



City of Oregon City

625 Center Street
Oregon City, OR 97045
503-657-0891

Meeting Agenda Natural Resources Committee

Wednesday, September 12, 2012

7:00 PM

City Hall, Commission Chambers

1. Call To Order
2. Approval of the Minutes
3. Public Comments
5. New Business/Discussion Items
 - a. [12-106](#) Election of Vice-Chair of the Natural Resources Committee

Staff: Pete Walter and Tony Konkol
 - b. [12-105](#) Natural Resources Committee Applicant Interviews

Staff: Pete Walter and Tony Konkol

Attachments: [2012 Interview questions](#)
[Sha Spady NRC Application 08-22-12](#)
[Douglas DeHart NRC Application 11-18-2011](#)
 - c. [12-104](#) Heritage Tree Nomination for Black Walnut in Alley at 713 Polk Street

Staff: Pete Walter and Tony Konkol

Attachments: [Staff Memo and Recommendation](#)
[Attachment 1: Heritage Tree Nomination](#)
[Attachment 2: Street Tree Removal Application](#)
[Attachment 3: Tree Risk Assessment](#)
6. Communications
7. Future Agenda Items
8. Adjournment

Public Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.

- *Complete a Comment Card prior to the meeting and submit it to the staff member.*
- *When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone.*
- *Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer at the dais.*
- *As a general practice, Oregon City Officers do not engage in discussion with those making comments.*

Agenda Posted at City Hall, Pioneer Community Center, Library, and City Web site(oregon-city.legistar.com).

Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at www.orcity.org and is available on demand following the meeting.

ADA: City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City staff member prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.



City of Oregon City

625 Center Street
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Staff Report

File Number: 12-106

Agenda Date: 9/12/2012

Status: Agenda Ready

To: Natural Resources Committee

Agenda #: a

From: Pete Walter and Tony Konkol

File Type: Report

SUBJECT:

Election of Vice-Chair of the Natural Resources Committee

RECOMMENDED ACTION

Elect a new Vice-Chair.

BACKGROUND:

Pursuant to Article V of the NRC Bylaws - Officers and Staffing:

Officers: The Officers shall consist of a Chair, a Vice-Chair and a Secretary, who shall be selected by the membership and serve at the pleasure of the membership for one-year terms. Nominations and elections of new officers shall be taken from the floor at the Committee's first meeting of each calendar year. Officers may be re-elected. In the event that an Officer is unable to complete the specified term, a special election shall be held for the completion of the term.

1. Chair: The Chair shall have general supervisory and directional powers over the Committee. The Chair shall preside at Committee meetings and review agendas with the staff liaison. The Chair shall be the designated spokesperson for the Committee unless this responsibility is delegated to another party. The Chair shall be an ex-officio member of all subcommittees.

2. Vice-Chair: *In the absence of the Chair, the Vice-Chair shall have general supervisory and directional powers over the Committee, preside at Committee meetings, review Committee agendas with the staff liaison, and generally conduct all business delegated to the Chair.*

3. Secretary: The Secretary shall take minutes for each of the regular meetings and work sessions. The Secretary shall provide staff with the signed minutes for staffs retention of the public record. Additionally, the Secretary shall provide staff with an electronic version of the minutes for posting on the City's web site.



City of Oregon City

625 Center Street
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Staff Report

File Number: 12-105

Agenda Date: 9/12/2012

Status: Agenda Ready

To: Natural Resources Committee

Agenda #: b

From: Pete Walter and Tony Konkol

File Type: Report

SUBJECT:

Natural Resources Committee Applicant Interviews

RECOMMENDED ACTION:

Conduct Interviews with applicants for NRC membership. Interview questions are attached. The committee should allow about 15 minutes for each interview, asking the same questions of all applicants and then allowing a little time for some discussion. Final appointments will be made by Mayor Neeley at the next City Commission meeting.

BACKGROUND:

There is currently one open position on the Committee. Staff has received applications from Sha Spady and Douglas DeHart (Attached).

Questions for Natural Resources Committee Applicant Interviews

1. Why are you applying for a position on the Natural Resource Committee?
2. What is your background in Natural Resources?
3. Have you previously served on an appointed advisory Committee? What was the most rewarding part of the position? The most frustrating?
4. What types of projects do you feel the Natural Resources Committee should work on? Would your answer change if budget constraints were included in your analysis? What if funding was not an issue?
5. Other questions from the Committee...

Recommended Interview Time Limit is 15 minutes per Interview.
Please respect time limits.

Today's Date:

8/16/2012

City of Oregon City
APPLICATION FOR APPOINTMENT

Please print or type

May attach resume



Board or Commission Applying For:

NATURAL RESOURCE COMMITTEE

PERSONAL INFORMATION:

Name	Sha Spady	How long in Oregon City?	25 YEAR +
Street	17855 Alden St,	City/State/Zip	Oregon City, OR 97045
E-mail address	sha-z@earthlink.net	Home phone	(503) 650-1195
		Cell phone	503 913-2949

EMPLOYMENT:

Current Employer Name/Address		
OAK GROVE DISPOSAL CO., INC.		
Position	How long?	Work Phone
PRESIDENT	20 YRS	(503) 654-6118
Work Experience		
LANDSCAPE GARDENING, RIPARIAN RESTORATION, BUSINESS MGMT		

EDUCATION:

Years Completed	Degrees
COLLEGE	BA - ENGLISH LIT
Colleges	
OSU PITZER COLLEGE ACC UNIVERSITY OF THE AMERICAS	
Certifications	

COMMUNITY INVOLVEMENT:

Describe volunteer activity within this or other communities
Various planning & sustainability-related committees & group-related environmental activities. ENVIRONMENTAL LEARNING CENTER BOARD OF DIRECTORS DEQ WATER POLICY ADVISORY COMMITTEE CLACKAMAS COUNTY GREEN RIBBON COMMITTEE - SUSTAINABILITY POLICY & CODE DEVELOPMENT FRIENDS OF NEWELL CREEK CANYON - PRESERVED LAND IN N.C. CANYON PREVIOUS MEMBER O.C. NAT. RESOURCE COMM.
Do you presently serve on a City board or committee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, which board or committee?

INTEREST STATEMENT:

Explain your interest in this board/committee and why you think its issues are important

I'm interested in creating codes & policies that ~~the~~ ^{protect} the most sensitive aspects of our geological, ecological & hydrological systems. Managing storm water. Good night, WASHINGTON - RIPARIAN CONSERVATION. LIVING HARMONIOUSLY w/ THE NATURAL ELEMENTS THAT SUPPORT US. BEING PRACTICAL.

List any relevant experiences, skills, or interests that have helped to prepare you for a position on this board or committee.

my LIFE.

Additional information

Membership on City advisory boards, committees and commissions are open to all interested citizens subject to the qualifications determined by each individual committee, board and commission as necessary for the conduct of its business. There shall be no discrimination of applicants based on race, color, religion, sex, age, national origin, physical or mental disability, marital status, familial status, status as a Vietnam-era or special disabled veteran, or membership in any other group protected by law in accordance with applicable federal, state and local laws. The City of Oregon City encourages participation in its affairs by all people, especially those who are represented in public involvement.

NOTE: Oregon City Ordinance No. 01-1031 establishes a criminal history record check for public service volunteers and is determined by the City Manager based on the duties and responsibilities of the position or public safety. If you are chosen for this position, you may be required to complete the background check form.

Most advisory boards, committees and commissions require meeting at least once a month and the meeting hours may be evening or day depending on the committee. Some committees also require some investment of time outside of the meetings. Interested applicants are encouraged to attend a meeting of this commission prior to interviewing to serve.

The information requested herein becomes public record upon submittal. A written request to not disclose certain information may be submitted to the City Recorder's Office for consideration.

I certify that the foregoing information is true and correct.

Sha Spady
Signed (Applicant)

8/17/2012
Date

For Office Use Only

Date Received: _____

Date Appointed: _____

Term assigned: _____

Web site updated: _____

Nancy Ide

From: dknoll@orccity.org on behalf of Board Applications [web@orccity.org]
Sent: Friday, November 18, 2011 3:20 PM
To: Nancy Ide
Subject: Form submission from: Application for Appointment

Submitted on Friday, November 18, 2011 - 3:20pm Submitted by anonymous user: [65.102.52.227]
Submitted values are:

Board or Commission Applying For: **Natural resources Committee**

--Personal Information--

Name: **Douglas A DeHart**
Address: 915 Clearbrook Dr, Oregon City, OR 97045
Home Phone: 503-701-4578
Cell Phone: 503-701-4578
Email Address: ddehart@onemain.com
How long have you lived in Oregon City? 12 years

--Employment--

Current Employer Name/Address:
retired U.S. Fish & Wildlife Service

sole proprietor
Coffee Creek Bioscience
915 Clearbrook Drive
Oregon City, OR 97045
Position: sole proprietor
How long? 3 years
Work Phone: 503-701-4578
Work Experience: professional fishery biologist - 35 years
experience

--Education--

Colleges: Harvard University, Oregon State University, University
of Washington
Years Completed: 11
Degrees: BA, MS, PhD
Certifications:

Describe volunteer activity within this or other communities:

previous member - Beaumont-Wilshire Traffic Committee Current member - Oregon Fish Passage
Task Force Do you presently serve on a City board or committee: No If yes, which board or
committee?

Explain your interest in this board/committee and why you think its issues are important:
Strong committment to urban open spaces and urban biological diversity List any relevant
experiences, skills, or interests that have helped to prepare you for a position on this
board or committee: Experience organizing advisory groups and development of natural resource
plans Additional information:

Submit a Resume (optional):

http://www.orccity.org/sites/default/files/webform/resumes/dehart_resume_06-08-11.doc

I certify that the foregoing information is true and correct: Yes

Note:

**Douglas Alan DeHart
915 Clearbrook Drive
Oregon City, OR 97045
503-701-4578**

A certified fishery scientist with over 35 years of progressively responsible experience in fisheries research and management. I have extensive experience in policy, scientific, and technical positions with management agencies charged with conservation and enhancement of aquatic resources in the Pacific Northwest. I am the principal of Coffee Creek Bioscience, a small consulting firm involved in design and evaluation of fish restoration, passage, and propagation projects in the Western States.

Work Style

I work well in technical and management team settings. I am comfortable with extensive contacts with members of the public, public interest groups and all levels of government agencies and legislative bodies. I am goal-oriented and inspire cooperation and enthusiasm from others.

Professional Skills

Fishery Science

I understand experimental and sampling design, data analysis methods, life history and physiology of freshwater and marine fishes, habitat assessment techniques, conservation genetics, methods of aquatic population management, and fishery harvest allocation. I have extensive experience in fishery bioengineering including fish ladders, fish screens, and hatcheries. Special familiarity with the biology and behavior of salmonids and other native fish species in the Western States.

Program Management

I am skilled at designing and implementing complex research and management programs involving planning, budgeting, personnel, and legislative liaison responsibilities. I am experienced at leading and managing large programs with dispersed field offices, multiple missions and responsibilities, and extensive public involvement requirements.

Education

I have taught college level courses in fishery biology, aquatic ecology, and statistics. I am skilled at presenting complex concepts in ways that are understandable to diverse audiences. I enjoy working with students and trainees as an educator and mentor.

Accomplishments

Designed the review process and co-lead the team which applied hatchery reform concepts and developed implementation measures for federal fish hatcheries in the Northwest states.

Developed and implemented a large cost-shared federal partnership program to provide fish passage and fish screens at public and private water diversions in the Northwest.

Lead the team which designed and implemented a Wild Fish Management Program for the state of Oregon.

Put in place fishery management plans for major drainage basins in Oregon including natural production plans for waters co-managed with Oregon Indian Tribes.

Lead the development of the fish elements of the Oregon Plan for the Restoration of Salmon and Watersheds.

Developed fishery restoration measures for Columbia River basin salmon and steelhead populations including turbine screening, surface collectors, river flow management, and species reintroductions.

Developed and negotiated mitigation programs and settlement agreements for FERC-licensed hydroelectric projects in eastern Washington including Rock Island and Wells Dams.

Planned, coordinated, and managed a fish passage research program for the lower Columbia River hydroelectric dams.

Developed and evaluated mitigation measures for hydroelectric projects on the Rogue and Columbia Rivers including Lost creek, Applegate, John Day, McNary, and Bonneville Dams.

Current Projects

Technical and advisory support to Pacific States Marine Fisheries Commission for reviews of state and federal fish hatchery programs in central and northern California (HSRP Reviews).

Member of an expert panel for the City of Portland involved in the review of mitigation and mitigation banking strategies in the lower reach of the Willamette River

Member of an advisory group overseeing the development and prioritization of fish passage projects for the State of Oregon, Department of Fish and Wildlife

Scientific advisor to the Northwest Sportfishing Industry Association

Technical advisory to AquaGen Fishways involved in the development of innovative fishway designs

Recent Reports

Co-author of extensive series of technical reports on federal fish hatchery programs in the Northwest states

<http://www.fws.gov/pacific/Fisheries/Hatcheryreview/reports.html>

Authored technical review of scientific basis for Klamath Basin Restoration Agreement for Southwest Region, USFWS

Experience

2009 to present	<p>Coffee Creek Bioscience Principal Owner/operator of a small biological consulting firm specializing in fisheries management, fish passage, and fish hatchery reform issues.</p>
1999 to 2009	<p>U.S. Fish and Wildlife Service, Pacific Region. Portland, OR Fish Technology Team Leader Senior technical program manager for development of programs and policies for conservation, restoration, and enhancement of fishery resources in the western states.</p>
1995 to 1999	<p>Oregon Department of Fish and Wildlife, Portland, OR Fish Division Director Directed all statewide fishery program of the Department including freshwater and marine fishery management, fishery research, hatchery operations, and fishery engineering. Administered an annual budget of \$55 million and oversaw a staff of 650 at 60 headquarters and field stations. Oregon designee, North Pacific Fishery Management Council.</p>
1994 to 2001	<p>Marylhurst University, Portland, OR Instructor, Department of Science and Mathematics Part-time instructor in aquatic biology and ecology. Developed and conducted courses and seminars in</p>

freshwater and marine ecology, statistics, and natural resource management for undergraduate and master's level students.

- 1990 to 1995 Oregon Department of Fish and Wildlife, Portland, OR
Assistant Chief of Fisheries
Lead and managed freshwater fishery programs for the Department including 246 positions and an annual budget of \$15 million. Represented the Department in various public and inter-agency forums.
- 1980 to 1989 National Marine Fisheries Service, Portland, OR
Chief of Fishery Operations Branch
Supervised an inter-disciplinary team of 15 biologists, engineers, and technicians responsible for planning and evaluation of anadromous fish protection and production programs and facilities in the Pacific Northwest.
- 1975 to 1980 U.S. Army Corps of Engineers, Portland, OR
Assistant Chief of Environmental Resources Branch
Managed Portland District fishery research program, designed and reviewed mitigation programs, prepared assessments of impacts of water development projects.
- 1974 to 1975 Oregon State Game Commission, Gold Beach, OR
Aquatic biologist
Leader of research subproject to assess effects of flow and temperature modifications on populations of adult salmonids in the lower Rogue River.

Education

University of Washington, Seattle, WA
Ph.D., September 1981 to March 1987
Major: Fisheries Science
Minor: Quantitative Science

Oregon State University, Corvallis, OR
M.S., January 1971 to August 1974
Major: Fisheries Science
Minor: Oceanography

Harvard University, Cambridge, MA
B.A., September 1964 to June 1968
Major: Biology
Minor: Anthropology

Military Service

U.S. Army, September 1968 to September 1970
Artillery fire direction, RVN 1969 -1970

Professional Societies

American Fisheries Society
State and National member, 1972 to present
Certified Fishery Scientist since 1983

Personal Interests

Am an avid sailor and large powerboat operator

Enjoy hiking, fishing, camping, skiing, and a broad range of outdoor activities

Avid traveler with extensive personal and professional contacts in the Russian Far East

References

Dr. Donald Campton, senior scientist, US Fish & Wildlife Service, 503-231-2386

Dr. Carl Shreck, Leader, Oregon Co-operative Fish and Wildlife Unit, Oregon State University, 541-737-1961

Mark Chilcote, conservation biologist, National Marine Fisheries Service, 503-231-2178

Dan Diggs, Assistant Regional Director for Fishery Resources, USFWS (retired), 503-524-5597



City of Oregon City

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Staff Report

File Number: 12-104

Agenda Date: 9/12/2012

Status: Agenda Ready

To: Natural Resources Committee

Agenda #: c

From: Pete Walter and Tony Konkol

File Type: Report

SUBJECT:

Heritage Tree Nomination for Black Walnut in Alley at 713 Polk Street

RECOMMENDED ACTION (Motion):

Staff does not recommend approval of the nomination.

BACKGROUND:

Please see attached Memorandum and three Attachments.

BUDGET IMPACT:

Amount:

FY(s):

Funding Source:



MEMORANDUM

To: Natural Resources Committee
From: Pete Walter, AICP, Associate Planner
Re: Heritage Tree Nomination – 713 Polk Street
Date: September 6, 2012

Background

The purpose of this memorandum is to analyze and provide findings regarding the criteria for designation as a heritage tree pursuant to OCMC [12.08.040 - Heritage Trees and Groves](#). Staff's conclusion and recommendation to the NRC follows the code analysis.

On June 11, 2012, the owner of the property at 713 Polk Street, Mr. Marshall Beck, applied for approval of a Street Tree Removal Permit for a large black walnut tree growing in the alley next to Mr. Beck's side property line. As required by code, with the application Mr. Beck also submitted an arborist report prepared by Luke Miller, Certified Arborist PN-1274, determining that the tree is hazardous (Attachment 2).

On June 11, 2012, planning staff received a heritage tree nomination for the same black walnut tree. The nomination was submitted by Mary Kenny Norville of 712 Polk Street (Across the street from Mr. Beck). The nomination request includes an arborist report prepared by Clint London, Certified Arborist PN-1008, that states the tree is "very healthy" and shows little decay (See Attachment 1). The nomination also includes other documentation in support of the heritage tree designation.

Following receipt of both applications, the Planning Division obtained a separate Tree Risk Assessment from Terrence P. Flanagan, Board Certified Master Arborist, in order to provide further information about the tree and to determine whether the tree is currently a hazard (Attachment 3). Based on his analysis Mr. Flanagan has determined that the tree does not constitute a hazard at this time, and Staff concurs with his report. Please review Attachment 3.

Please Note: The application for tree removal may not be processed until a decision is made regarding the heritage status of the tree. Pursuant to OCMC 12.08.035, a non-diseased, non-hazardous street tree that is removed shall be replaced in accordance with the OCMC Table 12.08.035. In this case, the tree measures greater than thirty-one inches (31") in diameter at breast height (DBH), therefore, if it is removed, it must be replaced with a minimum of eight (8) trees, or



the owner may pay fee-in-lieu of planting (current fee per the fee schedule = \$290 / mitigation tree).

Per code, abutting property owners are responsible for the health and maintenance of trees growing in the public right-of-way. While this tree is not a “Street Tree” in the formal sense, it is growing in the public right-of-way of the alley between 713 and 711 Polk Street, and therefore is subject to permitting requirements specified in the city code.

Existing Conditions

A site description is provided at the bottom of Page 3 of Attachment 3. The tree in question is located on the southwest side of the residence at 713 Polk Street, Oregon City, Oregon. On the southwest side of the tree is a hard packed, gravel driveway that serves the house to the southwest, 711 Polk Street and the property to the northwest. Both houses were built early in the 20th century over 75 years ago. It appears that the gravel drive has been there for years. The home at 713 Polk Street was originally built in 1935 and went through extensive remodeling in 2006 to 2008 that added the second floor to the residence causing it to appear to be new construction. As far as the arborist is aware, the original foundation foot print of the house has not expanded beyond the original location, although a second story was added recently. 711 Polk Street was built in 1910 and also has had no alteration to its foot print. Mr. Flanagan concludes that it is unlikely the tree existed prior to the home at 713 Polk being built there.

Description of Tree

(Excerpted directly from Attachment 3)

The black walnut measured 47 inches in diameter. It splits into naturally formed co-dominant leaders at approximately 12 feet. The tree’s health is considered to be in good condition. The tree’s structure is the main concern in regard to the tree risk assessment. It appears that the tree has either been severely cut back or severely damaged in the past. As a result of the severe cut back/damage that occurred, numerous leaders have arisen at two levels in the tree. The height of the first level of where the tree was cut back to is approximately 25 feet. Four to six leaders have arisen from this point from the larger co-dominant leader.

The next point where the tree was severely cut back to is approximately at 30 feet. 10 to 12 new leaders have arisen from that point. The south leader of the tree also appears to have been cut back at the same levels resulting in multiple new leaders also forming at the two levels. As the leader is



smaller, not as many leaders have formed. There have been multiple branches cut from the main trunk and leaders that all show good response growth around the edges of the cuts. Also the cuts themselves do not show any advance decay. The height of the tree is estimated to be 60 to 70 feet tall.

Risk Rating

Mr. Flanagan used two techniques to rate the hazard risk of the tree, which are described in detail in his report.

(Excerpted directly from Attachment 3)

Both tree risk rating assessment processes resulted in an overall risk rating of **moderate**. This means that the tree or its parts are not expected to be in danger of failing anytime soon nor if they did fail cause severe damage. The risk rating indicates that there are well defined defects in the black walnut. However the defects are not serious enough to warrant removal of the tree at this time. The risk rating indicates a moderate risk rating. The tree should be monitored for any changes in its condition. If such changed occur, the risk rating should be redone.

Heritage Tree Review Criteria – 12.08.040 - Heritage Trees and Groves. (D)

Below, staff has analyzed the heritage tree nomination for compliance with the criteria for heritage designation and prepared findings to support staff's recommendation. The Natural Resources Committee may choose to agree or disagree with staff's recommendation.

D. Criteria.

1. The city commission may designate a tree or grove as a Heritage Tree or Heritage Grove if the commission determines that the following criteria are met:

a. The tree or grove is of landmark importance to the City of Oregon City due to age, size, species, horticultural quality or historic importance; or

Analysis: The nomination includes a 2006 letter to Bob Nelson, former NRC member, from Mrs. Gerlinde Bauer (now deceased) that includes the following statement: "The only historical significance we know about the tree is my daughter once found an Oregon City minted Beaver Gold Coin on our lot, near the tree." The letter goes on to describe the importance and value of black walnut in the wood products industry, however this does not in staff's opinion relate to the



“landmark importance” specified in this criterion. The remaining factors related to criterion (a) are discussed below.

Age: The tree is estimated to be approximately, 75-80 years old, but could be older, although it is unlikely. Staff does not consider the tree very old.

Size: The tree’s diameter is 47” inches and the height is approximately 60-70 feet tall. According to the Oregon State University Horticulture Department website for landscape plants (<http://oregonstate.edu/dept/ldplants/juni.htm>), mature black walnut trees typically grow to 50-75 feet tall and may grow as large as 125 feet tall. The subject tree is clearly a large specimen for an urban black walnut. However, the size of a tree should not be the sole factor in this analysis.

Species: The black walnut (*Juglans nigra*) is not a native species in Oregon. According to the USDA-PLANTS database (<http://www.plants.usda.gov/java/>), the species is concentrated in the east. The species is fairly prevalent in the Willamette Valley. It is considered susceptible to “Thousand Cankers” disease in this range and in the west. The US Forest Service article below states that “*Black walnut (Juglans nigra L.) is native to eastern North America, and is distributed from New England and the Appalachian Mountains west to the Great Plains, and from the Canadian border south into Texas and the Florida panhandle (3). It has been widely planted west of its native range as an ornamental and nut tree. In the early 1990s black walnut mortality was observed along the front range of the Wasatch Mountains in Utah (Diane Alston, Utah State University, personal communication) as well as at sites in the Willamette Valley in Oregon.*” (http://www.fs.fed.us/psw/publications/seibold/psw_2010_seibold008%28tisserat%29.pdf)

Horticultural quality: Assessment of horticultural quality is a subjective factor and it is not clear what the term means or how it should be used in this assessment. As far as condition goes, the tree is healthy, but has been badly pruned (topped) resulting in numerous secondary branches sprouting from the topped limbs (See reports). Ecologically, walnuts provide food habitat and cover for a variety of wildlife. Without further analysis, staff cannot determine whether this particular black walnut tree displays better horticultural quality compared to other black walnut trees in Oregon City or elsewhere.

Historic Importance: The tree is not listed as significant on any historical records, locally or by the County or by the State of Oregon. The property at 713 Polk Street is not within the McLoughlin Conservation District and the property is not a designated historic landmark. The reference to the Beaver Gold Coin being buried “near the tree” is interesting; however the reference is entirely anecdotal and does not render the tree to be historically significant.

Finding: Does not comply. Taken together, the above factors do not, in Staff's opinion, support assigning landmark importance to the tree.

b. It is listed as a State Heritage Tree, as designated by the state division of forest resources; or

Finding: Does not comply. The tree is not listed as such by the Oregon Department of Forestry.

c. It is a rare species, or provides a habitat for rare species of plants, animals or birds; and

Finding: Does not comply. The tree is not rare as defined by the 2012 Oregon threatened and endangered species list (<http://orbic.pdx.edu/documents/2010-rte-book.pdf>), and there is no documentation that this tree provides habitat for any threatened or endangered species of plants, animals or birds.

d. The tree is not irreparably damaged, diseased, hazardous or unsafe, or the applicant is willing to have the tree treated by an arborist and the treatment will alleviate the damage, disease or hazard;

Finding: Does not comply. Although the tree is not diseased, imminently hazardous or unsafe at this time, at least two arborists have noted that improper pruning of the tree may render future growth unstable and advised that proper pruning techniques could be employed to alleviate future hazard. The abutting property owner has no interest in preserving the tree and is unwilling to have tree treated by an arborist in order to accomplish this goal, and the city does not currently have the staff or resources to take on the task for the owner. Staff considers willingness by the owner to participate in the heritage program a critical factor. Therefore, staff does not find this criterion to be met.

Conclusion and Recommendation

Based on analysis of the submitted information, Staff finds that the heritage tree nomination does not substantially comply with the criteria for designation in OCMC [12.08.040 - Heritage Trees and Groves](#). Staff therefore does not recommend that the black walnut tree at 713 Polk Street be designated as an Oregon City Heritage Tree at this time. The Natural Resources Committee may choose to agree or disagree with staff's recommendation. If the NRC determines that the tree should be designated, the nomination will be forwarded to the City Commission for final action.

**Attachments:**

1) Heritage Tree Nomination submitted by Mary Norville with Arborist Report prepared by Clint London, Certified Arborist PN-1008.

2) Public Street Tree Removal Application submitted by Mr. Marshall Beck with Arborist Report prepared by Luke Miller, Certified Arborist PN-1274.

3) Tree Risk Assessment on Black Walnut (*Juglans nigra*), 713 Polk, Oregon city, Oregon, August 3, 2012, prepared by Terrence P. Flanagan,

ISA Board Certified Master Arborist, #PN-0120 BMT

PNW/ISA Board Certified Tree Risk Assessor, #PN-0152

Member, American Society of Consulting Arborists

712 Polk St.
Oregon City, 97045

June 11, 2012

Peter Walter, AICP, Associate Planner
City of Oregon City
625 Center St.
Oregon City, OR 97045

Re: Heritage Tree nomination of American Black Walnut in alley between 711 and 713 Polk St.

Dear Mr. Walter:

On June 8, 2012 at approximately 12:30 pm, I came home from work unexpectedly. I saw a young man standing in the middle of Polk St. directly in front of our house with a clip board and a digital camera. He was taking photographs of the American Black Walnut tree located in the alley that runs between the tax lots 2-2E-32BC-11900 and 2-2E-32BC-1200. When I enquired as to what he was doing, he said Mr. Marshall Beck had contacted his company, Golby Walnut (<http://www.gobywalnut.com/>) to price out the board lumber that would be harvested from this tree. I informed him the tree was on city property. He said Mr. Beck assured him he had the proper permit. He said, while not a certified arborist, he thought the tree looked very healthy. He stressed that his company doesn't cut trees down; they only haul the lumber away once it is on the ground. He quoted the value of the wood at approximately \$2,000. He also voiced his concern that the tree was outside Mr. Beck's property line. He referenced a recent unfortunate incident where they were called in to collect Black Walnut lumber from a tree that had been cut down by a man on property not belonging to him. This speaks to the monetary value of the wood and that poaching in this area is not a rare occurrence.

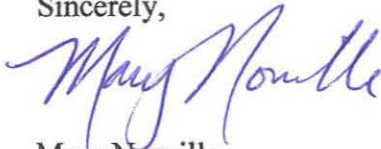
Shortly after this discussion I called code enforcement at the city. An officer was sent out to speak with Mr. Beck. While on the telephone with you, perhaps around 2:00pm, Mr. Beck appeared at my door, furious. He told me to stay out of his business and that the tree was coming down. I reminded him it wasn't his tree, but again he stated the tree was coming down.

Please review the letter dated October 19, 2006. As you can see, this is not a new dilemma. I have been worried about Mr. Beck re-instigating this action since our neighbor Gerlinda Bauer died in 2009 and her daughters are no longer maintaining the house.

I am nominating this tree as a heritage tree and would hope that the 1849 Beaver Gold coin found at its base in 1970 by Linda Bauer alone would establish its historical significance. I have attached a document with information on the Beaver Gold coin and have arranged for an ISA certified arborist from Urban Jungle Professionals to evaluate the tree, today, June 11th, at 5:00pm. I will notify you as soon as I follow-up with his evaluation and further research into the historical value of the preservation of this tree.

The critical timeliness of this request has required this letter to be delivered without the level of detail I would like to provide. I will follow-up when further information has been made available. Please contact me with specific questions, otherwise I will pursue information to support the tree's health and viability, historical significance and the need to conserve this magnificent natural resource to help preserve and enhance our ecosystem and open space.

Sincerely,



Mary Norville
712 Polk St. resident

CC:

Tony Konkol, Community Development Director
Larry Potter, Parks and Recreation
Tim Powell, McLoughlin Neighborhood Association President
Nancy Busch, Code Enforcement Manager

In Support:

Linda B. Downing, 1318 15th St. Oregon City, OR 97045
Diana L. Bauer, 1320 15th St. Oregon City, OR 97045
J.Paul Hamilton, 1320 15th St. Oregon City, OR 97045



OREGON CITY

Community Development Department

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

HERITAGE TREE NOMINATION FORM (CITY-OWNED PROPERTY)

(PLEASE USE ONE FORM PER TREE OR GROVE)

OCMC 17.04.1365 - Tree (or Grove), Heritage. "Heritage Tree" or "Grove" means a tree or group of trees that have been designated by the city as having unique importance, and subject to the Heritage Tree Regulations of Section 12.08.040. Where a grouping of two or more Heritage Trees is separated by no more than twenty feet on a property or properties, the term Heritage Grove may be used.

OCMC 12.08.040.B.1. If the proposed Heritage Tree or Grove is located on city property or public right-of-way under city jurisdiction, the recommendation shall be submitted to the community development director. The community development director shall submit the recommendation to the city commission.

Site Address: The alley between 711 and 713 Polk St.

Clackamas County Map and Tax Lot: Between 2-2F-32BC-11900 and 2-2F-32BC-12000

Nominator(s):

Nominator(s) Signature: Mary Kenny Norville

Nominator(s) Name Printed: Mary Kenny Norville Date: June 11, 2012

Mailing Address: 712 Polk St. Oregon City 97045

Phone: (503)657-6602 Fax: (503)970-6841 Email: mnorville4@comcast.net

City Property Information:

Listed Property Owner: Oregon City

HERITAGE IMPORTANCE: Please explain why the tree(s) qualify for heritage tree or grove status pursuant to the heritage tree or grove definition in the city code above. Please add a separate attachment if needed.

In 1849 58,000 dollars in gold coin were minted in Oregon City by the Oregon Exchange Company. These coins earned their name, Beaver Money, because of the image stamped on the coin.

In 1970 one of these coins was found at the base of this American Black Walnut tree.

The coin was not minted after 1849 and most of the coins were hoarded by the exchange company thus making these coins extremely rare. One can only assume then that the tree is older than the state of Oregon.

TREE SPECIES AND SIZE

Tree	Species	DBH* (inches)	Height (ft)	Canopy Spread (ft)
1.	American Black Walnut	153"	70'	~50'
2.				
3.				
4.				
5.				
6.				

*DBH = Diameter at Breast Height, which is the diameter of the trunk measured 4.5' above the ground.



OREGON CITY

Community Development Department

221 Molalla Ave. Suite 200 | Oregon City OR 97045
Ph (503) 722-3789 | Fax (503) 722-3880

Tree	TREE CONDITION					
	<input checked="" type="checkbox"/> GOOD	<input type="checkbox"/> FAIR	<input type="checkbox"/> POOR	<input type="checkbox"/> DISEASED	<input type="checkbox"/> DYING	<input type="checkbox"/> DEAD
1.						
2.						
3.						
4.						
5.						
6.						

APPROVAL CRITERIA

- Is the tree or grove of landmark importance to the City of Oregon City due to age, size, species, horticultural quality or historic importance? **YES / ~~NO~~**
- Is the tree listed as a State Heritage Tree, as designated by the State Division of Forest Resources? **YES / ~~NO~~**
- Is the tree a rare species, or provides a habitat for rare species of plants, animals or birds? **YES / NO**
- Is the tree irreparably damaged, diseased, hazardous or unsafe? **YES / ~~NO~~**

"Hazardous or diseased tree" means a tree that has a naturally occurring disease that is expected to kill the tree or that presents a significant risk to life or property as determined by a certified arborist. An otherwise healthy tree that may become a hazard to a proposed future development shall not be considered a hazardous tree. Hazardous trees may include, but are not limited to dead, diseased, broken, split, cracked, leaning, and uprooted trees. A tree harboring communicable diseases or insects of a type that could infest and cause the decline of adjacent or nearby trees may also be identified as a hazardous tree.

- Is the applicant willing to have the tree treated by an arborist to alleviate any damage, disease or hazard? **~~YES~~ / NO**

☒ **SITE PLAN.** Please identify the location of the tree or grove on a site plan and attach.

☒ **PHOTOGRAPH.** Please provide a current photo of the tree or grove.

CONSENT TO FORWARD RECOMMENDATION TO CITY COMMISSION

Signature of Community Development Director

STAFF USE ONLY:

Oregon City Property Report

Taxlot: 2-2E-32BC-11900

This report was generated by querying address: 711 POLK ST

Report generated 06/11/2012



City Limits
UGB



Taxlot 2-2E-32BC-11900 highlighted in blue

Aerial Photos 2009 shown

Taxlot Information

Taxlot #: 2-2E-32BC-11900
Site Address: 711 POLK ST
OREGON CITY
OR 97045
Parcel Acres: 0.13
Twn/Rng/Sec: 02S 02E 32
Ref. Tax Map: 22E32BC

Planning Designations

Zoning: MUC1
Zoning Description: MIXED USE CORRIDOR DISTRICT
Comprehensive Plan: MUC
Comp. Plan Description: MIXED USE - CORRIDOR
Subdivision: NONE
PUD No. (if known): n/a
Neighborhood Assn: MCLOUGHLIN NA
Urban Renewal Dist: n/a
Historic District: n/a
Hist. Desig. Structure Dist: n/a

Values

As of: 2011-12-15
Land Value (Market): \$64,098
Building Value (Market): \$148,280
Net Value (Market): \$212,378

Overlay Information

In Willamette Greenway?: N
Geologic Hazards (Steep Slope)?: N
Slope Category (%): 0-25
In Nat. Res. Overlay District (NROD)?: N
In 1996 Floodplain?: N
In Historic District?: N
Historic Designated Structure?: N

Disclaimer: The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. Data errors and omissions may exist in map and report. This map is not suitable for legal, engineering, or surveying purposes. Please contact the City of Oregon City Planning Department to verify report information is complete and accurate.

To generate another property report, go to
http://maps.oregoncity.org/imf/text/viewPropertyReport/viewPropertyReport_Search.jsp

To access online mapping, go to OCWebmaps at
<http://maps.oregoncity.org>

City of Oregon City
P.O. Box 3040
625 Center St
Oregon City, OR 97045
Phone: (503) 657-0891
Fax: (503) 657-7892
Web: www.oregoncity.org



Oregon City Property Report

Taxlot: 2-2E-32BC-12000

This report was generated by querying address: 713 POLK ST

Report generated 06/11/2012



City Limits
UGB



Taxlot 2-2E-32BC-12000 highlighted in blue

Aerial Photos 2009 shown

Taxlot Information

Taxlot #: 2-2E-32BC-12000
Site Address: 713 POLK ST
OREGON CITY
OR 97045
Parcel Acres: 0.14
Twn/Rng/Sec: 02S 02E 32
Ref. Tax Map: 22E32BC

Planning Designations

Zoning: R3.5
Zoning Description: 3,500 DWELLING DISTRICT
Comprehensive Plan: MR
Comp. Plan Description: RESIDENTIAL - MEDIUM DENSITY
Subdivision: NONE
PUD No. (if known): n/a
Neighborhood Assn: MCLOUGHLIN NA
Urban Renewal Dist: n/a
Historic District: n/a
Hist. Desig. Structure Dist: n/a

Values

As of: 2011-12-15
Land Value (Market): \$67,231
Building Value (Market): \$85,330
Net Value (Market): \$152,561

Overlay Information

In Willamette Greenway?: N
Geologic Hazards (Steep Slope?): N
Slope Category (%): 0-25
In Nat. Res. Overlay District (NROD)?: N
In 1996 Floodplain?: N
In Historic District?: N
Historic Designated Structure?: N

Disclaimer: The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. Data errors and omissions may exist in map and report. This map is not suitable for legal, engineering, or surveying purposes. Please contact the City of Oregon City Planning Department to verify report information is complete and accurate.

To generate another property report, go to
http://maps.orcity.org/imf/ext/viewPropertyReport/viewPropertyReport_Search.jsp

To access online mapping, go to OCWebmaps at
<http://maps.orcity.org>

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As you can see
from this photo,
most of the tree
canopy falls in
the direction of the
alley and 711 Polk.
Mr. Beck has pruned
the tree already

several times, and
if there is any
hazard, it may be
because of his own
careless pruning.

Gerlinde F. Bauer
711 Polk Street
Oregon City, OR 97045
503 656 3765

City of Oregon City
Natural Resources Committee
P.O. Box 3040
Oregon City, OR 97045

October 19 2006

To: Bob Nelson, Chair of the Tree Subcommittee

CC: Alice Norris, Mayor
Larry Patterson, City Manager
Dan Drentlaw, Community Development Director
Betsy Torell, Chair for Natural Resources Committee (NRC)
Dave Prideaux, Vice-Chair for NRC
Jerry Herrmann, Member NRC
Kate McCutchen, Member NRC
Richard Craven, Member NRC
Pete Walter, AICP, Assistant Planner
Larry Potter, Park Operation & Facilities Manager

A portion of this Ordinance is included at the end of this message:
Ordinance No. 04-1009
Title 12 streets, sidewalks and public places
Chapter 12.08 Community Forest and Street Trees

This is in regards to the potential removal of a beautiful tree in between
my lot 711 Polk Street (taxlot 2-2E-32BC-11900)
and my neighbor 713 Polk Street (taxlot 2-2E-32BC-12000).

There is an American Black Walnut tree that is growing at the edge of a public through-way (alley) that runs down the middle of our block between our two properties.

I have just learned that my neighbor, Marshall Beck, has permission from the City to cut the tree down. The meeting minutes for the NRC on the orccity.org website are not kept up to date (last minutes posted are for March 2006), so I can't tell for sure if he has

succeeded in getting their permission but he told me he is going to cut it down and replace it with 2 smaller trees.

The tree in question appears to be well over a hundred years old. The trunk is at least 4 feet in diameter. We are just outside of the McLoughlin Conservation District, but the foundation of my home is over a hundred years old and we believe the tree and our house have been neighbors for that long. The only historical significance we know about the tree is my daughter once found an Oregon City minted Beaver Gold Coin on our lot, near the tree. But even if it can't be considered a Heritage tree, it is certainly not diseased, fractured, or causing injury by falling walnuts any more than all the other American Black Walnut trees in this city.

I believe my neighbor wants to remove this tree so he can reap tremendous financial benefit from the sale of the wood. This motive far outweighs any injury this tree could cause.

The wood from an American Black Walnut is highly valued. Large specimens are fast disappearing across the country because of people who want to profit from the sale of this very valuable wood.

Here is an excerpt from a document by Dr. T. Ombrello, UCC Biology Department:

~~"While their nuts are of interest~~ and of economic importance, the wood is by far the most valued part of this species. The early colonial settlers in America soon discovered the wood to be hard, yet soft enough to work easily. It is coarse grained, finishes well, absorbs shock, only shrinks slightly when dried, and resists decay. The outer sapwood of the trunk is white and not highly valued, but the inner heartwood is a rich dark chocolate brown of just about unsurpassed quality. It was valued then, and even today it is undoubtedly the most sought after native American wood. Used primarily for furniture, antique pieces may be of solid walnut. Today, because of its rarity and expense, Black Walnut is cut into thin (1/32 or 1/64 inch) sheets – veneers to be glued onto inferior wood for most walnut furniture. As in the past, Black Walnut is the wood to use for gunstocks. Black Walnut paneling is available but is quite expensive. Until it was replaced by synthetics, the wood was used for airplane propellers. Unfortunately, because the demand is so great, they are rare in nature, and their growing time is so long (a minimum of 60 years to get a reasonably large trunk), we cut many more Black Walnuts than are started. Buyers search out smaller and smaller trees as their value rises. Prices are ridiculous. A well grown, straight trunked, 200 year old tree can sell for tens of thousands of dollars. But, such a tree could yield enough black walnut veneer to cover nearly 3 acres. Black Walnut thieves are becoming common. Usually posing as tree surgeons, they appear when homeowners are away and make off with the trees in a matter of hours. Eight trees worth over \$50,000 were cut from a property in Michigan, and at least several Black Walnut thefts are reported annually in New Jersey. While not a danger of extinction, Black Walnut trees are becoming less common in the landscape."

(Taken from the world wide web on October 18 2005 from location

http://faculty.ucc.edu/biology-ombrello/POW/black_walnut.htm)

I am very upset that, according to my neighbor Marshall Beck, the City has given him permission to cut this tree down. He asked for permission to remove the tree based on public safety reasons, but I believe his primary motive is to sell the wood. He has said to me he plans to sell the wood and I know it is worth a great deal of money.

The tree is no danger to anyone and never has been. I have lived here for 48 years and no one has been injured because of the tree.

Marshall claims damage to his house paint because of the tree. How can that be when there is no damage to the paint on my house?

Marshall is in the middle of a remodel of his home. He had limbs on the tree cut back to make room for a second story addition. He did not have the tree cut down before the remodel - which would have afforded him more room to expand the building at ground level - so we believe his current motive is the financial gain and that isn't a good reason for this wonderful tree to be cut down. He is inflating stories about damage to his house paint and the possibility of injury due to falling walnuts as excuses to profit. He claims he cannot park his car beneath it - but the alley is not supposed to have cars parked in it anyway and the walnuts only fall for a short time period each year. Also, he just built a two car garage on his property a couple of years ago. He also claims the people who use the alley to go to the Four Square Church (7th and Harrison) could be injured - but they pass through the alley in their vehicles, not on foot - so they are not in danger.

The tree is old and beautiful but also very healthy. It is a pleasure to see. It also provides solar protection to our homes. It stands out in our neighborhood as a landmark. Large old trees help enhance the historic ambiance of the area.

Please reconsider your decision to allow removal of this great tree. The attached ordinance doesn't seem to support allowing this decision to be made. Large specimens of Black Walnut trees such as this one need to be protected from people who just want to cut them down to sell the wood.

Regards,
Gerlinde F. Bauer

In support:

Diana L. Bauer, 1320 15th St. Oregon City OR 97045

Linda B. Downing, 1318 15th St, Oregon City OR 97045

Mary Norville, 712 Polk St. Oregon City OR 97045

Excerpt from Ordinance No. 04-1009, taken from the World Wide Web on October 18 2006 from location

<http://www.orcity.org/meetings-agendas-calendars/documents/Packets/072104/CR04-141%20attach%201%20ORD04-1009%20combining%20NRC%20and%20Tree%20Ctte.pdf>

Title 12 streets, sidewalks and public places
Chapter 12.08 Community Forest and Street Trees

12.08.011 Definitions.

For the purpose of this chapter, the following apply:

"Hazard tree" means any tree or tree part that poses a high risk of damage or injury to property or people by failure or fracture.

"Heritage tree" means a tree of significant historical value so as designated by the city commission.

"Public trees" mean trees located on property designated as a public park and trees located in public right-of-way not defined as street right-of-way

"Street trees" mean trees located in a street right-of-way within the city. For the purposes of this chapter, street right-of-way includes the area between the edge of pavement, edge of gravel or face of curb, and the property line, depending on the circumstances.

"Tree" means a living standing woody plant having a trunk six inches in diameter or nineteen inches in circumference or more at a point four and one-half feet above mean ground level at the base of the tree.

"Tree topping" means the severe cutting back of limbs to stubs larger than three inches in diameter within three's crown to such a degree so as to remove the normal canopy and disfigure the tree (Ord. 01-1010 (part), 2001)

12.08.041 Public property tree maintenance.

The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs in the all public rights-of-way and public grounds, as may be necessary to insure public safety or to preserve and enhance the symmetry or other desirable characteristics of such public areas. The natural-resources committee may cause to be removed any tree or part thereof which is in an unsafe condition, or which by reason of its nature is injurious to above or below-ground public utilities or other public improvements. (Ord. 01-1010 (part), 2001).

12.08.042 Public tree removal.

Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the planning manager. Except for diseased trees, any tree that is removed shall be replaced with a similar caliper tree and species, unless the species is not included on the street tree list in which case, the tree shall be replaced with a species from the street tree list. If it is not practical to replace trees removed with like caliper trees, then the total sum of the newly planted trees shall equal the sum of removed tree caliper. The planning manager may approve off-site installation of replacement trees where necessary due to planting constraints. (Ord. 01-1010 (part), 2001)

Beaver Money

Readers should feel free to use information from the website, however credit must be given to this site and to the author of the individual articles.

Over fifty-eight thousand dollars in gold coin was minted in Oregon City by the Oregon Exchange Company in 1849 and is known as Beaver money.¹ The coins earned their name from the image of a beaver which was impressed on the obverse side of each coin. The production of these five and ten dollar pieces had the approval of both Oregon's provisional legislature and George Abernethy the provisional governor.² Unfortunately, the minting of this specie was problematic even from the outset.

Beaver money finds its origin in the aftermath of the California Gold Rush when hundreds of miners returned to Oregon bearing gold dust. Estimates put the value of the gold in Oregon at over two million dollars.³ The gold was not fungible, which is to say that it was hard to accurately weigh loose dust on scales that were not uniform - the gold needed to be minted in a solid recognizable form of consistent weight. Store owners were accused of rigging their scales to give them more than an ounce, and customers were sometimes guilty of mixing yellow sand in with gold to trick proprietors.⁴ Uncertainty about the purity of transaction gold placed the dust's value at anywhere from ten to sixteen dollars an ounce depending upon the store owner's decision.⁵

Joseph Lanes arrival as the first governor of the recently established Oregon Territory threw a wrench into the legislature's plan. Lane informed the provisional leaders (whose authority was now technically defunct) that their imprimatur on the production of coins was unconstitutional.⁶ Further complicating matters, Lane was informed of how Peruvian money, which was a common currency in early Oregon, was only worth fifty cents on the dollar at the Hudson's Bay Company stores.⁷ Oregonians wanted money which inspired trust and would standardize the value of transactions. Additional mediums of exchange included wheat, beaver pelts, drafts and orders, and Mexican coins.⁸ Regardless of constitutional strictures, Lane as willing to turn a blind eye toward the minting of coins by a private company. The proof of this, is that he allowed the mint in Oregon City to operate until late in 1849; this was over six months after the governors arrival.

Under these circumstances, a group of men (already known to the legislature) organized the aforementioned Oregon Exchange Company, constructed out of scrap iron the necessary machinery, and began production. The leaders in the project were George Abernethy, J. G. Campbell, W. K. Kilbourne, Theophilus Magruder, William H. Rector, Noyes Smith, James Taylor, and W. H. Willson.⁹ Taylor, who was from the Clatsop Plains, was made the director the mint. Rector, who held a donation land claim southeast of Salem, made the rolling machine and press and was employed as a coiner along with W. H. Willson. Willson also oversaw the melting of the gold.¹⁰¹¹ The stamps and dies for the five dollar coins were made by a jeweler in Salem, the ten dollar stamps and dies were made by Victor Monroe Wallace of Oregon City.¹² Additional employees of the mint included Truman L. Powers, treasurer, and George L. Curry, assayer. A milling machine was made by Wallace; the machine gave the coins an indented edge and prevented clipping, which is to say, snipping gold from the border of a coin.¹³

The provisional legislature set the value of an ounce of gold at \$ 16.50.¹⁴ The Exchange melted down about \$ 30,000 of gold dust into molten strips, filled the die, and six thousand coins were pressed with a five dollar image. This was followed by the production of \$ 25,000 in bullion pressed with a ten dollar image (2,850 coins).¹⁵ There was no alloy added and, thus, the Oregon coins had about eight per cent more gold than corresponding denominations produced by the U.S. Mint in Philadelphia.¹⁶

The five dollar coins were pressed with the first letter of the last names of the company's founders: "K.M.T.A.W.R.G.S". There is a mistake in the initials, the G should actually be a C for J.G. Campbell.¹⁷ The ten dollar coins, for reasons unknown, are missing the initials of Willson and Abernethy. The five dollar

coins have the image of the beaver on the obverse along with the initials "T.O." (Territory of Oregon), and the year 1849. The coin should read (as the ten dollar coin does) "O.T." (Oregon Territory). On the reverse of both coins is the name "Oregon Exchange Company". On the five dollar coin you also read "130 G - Native Gold- 5 D." 130 G refers to 130 Grains which is the smallest unit in the system of weights used in the United States. The reverse of the ten dollar coins says "10 D - O.C. - Native Gold - Ten D." Or, "10 pwts., 20 grains, 10 D".¹⁸ The O.C. refers to Oregon City.

As the Beaver money was worth more than their fellow U.S. government minted coins sitting in the till, people began hoarding the coins. In truth, the private Exchange Company, was functioning, essentially, as a civil service project. The company was not making money, it was only minting money. They were operating at a loss.¹⁹ One of the few people who prospered by this enterprise was the chief coiner, W.H. Rector. He records in his memoirs that "I was well paid for this work and continued to work at it until about September 1, 1849 when I determined to go the mines again. They did not coin any more gold after I left."²⁰ This ended the life of the Oregon Exchange Company.

In 1854 a new U.S. Mint opened in San Francisco and the government called in the coins which had been produced on the West Coast by private enterprise. The illegal coins were melted down for use. The mint wooed people to turn in Beaver money by offering a fifty cent premium on the five dollars coins and a \$1.00 premium on the ten dollar coins.²¹ Regardless, collectors and speculators kept some of the coins.

Today, the holder of a good quality Beaver coin is a person of considerable wealth. Jeff Garrett, the valuations editor of *The Official Red Book: A Guide of United States Coins 2010*, lists the following retail value for four different grades of the five and ten dollar Beaver coins:

\$	Fine	Very Fine	Extremely Fine	Almost Uncirculated
5 dollar	\$ 27,000	\$ 40,000	\$ 60,000	\$ 100,000
10 dollar	\$ 63,000	\$125,000	\$ 230,000	\$ 300,000

^{22, 23}

In 2006, a man from La Grande paid \$125,000 for a five dollar coin that he purchased from a collector in Rogue River.²⁴ The total number of five and ten dollar Beaver coins does not likely exceed much more than fifty coins.²⁵

The dies used to make the coins are in the possession of the Oregon Historical Society.²⁶ Unfortunately, the crucible used to melt the gold and the milling machine, which had both been in the possession of Victor Monroe Wallace, were swept away in a flood on the Cowlitz River in 1867.²⁷ The whereabouts of the other machinery used at the Oregon City mint is unknown.

Today's Salem residents can be reminded of the era of the Beaver money by looking up at the top of the second story stone work on the old Capital National Bank Building on Commercial Street. There you will find a keystone which has carved into its face the obverse image of a ten dollar Beaver coin.

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KATU.com "Rare minted-in-Oregon 'beaver coin sells for \$125,000.<http://www.katu.com/news/3646081.html>, 2006.

Endnotes

¹ Howard McKinley Corning, ed. *Dictionary of Oregon History* (Portland: Binford & Mort Publishers, 1956).

² Charles Henry Carey, *History of Oregon*, Vol 1 (Chicago-Portland: The Pioneer Historical Publishing Company, 1922), 407

³ Carey, *History of Oregon*, 407.

⁴ Fred Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*. Chicago: The S.J. Clarke Publishing Company, 1928). 645. F.G. Young, "Finances of the Provisional Government". (Portland: Oregon Historical Society Quarterly Vol. VII, 1906), 374.

⁵ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

⁶ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

⁷ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

⁸ Leslie M. Scott, "Pioneer Gold Money, 1849" (Salem, *Oregon Historical Quarterly*, Vol 33, 1932), 25.

⁹ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

¹⁰ Carey, *History of Oregon*, 407. Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

¹¹ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

¹² Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 646. Historian Charles Carey says that the dies were made by Hamilton Campbell, but Leander Wallace, whose father was directly involved in this project, says that this is possible as Campbell was not a machinist or mechanic, he "did not understand the use of tools and could not have made them."

¹³ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 645.

¹⁴ Carey, *History of Oregon*, 407.

¹⁵ H.W. Scott "The Provisional Government" (Portland: *Oregon Historical Society Quarterly*, vol II, 1901), 115. Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 646.

¹⁶ Carey, *History of Oregon*, 407.

¹⁷ Carey, *History of Oregon*, 407. KATU.com "Rare minted-in-Oregon 'beaver coin sells for \$125,000. <http://www.katu.com/news/3646081.html>, 2006.

¹⁸ Carey, *History of Oregon*, 407.

¹⁹ Leslie M. Scott, "Pioneer Gold Money, 1849" (Salem, *Oregon Historical Quarterly*, Vol 33, 1932), 29.

²⁰ Leslie M. Scott, "Pioneer Gold Money, 1849" (Salem, *Oregon Historical Quarterly*, Vol 33, 1932), 26.

²¹ Leslie M. Scott, "Pioneer Gold Money, 1849", 26.

²² R.S. Yeoman, ed. *The Official Red Book: A Guide Book of United States Coins 2010*. Kenneth Bressett, 63rd ed. (Atlanta: Whitman Publishing Company, 2009), 375.

²³ R.S. Yeoman, ed. *The Official Blue Book: A Guide Book of United States Coins 2010*. Kenneth Bressett, 63rd ed. (Atlanta: Whitman Publishing Company, 2009), 248.

²⁴ KATU.com "Rare minted-in-Oregon 'beaver coin sells for \$125,000. <http://www.katu.com/news/3646081.html>, 2006.

²⁵ KATU.com "Rare minted-in-Oregon 'beaver coin sells for \$125,000. <http://www.katu.com/news/3646081.html>, 2006.

²⁶ H.W. Scott "The Provisional Government" (Portland: *Oregon Historical Society Quarterly*, vol II, 1901), 115. The article by Scott says the dies were in the possession of The Oregon Secretary of State, however, these artifacts are now in the possession of the Oregon Historical Society.

²⁷ Lockley, *History of the Columbia River Valley: From The Dalles to the Sea*, 646.

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Baker/Russell Black Walnut

Posted on: September 23rd, 2011 by Madeline MacGregor in [Heritage Tree Details](#) | [No Comments](#)

Andrew J. Baker, who arrived in the Oregon Territory in 1843 as part of the Great Migration, planted the black walnut in 1870 next to his house, built in 1852. The house, which still stands at this site, was used as a stage coach stop in the late 1800s. The property was purchased in 1899 by William S. Russell and is still owned by Russell's heirs.

Tree facts

- Approx. height: 105'
- Planted in: 1870
- Circumference: 21' 3"
- Dedicated on: June 2, 2000
- Crown: 105'

Visit this tree

The tree is located on private property seven miles west of McMinnville at 17676 SW Oldville Road. It can be viewed from Oldville Road.

Photo Gallery



Sign up for our newsletter!

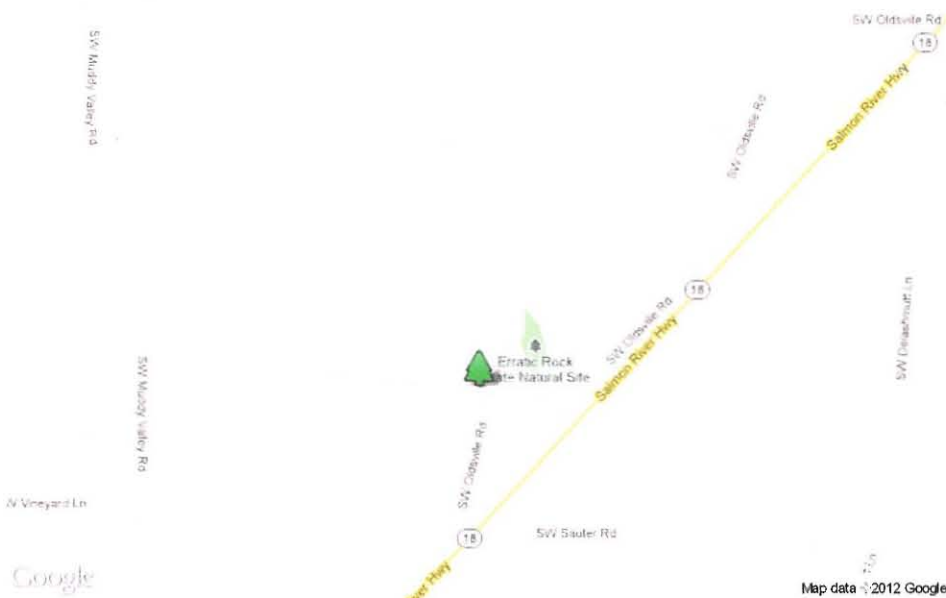
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Urban Forest Pro

503-226-7143

4110 SE Hawthorne #427
Portland, OR 97214
cs@urbanforestpro.com

UrbanForestPro.com

PROPOSAL SUBMITTED TO:

Licensed-Bonded-Insured CCB#187446

STREET ADDRESS:

EMAIL:

CITY, STATE, ZIP:

PHONE:



Arborist Report

WE HEREBY SUBMIT RECOMMENDATIONS, SPECIFICATIONS, AND ESTIMATES FOR:

A On 6/11/2012, Mary Noville requested AS
that I perform a visual inspection of the Black Walnut
(Juglans nigra) that stands in the alley way across
B from her home at 712 Polk St. Oregon City BS
Or. 97045.

C The tree is quite large, it measures CS
47.5 D.B.H., has an approximate spread of
63' and is approximately 65' tall.

D The tree is very healthy with a very small DS
amount of deadwood in the canopy. The structure
E appears to be sound. The pruning wounds ES
have formed good wound wood and appear to
have little decay.

F This tree was topped in the past, approximating FS
thirty years ago. It has had corrective pruning in
G the subsequent years and appears to be GS
doing very well.

H This inspection was performed visually, from HS
the ground.

Clint London, Certified Arborist
PN-1008

Leave Wood	Wood Removal \$
Stump Grinding: AS BS CS DS ES FS GS HS	

Wood Removal: Additional charges for wood moving, stacking, and cutting smaller than 16" rounds when wood is left behind. There maybe additional charges should a customer decide to have the wood taken after the start of work. Stump grinding: dept will vary depending upon site conditions (range 12"-18"). The removal of stump grindings is an additional charge equal to the fee for grinding the stump. Urban Forest Pro is not responsible for damage to underground obstacles, including but not limited to, wiring and irrigation systems, that are not marked prior to the start of work.

TOTAL\$

CHANGE ORDER:

REVISED TOTAL\$

Acceptance of Proposal

CONTRACT TO BE PAID UPON COMPLETION UNLESS OTHERWISE SPECIFIED. THIS PROPOSAL INCLUDED ATTACHED CONDITIONS AND CONSTITUTES A BINDING CONTRACT UPON ACCEPTANCE. The prices and conditions are satisfactory as stated. A calculation fee of the greater of \$150 or 10% of the contract plus any extra equipment charges will be charged if 48 hours of less is given to cancel a job. Owner/agent agrees to pay all of the cost incurred by LTJM, LLC dba Urban Forest Pro to gain payment of this account including attorney's fee regardless of whether legal action is taken. Owner/agent is liable for obtaining all permits, special permissions, and 3rd party permissions unless otherwise stated above and will hold LTJM, LLC harmless of all fines, fees, and legal liability including attorney's fees. LTJM, LLC reserves the right to cancel any agreement before work begins. Any additional work that is agreed upon will constitute additional charges. Customer acknowledges they have received the CCB required disclosures located on the back of the estimate. A phone call or email to schedule this work will be considered a full understanding of and agreement to these terms.

OWNER/AGENT SIGNATURE

DATE

Payment is due upon completion of the job unless other arrangements have been made in advance and are stated above.



STREET TREE REMOVAL PERMIT APPLICATION



Community Development Department, 221 Molalla Avenue, Suite 200, P.O. Box 3040, Oregon City, OR 97145, (503) 722.3789
www.orcity.org

2012 JUN 11 AM 11:48
RECEIVED
CITY OF OREGON CITY

Prior to any street tree removal, please complete the following permit application & attach a tree replacement plan for approval by the city. Please refer to the attached Street Tree Removal and Replacement Guide.

NAME: MARSHALL BECK PERMIT NUMBER: ST 12-045

SITE ADDRESS: 713 POLK ST

PHONE: 503-819-0776 EMAIL: M6beck518@comcast.net

PLEASE EXPLAIN BRIEFLY WHY YOU WISH TO REMOVE THE STREET TREE(s):

(Attach separate letter if needed)

DANGEROUS - SEE ATTACHED ARBORIST LETTER

• IS THE TREE CAUSING SIDEWALK DAMAGE WITH AN EDGE 1/4" OR GREATER? Y ☒ N

• IS YOUR PROPERTY UNDER CODE ENFORCEMENT FOR SIDEWALK REPAIR? Y ☒ N

• PLEASE MEASURE THE WIDTH OF THE PLANTER STRIP (do not include concrete) 14 FEET

TREE CONDITION*	DEAD	DISEASED	DYING
	GOOD	FAIR	POOR

*Attach your Certified Arborist report or the City Arborist's determination. Questions? Check with a Planner.

• PLEASE ATTACH OR EMAIL A PHOTOGRAPH OF THE TREE.

EXISTING TREES REQUESTED FOR REMOVAL

TREE	SPECIES	SIZE ("")	CONDITION
1	<u>BLACK WALNUT</u>	<u>36"</u>	
2			
3			
4			

*Attach map indicating locations

PROPOSED REPLACEMENT TREES (Selected from approved Street Tree List)

TREE	SPECIES	SIZE ("")	LOCATION*
1	PLANTER	24"	SE CORNER
2	<u>or- Tricolor BEECH</u>	<u>2"</u>	<u>SE CORNER</u>
3	<u>or- CHINESE Dogwood</u>	<u>"</u>	<u>" "</u>
4			

*Attach map indicating locations

• PLEASE ATTACH OR EMAIL A PHOTOGRAPH OF THE TREE.

STAFF USE ONLY BELOW THIS LINE

PLANTER STRIP? Y ☒ N WIDTH FT BEHIND SIDEWALK? Y/N Alley Way

OVERLAY ZONE? GEO HAZ NROD FLOOD HIST GREENWAY

ZONING R-3.5 ARBORIST REPORT REQUIRED? Y ☒ N ACTIVE CODE ENFORCEMENT? Y ☒ N

SUBDIVISION NAME YEAR BUILT APPROVED STREET TREE PLAN? Y ☒ N

Oregon City GIS Map

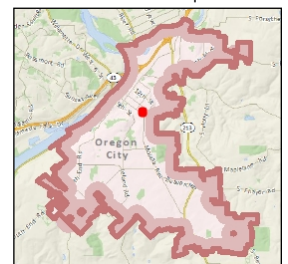


Legend

- City Limits
- UGB
- Taxlots
- Aerial Photos - 2011

Notes

Overview Map



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



0 45 Feet
1: 542

City of Oregon City
PO Box 3040
625 Center St
Oregon City
OR 97045
(503) 657-0891
www.orcity.org



Marshall Beck
713 Polk
Oregon City, OR 97045

Arborist Report

This report is regarding the overall health and structural condition of a large Black Walnut (*Juglans nigra*). The tree is situated between 713 Polk Street and an adjacent residence along a gravel undeveloped right of way. I estimate that the tree is 70 to 85 years old. The tree is approximately 44 inches in diameter (DBH) and 60 to 65 feet in height. The tree is over 100' wide, with large second-generation scaffold branches extending over the roofs of both properties.

At one point in time this tree was badly topped. Large heading cuts were made down to the main trunk configuration of the tree. These cuts were too large for the tree to compartmentalize effectively. Large epicormic branches have sprouted from the wound wood and formed a new canopy, (a second-generation canopy). These branches are now 6" to 12" in diameter and 20' to 30' in length. The branches are growing from the improper pollarding cuts that were made on the tree, which have become badly decayed.

The canopy of this tree is becoming too large for the decayed branch attachments to support. Black Walnut trees put on tremendous amounts of additional canopy weight during the summer months due to the development of the large walnuts themselves. As the tree continues to grow, it will be unable to sustain the long terminal growth and large branch failures will ensue.

It is my opinion that this tree is a hazard. With homes and driveways located directly under the canopy, the target area of a possible branch or trunk failure poses an unacceptable level of risk to both the property owner and the public.

My opinion is based on 22 years as both a municipal and private arborist. If you have questions or require further explanation of this report, please feel free to call.

Sincerely,

Luke Miller
503-557-5530
ISA PN -1274

Tree Risk Assessment on Black Walnut (*Juglans nigra*)
713 Polk, Oregon City, Oregon
August 3, 2012

Prepared for:

Pete Walter
City of Oregon City
221 Molalla Avenue, Ste. 200
Oregon City, OR 97045

Prepared by:

Terrence P. Flanagan
Teragan & Associates, Inc.
3145 Westview Circle
Lake Oswego, OR 97034

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Summary

The risk assessment for the black walnut at 713 Polk Street in Oregon City, Oregon resulted in a rating of moderate risk utilizing two different risk assessment rating processes. Given the moderate risk rating, this tree should be monitored for any changes in its condition and then rated for risk again. At this time, the identified defects do not warrant removal of the tree as the identified defected parts of the tree are not expected to fail anytime soon. In addition, pruning could be done to lessen the risk.

Introduction

Assignment

1. Complete site visit to evaluate the risk that the black walnut tree street tree poses to the targets in the vicinity. Evaluation will look at size of the tree, the potential of failure for the tree and/or its parts, and the targets that may be struck by any possible failures.
2. Provide a written report to allow the City of Oregon City to manage this tree appropriately given its current condition.

Limiting Conditions

Assessment of the tree was done from the ground. No aerial inspection of the tree or its crown was completed. No invasive drillings, no root crown excavation and no sonic tomography were done to determine if the inner wood of the tree was sound or not.

Purpose and Use of the Report

The report is to be used by Oregon City to help determine if a removal permit for the tree can be issued.

Investigation Methods

The assessment of the tree was done by visual assessment utilizing the naked eye, binoculars and camera lenses done from the ground. In addition, sounding of the lower tree's trunk was done with a rubber mallet to determine if there were any suspected decay hollows.

Site Description

The tree in question is located on the southwest side of the residence at 713 Polk Street, Oregon City, Oregon. On the southwest side of the tree is a hard packed, gravel driveway that serves the house to the southwest, 711 Polk Street and the property to the northwest. Both houses were built early in the 20th century over 75 years ago. It appears that the gravel drive has been there for years. The home at 713 Polk Street was originally built in 1935 and went through extensive remodeling in 2006 to 2008 that added the second floor to the residence causing it to appear to be new construction. As far as this arborist is aware, the original foundation foot print of the house has not expanded beyond the original location. 711 Polk Street was built in 1910 and also has had no alteration to its foot print.

The tree's size and appearance indicate a tree that could have been planted in its location after the house at 713 Polk Street was built. The black walnut is not a native species but it is possible that the tree could have existed on the site prior to the houses being built but given its close proximity to 713 Polk Street it is unlikely it existed prior to the home being built there.

The house at 713 Polk is located 11 feet to the northeast of the face of the tree and 711 Polk is located 19 feet to the southwest of the face of the tree's trunk.

Observations



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E-mail: Terry@Teragan.com

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PNW/ISA Board Certified Tree Risk Assessor, #PN-0152
Member, American Society of Consulting Arborists

Description of Tree

The black walnut measured 47 inches in diameter. It splits into naturally formed co-dominant leaders at approximately 12 feet. The tree's health is considered to be in good condition. The tree's structure is the main concern in regard to the tree risk assessment. It appears that the tree has either been severely cut back or severely damaged in the past. As a result of the severe cut back/damage that occurred, numerous leaders have arisen at two levels in the tree. The height of the first level of where the tree was cut back to is approximately 25 feet. Four to six leaders have arisen from this point from the larger co-dominant leader.



The next point where the tree was severely cut back to is approximately at 30 feet. 10 to 12 new leaders have arisen from that point. The south leader of the tree also appears to have been cut back at the same levels resulting in multiple new leaders also forming at the two levels. As the leader is smaller, not as many leaders have formed. There have been multiple branches cut from the main trunk and leaders that all show good response growth around the edges of the cuts. Also the cuts themselves do not show any advance decay.

The height of the tree is estimated to be 60 to 70 feet tall.

Discussion

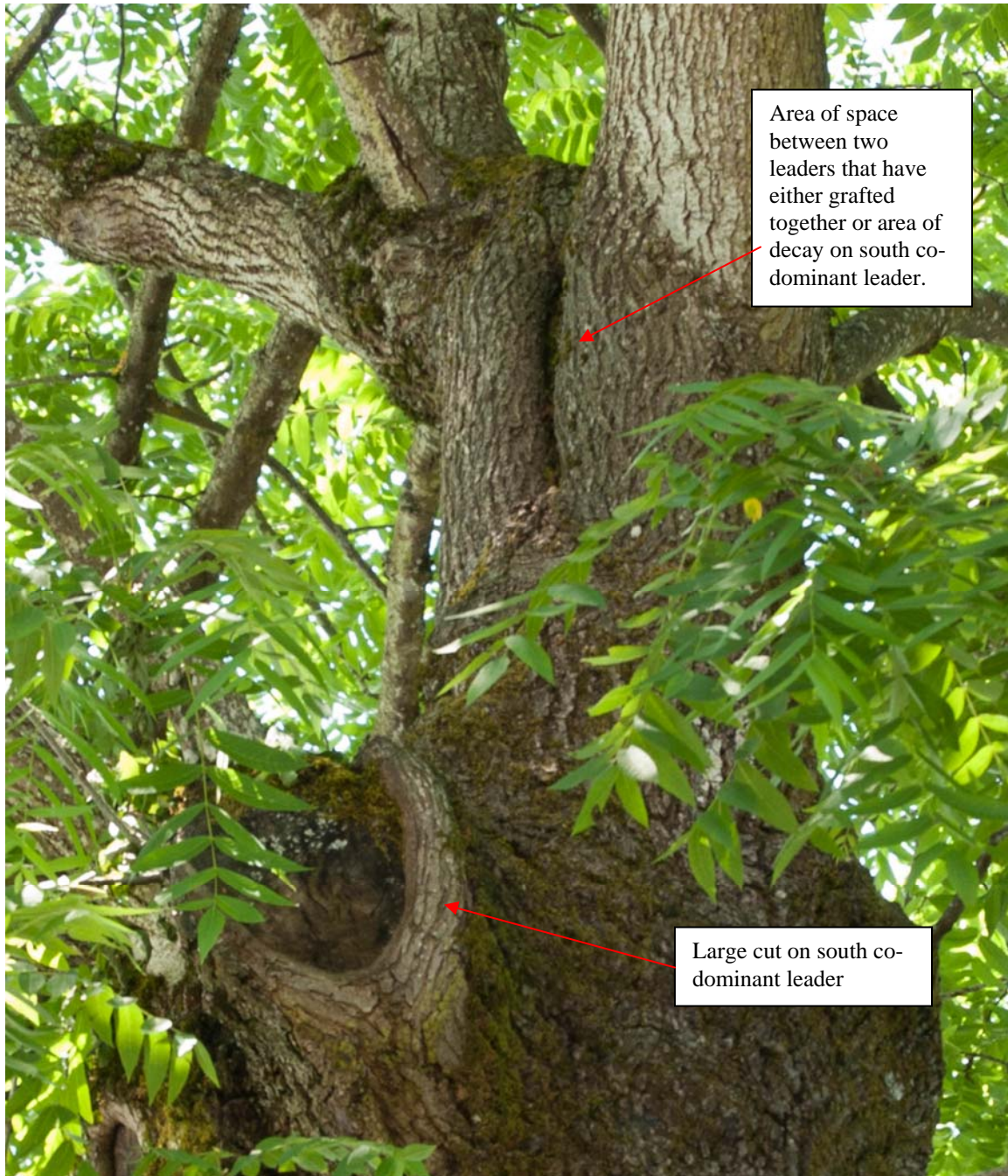
The main concern for this tree is the multiple leaders that have grown as a result of the severe cutting in the past. From the ground assessment, there were no observed areas where decay has caused any concerns for the tree's structural strength.

The attachment of newly formed water sprouts after severe cutting on any tree is just below the bark on the edge of a cut. As time progresses and the tree continues to grow, more wood is formed around the base of the new sprouts better securing the water sprouts to the tree. As the new leaders increase in diameter there is the possibility that the diameter growth of each of the stems can start to crowd out the space for each of the leaders. Pruning has been done on this tree to thin out some of the multiple stems to allow the remaining stems to have enough space to grow. Also at the point of attachment, there can be included bark in the crotches between leaders. From the ground I was not able to observe any included bark in any of the crotches. I was also not able to observe any advance decay in any of the cuts that have been made on the tree utilizing unaided visual assessment or through binoculars. The south leader does have a large diameter cut that was made at the level of the lowest severe cutting. There also appears to be a cavity just above the cut to the north on the new leaders that could have formed due to two new leaders grafting together or it could be a decay cavity. From the ground it is impossible to tell for sure.

The length of the new leaders may lead to the leaders failing as the new leaders have grown quickly without forming the ideal taper to the stem that would better support the long length of the leaders. To reduce the probability of leader failure it would be recommended to carefully reduce the length of the leaders to proper cutting points that would shorten the leaders without causing rapid re-growth. This can be done through proper drop crotch pruning practices where the length of a leader is cut back to a crotch that is at least one third the diameter size of the branch be cut back. This is a practice that has to be done by an arborist that understands the process to be done successfully.

There is some damage to a few of the buttress roots at the base of the tree toward the road but the wounds do not show advance decay and the callus tissue on the edges of the wounds have grown well.

There appears to be a gall on the south side of the main co-dominant stem just below the first level of the severe cutting that occurred in the past that I was not able to adequately inspect due to the screening from the branches in the tree. Such galls may or may not indicate a weak point. A closer inspection would be necessary to determine if the gall would have any structural impacts.



The impact of the gravel drive on the southwest side of the tree was considered to be non-significant. While there have been some wounds on the base of the tree likely caused by vehicles, the compaction of the drive was not considered to be an impact that occurred recently. The drive is assumed to have been in place for many years, probably since 711 Polk Street was constructed in 1910. Given the assumption that the drive has been in place for so many years, the tree has adapted to the growing environment that it is in.

Tree Risk Assessment Ratings

TRACE Rating

The risk rating for this tree utilizing the TRACE numerical rating system as developed by the Pacific Northwest Chapter of the International Society of Arboriculture is as follows;

2 Size of Part– Secondary Leaders (1-3 points)

The diameter sizes of the parts most likely to fail which are the leaders that have formed above the secondary severe cutting level fall in the size range of 4 to 20 inches resulting in a size of part rating of 2 out of a possible 3.

2 Probability of Failure (1-5 points)

The secondary leaders are not likely to fail in a storm event that the area experiences in a normal year. The defect is significant but not likely to lead to leader failure for several years. Tree should be monitored for any signs or symptoms that indicate its condition has changed.

4 Target Area (1-4 points)

Both homes on either side of this tree are within the failure zone of the leaders that are the part of the tree most likely to fail. Both homes are frequently occupied and thus the highest rating.

Overall TRACE Risk Rating – 8 This rating is considered to be a moderate rating at the high end where there are well defined issues. The tree should be retained and monitor but it is not expected to be of concern for at least another 5 to 10 years if then.

Best Management Practices on Tree Risk Assessment Rating (BMP)

The risk rating for the tree utilizing the newly published (2011) Best Management Practices on Tree Assessment by the International Society of Arboriculture utilizes descriptive words to define the risk rating rather than a numerical rating system. The part of the tree most likely to fail is the secondary leaders. The BMP looks at the likelihood of failure, the likelihood of impacting the target, likelihood of failure and impacting the target and the consequences of the failure.

For the black walnut at 713 Polk Street the BMP risk rating is as follows;

Possible	Likelihood of Failure
High	Likelihood of Impacting Target
Somewhat Likely	Likelihood of Failure and Impact
Significant	Consequences of the Tree or Tree Part Failure

Overall BMP Risk Rating – Moderate Risk

The moderate risk rating is determined by utilizing matrixes that compare the possibility of the tree part to both fail and then impact a target and then what type of damage would occur if the tree or its part(s) hit the target. The parts most likely to fail from this tree are the secondary leaders. They are likely to break and strike one of the roofs on either side of the tree. While possible, it is unlikely that the leaders would strike with enough force to enter the living area of the homes. Damage to the houses would most like consist of damaged roofs.

Given the *likelihood of failure* is only possible, not imminent or probable, the risk of failure is not too great. The *likelihood of impacting a target* is high as the tree is so close to the homes. Considering the *likelihood of failure* with *likelihood of impacting target* the resulting *likelihood of failure and impact* would be considered to be somewhat likely. When the *consequences of the tree or tree part failure* on the target is considered, in this case the houses, the consequences would be considered significant but not the highest consequence of severe as the leaders would not be expect to have enough velocity to strike with enough force to break entirely through the roof(s). When comparing the *likelihood of failure and impact* against the *consequences of failure* the resulting risk rating is considered moderate.

Both tree risk rating assessment processes resulted in an overall risk rating of moderate. This means that the tree or its parts are not expected to be in danger of failing anytime soon nor if they did fail cause severe damage.

While there is no guarantee that a storm would not occur that may exceed the normal storm forces, there is no way to predict if or when such a storm would occur. Risk ratings for tree failure only considered the forces that a tree would have to withstand from the storms that normally occur in an area, they do not consider the 100 year or greater storm.

Recommendation

I did not observe any indication of included bark or significant decay in the tree from the ground. To be able to rule out structural defects in the attachment points of the secondary leaders that have grown where the tree was severely cut back it would require a crown inspection utilizing an

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aerial lift or climbing equipment. I do not anticipate that such an inspection would reveal such defects but without a closer inspection, such defects cannot be ruled out entirely.

If it is desired to lower the risk rating on the tree it would be necessary to carefully reduce the length of the secondary leaders by drop crotch pruning. Such specialized pruning should only be done by an experience, certified arborist that is very familiar with this type of precise pruning. Such drop crotch pruning on this tree would best be done by accessing the tree in an aerial lift.

After such pruning was done, another risk assessment would have to be done to be sure that the pruning done was proper and did not add to the risk that the tree poses.

Conclusion

The risk rating indicates that there are well defined defects in the black walnut. However the defects are not serious enough to warrant removal of the tree at this time. The risk rating indicates a moderate risk rating. The tree should be monitored for any changes in its condition. If such changed occur, the risk rating should be redone.

Please call if you have any questions or concerns regarding this report.

Sincerely,

A handwritten signature in cursive script that reads "Terrence P. Flanagan". The signature is written in dark ink on a light-colored background.

Terrence P. Flanagan
ISA Board Certified Master Arborist, #PN-0120 BMTL
PNW/ISA Board Certified Tree Risk Assessor, #PN-0152
Member, American Society of Consulting Arborists

Appendix #1 - Aerial Photograph of Site

