a valid or logical dust mitigation plan because the amount of water needed to hold down the dust from this project will result in massive amounts of mud, which construction crews and equipment cannot operate in. The reason construction will focus on the drier months of the year is the same reason spraying the site with water to mitigate the dust will not work. Construction vehicles and haul trucks can't drive on muddy, watered-down roads, and waiting for a water truck to water the roads will only cause delays to the construction process, resulting in either extending the construction and its disruptions to our farming practices or they will abandon watering altogether, neither of which is an acceptable solution.

Diesel fumes have another major impact on myself and my employees. Adding a water truck to keep the dust down on the haul route only increases our exposure to sustained diesel fumes from the hundreds of trucks and other construction equipment per day using our road through the middle of our field and active work site. Nursery employees operate tractors that put out minimal exhaust, and the tractor operator is driving the tractor and not

breathing in the fumes, and there are no employees working behind the tractor where the fumes are being discharged. When construction on the plant starts, the constant line of traffic that will be on the road through our field, within feet of our employees and trees, will consist of heavy-duty dump trucks and haul trucks likely pulling trailers, contractors and crews in diesel pickups, heavy duty construction vehicles towing in equipment and generators, and a diesel water pump truck constantly trying to keep all the dust down. A water truck trying to keep up with spraying down the dust will just be adding to the dust and the diesel fume problem. There will also be diesel generators operating 24 hours a day, creating high volumes of noise and diesel exhaust throughout the main site anywhere power is needed as that site is currently an empty farm field. Exposure to these high concentrations of diesel exhaust and diesel particulate matter can result in dizziness, headaches, and eye, nose, and throat irritation. Prolonged exposure can increase a worker's risk of cardiovascular, cardiopulmonary, and respiratory disease, as well as lung cancer.

This impact on respiratory health is a grave concern. My employees and I will be subjected to unusually high levels of dust and debris plus high concentrations of diesel fumes and particulate from the main construction site and construction traffic and dump trucks hauling loads that will be continuously driving right through our fields, within feet of where we are performing our work tasks. N95-type dust masks commonly used for nursery work are sufficient for normal operations and accepted farm practices, however, they will not be sufficient to protect the health of my employees when subjected to this level of construction dust, diesel fumes, and diminished air quality. It is reasonable to assume, therefore, that we will want to provide an upgraded, filter-based, fully dust, fume & waterproof respirator mask that is comfortable for each employee to wear for hours at a time. This impact will be present throughout the 4+ years of construction, and will require that each employee has a dedicated, personal respiration mask they can use when near these areas of construction and construction traffic. They will also need to be full-face to offer eye protection from the same contaminants in the air. To allow for respirator masks that may need to be replaced during the year, and for new employees, I would have to purchase 55 sets at \$70 each, with extra filters (\$495), to be dispersed between 50 employees, with 5 sets in reserve. Total cost for respiratory protection: \$4,345 per year = \$17,380 for 4 years.

However, this impact on accepted farming practices will impact not only employee health, but also employee job satisfaction. It is not an accepted farming practice or normal work duty to have to wear a heavier-duty respirator for hours at a time while performing duties that do not themselves require respiratory protection. Employees do not want to wear extra gear when working outside, especially during warmer months when the need will be the highest due to the peak of construction. The excessive amount of dust on their skin, hair, in their ears and on their clothes every day, in addition to having to wear extra protective equipment such as a respirator, goggles and headphones just to perform their normal duties will cause some employees to seek employment where they will not have to endure years of construction-related impacts on their job duties, their commutes, and especially their health. Replacing an employee who leaves involves the expense of finding, hiring, and training the new employee; and the loss of productivity during the time it takes to do so. Many of my employee's carpool to work, so this will not be a problem of losing just one employee, but it would mean up to 4 employees at once could decide to seek work elsewhere.

Plant & Tree Health: In addition to impacting the health of my employees and my overall labor force in general, the dust and airborne particulate will affect the trees. The massive amount of dirt & topsoil to be excavated and hauled off-site will generate quantities of dust and diesel particulate in the air that far exceed what is expected in accepted farming practices. The dust and diesel fumes generated by construction traffic through my fields cannot be adequately mitigated as described earlier in this letter. Excessive amounts of dust will fall onto and cover my plants and trees at a minimum in the field where the construction road will be built within feet of our rows of trees. It is a fact that leaves that are coated in dust or other contaminants have a reduction in photosynthesis that results in growth problems. Dust covering leaves also affects respiration and transpiration which increases leaf temperature which allows the penetration of phytotoxic gaseous pollutants. This leads to the tree or plant having visible damage and becoming unsalable, and it also causes decreased growth and productivity. Dust also carries dust mites which feed on and destroy leaves. The only mitigation for this impact on our trees is to have them monitored daily and hand sprayed with water as needed. I will need to dedicate a minimum of one full-time employee to this task because the trees will need to be checked daily, every day that construction at the main site as well as travel on the construction access road takes place, even when we are not working there. When dust and diesel particulate accumulation is identified as present on leaves, it will have to be immediately washed off by an employee using either hand spraying or tractor spraying, whichever is called for to avoid damaging the tree or flooding the field but that will sufficiently remove the dust from the leaves.

Total cost to wash leaves (based on one employee annual salary at typical starting hourly wage common to the area): \$28,000.00 each year x 4 years estimated of using the access road = \$112,000

Finally, the most devastating and current financial loss caused by the City of Portland allowing PWB to pursue applying to build the water filtration plant is the loss of almost 100 acres of prime agricultural land – land that has never been used for anything but farming. The soil here is unmatched and reported by the USDA to be some of the best in the world. For this much prime agricultural land to be taken out of farm production is devastating to Oregon's agricultural economy, and its character. The wholesale nursery business is one of Oregon's strongest but last remaining farming industries and exports. The nursery industry brings revenue into the state, provides jobs for important groups of marginalized citizens, and protects Oregon's rich heritage as an agricultural center. But it's an industry that needs protection itself.

PWB is also taking acres of our own producing farmland through eminent domain. Our nursery is also losing the land owned by the city that we've been farming in agreement with the city for over 30 years. There are very few farmable land parcels for sale or lease in the area, and none with the quality of soil as found on this piece of farmland owned by the City of Portland. I will not be able to replace this acreage with comparable farmable land that is a reasonable distance to the farm.

We also have a 3-year loss of revenue from an area in one of our fields between Lusted Road and Dodge Park Blvd, because PWB told us they would be installing a pipeline through that area. PWB instructed us to mark off the area where the pipeline was going to be placed and avoid planting or farming near it. After 3 years, PWB informed us they changed their plans, and that area would not be used and that we could plant on it again. However, we still have a 3-year loss of approximately 4 acres of farmable land. One acre of land planted with our typical stock (in this case we used 5000 acer Griseums and 5000 Double sub-cherries per acre) yields, after cullage and average customer discounts, approximately \$307,104 per acre over a 3-year cycle. The total loss of these 4 acres of production over this 3-year period is a loss of approximately \$1,228,416.00.

In addition, losing the land we farmed on the city's parcel, PWB has also started proceedings to take almost an acre of our land through eminent domain, in order to build an access road to their main site for construction. but the loss of farmable land is much greater. This field contains 10,000 trees per acre. The exact amount of land they are claiming for eminent domain is .92 acres, which holds 9200 trees. The trees in this field are 4600 acer Griseums and 4600 Double sub cherries and have a 3-year growth cycle. The total sales revenue for this .92 acre (after cullage and customer discounts) is \$283,300.00, every 3 years.

When PWB takes control of this land, we will be unable to use our existing gravel road which is how our tractors move irrigation pipes and equipment through the fields, so we will have to build and install a new gravel the entire length of the existing one. The cost to put in a road of this length will easily cost \$50,000. However, installing a new road next to the one that PWB will be taking also means we will have to remove additional rows of trees to make room for the road we need to install, necessary to continue our well-established normal farming operations. It is reasonable to assume the size of land to accommodate the road we need is equal to the size of land that currently is allocated to the road, which is .92 acres. We have already established that losing .92 acres of producing farmland will have a cost impact of losing \$283,330.00 for every 3-year cycle. Total cost of losing .92 acres to eminent domain from PWB is the revenue of the .92 acres they are taking, the revenue of the .92 acres we will have to allocate to replace the road they are taking, and the cost of installing the road itself, for a total of \$616,660.00, of which \$566,000.000 is a repeating loss of revenue every 3 years.

I hope this statement provides Multnomah County Land Use decision makers with a more comprehensive and accurate understanding of the true impact of Portland's filtration project on farmers like me. The construction of such a development, even if labeled as a 'community service use,' was never intended to be situated on designated valuable agricultural land, which has been specifically safeguarded by state and local authorities. It is now imperative to uphold those protective measures and advocate for the preservation of Oregon agriculture. The conversion of this fertile farmland into an industrial complex marks another significant step towards the gradual disappearance of Oregon farmers. In the near future, particularly in Multnomah County, both farmland and the farmers themselves are at risk of extinction.

Sincerely,

Shawn Nerison
Owner and Vice President