

**From:** [Diane Meisenhelter](#)  
**To:** [Planning and Sustainability Commission](#)  
**Subject:** Testimony on urban forestry's proposed amendments on tree code  
**Date:** Monday, May 23, 2022 1:36:11 PM

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I've lived in upper NE Portland for 33 years in a shade deficient area where the right of ways are too narrow for large form trees. I volunteer with the NAACP Environmental Justice committee, Extinction Rebellion, and, as a member of my Neighborhood Emergency Team, worked the cooling shelters last summer during the heat dome. I'm also new to trying to understand the tree code after fighting to save several old giant trees on my block so apologize ahead of time if parts of our testimony are outside the "technical amendments" as we understand there will be further work on the tree code after the Urban Forestry Management Plan. Because of the pressing nature of our concerns, we hope that process might somehow be expedited by the City proceeding simultaneously on the two efforts together as we are losing large numbers of trees in need of protection from an outdated code.

We applaud the work that has been done by Urban Forestry on these amendments and support their acceptance and yet feel that they do not go far enough in terms of preservation goals. Particularly in lower-income eastside neighborhoods, it is critically important to preserve giant old trees for their sequestration, shade equity and other community resource value. While we applaud the added powers in the amendments for the Urban Forester (ability to add to deed, issue non-permitted work stoppages, initiate liens for non-compliance, etc.), it is time that we truly view old giants as a valuable resource for the common good as outlined in the first section of Title 11. Thus the knowledge of the Urban Forester in certain areas and circumstances should be able to be used to provide protective Heritage Tree designations even on private property.

This is especially true in the case of large form trees on development sites where Urban Forestry needs to have an enhanced role in the demolition and site planning processes in what is currently the domain of BDS. In reviewing the Title 11 document for this hearing, there are numerous places where more protections are needed which we hope to be able to address in the future. For example, we're concerned about the City's tracking process on existing tree removals and whether the removal of up to four healthy trees per year takes into consideration previous removals in an area. Under Type B permits, additional protection criteria should be added under 2d for trees over 20 or 36 inches in communities experiencing shade deficiencies with the burden of proof for necessity of tree removal placed firmly on the developer. Public notifications of large tree removals need to have more than on-site signage and Neighborhood Association notification, at least notifying neighbors on that block and having an effective public appeal process. In this time of climate chaos, we need to move beyond the current "pay to slay" model since replacement trees will take decades to reach the sequestration, shade and other values of these old endangered giants. As illustrated by current Water Bureau rules, PBOT plans, and the hearings on RIP 1&2, there are constant threats and restrictions that threaten the already limited options for planting sites. Therefore, more protective changes should come sooner rather than later given our shrinking canopy and the pressing need to address the climate and equity issues we collectively face. Thanks for your continued work in this important realm.

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