

My name is Houston Markley and I am a resident of the Multnomah Neighborhood and member of the Multnomah Neighborhood Association and Land Use Committee. I recently contacted 10 association members and neighborhood residents in regard to the proposed amendments to Title II, Trees Chapter 11.50, Trees in Development Situation. Our consensus is that we do not approve of either the Urban Forestry or Planning and Sustainability Commissions' proposed amendments. We do approve of the Audubon's Society's proposal on this subject and I have attached their proposal which you likely have seen. We live in the urban forest. We know these trees. They benefit our neighborhood as well as the entire city. I am sure you are aware of the well-documented benefits of a mature, urban forest. I believe that you should make an effort to meet with those of us who live here. Set up a hearing in our neighborhood (the Multnomah Arts Center). Listen to us in this environment. **I have also attached a short Word document that includes my neighbors' thoughtful comments on the two proposed amendments.** Please read them. Thank you for your attention to this critical matter. Sincerely, Houston Markley, 4629 SW Carson Street, Portland, Oregon

Proposal A is the proposal from the City Forester, but seems inadequate to me. Trees that are 47 inches diameter at breast height (dbh) don't get much protection in that proposal, and such trees are huge. The size threshold for protection of large trees (48 inches dbh), I think, is too large.

Proposal B is from the Bureau of Development Services and their threshold for especially large trees is 50 inches dbh, which again seems too large a threshold to protect big trees. This proposal only requires that 1/3rd of (non-exempt) trees over 12 inches be kept. (This apparently has been part of the code for a while.) This means that trees less than 50 inches dbh, if they are among the 2/3rds that are allowed to be removed, can be removed without any fee or penalty. It is only the trees over 50 inches dbh that get special protection, and those can still be removed by paying a fee and posting public notice.

The Audubon's proposals seem reasonable, until a better set of codes can be put in place. In particular, their idea of preserving 1/3rd of total caliper inches of (non-exempt) trees on the site, in addition to 1/3rd of trees over 12 inches dbh, would help to preserve some larger trees. Think about this. With the City's proposal, if you have 6 trees on site that are over 12 inches dbh (and none of them are diseased, dead, invasive, etc), and you propose to remove 4 of them, and the four to be removed are all 45 inches dbh, and you leave two trees that are 14 inches dbh, you can do it anytime and with no fee. If you had to preserve 1/3rd of caliper inches of the trees over 12 inches dbh ($2 \times 14 + 4 \times 45 = 208$), you'd have to keep at least three of the six trees, and at least one of the larger trees to meet the minimum ($208/3 = 69$ inches) requirement.

So, I'd vote to have the Multnomah NA or the land-use committee send a letter. I don't think that proposals A or B are sufficiently protective. But, I value large trees. I think that a homeowner should be able to remove some trees when necessary. The code (and proposed code) doesn't protect most trees unless they are very large or unless the owner is trying to wipe most of the trees off of the property. Some changes to the code to add disincentives against wholesale removal of all trees, and to make it more difficult to remove very large trees, is a step in the right direction. All of these proposals move in that direction. I just think that Audubon has some better ideas. Stewart Rounds

I support the Audubon proposal rather than the City's Proposal. Granted nuisance trees may already be the exception. Albeit, I no longer trust the Developer's and/or the BPS counter clerk's when an old-growth tree(s) are defined as nuisance trees is to their bottom line. My fear? They might start referencing holly trees, and monkey trees a nuisances to their bottom line... . The clock is ticking much too fast for all of us who care about Portland's Tree Canopy Mary AnnSchwab

I am in favor of the Audubon proposal rather than the City Proposal. I believe more leniency should be allowed when an owner wants to add to his/her own house if the percentage of hard scape will still be left below a certain percentage (65%) and in order to occupy it rather than selling, but I cannot think of a way to word this so that developers cannot

defeat the intent. I also think nuisance trees like tree of heaven should be allowed to be cut though I am not sure they reach that size. I think nuisance trees are already an exception. I am traveling and can only read this on my iPhone so I apologize for my lack of certainty about the fine print. Thank you very much for your important work. Laura Wozniak. Please count this as my vote. 7226 SW 29th Ave.

I think it's good that they're working on this, but I tend to agree with Stewart that this first effort still allows too much leniency and also has the potential to be arbitrary (because trunk size is only one measure of the value of the tree's functions - there are age and species and other variations that don't seem to be captured when the only proxy is trunk size). I would, at this time, support Audubon's proposal, but since it's clearly only a starting point proposal, I think it's probably too early to "sign on" in support it as a long-term solution - maybe we should just generally support their work to craft a final proposal. That said, I do think that getting some sort of temporary moratorium in place while the details are being worked out would be good. Jan Wilson

Myself and many others achieved Title - 11 after 6 years of struggle, only to see the policy on codes/regs concerning trees, circumvented. Audubon's Meryl Redisch is quite knowledgeable on the tree issues and would be most helpful. Saving large trees should be a first priority but BDS and BOP seem to be willing to sacrifice them. For my own position, the City needs to save it's larger forest canopy as it takes at lease twenty years for small trees to provide the benefits larger trees provide.

I read over the Parts "A" and "B" on City's proposals to enhance the Title-11 tree codes. The Admin Rule allows wrongful tweaks to the Title, as I feared. A line that disturbs is Trees 48" or larger in diameter shall be preserved and protected if they are not elected for removal.

Part "B"

What about allowing challenges to decisions by neighborhoods and/or citizens before development permits are issued?

P.4 "New Trees will be planted and will grow to replace trees removed." But that takes 20 years or more to accomplish what large trees today, provide. The larger tree benefits outweigh planted twigs.

What guarantees that newly planted trees are to be retained, replaced if senescence happens? City claims 3 years the property owners must maintain trees, then what?

How about notification to any prospective property owners, or make aware, tree ordinances/codes./regs stuck to the Title at "time of sale"---to educate that Portland is serious about it's trees?

Greg Schifsky