

URBAN FORESTRY COMMISSION



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland



• Nick Fish, Commissioner • Mike Abbaté, Director

URBAN FORESTRY COMMISSION

Meeting Minutes

August 16, 2012

Lovejoy Room, City Hall

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

Commission Members absent: Brian Krieg, Ricardo Moreno and Chair Joe Poracsky.

City Staff present: City Attorney Harry Auerbach; Jennifer Karpis, Bureau of Environmental Services (BES); City Forester Jenn Cairo, Inspector Lou Phemister and Anne Kroma, Parks & Recreation (PP&R).

Call to Order and Public Comments: Vice Chair Meryl Redisch, acting as Chair, determined there was a quorum and called the August Urban Forestry Commission (UFC) meeting to order at 7:41 am. It was determined that there were no general public comments.

Review and approval of July UFC Minutes

Catherine Mushel moved to approve the July minutes with five requested changes. Michael McCloskey seconded the motion and it was approved unanimously.

The Urban Forestry Report - Jenn Cairo, City Forester

Jenn reported on the ISA (International Society of Arborists) conference which just wrapped up and was held in Portland. The **World Tree Climbing Competition** got great press coverage in print and television. The conference broke all attendance records and the technical presentations, tours and activities were very well received. It was an opportunity to learn, to have great visibility for our urban forest, and to make good connections.

Autumn Montegna (PP&R) is working on a public relations plan with identified goals and annual timelines. The new code process afforded an opportunity to develop guidelines for future work.

Jenn Cairo reviewed the **root barrier** information provided at the March UFC meeting:

- BDS will include root barriers in the specs for new street trees in the ROW
- PBOT will require root barriers in their work that is contracted out
- UF will be providing updated guidelines for work done by FOT and BES
- There is strong desire for consistency on this matter across bureaus
- Root barriers may lessen or forestall the need for root pruning
- Research is not conclusive but anecdotally staff believes it's been helpful
- Root barriers are only installed at the time of planting

Jenn clarified information for the UF Commission regarding:

Root barriers will be required for street tree plantings done by Friends of Trees (FOT)

The results will be tracked through monitored samples set up around the City.

Jenn is also following a research partner's work in Florida, using with 6 inches of gravel.

There will be corroboration of the long term statistics (at five year intervals) with BES.

There are too many TRACS variables to allow data to be pulled out specific to root barriers.

The good relationship with PBOT allows Jenn Cairo, as City Forester, to ask for flexibility in sidewalk situations and they have been willing to look at pavers, cutouts and other options.

The requirement will be phased into large development.

It is hoped that a street re-pavement project will included in the sample.

Michael McCloskey expressed hope that root barriers become the most widespread preventative step, but that the UFC will still deal with homeowners and the root issues of existing street trees. Harry Auerbach pointed out that PBOT has been willing to reroute sidewalks and look at various sidewalk widths, but must be compliant with ADA accommodations. Jenn Cairo asked about the best method of communicating with homeowners early in the project. If they were aware of possible solutions, such as suspended sidewalks with support pillars, they could be considering those higher cost options during the design process with tree preservation costs offset elsewhere.

Jenn Cairo reminded the UFC that an existing tree may have a root system 1 to 3 times the canopy spread. Root pruning to the extent of dealing with some sidewalk issues could injure the tree to the point of failure. Also the plantings using root barriers may need additional trenching, besides just a hole for the root ball. Lateral root growth is discouraged.

Jenn also updated the UFC on the **Tree Code Implementation**. There has not been a lot of movement on the TRACs development and it is difficult to obtain agreement among bureau's needs. Angie DiSalvo has been representing UF in decisions regarding monitoring. BDS (Bureau of Development Services) currently has a lot of work on its' plate and is working on purchasing the software that will replace TRACS. There is a recommendation to work with a Canadian subcontractor. Jenn (and the Education & Outreach Committee) will be continuing to keep the UFC up to date through monthly reporting.

Some UF staff feel that the public isn't aware of the regulations until a homeowner decides to do something tree related. It is hard for the inspectors to take the brunt of the public's frustration or anger about these regulations. Mat Sinclair (Parks & Recreation Community

Relations Manager) is leading an effort to get the word out about the tree code changes before they go into effect. It does sometimes feel like the communication process must happen multiple times before the public understands. Inspectors will be offered a class called Verbal Judo, proven helpful to Rangers in deflecting and redirecting verbal aggression and in helping to not take things personally.

Catherine suggested that some people may only understand things from the negative perspective. Instead of talking about tree benefits, educate people about the consequences of ignoring City Code. Perhaps the Hollywood version of removing several large trees and a resulting landslide on a neighbor's house could get someone to look at their tree's influence beyond the property line and into the neighborhood and watershed.

Jenn Cairo and Rebecca Esau (BDS) are working together and using Hannah Kuhn's White Paper recommendations to look at policy and process for the tree code. They are using case scenarios to work through deciding how staff will handle situations. The single point of contact will work for UF but be housed at BDS.

Jenn mentioned the marked increase in reports of limb drops this summer. A couple of weeks ago we had reports of elm limbs falling and this week it seems to be sweet gum trees being stressed and dropping limbs. A large (28 inch) sweet gum branch fell on the track at Duniway Park and resulted in injury to runners on the track last night. Charley Davis and the Fire Department both responded to the emergency right away. The media gave it a lot of coverage and informed the public that despite preventative actions, we can lose limbs this time of year from wind and the weight of leaves and seeds.

The **UFC bus tour** plans for September 20th continue to be discussed. The inspectors are working on the details. The bus will leave from the Urban Forestry offices at 7:30 am and will include staff from BDS, BES and FOT, as well as others. Participants are encouraged to wear sturdy shoes, dress for the weather, and bring snacks and beverages.

Retreat – Meryl Redisch

Vice chair Meryl Redisch led a discussion about initial plans for a UFC retreat in lieu of the regular business meeting, 7:30 to 11:30 am, Thursday, February 21, 2013.

Suggested topics included:

- How to monitor and track the large and broad regulations of the new tree code
- How to engage partners to plant areas not under City control, i.e. along state freeways
- How to include the UFC in current partner relationships and work with them
- Review the status of past goals or projects, especially closing the loop on completed work
- Prioritize UF staff project list (using UF Management Plan and other guiding documents)
- Be briefed on staff focus: e.g., Karl has massive project list and is outlining education plan
- Revisit the UFC role, authority, and part in implementing the new tree code (advisory)
- Review UFC membership and include decision makers from other bureaus
- Use the historic Park Blocks tree planting plan as a way to teach the bigger canopy goals
- Provide a 1 to 3 year UFC work plan as the deliverable for the retreat

Come up with a comprehensive approach to invasive species
Outline succession planning for long-term UFC leadership role

Expressed concerns included:

- Frustration over past facilitators without basic tree knowledge to guide discussion
- That the timing of the retreat may be too late to influence new code or new budget
- That the advisory function of the UFC isn't utilized enough by the City Forester
- Frustration that large projects are presented after design completion or permitting
- Desire for staff from other bureaus to communicate to UFC in tree terms in presentations

Jenn Cairo used Compliance and Enforcement as an example of the delicate balance needed. If the big stick is overused, it is not as effective, but the very nature of the situation is reactionary. Discussion included BES use of blanket permits, BDS as the only enforcement bureau, the BPOT role in ROW jurisdiction, but yet Urban Forestry is responsible for trees and tree permits. The liaison position in Parks & Recreation (with funding from all the bureaus for only 1 year) would be able to interact with all involved agencies.

Meryl will work with Jenn, Joe and Catherine on plans for the upcoming retreat.

Committee and Partnership Reports

Policy Committee

It was noted that the Committee will need to reorganization with Brian's UFC departure.

Heritage Tree Committee – Michael McCloskey

Michael reported that the Committee is planning a meeting sometime in the fall to finish discussion on delisting trees. There may also be an optional field tour sometime in the fall.

Nominations Committee – Dianna Shervey

Dianna reported on still awaiting some high level direction, but receiving some suggestions from Catherine for the Committee to follow up on.

Appeals Committee – John Warner

John reported that he and Catherine Mushel will be going through the appeal checklist and have the appeal process package ready for adoption as Appendix B at the next UFC meeting.

Education & Outreach Committee – Meryl Redisch

Meryl reported that the Subcommittee continues work on Arbor Week plans in connection with the Saturday Farmers Market.

BES, Jennifer Karps

Jennifer reminded the UFC that she attends the monthly meetings as an interested party and not part of an official request to her bureau. There is a difference between being a guest in the gallery and sitting at the table when seeking recognition to speak up on an issue.

In answer to someone's question about the health of the trees planted three years ago around I-205, Jennifer updated the UFC on work with ODOT. The trees planted along I-84, I-205 and I-5 were specifically sited to deal with the restrictions imposed by slope, set backs, ROW width, light rail tracks and the size of medians. Grey to Green will have less funding and staff in the future and lobbying ODOT may be the most effective way to gain canopy in areas under their control. Friends of Trees is doing the mitigation plantings for the Green Line Light Rail project.

Old / New Business:

UF Commissioners needing parking will go through the receptionist at the Portland Building.

Jenn Cairo gave more information about the limb failure coming down on the track at Duniway. There will be a press conference in the afternoon for an update on the person who was hospitalized. Larry Maginnis and Charley Davis are on site, and will condemn and remove the now structurally unsound tree. This is just one of the 1.2 million City trees needed to be managed by the Parks bureau.

Jenn Cairo will send additional information about the tour that will happen in place of the regular September business meeting.

The meeting adjourned at 9:38 am.

20.40 APPEAL FOR 8028 N CENTRAL AVE

Appeals Board: Chair John Warner, Dianna Shervey, Michael McCloskey, and Meryl Redisch

Inspector Lou Phemister's PowerPoint presentation was not available due to staff response to a tree emergency. Dianna and Michael have visited the site and the inspector described the timeline of the process. The appellant, Janis Brown, had applied for a removal permit based on her belief that the lifted sidewalk is a trip hazard. She has tripped and witnessed other people do the same while walking on her sidewalk. Inspector Jim Field (on vacation) had determined during an inspection that this European white birch is in fair to good condition, has a complete crown, and is a vigorous, mature tree with no decay or significant defects. Lou Phemister advised the appellant that the sidewalk could be lifted and inspected for root pruning or possible sidewalk modification.

Appellant Janis Brown disagrees with the planting strip size that both inspectors had measured at 6.5 feet. She believes it is 3 feet and has done web research to show that this species is no longer on the approved planting list for street trees. She feels if the tree would no longer be acceptable as a new street tree, that she should be able to remove it and plant something that will be smaller at maturity. She doesn't want the cost of future sidewalk repair and doesn't want to plant a tree in her yard due to concern for interference of the water lines.

John Warner clarified that tree roots could possibly grow into sewer lines, but will not do so into pressurized water lines. The lot width is 50 feet, including the driveway, but doesn't have room for two smaller trees and most medium size trees will do the same kind of sidewalk damage.

Meryl Redisch confirmed with the inspector that there is not a lot of other canopy in the area.

The inspector was asked if he believed the sidewalk could be ground down and repaved to fix the current lifting. Lou does think so, but the appellant does not want a 'band aid' solution, but rather a permanent one. He believes the tree could be root pruned (only confirmed by lifting the sidewalk) and the sidewalk mitigated for continued growth. It has not been posted by PBOT.

City Forester Jenn Cairo explained that although it would now be against code to plant this type of tree as a street tree, the City seeks to retain mature healthy canopy and the benefits to the community. The code is written to treat all citizens consistently and allow removal of dead, dying, or dangerous trees. The inspector added that if significant sidewalk damage does occur in the future, the appellant can apply for a removal permit at that time.

The Appeals Board expressed sympathy for homeowners and the repair costs associated with sidewalk damage from trees. This is a healthy tree and a replacement could do the same damage.

The City Forester explained that in general, a tree's roots are 1 to 3 times the canopy size, so that even smaller height trees may have the same root issues. It was suggested that the range of options short of removal be explored.

Michael McCloskey moved to deny the appeal, upholding the inspector's decision and retaining the tree. The motion was seconded by Dianna Shervey and passed unanimously.

The Appeals Board adjourned at 10:28 am.