



**Portland Parks & Recreation Urban Forestry Programmatic Permit
Port of Portland
2018 - 2022**

1.0 **GOALS:**

- 1.1 Protect, preserve, and restore the urban forest (Urban Forest Management Plan (UFMP), 2004).
- 1.2 Promote stewardship of the urban forest (UFMP, 2004).
- 1.3 Prevent cumulative adverse impacts to the urban forest and ensure that there is no reduction in tree canopy coverage over time (Title 11.45).
- 1.4 Preserve and improve the ecological functions and values of natural area habitats (Natural Areas Restoration Plan, 2010).
- 1.5 Allow for management of trees by Port of Portland on Portland International Airport property (Appendix B) in accordance with FAA Advisory Circular 150/5200-33 (Portland International Airport Wildlife Hazard Management Plan, Appendix A).
- 1.6 Allow for management of trees in the right of way of select zones within the Cascade Station/Portland International Center Plan District and the Swan Island and Rivergate Common Area Maintenance Districts (Appendix C) by the Port of Portland.

2.0 **TERMS AND TIMELINE OF PERMIT:**

- 2.1 **Permit duration is from the date of final signatures through June 30, 2022**
The permit must be signed and in effect before tree work is conducted.
- 2.2 Port of Portland is the responsible party for all activities in this permit and shall ensure all staff and contractors comply with the terms and conditions of this permit.
- 2.3 This permit applies only to tree management activities not related to site development or development projects. Separate permits are required for tree activities related to development.

Urban Forestry

1900 SW 4th Ave, Suite 5000
Portland, OR 97201
Tel: (503) 823-TREE (8733) Fax: (503) 823-4493

Administration

1120 S.W. 5th Ave., Suite 1302
Portland, OR 97204
Tel: (503) 823-7529 Fax: (503) 823-6007

Portland Trees - www.Portlandoregon.gov/trees - permits, tree removal, report a downed tree.

Sustaining a healthy park and recreation system to make Portland a great place to live, work and play.
PortlandParks.org • Amanda Fritz, Commissioner • Mike Abbaté, Director

2.4 This permit is issued under the authority of the City Forester in compliance with the requirements of City of Portland [Title 11 Trees](#).

3.0 SCOPE OF WORK:

3.1 Activities shall prevent cumulative adverse impacts to the urban forest and ensure no net reduction in tree canopy coverage over time.

3.2 Activities shall support the [Urban Forest Management Plan](#) and the most recent [Portland International Airport Wildlife Hazard Management Plan](#) (Appendix A).

3.3 Heritage trees shall not be included within the scope of this permit.

3.4 **Location**

This permit applies to properties that are owned by the Port of Portland (Appendix B) or in City of Portland rights-of-way of select zones within the Cascade Station/Portland International Center Plan District and the Swan Island and Rivergate Common Area Maintenance Districts (Appendix C). Trees on City property (i.e. City trees) are not included within the scope of this permit.

3.5 **Definitions**

- a. City trees: Trees located on City-owned property
- b. Street trees: Trees located in the City right-of-way
- c. Port trees: Trees located on property owned by the Port of Portland and not located in the City right-of-way (Appendix B)
- d. Dangerous tree: the condition of the tree presents a foreseeable danger of inflicting damage that cannot be alleviated by treatment or pruning
- e. DBH: diameter at breast height; the diameter of a tree trunk measured at 4.5 feet above the ground
- f. Native tree: a tree listed on the [Portland Plant List](#) as [native to the Willamette Valley](#).
- g. Nuisance tree: a tree of a species listed on the [Portland Plant List's Nuisance Plant List](#).

3.6 **Pruning**

- a. Port of Portland staff may prune street trees for the following reasons:
 - to improve their health and form;
 - to remove dead, damaged, and diseased portions of trees;
 - to provide clearance to meet the following standards according to Title 11.60.060.D: 7.5 feet above the sidewalk, 11 feet above residential streets, and 14 feet above main arterial streets;
 - to abate a hazard; and
 - to abate a documented safety, security, or wildlife hazard attractant risk, as per page six of the Landscaping Standards section of the Portland International Airport Wildlife Hazard Management Plan (Appendix A).
- b. Pruning activities may include crown raising, crown cleaning, and crown restoration as specified in the City of Portland's PP&R Urban Forestry [Street Tree Pruning Standards](#).

- i. Crown raising removes the lower branches of a tree in order to provide clearance for vehicles, pedestrians, and buildings.
 - ii. Crown cleaning is the removal of water sprouts and dead, dying, diseased, crowded, weakly attached, and low vigor branches from a trees' crown.
 - iii. Crown restoration is used to improve the structure, form, and appearance of trees after being broken.
- c. Pruning shall be made with proper pruning cuts and sharp tools. City tree pruning activities shall adhere to American National Standards Institute (ANSI) *A300 Pruning Standard - Part 1*, and International Society of Arboriculture *Best Management Practices: Tree Pruning*, including any amendments or revisions. Street tree pruning activities shall adhere to the City of Portland's [Street Tree Pruning Standards](#).
- i. All persons conducting this work shall have the training, experience, and equipment necessary to conduct the pruning work in a controlled and safe manner.
 - ii. For trees pruned, no more than 25% of the live crown shall be removed within an annual growing season.
 - iii. When pruning from the ground, care shall be taken to avoid cutting the trunk above the cut.
 - iv. Trees shall not be topped.
- d. Elm pruning requirements
In order to limit the spread of Dutch elm disease and comply with Oregon's state quarantine of elm wood, the following rules apply to the pruning of elm trees (*Ulmus* spp.):
- i. Elm trees shall not be pruned from April 15 through October 15 annually, except when required for public safety.
 - ii. Pruning tools shall be treated with disinfectant before and after pruning individual elm trees.
 - iii. All elm wood waste shall be chipped or taken to an approved commercial disposal site within 24 hours of cutting.
- e. Public notice
- i. Pruning on properties not owned by the Port of Portland shall only occur on street trees within rights-of-way of select zones within the Cascade Station/Portland International Center Plan District and the Rivergate Common Area or Swan Island Common Area Maintenance Districts (Appendix C).
 - ii. The Port of Portland may conduct pruning activities without notice to adjacent property owners, per Title 11.30.030.E.2.d.
 - iii. The Bureau of Environmental Services (BES) Watershed Revegetation Program Manager shall be contacted at least 15 days in advance of pruning trees located in stormwater management facilities.

- iv. Contractors and staff shall identify themselves and the fact that they are pruning for Port of Portland either through signs displayed on each vehicle involved in tree work or verbally when requested by the public. Contractors shall provide contact information for their company and for Port of Portland to the public upon request.
 - v. Port of Portland shall respond to all concerns and complaints about Port of Portland’s pruning activities in a timely manner.
- f. Reporting
- i. The Port of Portland shall provide the City Forester written notification of planned tree pruning locations and contractors 15 days prior to the activities. Notifications shall be emailed to trees@portlandoregon.gov. The notification shall include:
 - Contractor company name
 - Contractor business license number
 - Contractor phone number, email address, and mailing address
 - Map of pruning area
 - Start and end dates for activity in the pruning the area

3.7 Removal

- a. Exemptions
 - i. Trees in the City right-of-way (i.e. street trees) that are sucker shoots or self-sown trees less than ½ inch DBH are not regulated and therefore may be removed without prior notice to Urban Forestry, reporting, or mitigation.
 - ii. Trees on properties owned by the Port of Portland (Port trees) that are less than 12 inches DBH are not regulated and therefore may be removed without notice, reporting, or mitigation to Urban Forestry, unless the tree was required to be planted as a condition of a permit or otherwise specified in 3.7.a.ii.a, below.
 - a. The regulatory threshold for tree removal on properties owned by the Port of Portland decreases to 6 inches DBH for trees located in the following plan districts and/or overlay zones:
 - Plan districts: Cascade Station/Portland International Center Plan District; Columbia South Shore Plan District; Johnson Creek Basin Plan District; Portland International Airport Plan District; Rocky Butte Plan District; South Auditorium Plan District
 - Overlay zones: Environmental (c, p); Greenway (n, q, g, i, r); Pleasant Valley Natural Resources (v); Scenic Resource (s)
 - iii. Port trees within the airside, as defined in Title 33.565.010 and Appendix I are not subject to Title 11, and therefore may be removed without prior notice to Urban Forestry, reporting, or mitigation.
- b. Regulated trees
 - i. Dangerous trees

- a. As per Title 11.80.020, a dangerous tree presents a foreseeable danger of inflicting damage that cannot be alleviated by treatment or pruning. A tree may be dangerous because it is likely to injure people or damage vehicles, structures, or development, such as sidewalks or utilities.
- b. Removal of a dangerous tree shall be conducted as follows, as per Title 11.40.020.D:
 - i. When Port of Portland discovers that a dangerous street tree exists in the right-of-way, Port of Portland shall immediately notify Urban Forestry by calling 503-823-TREE (8733) and, where power lines are involved, notify the appropriate power supplier.
 - a. City Forester may approve removal of dangerous trees on a case-by-case basis. The City Forester may approve or deny the removal request or approve the removal with conditions.
 - ii. Emergency tree removal. If the condition or location of a tree presents such a clear and present danger to a structure or the public that there is insufficient time to obtain advance approval of the City Forester, the hazardous portion of the tree may be removed without first obtaining approval from the City Forester.
 - a. Within seven days of removal of a dangerous tree, the Port of Portland shall provide notification and documentation to the City Forester on the Inspection Request Form (Appendix K) submitted to trees@portlandoregon.gov. Upon submittal to the City Forester, the Inspection Request Form shall accompany photographs or other documentation that prove that the tree was dangerous. The City Forester will evaluate the information to determine whether the tree was dangerous. Failure to provide information documenting the emergency nature of the event may be pursued as a violation per Title 11.70.
 - c. Mitigation (see 3.7.b.v) and reporting (see 3.7.b.vi) requirements apply to dangerous trees removed from City rights-of-way or properties owned by the Port of Portland.
- ii. Zoning code exemption requirements
 - a. The zoning of the property (or adjacent property, for street trees) shall be checked before any non-dangerous tree is removed. Appendix D provides the locations of the r, g, and i Greenway Overlays, the Cascade Station, Portland International Airport, and Swan Island Planning Districts, and the c and p Zoning Overlays. Detailed zoning information can be found on Portland Maps at www.portlandmaps.com -> maps -> zoning.
 - b. Trees located in the following plan districts and overlay zones shall meet zoning exemptions for removal, or a permit and/or land use review from the Bureau of Development Services (503-823-7526) may be required prior to removal.
 - Plan districts: Cascade Station/Portland International Center Plan district; Columbia South Shore Plan District; Johnson Creek Basin Plan District; Portland International Airport Plan District; Rocky Butte Plan District; South Auditorium Plan District
 - Overlay zones: Environmental (c, p); Greenway (n, q, g, i, r); Pleasant Valley Natural Resources (v); Scenic Resource (s)

- c. Title 11 Table 40-1 (Appendix F) lists situations in which the zoning has specific allowances for tree removal without further review, as well as situations that need zoning review through a land use review or plan check process. The Bureau of Development Services can verify whether or not further review is needed through an early assistance process. See <http://www.portlandoregon.gov/bds/36648> for additional information on early assistance.
- iii. Street trees
 - a. Infill trees, i.e. self-sown trees that were not deliberately planted, that are on the Portland Plant List's [Nuisance Plants List](#) and 2 inches DBH or smaller may be removed without prior notice to Urban Forestry, reporting, or mitigation.
 - b. The City Forester may approve the removal of other street trees on a case-by-case basis. Removal may only be granted for trees that are dead or dying. Removal shall be requested by submitting an Inspection Request Form (Appendix K) to trees@portlandoregon.gov at least 4 weeks in advance of the anticipated removal timeframe. The City Forester may approve or deny the removal request or approve the removal with conditions. Mitigation (see 3.7.b.v) and reporting (see 3.7.b.vi) requirements apply.
 - iv. Port trees
 - a. The City Forester may approve the removal of regulated trees on properties owned by the Port of Portland (see 3.7.a for unregulated trees) on a case-by-case basis. Removal may be granted only if the tree is dead, dying, dangerous, a nuisance tree, or if the tree poses a documented safety or security risk, or wildlife hazard attractant risk including situations described within the Landscaping Standards section of the Portland International Airport Wildlife Hazard Management Plan (Appendix A) or as assessed by the Airport Wildlife Biologist in accordance with Title 14 of the Code of Federal Regulations, section 139.337 (14 CFR 139.337, Appendix J). Removal shall be requested by submitting an Inspection Request Form (Appendix K) to trees@portlandoregon.gov at least 4 weeks in advance of the anticipated removal timeframe. The City Forester may approve or deny the removal request or approve the removal with conditions. Public notice (3.7.b.iv), mitigation (3.7.b.v), and reporting (3.7.b.vi) requirements apply.
 - i. Removal of Port trees due to documented safety or security risk, or wildlife hazard attractant risk may only be approved within the Intermediate Zone, as described in the 2009 Portland International Airport Wildlife Hazard Management Plan (Appendix A).
 - v. Public notice
 - a. The public shall be notified at least two weeks in advance of the impending removal of healthy (i.e. not dead, dying, or dangerous) trees 20 inches DBH or greater by posting a sign on or near the tree, in a location visible to public passersby.
 - b. The sign shall state when and why the tree is being removed, that it is a permitted tree removal, how the removal is being mitigated, and contact information for the Port of Portland representative the public can contact regarding the removal.
 - vi. Mitigation

- a. Dead, dying, or dangerous trees that are removed under this permit shall be compensated by planting trees one-for-one.
- b. Port trees on the Nuisance Plants List shall be compensated by planting trees one-for-one.
- c. Port trees not addressed in 3.7.b.vi.a and b, above shall be compensated as follows: trees up to 20" DBH removed shall be replaced with two trees. Trees 20" or greater in DBH removed shall be replaced with four trees.
- d. Mitigation trees shall be planted by the next planting season (October to April) immediately following removal.
- e. Mitigation trees shall be planted on the same site as the removed tree wherever possible. When onsite mitigation is not possible, Port of Portland shall document the reason in their annual quantitative report (Appendix H) and shall instead plant the mitigation tree(s) within the same watershed.
- f. Trees planted for mitigation shall be monitored and guaranteed for three years and replaced in kind if they die within this timeframe.
- g. Mitigation unable to be met by tree planting shall be paid into the Tree Planting and Preservation Fund. Payment for each tree to be mitigated shall be the Fee in Lieu of Planting and Establishment for two inches per [Title 11 Trees Permit Fee Schedule](#). Mitigation payment shall be completed by the expiration of the permit.
- h. Mitigation in the form of paying a fee-in-lieu shall be made annually, at the time the Port of Portland submits its annual report (see Reporting 5.1).

vii. Reporting

- a. The following shall be reported according to the specifications of 5.1 Reporting:
 - i. The number, species, and DBH of trees removed under this permit, as well as the condition of the trees, reason for removal, and type of mitigation.
 - ii. The amount of money paid to the Tree Planting and Preservation Fund.
 - iii. The number, species, stock size, and location of trees planted as mitigation.

3.8 Planting

- a. Planting activities shall adhere to American National Standards Institute (ANSI) A300 *Planting and Transplanting Standards* and International Society of Arboriculture *Best Management Practices: Tree Planting*. Planting of trees in the City right-of-way (i.e. street trees) shall adhere to the City of Portland's [Street Tree Planting Standards](#).
- b. The locations and species of trees planted in the City right-of-way (i.e. street trees) shall be approved by the City Forester.
- c. Species selection

- i. Street tree species selected for planting shall be selected from the City's [Approved Street Tree Planting Lists](#) or approved by the City Forester.
- ii. Tree species selected for planting in environmental (c, p) or greenway (n, q, g, i, r) overlay zones shall be chosen from the Portland Plant List's Native Plants List.
- iii. Tree species selected for planting in the Portland International Airport Plan District and the Cascade Station/Portland International Airport Plan District shall conform to the standards in Titles 33.508 and 33.565 (Appendix E), respectively.
 - a. Tree species selected for planting shall be from the Airport Plant List section of the Portland Plant List.
- iv. Trees on the Portland Plant List's Nuisance Plants List shall not be planted.
- v. Species diversity requirements for trees planted as mitigation shall be consistent with Title 11.60.D.1:
 - a. When planting fewer than 8 trees per calendar year, they may all be the same species.
 - b. When planting between 8 and 24 trees per calendar year, no more than 40 percent of the total planted shall be of one species.
 - c. When planting more than 24 trees per calendar year, no more than 24 percent of the total planted shall be of one species.
- d. Trees planted shall conform to planting size specifications of table 60-1 of Title 11.60.020.B. Trees planted on Port properties shall be a minimum of 1.5 inches caliper for broadleaf trees or at least 5 feet in height for coniferous trees at the time of planting, trees planted in the City right-of-way shall be a minimum of 2 inches caliper for broadleaf trees or at least 5 feet in height for coniferous trees at the time of planting.
- e. Trees smaller than the standard size thresholds may be planted in areas maintained for natural resource functions and values only with prior approval of the City Forester.
- f. Plantings shall be monitored and guaranteed for three years and replaced in kind if they do not survive within this timeframe.
- g. Trees should be planted after adequate site preparation, such as invasive plant removal and control, has been implemented.
- h. Establishment success shall be monitored and planting strategies shall be re-evaluated if establishment success is low.
- i. Reporting
 - i. The following shall be reported according to the specifications of 5.1 Reporting:
 - a. The number, species, stock size, and location of all trees planted.

4.0 **COMMUNICATION:**

4.1 Port of Portland shall maintain accurate permit contact information with Urban Forestry.

4.2 **Port of Portland contact**

Matt Paroulek, Natural Resource Specialist
Address: PO Box 3529, Portland, OR 97208
Phone: 503-415-6685
Email: matthew.paroulek@portofportland.com

4.3 **Port of Portland representative**

Maureen Minister, Sr. Natural Resource Specialist
Address: PO Box 3529, Portland, OR 97208
Phone: 503-415-6682
Email: Maureen.Minister@portofportland.com

5.0 **QUALITY CONTROL AND REPORTING:**

5.1 **Reporting**

A qualitative and quantitative report shall be sent to Urban Forestry to trees@portlandoregon.gov once per year for the duration of the permit (see Appendix G and Appendix H). The completed reports shall be received no later than one month after the reporting period.

Mitigation in the form of paying a fee-in-lieu shall be due at the time the Port of Portland submits its annual report.

a. Reporting periods:

Date of permit issuance – June 30, 2019; report due by: August 1, 2019

July 1, 2019 – June 30, 2020; report due by: August 1, 2020

July 1, 2020 – June 30, 2021; report due by: August 1, 2021

July 1, 2021 – June 30, 2022; report due by: August 1, 2022

5.2 **Inspections**

Urban Forestry may inspect the permit activities to determine compliance with the conditions of the permit.

5.3 **Compliance**

It is the permit holder's responsibility to adhere to the terms of the permit. If the terms of the permit are not met, the permit holder shall be notified of the violation in writing and informed of the actions necessary to correct the violation(s). If the corrective actions are not undertaken within the specified timeframe, Urban Forestry may impose any or all of the following actions until the violation is corrected:

- Temporary work stoppage
- Revocation of the Programmatic Permit
- Denial of future Programmatic Permits
- Additional conditions imposed upon the activities permitted by the Programmatic Permit
- Enforcement penalties
- Civil penalties up to \$1000 per tree per day of violation
- Restoration fees imposed for trees found in violation.

5.4 Revisions

Urban Forestry may modify the specifications of the permit in order to respond to concerns, changes in regulations, or previously unforeseen issues. The permittee shall be notified at least three weeks in advance in writing of the intent to modify the permit and shall be provided an opportunity to comment on the proposed changes. The permittee shall also have an opportunity to appeal the permit if changes are made. Changes shall not go into effect until the permit is updated in writing.

6.0 RESOURCES:

ANSI A300 (Part 1)-2008 Pruning: Tree Care Operations: Tree, Shrub, and Other Woody Plant Management: Standard Practices (Pruning). Revision of ANSI A300 (Part 1)-2001. 2008. American National Standards Institute, Washington, DC.

ANSI A300 (Part 6)-2012: Tree Care Operations: Tree, Shrub, and Other Woody Plant Management: Standard Practices (Planting and Transplanting). Revision of ANSI A300 (Part 6)-2005. 2012. American National

Gilman, Edward and Sharon Lilly. *Best Management Practices: Tree Pruning, Second Edition*. 2008. International Society of Arboriculture, Champaign, IL.

Natural Areas Restoration Plan. 2010. Update: March 2015. City of Portland, Portland Parks & Recreation City Nature, Portland, OR. < <http://www.portlandoregon.gov/parks/article/323540>>

Portland Plant List. 2011. City of Portland, Bureau of Planning and Sustainability, Portland, OR. < <http://www.portlandoregon.gov/auditor/34460?a=322280>>

Portland Urban Forestry Management Plan. 2004. City of Portland, Parks & Recreation Urban Forestry, Portland, OR. < <http://www.portlandoregon.gov/trees/ufmp>>

Watson, Gary. *Best Management Practices: Tree Planting, Second Edition*. 2014. International Society of Arboriculture, Champaign, IL.

7.0 APPENDICES:

Appendix A - Portland International Airport Wildlife Hazard Management Plan, excerpted

Appendix B - Map of Port of Portland owned properties covered by programmatic permit

Appendix C - Maps of right of way areas managed by Port of Portland

Appendix D - Map of overlay zones and planning districts on Port of Portland property

Appendix E - Titles 33.508 and 33.565

Appendix F - Title 11 Table 40-1

Appendix G - Qualitative report template

Appendix H - Quantitative report template

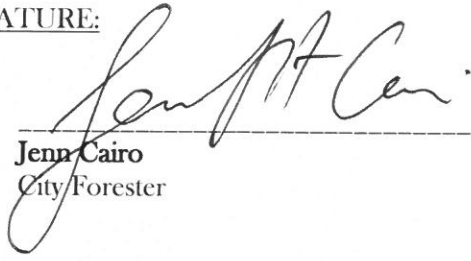
Appendix I - Port of Portland Perimeter Fence and Runway Protection Zones

Appendix J - 14 CFR 139.337

Appendix K - Inspection Request Form

8.0 SIGNATURE:

By:


Jenn Cairo
City Forester

Date:

7/1/18