



Bureau of Planning and Sustainability

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January 7, 2016

Staff Report: Administrative rulemaking process to amend the Portland Plant List

Summary

The Bureau of Planning and Sustainability (BPS), in partnership with the Bureau of Environmental Services (BES), is coordinating an administrative rulemaking process to update the Portland Plant List. The Portland Plant List (PPL) is a technical and educational document which is used widely by City staff, developers, local natural resource and watershed agencies and organizations, and residents throughout the metropolitan region. The city first published the PPL in 1991 and has updated it several times over the years; most recently in 2011. Here is a web link to the PPL report: www.portlandoregon.gov/auditor/34460?a=322280

Proposed amendments to the Portland Plant List include:

1. Removal of 16 species from the Native Plants List (Attachment A)
2. Addition of eight species and reassessment and update of three species ranks in the Nuisance Plants List (Attachment B)
3. Technical amendments - corrections to plant taxonomy (Attachment C)
4. Updates to the Portland Plant List Appendix A, History (Attachment D)

Staff also proposes that the South Waterfront Greenway Native Plant List and Nuisance Plant List be added to the PPL Area-Specific Plant Lists upon City Council's deletion of the South Waterfront plant lists from Title 33, Portland Zoning Code (see 33.510.253, Greenway Overlay Zone in South Waterfront Subdistrict, Subsection E.5.f, Landscaping), and associated direction. Amendments may also include miscellaneous corrections (e.g., removal of duplicative language, addressing unintended omissions).

BPS, in partnership with BES, will hold a public hearing on the proposed PPL amendments on February 9, 2016. The hearing will be held from 5:30 p.m. to 7:30 pm, and located at 1900 SW Fourth Ave, Portland, Oregon Rm 2500 B. There will be a brief staff presentation at 6 p.m., followed by discussion and public testimony. Written comments on the proposal will be accepted until 5 p.m. on February 9, 2016. Written and oral comments will be also accepted at the hearing.

The Bureau of Planning and Sustainability Director will make the final decision after the hearing, as authorized in the Portland Plant List.

This report can also be viewed at <http://www.portlandoregon.gov/bps/69700>



Please direct requests written comments (letter or email) to:
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Background

The PPL includes general information about plants, including attributes of native plants and nuisance or invasive plant ecology. The PPL contains a list of native plants that are required to be planted in designated environmentally-sensitive parts of the city. It also includes a list of nuisance plants that may not be planted in these environmentally sensitive areas or included in City-required landscape plans.

The PPL update has been underway for more than one year. BPS and BES have developed a new Portland Plant List update protocol to improve consistency and rigor. This protocol improves upon previous efforts by including tools such as amendment request and tracking forms, use of outside expertise, and quantitative risk assessments.

BPS and BES convened City bureaus to review the protocol and submit requested amendments to the PPL. City staff were asked to submit a form identifying the proposed amendment and describing how each requested change meets a specified list of evaluation criteria. The criteria are intended to ensure proposed PPL amendments are scientifically viable and documented consistently. A copy of the form is provided in Attachment E.

The update process has since involved close collaboration among Bureaus of Environmental Services, Parks and Recreation, Development Services, Water, and Planning and Sustainability. The Bureau of Planning and Sustainability also sent an electronic mail to almost 40 community stakeholders (individuals and organizations) in September 2014, to inform them of the PPL update and opportunities to suggest amendments to the document. One person submitted recommended nomenclature changes and several clarifications to the PPL report. Community stakeholders did not submit recommended additions or deletions of plant species from the Native or Nuisance Plants Lists.

BES conducted an initial screening of proposed PPL changes. Additional review was conducted by Portland Parks and Recreation, the Portland Water Bureau, Portland's Bureau of Development Services, and the Portland Bureau of Transportation. Each of the proposed changes were then, as required by the PPL, submitted to at least three persons that "...are knowledgeable in the field botany, biology, landscape architecture, or other qualified backgrounds." A total of 13 expert reviewers participated in the process, including representatives from academia, public agencies, and the private sector. None were employed by the City of Portland.

These individuals were asked to review the proposed PPL amendments based on suggested technical criteria and their professional expertise. Those reviewing proposed changes to the Nuisance Plants List were also asked to complete a quantitative risk assessment developed by BES. Reviewers assigned relative scores to specific plant species for risk factors including current distribution of the plant species in Portland and the region, the environmental, biological, and reproductive characteristics of the species, and economic, environmental and health impacts associated with spread of the species. The assessment was peer reviewed prior to use through a separate process.



City staff reviewed and considered the input from the expert reviewers. While specific comments and risk scores varied among participants, the input was generally consistent for most of the amendments under consideration. The proposed PPL amendments outlined in the attachments reflect consideration and are largely in agreement with input from expert reviewers and have the concurrence of City bureaus.

City staff had additional discussion regarding the proposed addition of several tree species to the Nuisance Plants List (see Att. B). There remains concern that listing more tree species on the Nuisance Plants list could result in impacts on tree canopy over time. Staff agreed to continue this discussion in advance of future PPL updates.



Attachment A, Native Plants List Update

The Native Plants List contained in the Portland Plants List is used by city staff, including practitioners and regulators, property owners, landscape architects, and developers, to identify native plant species that may be planted in environmentally sensitive resource areas as specified in the Portland Zoning Code (Title 33). Additionally, the Native Plants List is used as an authoritative resource by partner organizations and the public. There are several reasons to revise the current Native Plants List:

- Over the life of the Portland Plant List, many authors added plants without any defining criteria for what could be considered native to the Portland area.
- Information and understanding of what native plants were historically present in the Portland area has increased substantially over time and is documented in both online and written resources, such as *Oregon Vascular Plant Database* (OSU Herbarium), and the *Urbanizing Flora of Portland, Oregon 1806-2008* by J.A. Christy, A. Kimpo, V. Marttala, P.K. Gaddis, and N.L. Christy. [The latter work also defines the “Portland area”.]
- There are exotic weeds (including some noxious) on the Native Plant List.

Portland’s Bureau of Environmental Services (BES) staff began the revision process by identifying suspect species on the Native Plant List and cross-referencing them with multiple published resources. BES proposed removing exotic weeds and species not native to the Portland area, correcting spelling errors, and revising taxonomy (often changes in the official scientific name for a species, see Att. C). One species was proposed to be added to the Native Plants List. The Bureau of Planning and Sustainability notified key stakeholders of the update and provided opportunities to suggest changes to the Native Plants List.

Proposed changes to the Native Plants List were reviewed by staff from Portland Parks and Recreation, the Bureau of Development Services, the Portland Water Bureau, the Bureau of Transportation, and the Bureau of Planning and Sustainability. Following this, the proposed changes were then sent to three professional botanists who are not employed by the City for review. Their comments and suggestions were then used to further refine proposed amendments to the Native Plants List. All proposed changes to the Native Plants List, including 16 species to be removed from the list, have the concurrence of both city staff and outside experts.

It should be noted that this revision of Native Plants List is intended to correct the most obvious issues. Future revisions will seek to bolster the Native Plant List by emphasizing more commercially available species. No species that was removed from the Native Plants List and that is native to parts of Oregon outside of the Portland area is easily obtainable commercially.



Proposed changes to the Portland Plant List, Native Plants List

Species to be Removed	Reason
<i>Boykinia major</i>	Not native to Portland area
<i>Dodecatheon dentatum</i>	Not native to Portland area
<i>Echinochloa crus-galli</i>	Exotic weed
<i>Erigeron annuus</i>	Exotic weed
<i>Gentianella amerella</i> ssp. <i>acuta</i>	Not native to Portland area
<i>Impatiens ecalcarata</i>	Not native to Portland area
<i>Juncus bolanderi</i>	Not native to Portland area
<i>Lotus denticulatus</i>	Not native to Portland area
<i>Lotus formosissimus</i>	Not native to Portland area
<i>Lupinus microcarpus</i>	Not native to Portland area
<i>Lupinus sulphureus</i>	Misapplied to Kincaid's lupine, <i>Lupinus oregonus</i>
<i>Poa compressa</i>	Exotic weed
<i>Polygonum persicaria</i>	Exotic weed
<i>Potentilla palustris</i>	Not native to Portland area
<i>Saxifraga ferruginea</i>	Not native to Portland area
<i>Xanthium spinosum</i>	Exotic weed

One species requested to be added to the Native Plant List by city staff was rejected by an outside expert who identified the species as not native to the Portland area.

<i>Fragaria chiloensis</i> ssp. <i>pacifica</i>	Not native to Portland area
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Attachment B, Nuisance Plants List Update

The Nuisance Plants Lists include plant species that are documented to be invasive or otherwise harmful to human or wildlife health or native ecosystems. The Nuisance Plants List is used by City staff, including practitioners and regulators, property owners, landscape architects, and developers, to identify plant species that may not be planted in environmentally sensitive resource areas as specified in the Portland Zoning Code (Title 33).

Additionally, the Nuisance Plants List is used as an authoritative resource by partner organizations and the public. The Nuisance Plant List also includes the Required Eradication List. Plants on the Required Eradication List must be removed if discovered on public property or on private property.

There are several reasons to revise the current Nuisance Plants List:

- Over the life of the Portland Plant List (PPL), the list has been amended to add plants without clear defining criteria for what could be considered a Nuisance Plant in the Portland area.
- New plant species arrivals and establishment, whether in Portland or in neighboring jurisdictions, are a continual process. Additionally, while some species that have been established for some time can become problematic, others may not have fulfilled the perceived risk when they were first identified.
- The scientific community's understanding of the characteristics of what constitutes an invasive species is continually improving.

Portland's Bureau of Environmental Services (BES) staff began the update process by compiling candidate species in collaboration with Portland Parks and Recreation staff, based on professional experience, anecdotal reports in the region, and records at herbaria. BES also compiled corrections for errors in the spelling of species names and in their taxonomy (the official scientific name for a species, see Att. C). Bureau of Planning and Sustainability (BPS) notified key stakeholders about the PPL update and opportunities to suggest changes to the PPL, including the Nuisance Plant List.

Initial potential changes to the Nuisance Plants List included additions, deletions, and changes in species rankings. These initial amendment options were reviewed by staff from Portland Parks and Recreation, the Bureau of Development Services, the Portland Water Bureau, the Bureau of Transportation, and BPS. Following this, the proposed changes were then sent to a group of experts in the fields of weed control and natural resource management, who are not employed by the city. Each of the proposed changes to the Nuisance Plants List was then reviewed by at least three of these reviewers. Reviewers used a quantitative risk assessment to score the species based on a variety of questions about the proposed species. Scores were averaged, which then serves as the basis for whether the plant species met the City's criteria for designation as a Nuisance Plant in the PPL. These average risk scores were also used to determine, confirm, or revise the rank of the nuisance species.



City staff had additional discussion regarding the proposed addition of three tree species to the Nuisance Plants List (*Acer psuedopplantanus* - sycamore maple, *Aesculus hippocastanum* - horse chestnut, and *Quercus robur* - English oak).

The risk assessments completed by expert reviewers assigned a C rank to *Acer psuedopplantanus* - sycamore maple and *Aesculus hippocastanum* - horse chestnut, and a D rank to *Quercus robur*. However, there was concern that adding common tree species to the Nuisance Plants list would negatively impact tree canopy because the City’s tree regulations are not as stringent for trees on the Nuisance Plants List as for non-Nuisance tree species. City staff felt that it would be appropriate to add *Acer psuedopplantanus* and *Aesculus hippocastanum* to the Nuisance Plants List, and continue monitoring *Quercus robur* for consideration in future PPL updates. In addition, between now and the next PPL update, the bureaus will consider the potential impacts on tree canopy when trees are added to the Nuisance Plants List.

All proposed changes to the Nuisance Plants List have the concurrence of both city staff and outside experts.

Proposed changes to the Portland Plant List, Nuisance Plants List

Species to be Added or Updated (rank)	Final Rank	Common Name
<i>Acer psuedopplantanus</i>	C	sycamore maple
<i>Aesculus hippocastanum</i>	C	horse chestnut
<i>Allium triquetum</i>	B	3 angled onion
<i>Arum italicum*</i>	B	Italian arum, cuckoo pint
<i>Epipactis helleborine</i>	C	broad-leaved helleborine
<i>Euphorbia oblongata*</i>	B	oblong leaf spurge
<i>Galega officinalis</i>	B	goats rue
<i>Ludwigia peploides</i> ssp. <i>montevidensis</i>	B	floating water primrose
<i>Petasites japonica*</i>	B	Japanese butterbur
<i>Pentaglottis sempervirens</i>	B	evergreen bugloss
<i>Viburnum opulus</i> var. <i>opulus</i>	B	Guelder rose

*These plant species are already on the Nuisance Plants List. The ranks for these species are proposed to be changed from W to B.



Attachment C, Housekeeping Updates

Housekeeping amendments include corrections of misspellings, erroneous species information, or taxonomic references.

Portland Bureau of Environmental Services (BES) staff reviewed such requests using information from the Angiosperm Phylogeny Working Group, the Oregon Vascular Plant Database (OSU Herbarium), and the Integrated Taxonomic Information Service.

BES staff submitted their findings and recommendations to designated staff from other City bureaus. All proposed changes to the list below have the concurrence of both City staff and outside experts that were consulted, including representatives of the Native Plant Society of Oregon.

Proposed changes to the Portland Plant List, technical amendments:

Name in current Portland Plant List	Correct name
<i>Adiantum pedatum</i>	<i>A. aleuticum</i>
<i>Agropyron repens</i>	<i>Elymus repens</i>
<i>Agrostis tenuis</i>	<i>A. capillaris</i>
<i>Alisma plantago-aquatica</i>	<i>A. triviale</i>
<i>Smilacina</i> (all)	<i>Maianthemum</i> (all)
<i>Anemone oregana</i> var. <i>felix</i>	<i>A. oregana</i> var. <i>oregana</i>
<i>Arnica amplexicaulis</i> var. <i>piperi</i>	<i>A. amplexicaulis</i>
<i>Arunco sylvester</i>	<i>A. dioicus</i> var. <i>acuminatus</i> .
<i>Aster chilensis</i> ssp. <i>hallii</i>	<i>Symphyotrichum hallii</i>
<i>Aster curtus</i>	<i>Sericocarpus rigidus</i>
<i>Aster modestus</i>	<i>Canadanthus modestus</i>
<i>Aster subspicatus</i>	<i>Symphyotrichum subspicatum</i>
<i>Brodiaea hyacinthina</i>	<i>Triteleia hyacinthina</i>
<i>Cardamine pulcherrima</i> var. <i>tenella</i>	<i>C. nuttallii</i> var. <i>nuttallii</i>
<i>Carex deweyana</i> var. <i>leptopoda</i>	<i>C. leptopoda</i>
<i>Centaurea pratensis</i>	<i>Centaurea</i> × <i>moncktonii</i>
<i>Centaurium muhlenbergii</i>	<i>Zeltnera muehlenbergii</i>
<i>Chamomilla suaveolens</i>	<i>Matricaria discoidea</i>
<i>Convolvulus sepium</i>	<i>Calystegia sepium</i> ssp. <i>angulata</i>
<i>Corlyus cornuta</i>	<i>C. cornuta</i> ssp. <i>californica</i>
<i>Cornus canadensis</i>	<i>Cornus unalaschkensis</i>
<i>Cornus sericea</i> ssp. <i>sericea</i>	<i>C. sericea</i>
<i>Crataegus douglasii</i> var. <i>douglasii</i>	<i>C. douglasii</i>
<i>Cryptantha intermedia</i> var. <i>grandiflora</i>	<i>C. intermedia</i>
<i>Cyperus aristatus</i>	<i>C. squarrosus</i>
<i>Dicentra formosa</i> var. <i>oregana</i>	<i>D. formosa</i> ssp. <i>formosa</i>



Name in current Portland Plant List	Correct name
<i>Eleocharis macrostachya</i>	<i>E. palustris</i>
<i>Eleocharis obtusa</i> var. <i>obtus</i>	<i>E. obtusa</i>
<i>Elymus glaucus</i> var. <i>jepsonii</i>	<i>E. glaucus</i> ssp. <i>glaucus</i>
<i>Epilobium angustifolium</i>	<i>Chamerion angustifolium</i> var. <i>canescens</i>
<i>Epilobium paniculatum</i>	<i>E. brachycarpum</i>
<i>Eriogonum</i> cf. <i>nudum</i> [SIC]	<i>Eriogonum nudum</i>
<i>Fallopia bohémica</i>	<i>Fallopia ×bohémica</i>
<i>Festuca arundinaceae</i>	<i>Schedonorus arundinaceus</i>
Fix <i>Chelidonium majus</i> as a synonym for <i>Ranunculus ficaria</i>	These are two unrelated species. BOTH are to be listed as Nuisance Plants
<i>Fragaria vesca</i> var. <i>crinita</i>	<i>Fragaria vesca</i> ssp. <i>bracteata</i>
<i>Gymnocarpium dryopteris</i>	<i>Gymnocarpium disjunctum</i>
<i>Habenaria dilatata</i>	<i>Platanthera dilatata</i> var. <i>leucostachys</i>
<i>Heracleum lanatum</i>	<i>H. maxima</i>
<i>Hypericum formosum</i> ssp. <i>scouleri</i>	<i>Hypericum scouleri</i>
<i>Linanthus bicolor</i>	<i>Leptosiphon bicolor</i>
<i>Lindernia dubia</i> var. <i>anagallidea</i>	<i>Lindernia dubia</i>
<i>Lotus purshiana</i> [SIC]	<i>Acmispon americanus</i> var. <i>americanus</i>
<i>Lupinus micranthus</i>	<i>L. polycarpus</i>
<i>Luzula campestris</i> var. <i>congesta</i> [SIC]	<i>L. campestris</i>
<i>Lysichiton americanum</i>	<i>Lysichiton americanus</i>
<i>Montia perfoliata</i>	<i>Claytonia perfoliata</i> ssp. <i>perfoliata</i>
<i>Montia siberica</i>	<i>Claytonia sibirica</i>
<i>Nuphar lutea</i> ssp. <i>polysepalum</i>	<i>Nuphar polysepala</i>
<i>Orthocarpus hispidus</i>	<i>Castilleja tenuis</i>
<i>Osmorhiza chilensis</i>	<i>O. berteroi</i>
<i>Phragmites australis</i>	<i>P. australis</i> var. <i>australis</i> (Nuisance Plant List, only)
<i>Pinus ponderosa</i>	<i>P. ponderosa</i> var. <i>benthiana</i>
<i>Polygonum amphibium</i> var. <i>emersum</i>	<i>Persicaria amphibia</i>
<i>Polygonum douglasii</i> ssp. <i>spergulariiforme</i>	<i>P. spergulariiforme</i>
<i>Populus balsamifera</i> ssp. <i>trichocarpa</i>	<i>P. trichocarpa</i>
<i>Ranunculus aquatilis</i> var. <i>hispidulus</i>	<i>R. aquatilis</i> var. <i>aquatilis</i>
<i>Ranunculus macounii</i> var. <i>oreganus</i>	<i>R. macounii</i>
<i>Rhamnus purshiana</i>	<i>Frangula purshiana</i>
<i>Rubus armeniacus</i>	<i>Rubus armeniacus</i> (<i>R. bifrons</i>)
<i>Rubus ursinus</i> var. <i>macropetalus</i>	<i>R. ursinus</i>
<i>Salix fluviatilis</i> changed	<i>Salix. exigua</i> var. <i>columbiana</i>
<i>Salix lucida</i> ssp. <i>lasiandra</i>	<i>S. lasiandra</i> var. <i>lasiandra</i>
<i>Salix rigida</i> var. <i>macrogamma</i>	<i>S. proluxa</i>



Name in current Portland Plant List	Correct name
<i>Salix sessilifolia</i>	<i>S. exigua</i> var. <i>sessilifolia</i>
<i>Sambucus cerulea</i>	<i>S. nigra</i> ssp. <i>cerulea</i>
<i>Sambucus racemosa</i>	<i>Sambucus racemosa</i> var. <i>arborescens</i>
<i>Sanguisorba occidentalis</i>	<i>Poteridium occidentale</i>
<i>Saxifraga integrifolia</i>	<i>Micranthes integrifolia</i>
<i>Saxifraga nuttallii</i>	<i>Cascadia nuttallii</i>
<i>Saxifraga occidentalis</i> var. <i>rufidula</i>	<i>Micranthes rufidula</i>
<i>Scirpus acutus</i>	<i>Schoenoplectus acutus</i>
<i>Scirpus americanus</i>	<i>Schoenoplectus pungens</i>
<i>Selaginella densa</i>	<i>Selaginella wallaceii</i>
<i>Sisyrinchium angustifolium</i> to <i>S. idahoense</i>	<i>S. idahoense</i> var. <i>idahoense</i>
<i>Solidago canadensis</i>	<i>S. lepida</i> var. <i>salebrosa</i>
<i>Sparganium emersum</i> var. <i>emersum</i>	<i>Sparganium emersum</i>
<i>Stachys ajugoides</i> var. <i>rigida</i>	<i>Stachys rigida</i>
<i>Stachys palustris</i> var. <i>pilosa</i>	<i>Stachys pilosa</i> var. <i>pilosa</i>
<i>Trifolium tridentatum</i>	<i>T. willdenovii</i>
<i>Trillium chrolopetalum</i>	<i>Trillium albidum</i> .
<i>Urtica dioica</i>	<i>U. dioica</i> ssp. <i>gracilis</i>



Attachment D - Revisions to *Portland Plant List*, Appendix A, History

Last paragraph on p A-2 in the Portland Plant List

In 2009, the Bureau of Planning merged with the office of Sustainable Development...In ~~2009~~ 2010, the Nuisance Plant List and Prohibited Plant List were consolidated into one list...

In 2011 the *Portland Plant List* was revised. Revisions included adding several species to the Native Plants List and an area-specific plant list for the Portland International Airport as a result of the adopted Airport Futures Project. A plant index for both Native and Nuisance Species plants was incorporated into the document, as well as information about native tree growth rates in accordance with the adopted Citywide Tree Project.

In 2016, the *Portland Plant List* was updated to remove of 16 species from the Native Plants List, add eight species to the Nuisance Plants List. Three species already on the Nuisance Plants List were updated. Revisions also included corrections to plant taxonomy, updates to this section (Portland Plant List Appendix A, History), and miscellaneous corrections (e.g., removal of duplicative language, addressing unintended omissions). Before the next update, there is an interest in exploring further the potential tree canopy impacts of adding trees to the Nuisance Plants List.

