



TYPE II TREE FELLING PERMIT STAFF REPORT & DECISION

Case Number: 811-19-000016-TYP2

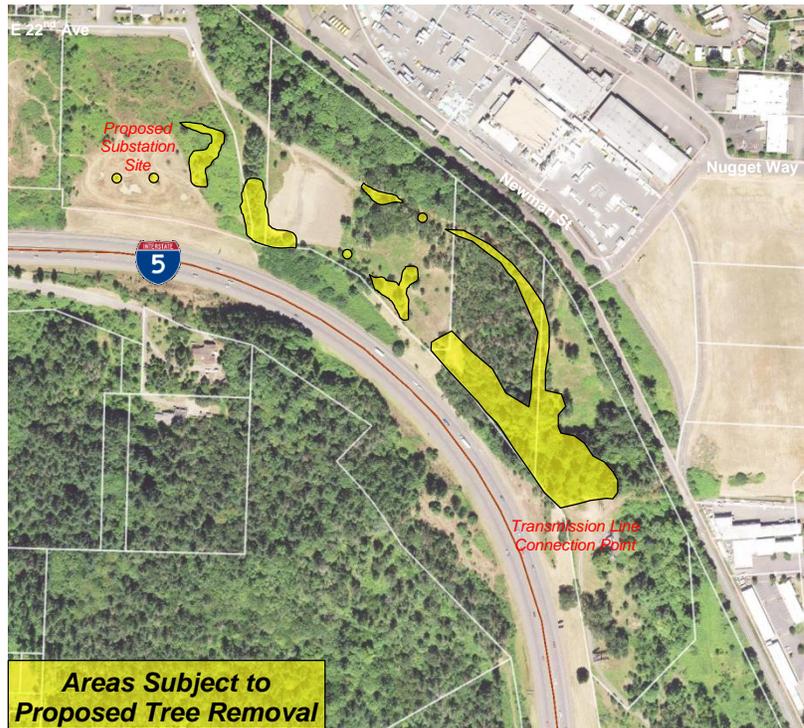
Project Name:
SUB Electric Transmission Line &
Substation Tree Felling Permit

Nature of Application:
The applicant submitted a tree felling application necessary for removing 272 trees from a planned electric substation site and transmission line corridor in Glenwood

Project Location: Generally parallel with and northeast of I-5 in Glenwood

Zoning: Light Medium Industrial (LMI) and Glenwood Employment Mixed-Use (GEMU)

Comprehensive Plan Designation:
LMI & GEMU



Application Initially Submitted: 1/25/2019 **Application Deemed Complete:** 3/21/2019

Decision Date: 4/17/2019

Appeal Deadline: 5/2/2019

Associated Applications: 811-18-000200-PRE (Development Issues Meeting); 811-19-000084-TYP2 (Site Plan Review); and 811-19-000085-TYP2 (Hillside Development Overlay)

APPLICANT'S DEVELOPMENT REVIEW TEAM

Owner: Springfield Utility Board 1001 Main Street Springfield OR 97477	Owner: Eugene Water & Electric Board 4200 Roosevelt Blvd P.O. Box 10148 Eugene OR 97440-2148	Applicant: Richard Satre Schirmer Satre Group 375 W. 4 th Avenue, Suite 201 Eugene OR 97401
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CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW TEAM

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning	Transportation	Michael Liebler	541-736-1034
Public Works Engineer	Utilities	Kyle Greene	541-726-5750
Public Works Engineer	Sanitary & Storm Sewer	Kyle Greene	541-726-5750
Deputy Fire Marshal	Fire and Life Safety	Eric Phillips-Meadow	541-726-2293
Building Official	Building	David Bowlsby	541-736-1029

Site Information: The site proposed for tree felling comprises a wooded hillside that runs generally northwest to southeast and parallel with I-5 at the southern edge of Glenwood. The subject properties are currently vacant and not assigned a street address (Assessor's Map 18-03-03-12, Tax Lot 3701; Map 18-03-03-13, Tax Lot 101; Map 18-03-03-14, Tax Lots 1000 & 1100; and Map 18-03-03-40, Tax Lot 300). Most of the area subject to tree felling is outside the City limits but inside the Springfield UGB. The two southeasterly properties (Tax Lots 300 and 1000) are within Phase I of the 2012 *Glenwood Refinement Plan* area and are zoned and designated Employment Mixed-Use (GEMU). The three northwesterly properties (Tax Lots 1100, 101 and 3701) are within the earlier (1999) *Glenwood Refinement Plan* area and are zoned and designated for Light Medium Industrial (LMI) use. The applicant is proposing to extend an overhead electric transmission line from a connection point near the center of Tax Lot 300 along a generally northwesterly alignment to a future substation site on Tax Lot 101. The electric transmission line is a major public utility facility under the purview of the Oregon Public Utilities Commission and is not under the planning and development jurisdiction of the City of Springfield. However, the tree removal activities associated with the proposed electric system substation, access roads, and transmission line corridor are within the City's jurisdiction and are addressed herein.

DECISION: APPROVED WITH CONDITIONS. This decision constitutes an approved Tree Felling Permit to remove the trees identified by the applicant in this application. The standards of the Springfield Development Code applicable to each criterion of Tree Felling Approval are listed herein and are satisfied by the submitted plans unless specifically noted with findings and conditions necessary for compliance. This is a limited land use decision made according to City code and state statutes. Unless appealed, the decision is final. Please read this document carefully.

OTHER USES AUTHORIZED BY THE DECISION: None. Future development will be in accordance with the provisions of the Springfield Development Code for Site Plan Review and all applicable local, state and federal regulations.

REVIEW PROCESS: This application is reviewed under Type II procedures listed in Springfield Development Code (SDC) Section 5.1-130 and Tree Felling standards of SDC 5.19-100.

Procedural Finding: Staff reviewed the plan diagram, project narrative and supporting information outlining the requested tree felling. City staff's review comments have been reduced to findings and conditions only as necessary for compliance with the Tree Felling Criteria of SDC 5.19-125.

Procedural Finding: Applications for Limited Land Use Decisions require the notification of property owners/occupants within 300 feet of the subject property allowing for a 14 day comment period on the application (SDC Sections 5.1-130 and 5.2-115). The applicant and parties submitting written comments during the notice period have appeal rights and are mailed a copy of this decision for consideration (see Written Comments below and Appeals at the end of this decision).

Written Comments: Notification was sent to adjacent property owners/occupants on March 25, 2019. During the public comment period four written responses were received from the following respondents:

- Robert & Michelle Saxton, 3820 E. 22nd Avenue, Eugene 97403
- Gary & Beth Todd, 4000 E. 24th Avenue, Eugene 97403
- Eugene Water & Electric Board, 4200 Roosevelt Blvd., P.O. Box 10148, Eugene 97440
- William Sherlock (Hutchinson Cox Attorneys) on behalf of John & Brad Lerch and Café Mam, 4000 E. 22nd Avenue, Eugene 97403

Eugene Water & Electric Board (EWEB) advises that they do not object to the removal of the trees but that an easement or concurrence from EWEB will be required for the proposed tree felling and associated construction work to occur on Tax Lot 300. Additionally, any excavation of stumps around the existing 24-inch EWEB water line would require EWEB personnel to act in a stand-by capacity for the project. The applicant will be responsible for obtaining necessary authorization from EWEB before initiating any tree removal or construction activities on Tax Lot 300.

The other three respondents object to the proposed substation and transmission line project for reasons listed in the individual written comments referenced herein and contained in the project file for this application (Case 811-19-000016-TYP2). Not all of the comments are directed to the proposed tree removal activities in general or the criteria of Tree Felling approval listed in SDC 5.19-125 specifically. To summarize the written comments, the proposed tree felling could impact existing wetlands and wildlife habitat; obstruct views from residential properties to the south (across I-5); destabilize the steeply sloping hillside above the Central Oregon Pacific Railroad tracks and Franz Bakery site; and violate policies and standards in the *Glenwood Refinement Plan* including the *Public Facilities and Services* section.

Staff Response – Many of the comments submitted by the respondents are not specific to the Tree Felling Permit and associated criteria of approval because they overlap with elements of the proposed substation (to be reviewed separately as Case 811-19-000084-TYP2) and the electric transmission line (under authority of the Oregon Public Utilities Commission, not City of Springfield purview). However, staff offers the following comments based on the applicant's submittal materials, available topographic information, and observations made during field visits to Tax Lot 101 (the proposed substation site).

Wetlands and Wildlife Habitat: The applicant has identified existing wetland features on the property proposed for construction of the electric substation (Tax Lot 101). A wetland delineation has been prepared and the applicant will be required to obtain wetland fill/removal permits from state and federal agencies before any earth work can occur on the site. It appears the perched wetlands on the site may be a result of past human activity and interference with natural drainage patterns, including runoff from the elevated I-5 road bed to the south along with localized excavation and berming on the property to create a dirt bike track. Development of the electric substation on Tax Lot 101 is under a separate review and approval track pursuant to the Site Plan Review application recently submitted for the project (Case 811-19-000084). Elsewhere along the transmission line corridor the proposed tree felling would affect stands of mature trees at the time of construction. However, upon installation and operation of the facility, visitation of the area by maintenance personnel would be infrequent and there would not be physical barriers to the movement of terrestrial and avian wildlife. The applicant will be restoring the hillside areas with native vegetation, but using species with lower growth forms than the trees currently occupying the area. Four of the five affected properties have been acquired by the applicant and it is unlikely that further urban development of these industrial sites will occur beyond what is proposed with the transmission line and substation.

Impacts to Views: According to the applicant, after installation the proposed transmission poles will be approximately 50 feet high as measured from the ground surface and a monopole design similar to the existing power lines that run along the 30th Avenue frontage road on the west side of I-5 (to the south of the project area). The proposed transmission poles are not a lattice tower design with high voltage wires that are found to the north of this site along the I-5 corridor. The poles will be installed at varying elevations along the hillside and at the location where they reach the proposed substation the transmission lines will be at least 10 feet lower in elevation than the houses on East 24th Avenue that overlook the site (elevation approximately 604 feet or higher). This assumes that the transmission line remains at the ~50-foot above-ground height where it intersects the substation (elevation 542 feet). The height could be lower if the transmission lines use step-down poles at the point where they intersect the substation. To the southeast of the proposed substation, the transmission lines drop in elevation along the face of the hillside until they ascend to reach a high point near the existing transmission poles on Tax Lot 300. Based on the available information, the proposed transmission lines will be lower in elevation, emerge at the substation site near the edge of the highway road bed and not on the horizon level, be located behind existing tree cover and topographic features, and therefore should not significantly interfere with views of the horizon for properties on East 24th Avenue.

Slope Stability: The applicant will be required to obtain erosion and sediment control permits for the entire project, including the proposed access roads and staging areas, prior to tree removal and any earth work occurring on the site. Among other measures, the applicant will be responsible for stabilizing any exposed slopes and revegetating the areas to prevent ongoing soil erosion and possible slope movement. Geotechnical and soil investigations prepared for the substation and transmission line project should identify specific areas of concern and provide context and background for any necessary hillside stabilization measures.

Glenwood Refinement Plan Policies: The western portion of the project area, including the proposed substation site (Tax Lots 101, 3701 and 1100), is within the 1999 *Glenwood Refinement Plan* and the properties are zoned Light Medium Industrial. There are no specific policies or provisions of the 1999 Refinement Plan that apply to the subject project. In fact, electric system facilities are listed as a subsection topic on utilities but are not discussed in any detail in the earlier Refinement Plan. For the eastern portion of the project area (within Tax Lots 300 and 1000), policies of the Phase I *Glenwood Refinement Plan* (2012) are applicable to the project. The relevant policies include utilizing trees to minimize the silhouette of transmission lines against the sky, aligning transmission lines at oblique angles to the hillsides, and aligning transmission lines along edges of land uses to avoid scenic areas and to avoid dividing land uses. Again, most of these policies pertain to the transmission line itself which was approved as a critical public utility by the Oregon Public Utilities Commission and is not subject to oversight by the City of Springfield. However, the applicant has generally addressed the policies of the Phase I Glenwood Refinement Plan as they apply to Tax Lots 101, 3701 and 1100 because the transmission line runs obliquely along the hillside and just below the crest of the hill, is located between two major transportation corridors (I-5 and the Central Oregon Pacific Railroad line), and is within an area already developed with visible structures and facilities including monopole cellular network towers and advertising billboards. The applicant has acquired four of the five affected properties for the transmission line and electric substation project and therefore it is unlikely that further urban development will occur on these industrial and employment mixed-use parcels. To the south of the project area there are existing electrical transmission lines that cross the highway and run southward across a portion of the hillside and parallel with the 30th Avenue frontage road. The proposed transmission line is consistent with the existing facilities in the immediate vicinity and will provide a dedicated connection for the planned substation and, by extension, improved service for continued development of the Glenwood neighborhood. Finally, the proposed tree felling and transmission line alignment includes deflection points to avoid a long, tunnel effect of a linear clear-cut corridor and also undulates along the face of the hillside such that the transmission lines and towers will be below the treeline and behind topographic rises – and therefore out of view – for much of the segment between the proposed substation and connection point to the south. The proposal meets the policy objectives of the two adopted Refinement Plans for siting of major utility infrastructure within this area of Glenwood.

CRITERIA FOR APPROVAL:

Ref. Article 5.19-125 of the Springfield Development Code:

The Development & Public Works Director in consultation with the Fire Chief shall approve, approve with conditions or deny the request based on the following standards.

A. Whether the conditions of the trees with respect to disease, hazardous or unsafe conditions, danger of falling, proximity to existing structures or proposed construction, or interference with utility services or pedestrian or vehicular traffic safety warrants the proposed felling.

Applicant Submittal: *“The requested tree felling is not requested due to the condition of the trees, but due to the proposed construction (the construction of the driveway, substation, access road, utility infrastructure and transmission line). Removal of the trees is necessary as the form and function of the substation and transmission line cannot co-exist with trees when the trees would be within the footprint of the substation or transmission line. Trees will be removed only as necessary. Along the perimeter of the transmission line easement, trees will be selective[ly] removed when deemed a danger to the overhead lines. Along the access road easement, trees will be removed only as necessary for safe access. A very large number of trees outside of the transmission line and access road easements [sic]. Trees will remain on the adjacent I-5 right-of-way, helping to screen highway traffic from the utility facility. Although topography prevents visibility of the utility facility from the north and east, there will nonetheless remain a great number of trees, some in dense stands between the new transmission line and adjacent property.”*

Finding A.1: The applicant has acquired four of the five properties affected by the electric transmission line project, including the substation site. A Site Plan Review application has been submitted under separate cover (Case 811-18-000084-TYP2) for the electric substation. The transmission line is a major public utility that is not subject to land use approval by the City of Springfield. The affected properties are zoned and designated

for industrial and employment mixed-use, but are not likely to develop further once the major utility infrastructure is installed. The applicant is proposing to remove the trees to facilitate installation and operation of the transmission line and electric substation. Trees will be left intact on both sides of the transmission line corridor and in the vicinity of the substation because they are not within the identified construction footprint, and do not pose an obstruction or potential threat to ongoing operation of the facility.

Finding A.2: Although it is not expected that many underground utility lines cross the area, there are utility installations in the vicinity (including the EWEB water line discussed above) that could be affected by the project. The applicant should call for utility locates (or confirm the absence of utilities) within the project area prior to initiating any work on the site.

Conclusion: The above findings support the conclusion that the locations and conditions of the trees (e.g. within a planned major public utility installation and transmission line corridor) justify their removal. Therefore, as proposed this criterion has been met.

B. Whether the proposed felling is consistent with State standards, Metro Plan policies and City Ordinances and provisions affecting the environmental quality of the area, including but not limited to, the protection of nearby trees and windbreaks; wildlife; erosion, soil retention and stability; volume of surface runoff and water quality of streams; scenic quality; and geological sites.

Applicant Submittal: *“The proposed felling is consistent with State standards, Metro Plan policies, and City ordinances. The environmental quality of the site and surrounding area will not be significantly impacted by the tree removal. The removal of trees will not affect erosion, soil retention, and stability. Volume of surface runoff and water quality of streams will not be impacted by the removal of the trees. Large numbers of trees, many in thick wood stands, will remain. As noted above, some 35% of the substation site and better than 88% of the transmission site will remain as is.”*

Finding B.1: The Springfield Development Code (SDC) is the primary implementing ordinance for environmental protection policies contained in the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*. SDC Article 5.19-100 - Tree Felling Standards generally implements environmental protection policies of the *Metro Plan* for the subject property.

Finding B.2: The area subject to the tree felling request is inside the Urban Growth Boundary (UGB) but is mostly outside the current City limits. Only Tax Lot 101 – the proposed electric substation site – and the adjoining property to the east (Tax Lot 3701) are currently inside the City limits. Nonetheless, the entire project area is subject to Springfield land use jurisdiction. The subject trees are predominantly evergreen and deciduous varieties that are common to the Willamette Valley, including Douglas-fir, Oregon ash, black cottonwood, and big leaf maple. A smaller component of the trees proposed for removal includes native and non-native deciduous and evergreen trees such as Oregon oak, madrone, ponderosa pine, pear, and willow.

Finding B.3: The trees proposed for removal are within an urban industrial and employment mixed-use district and are not classified as commercial timber, although the trees could have some market value. Therefore, a permit from the Oregon Department of Forestry (ODF) is not specifically required for the work inside the City’s UGB.

Finding B.4: Removal of the trees from the subject property should not have a long-term adverse effect on the surrounding physical and visual environment because:

- a) The applicant will be using the existing access roads to the extent practicable in order to minimize the number of trees required for removal outside of the transmission line corridor;
- b) The proposed tree felling will retain large, intact stands of trees along the hillside thereby contributing to protection against windthrow and maintaining a visual buffer along the southern edge of Glenwood;
- c) Installation and operation of the overhead transmission line won’t create significant barriers to terrestrial and avian wildlife movements along the hillside;

- d) The applicant will be required to obtain erosion and sediment control permits – and to install and maintain any necessary measures to prevent such erosion – prior to initiating any tree removal or construction work in the project area;
- e) The area subject to tree removal for the transmission line are to be revegetated and not further developed with extensive impervious surfaces, thereby retaining the existing drainage patterns and providing for soil absorption of rainfall and runoff;
- f) The proposed tree felling area is geographically and visually separated from existing residential development to the south and west;
- g) The proposed tree felling area is a hillside that is located between two existing, linear transportation corridors (Interstate 5 and the Central Oregon Pacific Railroad line) and it is not identified as a critical habitat area;
- h) The applicant is proposing to only remove the trees that are identified as lying within the substation footprint area and transmission line corridor, while leaving the remaining trees that lie outside the project zone; and
- i) The trees are not uncommon or specimen varieties that warrant special protection measures.

CONDITION OF APPROVAL:

- 1. Prior to initiating any tree felling, earth work, or construction activity within the project area (i.e. Tax Lots 101, 3701, 1000, 1100 or 300), the applicant shall obtain a Land Drainage Alteration Permit (LDAP) as may be required to provide erosion and sediment control measures during tree removal activity and project construction. Initial required protection measures shall be installed and in place prior to commencement of any tree removal activity.**

Conclusion: Springfield Development Code (SDC) Section 5.19-100 - Tree Felling Standards generally implements environmental protection policies of the *Metro Plan* and has been applied herein. The proposal is consistent with tree removal procedures within the urbanized areas of the City, applicable policies and provisions of State law, the *Metro Plan* and the Springfield Development Code for protection of environmental quality. As conditioned herein, this criterion has been met.

C. Whether it is necessary to remove trees in order to construct proposed improvements as specified in an approved development plan, grading permits and construction drawings.

Applicant Submittal: *“It is necessary to remove trees to construct the proposed development. An accompanying Site Plan Review application and plan set document tree removal as well as areas of trees to remain.”*

Finding C.1: The applicant has submitted Site Plan Review and Hillside Development applications for the proposed electric substation and related appurtenances under separate cover (Cases 811-19-000084-TYP2 and 811-19-000085-TYP2). The decisions for these applications are forthcoming but have not been issued at this time. Issuance of this Tree Felling Permit is not dependent upon (but is informed by) the associated Site Plan Review and Hillside Development applications initiated by Cases 811-19-000084-TYP2 and 811-19-000085-TYP2. Therefore, the tree felling action is being reviewed independent of the proposed utility facilities and subject to Criterion D (below).

Finding C.2: If required, a Land Drainage Alteration Permit (LDAP) obtained from the City will address other activities such as root grubbing, grading for access roads and staging areas, and other construction activities that follow removal of trees from the site.

Finding C.3: As stated in their written response, the applicant will be required to obtain a written concurrence and/or easement from EWEB for tree removal and associated project activities (including construction of access roads and staging areas) on Tax Lot 300. The applicant has not submitted satisfactory evidence that these approvals have been obtained.

CONDITION OF APPROVAL:

- 2. Prior to initiating any tree felling, earth work, or construction activity on Tax Lot 300 (owned by EWEB), the applicant shall obtain a written concurrence and/or easement from EWEB and provide evidence thereof to the City.**

Conclusion: As conditioned herein, this criterion has been met.

D. In the event that no Development Plan has been approved by the City, felling of trees will be permitted on a limited basis consistent with the preservation of the site's future development potential as prescribed in the Metro Plan and City development regulations, and consistent with the following criteria:

- 1. Wooded areas associated with natural drainageways and water areas shall be retained to preserve riparian habitat and to minimize erosion;**
- 2. Wooded areas that will likely provide attractive on-site views to occupants of future developments shall be retained;**
- 3. Wooded areas along ridge lines and hilltops shall be retained for their scenic and wildlife value;**
- 4. Wooded areas along property lines shall be retained to serve as buffers from adjacent properties;**
- 5. Trees shall be retained in sufficiently large areas and dense stands so as to ensure against windthrow; and**
- 6. Large-scale clear-cuts of developable areas shall be avoided to retain the wooded character of future building sites, and so preserve housing and design options for future City residents.**

Applicant Submittal: *“Approval of this tree felling permit is contingent on approval of the concurrent Site Plan Review and Hillside Development Overlay applications.”*

Finding D.1: The proposed tree felling area is uphill and well removed from the Willamette River and its main tributaries. There is a mapped tributary to the Glenwood Slough that runs through Tax Lot 1100 as generally depicted on the applicant’s tree felling plan. However, this drainage feature appears to have been altered by past grading activity and construction of an access road on the upper terrace of this property. There is also a surface drainage ditch that is shown running generally parallel with and about 100 feet east of the tributary to the Glenwood Slough. The applicant is only proposing to remove one tree within close proximity to the Glenwood Slough tributary and two trees in proximity to the drainage ditch; the remaining trees in the vicinity will be left intact. Therefore, Criterion D.1 has been met.

Finding D.2: The project site is within industrial and employment mixed-use zoning, and currently there are no occupied structures within the bounds of the tree felling area. Upon construction of an electric transmission line and substation on the property, should this occur, there won’t be any residents or regularly occupied structures within the affected area. Therefore, Criterion D.2 has been met.

Finding D.3: The area proposed for tree felling is along a hillside and the hilltop area is actually located across I-5 to the west on the Eugene side. The proposed tree felling will remove a linear corridor of trees to accommodate the overhead transmission line and portions of a maintenance access road, but trees to the south along the I-5 right-of-way and particularly to the north along the steeply sloping hillside above the Central Oregon Pacific Railroad tracks will be retained. Upon installation of the transmission line and substation, should this occur, the remaining tree stands – and the gap created by the transmission line – will remain accessible by terrestrial and avian wildlife. Therefore, Criterion D.3 has been met.

Finding D.4: Much of the proposed tree felling will be occurring close to and generally paralleling the edge of the I-5 right-of-way. Therefore, there are no developed properties *per se* that will require a buffer of tree cover to be retained along the southern edge of the project area. Tree stands will be retained along the northwest, north and northeast edges of the project area where it abuts existing industrial sites and the railroad tracks. Therefore, Criterion D.4 has been met.

Finding D.5: The proposed tree felling will retain large, intact stands of trees along the hillside – particularly at lower elevations of the site where trees will not be as exposed to windthrow. Therefore, Criterion D.5 has been met.

Finding D.6: The subject site is not zoned or designated for residential use. Nevertheless, tree stands will be retained within the properties that comprise the project area and will offer buffering, screening, and vegetative backdrop for the proposed electric substation and transmission line and any future development along the corridor, should this occur. Therefore, Criterion D.6 has been met.

Conclusion: The above findings of fact demonstrate that the applicant has submitted the Tree Felling Permit and supporting narrative as part of a planned public utility infrastructure project. The project will be undertaken with the approval of state and local agencies, and is subject to additional permitting requirements as stated herein. As proposed, this criterion has been met.

E. Whether the applicant's proposed replanting of new trees or vegetation is an adequate substitute for the trees to be felled.

Applicant Submittal: *“The proposed development setback areas should not be disturbed so setback landscaping is satisfied with the existing vegetation. Interior to the substation site, there will be some disturbed areas as the substation, on-site driveway, utility infrastructure and transmission line is constructed. These areas will be planted with approved vegetation in the stormwater treatment facilities and with grasses that are drought resistant and don’t need irrigation in other areas. The stormwater treatment facility planning includes trees.”*

Finding E.1: The applicant’s tree felling narrative indicates that replanting of the transmission line corridor with native, non-irrigated grasses, shrubs and forbs will help to stabilize the hillside and prevent erosion and sedimentation issues.

Finding E.2: The nature of the transmission line corridor and substation requires that tall vegetation is excluded from the area to maintain safe clearance from overhead lines. Therefore, revegetation of the affected area will be limited to grasses, groundcover plants, shrubs, and trees with a low growth form.

Conclusion: As proposed, this criterion has been met.

F. Whether slash left on the property poses significant fire hazard or liability to the City.

Applicant Submittal: *“All trees and slash will be removed from the site within 72 hours. No slash or other fire hazard posing liability to the City will result from the proposed removal of the trees.”*

Finding F.1: Where necessary, removal of slash reduces fire hazards and prevents debris and sediment from being deposited into drainage courses or conveyed downhill to adjacent properties and transportation facilities.

Finding F.2: The applicant’s proposal to cut and remove the trees, woody material and debris from the project area should significantly reduce the fire hazard liability on the site.

Finding F.3: The applicant will need to physically remove the trees, slash, and woody debris from the project area because burning of slash piles cannot be done within the Springfield City limits and UGB. There are

recycling and wood processing facilities nearby that should be able to accept the trees and woody debris generated by the proposed tree felling activity.

Conclusion: As proposed, this criterion has been met.

G. Whether the felling is consistent with the guidelines specified in the Field Guide to Oregon Forestry Practices Rules published by the State of Oregon, Department of Forestry, as they apply to the northwest Oregon region.

Applicant Submittal: *“The proposed tree felling is consistent with the specified guidelines. The Oregon Department of Forestry, through its Community and Urban Forestry program, advocates for selecting appropriate tree species based on site conditions, avoiding invading exotic species, and reforesting the urban environment. As discussed above, the applicant is proposing practical replacement plantings that are compatible with the scale of the proposed development. Therefore, the Oregon Department of Forestry objectives have been met by this tree felling proposal.”*

Finding G.1: Forestry practices in the State of Oregon are governed by the State *Forest Practices Act*. The Field Guide to Oregon Forestry Practices Rule provides safety and other guidelines for compliance with the *Forest Practices Act* during timber harvest operations. The guidelines are standards in the industry and are generally followed during all operations performed by licensed and bonded logging contractors.

Finding G.2: The site that is subject to the tree felling request is within the Springfield UGB and most of the project area is outside the City limits. The tree felling activity can be conducted within the identified project area without the requirement for a commercial timber permit.

Finding G.3: The project is designed and intended to accommodate major public utility infrastructure by removing trees from the subject area. The affected properties are zoned and designated for industrial and employment mixed-use activities, not for public open space, parks or natural area preservation. For these reasons, the proposed tree removal does not rise to the level of a regulated timber harvest or commercial logging operation and the activity is governed by the applicable provisions of the *Springfield Development Code*. The applicant has committed to obtaining necessary permits from the City and other local agencies, and following State forestry guidelines for safe operations and fire prevention during the removal of trees, slash and debris approved under this permit.

Conclusion: As proposed, this criterion has been met.

H. Whether transportation of equipment to and equipment and trees from the site can be accomplished without a major disturbance to nearby residents.

Applicant Submittal: *“Construction access to the site will be from East 22nd Avenue and will pass through an industrial neighborhood. Tree felling activities will take place between the hours of 8:00 am and 5:00 pm Monday through Saturday, and will be of limited duration. Therefore, transportation of equipment and trees from the site will be accomplished without major disturbances to nearby property in compliance with this criterion.”*

Finding H.1: The applicant’s tree removal plan indicates that trees will be cut and hauled offsite via existing public roads. The primary public access from East 22nd Avenue is close to the local and regional transportation network at Glenwood Boulevard and I-5, and it represents a preferred route to access the relatively undeveloped project area.

Finding H.2: The existing and proposed access roads will be used to access the entire project area, which extends beyond the City limits into the UGB. There is only one practical point of access from the site due to topography and adjacent transportation corridors (i.e. access is not afforded from the I-5 right-of-way or the Central Oregon Pacific Railroad line). All of the truck trips will use the same haul route and access the

regional transportation network via East 22nd Avenue and Glenwood Boulevard. The applicant has scheduled work during normal business hours such that it will not create a disturbance to nearby residents along East 22nd Avenue.

Finding H.3: The project site is directly accessible from Glenwood Boulevard and the I-5 corridor, which provides for quick access to local and regional sawmills and composting facilities for wood waste and debris. The site's location allows for trucks and equipment to access the local and regional truck routes and, if necessary, for trees, slash and debris to be taken to a suitable disposal facility.

CONDITION OF APPROVAL:

- 3. The applicant shall provide notification to the City of Springfield and all partner agencies involved in the project at least 5 days prior to initiating any tree felling activity on the site.**

Conclusion: As conditioned herein, this criterion has been met.

CONCLUSION AND DECISION:

SUMMARY OF CONDITION OF APPROVAL:

- 1. Prior to initiating any tree felling, earth work, or construction activity within the project area (i.e. Tax Lots 101, 3701, 1000, 1100 or 300), the applicant shall obtain a Land Drainage Alteration Permit (LDAP) as may be required to provide erosion and sediment control measures during tree removal activity and project construction. Initial required protection measures shall be installed and in place prior to commencement of any tree removal activity.**
- 2. Prior to initiating any tree felling, earth work, or construction activity on Tax Lot 300 (owned by EWEB), the applicant shall obtain a written concurrence and/or easement from EWEB and provide evidence thereof to the City.**
- 3. The applicant shall provide notification to the City of Springfield and all partner agencies involved in the project at least 5 days prior to initiating any tree felling activity on the site.**

The above findings and conclusions demonstrate that the proposal meets the standards of SDC 5.19-125 for Tree Felling Permit Approval. This written decision constitutes the Tree Felling Permit.

The following general construction practices apply when tree felling is initiated on site:

- **Notification shall be provided to the City at least 5 days prior to commencement of the tree felling operation.** Please contact Andy Limbird at 541-726-3784 (direct) or by email: alimbird@springfield-or.gov.
- All felling activities, including ingress and egress for the tree removal operations, shall include erosion control measures in conformance with the City's *Engineering Design Standards and Practices Manual*.
- All felling and removal activities shall be performed in a manner that avoids ground disturbance and soil compaction extending beyond the established point of access to the tree felling area.
- Any soil and debris tracked into the street by vehicles and equipment leaving the site shall be cleaned up with shovels in a timely manner and not washed into drainage channels or the public stormwater system [SDC 5.19-125].

ADDITIONAL INFORMATION

The application and documents relied upon by the applicant, and the applicable criteria of approval are available for a free inspection at the Development Services Department, 225 Fifth Street, Springfield, Oregon. Copies of the documents will be made for \$0.75 for the first page and \$0.50 for each additional page.

APPEAL

If you wish to appeal the decision of approval, you must do so by **5:00 PM on May 2, 2019**. Your appeal must be submitted in accordance with the Springfield Development Code, Section 5.2-115, APPEALS. Note: Appeals must be submitted on a City form and a fee of \$250.00 must be paid to the City at the time of submittal. The fee will be returned to the appellant if the Planning Commission approves the appeal application.

If you have any questions regarding these matters, please call (541) 726-3784 or send an email to: alimbird@springfield-or.gov.

PREPARED BY

Andy Limbird

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