CITY OF PORTLAND



Urban Forestry Commission

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Amanda Fritz, Commissioner

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URBAN FORESTRY COMMISSION

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Meeting Minutes September 19, 2013 Lovejoy Room, City Hall

Commission Members present: Kris Day, Michael McCloskey, Ricardo Moreno,

Secretary Catherine Mushel, Stephen Peacock, Joe

Poracsky, and Chair Meryl Redisch

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Commission Members absent: Dianna Shervey; ex-officio Lola Gailey, PBOT

City Staff present: City Attorney Harry Auerbach; Jenifer Karps, Bureau

of Environmental Services (BES); City Nature Manager Deborah Lev, City Forester Jenn Cairo, Botanic Specialist Angie DiSalvo, AmeriCorps Intern Natasha Lipai, Tree Inspectors Myles Black and Charlie Davis, and recorder Anne Kroma, Parks &

Recreation (PP&R)

Guests present: Mark Bello; Bryan Burch; Michael Hayes; Marcy

Houle; Ruth Williams

Call to Order and Public Comments: Chair Meryl Redisch called the September 2013 Urban Forestry Commission (UFC) meeting to order at 8:18 am, when it was determined a quorum was reached. Her welcome noted that many people have a favorite tree due to its fall color. A quick round-robin resulted in everyone imaging red and Japanese maples, American ash, persimmon, aspens and, for someone in particular, the large beech at SE 28th and Woodstock. Harry Auerbach reported that his *Nyssa sylvatica* 'David Odom' is not yet showing the signs of its other name: Afterburner tupelo.

Natasha Lipai, AmeriCorps intern, introduced herself. She explained she was brought on board in Urban Forestry (UF) to help organize events that carry out neighborhood tree plans.

Review and approval of July and August UFC Minutes: Chair Meryl Redisch asked for review of the July revised draft minutes and of the August draft minutes. There were several minor changes requested, as well as a paragraph rewrite in the August minutes that Secretary Catherine Mushel will provide.

Joe Poracsky moved to accept the July minutes, as corrected. The motion was seconded by Kris Day and approved unanimously. Catherine Mushel moved to accept the August minutes with the corrections requested. The motion was seconded by Joe Poracsky and approved unanimously. It was noted that the September minutes would not be reviewed for approval until the next regular business meeting scheduled for November 21st.

The Urban Forestry Report - City Forester Jenn Cairo

- The Botanic Specialist I- Forestry Recruitment has closed and HR is reviewing a lot of applications. Parks & Recreation is very close to being able to make an offer to a candidate for the new Urban Forestry Permit Supervisor.
- The New Tree Code briefing for Commissioner Fritz has had to be rescheduled several times, but is now scheduled for the beginning of October.
- The October Tree Tour will be held in place of the regular business meeting. The tour is scheduled for 8 to 11 am, with the bus beginning and ending the tour at the Urban Forestry office. This tour will highlight Parks, BES and Transportation projects, especially Capital Improvement Projects. If there is an appeal with a deadline, a separate business meeting may need to be scheduled.
- The street tree lists are due for revision in their five-year cycle. As a major planting partner, Friends of Trees has been doing stakeholder work with volunteers and nursery industry people. The anticipated street tree lists will be as lengthy as possible to give homeowners and developers the most species options. As a reflection of the concern over climate warming, some additional species will be included that may thrive under predicted conditions and the stresses of being an urban street tree. Maples will not be included in the recommended lists, in part because we have an overabundance of street tree maples throughout the City. Danielle Bohannan (née Fuchs) will be doing outreach to developers and nursery suppliers.
- Autumn Montegna, Mieke Keenan, Charlie Davis and Myles Black worked collaboratively with BDS (Bureau of Development Services) to help present tree information at one of their 'Lunch and Learn Series' Workshops at the 1900 Building. Thirty two people attended, a good turnout, and provided some great feedback. Division-wide training for the thirty Planners at BDS is planned. Parks plans to do similar kind of workshops, when the need arises.

Myles Black responded to a question about the urban forestry review for development permits, saying a project exceeding \$25,000 triggers a tree review. The requirement of 2" per 1000 sq ft means that the caliper inches of the trees on the planting plan are added up for a total, but there is no review of tree locations or species selections. Parking lot tree species are designated as small, medium and large, referring to canopy spread.

Secretary Catherine Mushel asked if the new Tree Code will give tree species recommendations for development permits. Angie DiSalvo explained that private lots will continue to use the formula in the Landscape Standards. Parks may be invited to help BDS update those standards.

City Attorney Harry Auerbach responded to a question about enforcement and explained that Parks enforces the code for street trees but BDS has jurisdiction over trees on private property. City Forester Jenn Cairo shared that there will be two tree inspectors hired at BDS for Plan Review related to trees and that should also help. Harry Auerbach reminded the room that enforcement has never been the City's strong suit, so public acceptance and voluntary compliance is the most that can be expected.

The Chair recognized Mark Bello, a recently-retired experienced planner at BDS. He explained it is Multnomah County site planning rules in effect and that City Planners currently have code authority only in design overlay zones. This lack of authority is one reason that so many ornamental fruit trees end up being planted.

Joe Poracsky expressed his concern that so many of the maples that are planted in the City are columnar and not spreading. He also cautioned about anticipating climate change forces, and felt that one should not take global information and apply it locally. His opinion was that there is time to respond to warming and he felt that it will not be simple to determine appropriate tree species for coastal, valley, Cascades, Columbia River gorge and Portland.

City Forester Jenn Cairo stated she is aware of the complexities and degree of unknowns in trying to anticipate which trees would thrive in anticipated changed conditions. She doesn't feel that there is abundant time and so Urban Forestry is currently looking at the results of planting trees not previously used locally, like evergreen oaks. She also defended planting columnar trees in highly urban areas like downtown, where often they're right next to the outside walls of tall buildings.

Michael McCloskey was recognized and mentioned the occurrence of sudden oak death in California and the possible affect on southern Oregon. City Forester Jenn Cairo expressed her opinion that we have more to fear locally from the Asian Long-horned Beetle than Sudden Oak Death. She pointed out that following the 30/20/10 rule would help with diseases that wipe out whole populations of certain trees. That rule is no more than 30% of any one family, no more than 20% of any one genus, and no more than 10% of any one species. Diversity helps to buffer the effects of the big threats. Meryl Redisch suggested using the 'Lunch and Learn' workshop format to communicate best practices in arboriculture.

Committee and Partnership Reports

Policy Committee - Kris Day

Policy Committee Chair Kris Day reported that the committee met this past week and Mark Bello is a new member. The committee is:

- working on a six-month educational campaign
- planning to make regular visits to City Council over the next six months
- making a presentation at the Parks Board this fall

Kris reported that about two dozen suggestions were received regarding the comments on the Comprehensive Plan. She invited other UFC members to attend the next Policy Committee meeting.

Education & Outreach (E&O) Committee – Catherine Mushel

E&O Committee Chair Catherine Mushel reported that the committee enjoyed the sunshine while holding their scheduled meeting at Director Park. The Oregon Ballet Theater's annual open rehearsals in the park provided a wonderful background, if not a bit of a distraction. The meeting covered:

- achievable goal setting
- connecting with partners
- aligning the committee's priorities
- listening to Neighborhood Tree Stewards
- attaching stewardship to place and then plan funding (e.g. Learning Landscapes)

E&O Committee member Autumn Montegna has designed a form for capturing tree event attendance and received some feedback on it. The committee has decided to use Google Docs to track hours and share contact information.

E&O Committee members will be going to the established functions of groups in undercanopied neighborhoods and introduce themselves. The canopy reports were used to consider the equity issue around trees. With gathered contact information, the committee will be able to determine who is receiving the message and who is not. The UFC will look at leveraging the work of partners doing the same kind of thing. The Seattle public involvement document discussed at the March retreat and forwarded in July was mentioned.

Nomination and Recruitment Committee

Committee Chair Joe Poracsky reported the group will meet next to edit the final version of the recruitment PowerPoint presentation.

Heritage Tree Committee - Michael McCloskey

Committee Chair Michael McCloskey reported that the committee would not be doing a fall field tour, since they only have one nomination. He did hold up a copy of his newly released book, *Conserving Oregon's Environment: Breakthroughs That Made History*, from Inkwater Press. He explained there are sections in the book related to Forest Park and Portland's Heritage Trees. He will recap the Heritage Tree presentation from last month and continue the discussion and designation process under Old Business.

Old/New Business

Wrap up: Forest Park Management - Chair Meryl Redisch

UFC Chair Meryl Redisch returned to the discussion from last month and suggested any comments about the prescreening methodology tool (POST) should be sent to her by Tuesday, September 24th. Plans are to have Meryl begin a draft letter using those comments, ask the Policy Committee to review the draft, and provide it to the full UFC for comment before sending it to Commissioner Fritz by the end of the month.

Michael McCloskey was recognized and commented that the tool seems well intended and leans to the ecological viewpoint, but has no scale to include the negative. He pointed out

that some projects could have serious detrimental impacts, but that's not captured by the tool. He claimed this is a work in progress, has some problems, and may be incomplete. He will summarize his thoughts on the subject and forward them.

The Chair recognized City Nature Manager Deborah Lev, who acknowledged that Michael has a relevant comment (regarding the staff decision to start the ranking at zero) and encouraged the UFC to provide any other comments on this prescreening tool. She explained that the online form was no longer available but that she would provide a hard copy of it with the questions so that it could be scanned and forwarded. Seeing the questions used will help everyone understand the format of the comment process.

Marcy Houle, author of *One City's Wilderness: Portland's Forest Park*, was recognized by the Chair. She asked that everyone start with the 1995 Forest Park Natural Resources Management Plan (FPNRMP) as both policy and code. She also felt that the land use laws could also be considered as the true baseline.

Deborah Lev responded that there are more subtleties with Forest Park, in the form of special land use, mitigation, and wildfire plans written specifically for that property.

This process is an attempt to be more transparent. Any comments received in time will be included, the tool will be revised, and the final version will be provided to the UFC at the November meeting.

Committee and Contact Lists - Anne Kroma

City Forester Jenn Cairo asked that recorder Anne Kroma be recognized to request help in updating contact and committee lists. Up-to-date lists ensure reminders or cancelations go out to the entire committee. Those lists and reported committee meetings are used to calculate volunteer hours for the Urban Forestry Commission. Attendance at tree related events would be counted by the person in charge of the event, so this reckoning the time spent at the regular business meetings, appeal hearings, committee meetings, and time in the field. This estimate is forwarded to PP&R Volunteer Services on a quarterly basis.

Heritage Tree Committee - Michael McCloskey

Heritage Tree Committee Chair Michael McCloskey repeated the showing of PowerPoint slides of the three nominated trees and summarized their attributes:

- The common horse chestnut at 4741 SE 36th Place exceeds those of that species already in the system.
- Heritage Tree designations for European beeches are common in other parts of town but this tree is at 1357 SW Spring Garden Street. A neighbor complained verbally, but provided none of the required written objection by the deadline. Urban Forestry would consider issuing a pruning permit to remove overhanging branches, but the UFC is not obligated to consider the neighbor's undocumented objection regarding this designation.
- The nominated silver linden at 408 N Rosa Parks Way would be the only one of its kind to be so designated in the system.

There was not the unanimous approval needed for recommending all three nominations, due to consideration of the issues surrounding the European beech. Catherine Mushel moved that two trees, the horse chestnut and the silver linden, be approved for recommendation as Heritage Trees. Stephen Peacock seconded the motion and it was approved unanimously.

City Forester Jenn Cairo pointed out that a unanimous vote of the full Urban Forestry Commission is also required to recommend that Council remove a Heritage Tree designation. Committee Chair Michael McCloskey reminded the UFC that the committee has not been able to come to any agreement regarding delisting trees. Delisting refers to those designations on trees that no longer exist, as well as declining trees that may no longer qualify under the criteria. He stated, "It would be orderly to periodically list the trees for removal before Council".

Angie DiSalvo reported that the verbal complaint about the European beech was in response to a courtesy notification. The Ombudsmen's Office process requires the objection to be submitted in writing within two weeks.

Discussion of removing Heritage Tree designations will be scheduled on the November agenda, as well as another vote on the European beech and a decision about when to bring the approved trees to City Council for recommendation as Heritage Trees.

The regular business meeting adjourned at 10:20 am.

Appeals Committee session for 20.42 Appeal at 2804 SW Troy Street

Appeals Committee Chair Stephen Peacock introduced committee member Michael McCloskey and alternate Joe Poracsky. Also present were City Forester Jenn Cairo, Tree Inspector Charley Davis and recorder Anne Kroma. The format and appeal process were explained to the appellant, John Graf.

Tree Inspector Charley Davis showed slides with photos of the scarlet (or possibly pin) oak in the denied removal permit. The tree is located in the corner of a parking lot serving a fourplex residence.

The appellant explained that he wished to remove the tree because it produced acorns, had aphids, and he didn't like watering it. He was not sure that the tree had ever been thoroughly pruned, but it has no overhead power lines.

Tree Inspector Charley Davis estimated the tree had been planted in the early to mid '70s. Urban Forestry Supervisor Larry Maginnis had also inspected the tree and agreed there was no justification in code to allow the removal of this healthy tree.

Mr. Graf passed around some photos (not provided for the record) showing how one of his renters needed to use a cover on his car to protect it. He stated other renters had moved due to the same issue of honeydew from the aphids. His photos also showed the ninety arborvitae shrubs making up a hedge surrounding the parking lot. He has had to remove some of them and feels the oak tree is the cause of the dying shrubs. He stated that he would agree to a replacement tree.

It was suggested that any of the available treatments for aphids (spray, soil drench, or injections) be attempted before removing the tree. Chair Stephen Peacock asked about the pruning history and was informed that an arborist worked on it for two days two years ago.

Michael McCloskey moved to deny the appeal. The motion was seconded by Joe Poracsky and approved by the Appeals Board Committee. It was suggested that pruning and treatment be tried to alleviate the inconveniences.

Appeals Committee session for 20.42 Appeal at 5417 SE Ramona Street

Tree Inspector Myles Black explained that appellant Richard Ludlow applied for a permit to remove four trees: two pines, one spruce and one cedar. The removal permit was issued for the two pines and the spruce, but directed him to retain the cedar. The appellant is asking the Appeals Board to revise the permit to allow him to keep the spruce and remove the cedar. The lot is zoned R5 and could be subdivided, so it falls under the jurisdiction of the UFC.

The house was built in 1950 by a landscaper and the entire yard is full of trees, many of them evergreens. The cedar has been topped in the past but still blocks the sun into the backyard. It has small needle size (a symptom of stress) and girdled roots on the east and west sides of the trunk. The spruce is co-dominate, but cabling could stabilize it.

Mr. Ludlow provided a letter of support from the neighbor whose property starts about two feet from the tree requested for removal. The neighbor's concerns includes limb drop that could damage the historic windows on his home. It was noted for the record that the letter refers to the wrong kind of tree, but it was established that it is the cedar.

There were five site visits by three City Arborists looking at these trees. Myles was willing to agree to remove the cedar if the spruce was retained, but was overridden by the other two inspectors. The cedar is clearly stressed and in a bad location. If the appeal was granted there would be space for two street trees, but no room to replant in the yard.

Chair Stephen Peacock, a certified arborist, expressed his opinion that the cedar is problematic and will suffer limb drop, but the spruce could be cabled to be made safe.

Joe Poracsky moved to allow removal of the cedar, keep the spruce by having the cabling done, and replant two non-columnar street trees that will be as tall as the power lines allow. Michael McCloskey seconded the motion and it carried. The appellant was informed that they would need to apply for a street tree planting permit.

The Appeals Committee adjourned at 11:13 am.