

Exhibit N - Appeal Hearing Summary regarding Verizon Stinger cell tower - JoAnne Vincent Amended

Appeal Hearing, T2-2019-12701 Verizon Stinger cell tower

Submitted by

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Summary

The purpose of this summary is to provide supportive evidence, testimony and reports regarding the impacts of a 156' tall monopine Cellular tower proposed in the Woodard/seidl area east of the Sandy river multnomah county area on specifically the Wildlife, migratory birds and other natural resources and/or environmental concerns. Further to address the Multnomah County codes, state/federal and other local agencies (Metro, OFW, USFWS, FCC, NEPA) in their attempt to "protect and promote public health, safety, community welfare, and the aesthetic quality of unincorporated Multnomah County as set forth within the State-wide Oregon Planning Goals and policies of the Comprehensive Plan" (taken from MCC § 35.6175) .

We are a neighborhood of rural residential farms, homes, and forest lands, majority of the land is EFU, much is CFU and to a lesser degree is MUA . We are an area of abundant natural resource, wildlife habitat, farming both crops and livestock, streams, wetlands, trees/forestry, and scenic views.

In my extensive research I have found multiple comments/ordinances and/or statements from Multnomah county codes, Oregon administrative rules, goals, comprehensive plans and Chapters (provided as **Section 1 Notes evidence for land use zoning, SEC and environmental concerns attached**) where each have outlined repeatedly the need to keep the rural counties east of the Sandy river bountiful and protected. Each document I have included specifically states that our natural resources and rural communities should be protected and to be utilized to (taken from East of the Sandy River rural area § 35.6175 WIRELESS COMMUNICATIONS FACILITIES. The purpose and intent of 35.6175 through 35.6188) "protect the visual character, insure against the degradation of the County's scenic corridors and ridgelines and rural communities designated under local, state or federal law; and to protect the environmental resources of mult co . Please see list of notes including maps of MC SEC overlays , Metro title 13 classifications with Class B, Class I,II maps for areas of environmental concern, and the additional report analysis of Goal 5 comprehensive plan from MC, where Mr Khut states the significance of wildlife east of the sandy river.

I believe the Multnomah County decision to approve the application for this cell tower in our rural , east of the sandy river area is an error and is not in keeping with the county and state ordinances and plans that have been set forth.

We are in an area of environmental concern for which Multnomah county and the applicant has ignored. SEC Views, streams, habitat, and wetlands are within 750-1000' from the proposed site. The adjacent and abutted properties, many of which have vital farming, natural resources

and husbandry/livestock and/or crops will be impacted by this tower. Threatened species, including migratory birds of concern thrive here.

I have supporting documentation from USFWS (**Exhibits A, B and C**) that indicates the 9 species, birds, fish and plants, that are prevalent in this area of east Multnomah county are listed as threatened. I have also found overlays and maps from MC that indicate the closeness to the tower for SEC S, SEC v and wetlands. I have further contacted the FCC and found NEPA guidelines that indicate if a person of interest has aesthetic concerns, these can be raised and an Environmental Analysis must be conducted. An Environmental Assessment (EA) is required: If the facilities may affect listed threatened or endangered species or designated critical habitats; or are likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats. Taken from 47 CFR § 1.1307(a)(3) .

I raise this concern for the many environmental issues listed above. **The applicant and Multnomah county have shown inconsistent decision making and were in error for not having conducted an Environmental screening or analysis of our region. I propose an Environmental Assessment must be completed and the neighbors of this region deserve to have their homes/residents/ and lands protected by the state of Oregon and MC ordinances. Please see Section 2 Notes for Basis for Environmental Assessment attached.**

Further I disagree that a 156' WFC is in keeping with the character of east of the Sandy River rural zone, and the MCC § 39.4300 purpose statement. The purposes of the Multiple Use Agriculture District are to conserve those agricultural lands not suited to full-time commercial farming for diversified or part-time agriculture uses; to encourage the use of non-agricultural lands for other purposes, such as forestry, outdoor recreation, open space, low density residential development and **appropriate Conditional Uses, when these uses are shown to be compatible with the agricultural uses, natural resource base, the character of the area and the applicable County policies.**

Oregon Administrative Rule [OAR 660-015-0000(3)]. States:

Goal 3: Agricultural Lands [OAR 660-015-0000(3)]: GUIDELINES 1. Urban growth should be separated from agricultural lands by buffer or transitional areas of open space.

B. IMPLEMENTATION 1. Non-farm uses permitted within farm use zones under ORS 215.213(2) and (3) and 215.283(2) and (3) should be minimized to allow for maximum agricultural productivity. See **Section 3 Notes for basis of incompatibility with safe farming practices attached.**

I dispute that a WFC tower in close proximity to my current farming practices and keeping of livestock is a compatible acceptable purpose as stated in the above MC and OAR codes/rulings. My herd has an access path to their grazing pastures, from their water shelter source which will lie under 300' in proximity to the proposed tower site, should it become impassable for them due to sound, lighting, EMF or other uncharacteristic issues it will be at great expense , time and stress to me for a solution.

To that end, I expect the applicant to compensate me for this burden should the tower be built in this location, in close proximity to the existing farming practices that we have become accustomed to on our EFU and MUA lands.

Sincerely and respectfully submitted, 10/13/2020

JoAnne Vincent