
URBAN FORESTRY COMMISSION

Meeting Minutes

May 15, 2014

Lovejoy Room, City Hall

Commission Members present: Mark Bello, Bryan Burch, Kris Day, Brian French, Barbara Hollenbeck, Secretary Catherine Mushel, Stephen Peacock, Joe Poracsky and Chair Meryl Redisch

Commission Members absent: David Diaz and Ricardo Moreno

City Staff present: City Attorney Harry Auerbach; Lola Gailey, Portland Department of Transportation (PBOT); Jennifer Karps, Bureau of Environmental Services (BES); Senior Planner Tom Carter, Senior Engineer Patrick Easley, Water Bureau; City Forester Jenn Cairo, Elm Monitor Emily Wilson, Tree Inspector Charley Davis, Urban Forestry Permitting Supervisor Casey Jogerst, recorder Anne Kroma, Parks & Recreation (PP&R)

Guests present: Michael Hayes, Gregg Everhart.

Call to Order and Public Comments: Chair Meryl Redisch called the May 2014 Urban Forestry Commission (UFC) meeting to order at 8:23 am. She recognized Michael Hayes who requested the opportunity to comment about the need for better communication within the UFC Committee framework so that meeting times are available and members of the public can participate in the work outside of the UFC general meetings.

Review of April UFC Minutes: UFC Chair Meryl Redisch requested a quick review of both sets of April draft minutes: the regular business meeting and the emergency meeting in the South Park blocks on April 26th.

Corrections for the regular meeting's minutes were provided in advance by City Forester Jenn Cairo, Secretary Catherine Mushel, and UFC members Brian French and Barbara Hollenbeck. These changes were included in the distributed hard copy version. Kris Day moved to approve the minutes with revisions, Barbara Hollenbeck seconded the motion and the April 17, 2014 UFC minutes were approved unanimously.

Catherine Mushel requested that ‘diameter’ be changed to ‘circumference’ in the April 26th emergency UFC meeting minutes recorded by Bryan Burch. Mark Bello moved to accept the minutes with the requested correction. Stephen Peacock seconded the motion and the motion was approved unanimously.

The Urban Forestry Report - City Forester Jenn Cairo

City Forester Jenn Cairo reminded the UFC Commissioners that this evening will be the final City Budget public hearing. Anyone wishing to sign up and give testimony before City Council in support of full funding for Title 11, the new Tree Code, is encouraged to do so.

Jenn Cairo continued by stating that training for Title 11 has been planned for some time but will be fully implemented when the code is assured funding to avoid confusion as to which code is in operation. Mieke Keenan has been very involved. The program evaluation (monitoring) details are being worked out with staff and there will be a draft plan. Staff will provide expertise and it is hoped that partners will provide outreach.

Jenn Cairo reported that vacancy savings were used to bring on four or five seasonal staff workers. Jim Gersbach is acting as scribe to document urban forestry policy. Three seasonals, including returning staff Jeff Ramsey and Jeremy Grotbo, are working on street tree inventories.

Jenn Cairo introduced Emily Wilson, this year’s Elm Monitor. Emily gave a brief description of her background, including that she has been hosting Heritage Tree bike tours since 2003. She will return in the fall to provide the Commission with the Elm Monitor’s Report.

City Forester Jenn Cairo expressed gratitude for everyone that contributed to Arbor Month. Attendance and the weather at the Urban Forestry Open House on April 30th were wonderful. Channel 12’s morning news was broadcast from the site several times that morning. It is hoped that this open house will become an annual event. One suggestion was to time it with the opening of planting season, another to hold it during Spring Break, and to consider how difficult it can be to attend events on weekday mornings.

There will be discussion soon about trees within the Capital Improvement Project (CIP) process and the difficulties in retaining large trees. Trees are so often more like an afterthought than ‘front and center’ in the CIP process. Urban Forestry is coming up with guidelines and checklists and a work load assessment to have more efficient use of staff time.

The UFC Chair Report – Meryl Redisch

UFC Chair Meryl Redisch reported on meeting with Commissioner Amanda Fritz regarding the status of Title 11 and funding strategies. Roberta Jortner, of the Bureau of Planning & Sustainability, will be asked to provide the current status of the Comprehensive Plan. The next draft is due out this summer.

Meryl Redisch also reported attending Parks Board meetings. The Parks Board will be holding their retreat with a tour on May 30th at Leach Botanic Garden.

Meryl Redisch reported on meeting with Parks Director Mike Abbaté and assuring him that the UFC was finally at full strength with strong new members. They discussed trees and view sheds, trees in community garden situations, and trees in parks such as the Japanese or Chinese Gardens, where there currently is no policy in place.

Meryl Redisch asked UFC members to consider their top three or four goals for discussion at a UFC retreat, currently tentatively scheduled for September.

Everyone was encouraged to attend the City Council Budget hearing tonight and stand up and support the new Tree Code.

Committee Reports – Chair Meryl Redisch

Appeals Board: Committee Chair Stephen Peacock deferred to City Deputy Attorney Harry Auerbach to provide an overview of the appeal process. New commission members were given a brief outline of the work of this committee, which will convene after the regular business meeting. Harry Auerbach stated the difference between a 20.40 appeal, for a denied street tree permit, and a 20.42 appeal, the current regulations affecting private trees. City Code imposes the responsibility and expense of both the trees and sidewalk maintenance on the adjacent property owner. The Appeals Committee has wrestled with the conflict of a homeowner's liability concerns, fiscal resources, and protecting healthy street trees.

Harry Auerbach continued by pointing out that 20.42 appeals are only for denied removal permits, not pruning, of trees greater than 12" on everything other than SFR (single-family residential), corner and non-dividable lots.

He re-iterated his previous advice that the success of the urban forestry program depends on education and the good will of tree owners for compliance.

Education and Outreach Committee:

Committee Chair Catherine Mushel reported the committee is already planning for next year's Arbor celebration under the theme of "Stewardship around the World" which continues the interest in old trees. There is hope that First Nations people will be included and share their tree stories.

Subcommittees are working on reviewing the Naito Awards, continuing work with the farmers market, and building a constituency of future tree huggers in East Portland. The committee plans to continue to build on reciprocal relationships with groups such as the NW Tree Guild, Outdoor School, and Friends of Tryon Creek to aid in recruitment and support, amplifying the urban forestry message from all sides.

Committee member Bryan Burch reiterated that the idea is to capture children's interest in nature early and make it fun. He related a story about Natasha Lipai, Urban Forestry's

AmeriCorps member, creating a fun class about urban forestry (including a final art project) for autistic children and families.

The committee's intention is both to raise the public's expectations regarding urban forestry education and to fulfill the expectations raised by repeating places of venue and schedules for forestry events, by repeating outreach to partners, and by repeating classes and programs.

Policy Committee:

Committee Chair Kris Day reported the committee has been focusing on getting the word out about the new tree code and the need for Council to fully fund it. Partial funding has been included in the proposed budget, but it is still short of the amended budget request.

Commissioner Fritz has expressed her confidence that it will be fully funded.

Heritage Tree Committee:

Committee Chair designate Brian French reported that the committee received an unusually large number of nominations and plans field tours on both June 2nd and 4th. Brian met with current Chair Michael McCloskey and UFC Chair Meryl Redisch. The Paradox walnut tree will be included in the next round of nominations.

Urban Tree Canopy Program (UTCP) Update:

Bureau of Environmental Services Urban Tree Canopy Program (UTCP) manager Jennifer Karps provided a report on her bureau's work. The tree planting season is essentially complete and the preliminary numbers (excluding Treebabe) are 4,235 street trees and 476 yard trees planted by Friends of Trees (FOT) and BES, with an additional 650 free fruit trees given away by FOT. The more than 3000 volunteers also served with Friends of Trees and Community Tree Care Programs to provide structural pruning to 550 young trees. FOT planted in almost all neighborhoods east of the Willamette River this year.

BES projects included work in seven neighborhoods, three commercial corridors, the Tabor to the River partnership, and an offer of free evergreen and/or native trees to property owners with larger planting strips and no high-voltage power lines. The UTCP undertook an equity scan of their programs this year to learn whether the services are offered equitably with respect to communities of color and low-income communities. Preliminary results suggest equity in these demographic drivers east of the river. The few blocks west of the river that may be underserved are not low canopy areas.

BES will partner with the Confluence Environmental Center for a fourth year to employ an AmeriCorps member in the position currently worked with great dedication and expertise by Sara Ennis; and the summer canvasser interview process will begin next week with the hope of two week training to start June 10th.

Water Bureau Mt Tabor Project – Tom Carter

Discussion first covered the Federal requirement that Portland no longer store drinking water in open reservoirs. Senior Planner Tom Carter reported the deadline to disconnect from the current system and either cover or treat our drinking water is December 31, 2014. This

presentation shows the by-pass pipe project that will be constructed to route water from Powell Butte storage to the water distribution system.

Tom Carter continued by explaining that the project is subject to a Type 3 Land Use Review before permit issuance. There has been an incredible amount of public input about the reservoirs in general and Mt Tabor specifically. Outreach has been done with the neighborhood and now Tom is showing the construction options for the 35 feet wide construction corridor in an E-zone. There are not a lot of native trees, but some historic species and a few low value trees will be removed. The Water Bureau has taken a novel approach, proposing to pay mitigation costs for significant trees that have been designated for preservation, but later fail after the project is complete. There are no Heritage Trees affected and any trees removed will be mitigated. Re-vegetation within ten feet of the pipe will be with shrubs. There are plans for a spring start and Water has identified 496 inches of trees to be mitigated.

Please send comments on the plan to Anne Kroma to be compiled and sent to BDS by early July for an August hearing.

Old/New Business

Mark Bello reported that there were several mentions of trees in the Irvington newsletter. He will have it distributed to the UFC.

Lola Gailey will be presenting information about PBOT's suspension of street tree planting in all frontage improvements until pending litigation is settled.

Bryan Burch mentioned the Intertwine Alliance and health care organizations aligning to bring patients into a green world to speed recovery.

The regular business meeting adjourned at 10:35 am.

20.42 APPEAL at 5834 SE 128th Avenue

Appeals Committee Chair Stephen Peacock called the session to order at 10:45 am.

In attendance were UF Permitting Supervisor Casey Jogerst, Tree Inspector Charley Davis, Deputy City Attorney Harry Auerbach, Appeals Committee Chair Stephen Peacock, committee members Bryan Burch and Barbara Hollenbeck, and recorder Anne Kroma. Appellant Georgina Vogeles and her neighbor Kaitlyn Carpenter were present.

Inspector Charley Davis reported that a permit application was received to remove four trees. The permit was issued to remove the incense cedar tree creating damage to the foundation but denied the removal of the three healthy Douglas fir trees in the backyard. Both Larry Maginnis, UF Operations Supervisor, and Casey Jogerst, Permit Supervisor, made site visits and determined the trees do not meet criteria for removal and should stay. In preparation for the appeal, three members of the Appeals Committee, Stephen Peacock, Barbara Hollenbeck, and Bryan Burch, visited the property and looked at the trees; during their site visit, the neighbor, Kaitlyn Carpenter, spoke with them.

The applicant's appeal may be summarized as a complaint that the fir trees drop limbs. Urban Forestry staff was concerned that if these trees were removed, the remaining trees would then be opened up to wind damage and start dropping limbs; also, the considerable ecological services provided by the trees would be lost.

Ms. Vogele stated that she has had to spend many hours picking up branches and cleaning up the mess from the trees, so she would like to remove them. She said that she would consider planting away from the fence line and prefers a tree such as an evergreen magnolia.

Kaitlyn Carpenter, whose property adjoins, was recognized to report that limbs blown onto her property have damaged bird baths and garden containers. Ms. Carpenter said that as the previous owner of the property she had planted the trees, and gave them the approximate age of 38 years. She also explained the area is heavily canopied with hemlock, cedar, walnut and several fruit trees, in addition to the line of Douglas firs. Her sons have volunteered to plant the new trees and maintain them.

It was determined that the fir trees have only had hangers removed and have not been pruned. It was the inspector's suggestion that proper branch pruning and trimming be done to lessen the weight and prevent as much limb drop. No mitigation was required for the removed cedar but if the removal permit included these trees, the mitigation fee (at inch for inch) would be quite substantial.

Barbara Hollenbeck explained that these trees (at approximated 38 years old) provide enormous environmental benefit to the whole neighborhood. She felt that proper pruning could be of major help.

Bryan Burch moved that the appeal be denied and Urban Forestry's decision to deny a permit to remove the trees stand. Barbara Hollenbeck seconded the motion. The appeal was denied.

Appeal Committee adjourned at 11:10 am.