

URBAN FORESTRY COMMISSION



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland



• Nick Fish, Commissioner • Mike Abbaté, Director

URBAN FORESTRY COMMISSION

Meeting Minutes

October 18, 2012

Lovejoy Room, City Hall

Commission Members present: Michael McCloskey, Ricardo Moreno, Secretary Catherine Mushel, Stephen Peacock, Chair Joe Poracsky, Dick Pugh, vice Chair Meryl Redisch, Dianna Shervey and John Warner.

City Staff present: City Attorney Harry Auerbach; Jennifer Karp, Bureau of Environmental Services (BES); City Forester Jenn Cairo, UF Supervisor Larry Maginnis, Elm Monitor Danielle Fuchs, and Anne Kroma, Parks & Recreation (PP&R).

Guests present: Bryan Burch, UFC, Education and Outreach Committee, Rick Faber, Michael Hayes, Igor Lacan, and Ruth Williams of Davey Resources and Data Entry expert hired on contract for neighborhood inventories.

Call to Order and Public Comments: Chair Joe Poracsky brought the Urban Forestry Commission (UFC) meeting to order at 7:34 am.

The Chair recognized Bryan Burch, a member of the UFC Education and Outreach Committee, for general comments. Bryan invited everyone to join in the Forest Park Conservancy Stewardship Day this Saturday, October 20th, their largest volunteer event of the season.

Chair Joe Poracsky recognized Michael Hayes, who offered an invitation to the Sellwood Neighborhood work day. They will provide the gloves on Saturday, November 10th from 9 to Noon to do a general weed pulling in the neighborhood, including a section of the Springwater Trail.

Review and approval of August UFC Minutes

The minutes of the last regular business meeting were reviewed. Meryl Redisch moved to approve the August 2012 minutes with one minor correction. Catherine Mushel seconded the motion and it was approved unanimously.

The Urban Forestry Report - Jenn Cairo, City Forester

Jenn Cairo requested the Urban Forestry Commission's attendance at next Saturday's Dig-It at Lents School (5105 SE 97th Avenue) from 9 to Noon. This event is the kickoff to the planting season and graduation for the latest group of 30 Neighborhood Tree Stewards (NTS) who have completed their training.

Jenn also encouraged everyone to register for the free Tree Inventory Summit on November 10th from 9 am to 4 pm. Besides a presentation to show this year's work, lunch is an inducement to stay for the afternoon session and join discussions about continuing the work.

Title 11 update:

- The scope of work for the new computerized permit system has been developed using an outside contractor.
- The Single Point of Contact (SPOC) will be located at Bureau of Development Services (BDS) in the 1900 Building. Jenn and BDS are trying to work out details.
- Angie DiSalvo continues the policy work with BDS and removal permits are the top priority. The UFC will be asked to review the Policy drafts before finalization.

The budget has not been identified for new staff and no decisions will be made until after the November election. Harry Auerbach echoed that budget decisions will not be able to be made until after the new members of City Council are installed, and hope for additional resources being found is dim. Passage of the library measure may also delay fiscal decisions, due to the compression factor for overlapping jurisdictions.

There was discussion about the desire to be informed as early as possible in the budget cycle, especially if a UFC member is asked again to be a member of the Budget Advisory Committee (BAC). Most of the Parks Bureau's money is from the general fund, though increased tree fees may contribute to the revenue portion of the City Nature budget.

Jenn Cairo highlighted the following from the October Urban Forestry Report:

- The UF workgroup retained some seasonal staff who will work on intake assistance, Title 11 documentation, permit type compliance and revising the enforcement policy.
- The last of the Heritage Trees without plaques are getting them.
- Meryl Redisch asked Jenn to research if there are existing or possible new programs that staff can refer low income residents to when they are seeking financial help for street tree removal and required replacement.
- The Park Blocks Inventory & Assessment will be contracted out and that work used to develop a management plan. The inventory work will be funded from the trust fund and the UFC will be involved in the planning and decision making process.
- The Tree Mitigation Fund, the trust funded mainly by capital projects, can only be used for tree related resources and not for permanent staffing.

- BPS (Bureau of Planning and Sustainability) is working on the Central City Plan with the focus on the N/NE quadrant of the City. Parks & Recreation UF staff has met with BPS about UF's involvement in City planning. Bringing street design (with identified desirable tree types) into this early stage. A street tree master plan was discussed.
- Larry Maginnis is assessing how inspector resources are used. Current target date for his work is late December. Resulting changes will be presented to the UFC.
- Staff is working on developing a columnar tree list, compliance sampling, and looking at changes to the private tree removal signs. The postings may include information about why the removal was granted.
- Early consensus is the bus tour was informative and should become an annual event.

John Warner mentioned hearing about the use of drought tolerant trees during lectures by people from Iran and California. He asked if they are being considered on the street tree list.

- Jenn stated that all of the street tree lists (organized by planting site sizes and the presence of overhead lines) will be reviewed this winter. This is on a five year schedule and so will begin this winter, probably in January 2013.
- Besides including new cultivars, or using new information to evaluate current choices, additions will be looked at, like evergreen oaks.
- Anticipating what plants will eventually be considered invasive has always been a goal, but the lists will continue to change as science progresses. Jenn reminded the UFC that several bureaus work on the environmental problems created by invasive species.
- Catherine Mushel suggested offering as many options as possible in the range of each tree category, as Eastmoreland neighborhood is trying to do. Jenn mentioned this opportunity to suggest appropriate trees is one reason for the permit system.
- The lists are recommendations; requirements are captured by permit process.
- John Warner reported the parking lot lists have been recently updated, something that is supposed to be done annually. It's critical to have choices on that list that are tall and provide shade, but that don't drop anything on cars and have root systems that don't damage the impervious surfaces.
- Stephen Peacock suggested considering tree types customarily planted 600 miles south, keeping in mind that growing conditions are more than just annual rainfall amounts. Jenn repeated the general local forecast of possibly hotter, dryer summers and wetter winters.
- Joe Poracsky cautioned that latitude is but one important climate indicator.
- John Warner asked how growers and nurseries could be encouraged to stock new varieties, such as the beautiful and tested Afterburner Tupelo.

The UFC review of the tree lists will be scheduled during a regular meeting so that the reasoning and decision making process can be captured in the minutes. Catherine Mushel asked if staff would be looking for policy or technical help on the lists.

Dutch Elm Disease 2012 Monitoring Report – Danielle Fuchs

Danielle Fuchs, who began with Parks & Recreation as an intern and has been our Elm Monitor for the past two years, was introduced. Her background includes degrees in Forestry Natural Resources and Urban Regional Planning. Danielle gave a PowerPoint presentation about Portland's 26th Elm Season. The first year, 1986, recorded 2 cases of the disease. This year 42 trees were removed due to DED. Trees affected this year in the South Park Blocks are in an area that was a hot spot about ten years ago. There were 4 confirmed diseased trees and others suspected at the site around the Lovejoy Fountain.

Danielle was able to visit the lab and watch the process of testing samples to determine infection. The lab also determines which of the two fungal types of DED strain are present.

The average number of infected trees in Portland over the years has been 41 and we had 42 DED removals this year. Springwater Gap has been identified as a hot spot with many diseased saplings in clusters.

Parks & Recreation inoculated 112 trees at 8 sites. Save Our Elms (SOE) treated 76 trees in Eastmoreland. They are finding the micro injections are not working well and will plan on using the Arbotech macro injection technique on selected trees instead of blanketing the neighborhood. We have lost 90 trees to DED in the downtown area over the last 26 years, but the majority has been replaced with hybrids, maintaining elm population numbers.

Recommendations from this year:

- Skip lab testing in hot spots like Ladd's Addition. If the disease is going down a line of trees, we can assume that the flagging and other symptoms are from DED. Each test costs \$60 plus staff time to collect and process. Owners of private trees will still want to test to confirm DED before removal.
- Post all ROW trees found with DED, educating the public about the problem.
- Redo the Elm inventory in 2013. Go to sites with history and monitor for disease but don't track elm removals for other reasons.
- Clear Springwater Gap of all elm saplings. Dave Kahler suggested two additional sites and Urban Forestry is looking for grants and other funding.

Michael Hayes was recognized by the Chair and asked how the scheduled Sellwood clean up in the Springwater area could help towards this issue. The elm wood disposal could be a problem because of the bark beetle. Danielle will be in contact with him so that it is handled.

There have been no cases of DED in cultivars, but those trees are not tracked for other removal reasons.

John Warner mentioned the design zone by ordinance in effect for the South Waterfront project. Frank Krawczyk met with design staff and looked at any issues regarding street and park trees for this project. Cultivars will be used according to the planting plans.

Stephen Peacock questioned the necessity of the elm pruning moratorium, which results in arborists working at pruning in the cold and snow. Boston and Minneapolis don't restrict pruning. Because the beetles are active in the summer, it was decided that restricting pruning on elms would benefit them. Jenn Cairo reported the same recommendation by others and she will research the issue to confirm the moratorium is worth continuing.

Catherine Mushel pointed out how many street trees are inadvertently pruned year round by the trucks that are going by. Jennifer Karps explained that a tree wound secretes a hormone that attracts the beetle. As the street trees are replaced with DED resistant cultivars, the infection problem may abate. Some neighborhoods may wish to continue, but may not be able to afford, the stronger inoculation for their 'beloved' mature elms.

Commissioner terms and recruitment – Joe Poracsky

Joe reported continued work with Commissioner Fish's office on rotation and recruitment of Urban Forestry Commissioners. There are interviews in the works and he will make a full report at the November meeting. Meryl Redisch is working with Jenn Cairo to get a recruitment and rotation system documented.

Committee and Partnership Reports

Education & Outreach Committee – Meryl Redisch

Dick Pugh brought up the suggestion of trying to get the media and public interested in urban canopy through the mention of water. This summer was the driest on record since 1871 and we may see a lot of tree loss from drought stress. Perhaps tying forestry issues to the long range weather forecasts could be done. Portland is planting trees by the thousands but may also be losing them by the hundreds.

Meryl pointed out the NTS program is a great way to encourage public participation. Perhaps a list of influential people (city officials but also citizens like Phyllis Reynolds) could be prepared to have for quick distribution when there is tree related information to disseminate. Meryl reported that Bryan Burch received an ACT grant for National Neighborhood Tree Month. FOT received a grant to use on trees and prizes for an essay contest for 5th graders, involving both our Dig-It and Arbor Day events.

Heritage Tree Committee – Michael McCloskey

Michael reported that there are six nominations being considered with another field trip possibly happening on Friday, October 26th. The Committee will have an indoor meeting, probably in November, and discuss delisting failing trees after touring some of them in May.

Nominations Committee – Dianna Shervey

Dianna nothing to add to Joe Poracsky's earlier comments on the subject.

Policy Committee

The Committee will not be meeting until reorganized.

Appeals Committee – John Warner

John reported that he and Catherine Mushel met with Angie and Jenn and were continuing to work on the appeal documentation. Earlier in the UFC meeting he stated that the minutes will continue to include a full accounting of the appeal discussion to capture it for the record, but that a decision document would be provided to the appellant right after the appeal and before the appellant leaves City Hall on the day of the appeal.

BES, Jennifer Karps

Jennifer reported on the following tree related work:

- Canvassing is nearly complete, with a small team still working in Cully
- Plans are in place for a November planting of at least 189 trees in CEID (Central Eastside Industrial District)
- Mill Park/ Hazelwood neighborhood has households signed up for 277 free trees from BES and 254 free trees from Friends of Trees
- BES has over 400 households signed up in the Centennial/Glenfair neighborhood
- Brentwood-Darlington and Cully neighborhoods are being offered free BES street trees and \$35 FOT trees, with about 130 already homes signed up.

The data collection monitoring (for 2011/12 planting season and about 20% of 2010/11 season) is complete. Data analysis of the contractor planted trees will be provided when finished. Friends of Trees plantings are monitored with inspections twice during the first summer after planting. Their monitoring report is expected in November, probably continuing their close to 97% first-year survival rates.

Old / New Business:

The rest of the Bylaws appendices will be completed.

Chair Joe Poracsky asked the Commission to think about the structure of the current committees and be prepared to discuss them next month. He gave the example of the Education and Outreach Committee and how they are busy with Arbor Week, the Tree Steward Program, and neighborhood outreach. Should it be organized differently?

Chair Joe Poracsky mentioned The Intertwine, the regional organization that advocates for green spaces and nature. They are a partner with USFS, the State, Portland Parks, and other groups and are working on a regional urban forest strategy. Meryl Redisch reported that Paul Reis, of Oregon Department of Forestry, got a grant for regional planning to assess the gaps in urban forestry. Everyone is invited to attend The Intertwine Fall Summit on October 25th.

The business meeting adjourned at 9:19 am.

20.40 APPEAL FOR 9730 N WHITAKER RD

Appeals Board: Chair John Warner, Dianna Shervey, Michael McCloskey, and Stephen Peacock

Chair John Warner called the committee to order at 9:24 am and described the process for the appellants, Steve Lewandowski and Tom Matson, representing Hayden Meadows and Shari's Management Corporation. The inspector, Lou Phemister, was on vacation so the PowerPoint presentation of photographs was narrated by Urban Forestry Supervisor Larry Maginnis. The property in question is the Shari's Restaurant on Hayden Island, which relies heavily on attracting business from the I-5 freeway. Both pruning and removal permits were denied at this address, which was the first site on the September UFC bus tour, giving many on the full Commission a chance to see the trees and the issue. The trees are blocking the restaurant signage and there are numerous limitations to any relocation of canopy.

Tom Matson, Vice president for Shari's Corporation, informed the UFC of the other rebranding and remodeling projects that have resulted in a 7-10% increase at some of the older stores with declining sales. He explained the limited money and approximately 100 locations, and remodeling those with good prospects. He mentioned the sidewalk uplift requiring repair and the difficulty in replanting due to the street lights, traffic signage and other utilities.

Steve Lewandowski stated he was willing to replant trees, but that they must not block the view of their sign from I-5 going north bound. Shari's is listed on the directional next exit sign but not visible enough. Adjacent businesses with better sign visibility are staying busy while he is sending staff home for lack of customers.

It was confirmed that these are ROW trees under City authority. It was noted that other adjacent businesses had not obtained permits and had topped their trees along the same roadway. Larry Maginnis assured the UFC and appellants that those property owners were being pursued through the enforcement process for their unpermitted actions.

Discussion focused on options already considered by the inspector. The pruning permit had been denied because pruning enough to give sign visibility would harm the trees. Inspecting arborist, Lou Phemister, suggested a possible compromise of raising the crown of the trees and lowering the sign. Discussion brought out, however, that this would not work if the high sign is left in place because the crown raising would have to be too severe if the sign is left in place. Removal and replanting in the same locations would present the same issue as soon as the crowns developed. New trees couldn't take much pruning before becoming structurally unstable.

Jenn Cairo asked if the appellants had consulted with BDS or Portland Bureau of Transportation (PBOT) to find out if there was an option that met their placement restrictions. They had not determined if there were any options, assuming they had built the sign as high as code allows.

The appellants stated their desire to do the right thing by the trees, but said that the average cost of their recent store remodels is around \$200,000. If the signage is not remedied to increase the visibility needed to bring in the customer, this remodel would not be done.

It was pointed out that the trees are sweet gums, a variety no longer on the recommended street tree list. But they are healthy trees and do not meet the dead, diseased or dying required status for granting a removal. Discussion included options of pruning or removal of one or two of the trees, but no mitigation could be discussed without knowing traffic, utility and other requirements for the property. Dianna Shervey moved to allow removal of two trees and crown raising on the other two on the condition that the appellant first check with BDS and PBOT to determine their flexibility in lowering the sign, which the appellant should do if they will allow it. However, the appellant would not agree to that condition. Her motion then died for lack of a second.

Then Michael McCloskey moved to deny the appeal and uphold the inspector's decision to retain the trees.

Stephen Peacock seconded the motion and it was approved unanimously. The appellants were encouraged to research the possibilities allowed under City Code.

The Appeals Board adjourned at 10:22 am.