

---

**URBAN FORESTRY COMMISSION**

Meeting Minutes

March 17, 2016

City Hall, Lovejoy Room

---

<b>Commission Members present:</b>	Chair Meryl Redisch, Catherine Mushel, Mark Bello, Damon Schrosk, Gregg Everhart, Vivek Shandas, and Brian French
<b>Commission Members absent:</b>	Vice Chair Barbara Hollenbeck, Kris Hikari, David Diaz
<b>City Staff present:</b>	City Forester Jenn Cairo, Acting City Attorney Tony Garcia, ex-officio Lola Gailey, Natasha Lipai, and Nik Desai
<b>Guests present:</b>	Roberta Jortner, Sallie Edmunds, Mindy Brooks, and Jeff Caudill, Bureau of Planning and Sustainability; Jennifer Karps and Amy Chomowicz, Bureau of Environmental Services; Marc Czornij, AmeriCorps member

---

**Call to Order and Public Comments**

Chair Meryl Redisch called the meeting to order at 8:03 AM and asked for public comments. No public comments were made.

**Review of February UFC minutes**

Only one revision request was made by City Forester Jenn Cairo to the February meeting minutes. The request was to change “hired” to “posted” under the Staff Updates section on the second page. Damon Schrosk made a motion to accept the minutes with the corrections. Catherine Mushel seconded the motion. The commission unanimously approved.

**Retroactive Motion to Accept Letter to City Council**

No motion was actually made last month to accept the letter written by David Diaz and Vivek Shandas. Damon made a motion to accept the letter. Catherine seconded the motion. The commission unanimously approved.

**Urban Forestry Report: City Forester Jenn Cairo**

**Staff Update:**

Two new temporary Arborist Is are on-board: Rick Bunch and Anita Dilles. Temporary staff members with a union classification are a new feature for Urban Forestry (UF), meant to help with workload alleviation. UF is part-way through Tree Inspector selection, with two permanent

vacancies. Interviews for Street Tree Inventory Coordinators are also in progress. Interviews for the Outreach and Science Supervisor position were recently completed. Sincere gratitude was expressed to Catherine Mushel for serving on the interview panel. The Assistant Program Specialist position, the permanent staff person to the Urban Forestry Commission, is currently being reviewed. We are still coming up with eligibility criteria and processes for the Arborist IV position. Last, but not least, we will be looking at hiring probably two limited-term Botanic Specialist Is to work on policy and code-related tasks.

#### Budget Update:

Parks presented its proposed budget to Council this month. The City Budget Office recommended not cutting the Dutch elm disease (DED) program to the Mayor's office, stating that the cost of cutting the program would be much greater than the savings from that cut. Two public hearings are coming up for the Fiscal Year 2016-2017 Parks budget: April 5<sup>th</sup> from 6:30-8:30 PM at Wilson High School, and April 12<sup>th</sup> from 6:30-8:30 PM at Alice Ott Middle School. Written comments may be submitted via email to the Mayor and Commissioners. Newsletter notification about public input opportunities will come.

#### Citywide Tree Project:

The Citywide Tree Project report to Council will be on March 30<sup>th</sup> at 2 PM, time certain. The Oversight Advisory Committee, on which Mark Bello and Kris Day served, will present their report on implementation to City Council. Part of that project will be amendments to the code. When that will begin has not been determined. UF is still working with Bureau of Development Services (BDS) and Bureau of Technology Services (BTS) on updating TRACS, the City's permitting software system. The ITAP project is delayed, which opens up time for TRACS updates necessary to capture data in order to assess the impact of the tree code and policies.

#### Parks Reorganization:

The reorganization took effect March 15<sup>th</sup>. Workloads will be equalized through the reorganization, partially to meet goals of the Sustainable Landscapes Initiative. Recreation is now its own division instead of being combined with operations for developed parks.

Land management will be managed by the Land Stewardship Division Manager, a new position that has been filled by James Allison, former Parks West Side Natural Areas Manager, officially starting March 30<sup>th</sup>. Horticultural Services and Community Gardens are now managed by the new Land Stewardship Manager. Urban Forestry is a division and now answers directly to the bureau director, instead of a city manager. The City Forester is now a city manager and can now focus solely on issues related to the urban forest. The Parks managers are: the Land Stewardship Manager; the Recreation Manager; the City Forester; the Assistant Director, Warren Jimenez; and the Equity and Inclusion Manager, Art Hendricks.

#### Arborist Training Program:

Jenn is working with Art Hendricks to develop a work force development program in Urban Forestry. Meryl connected Jenn with community leaders who have had some experience in work force development and also provide services to immigrant communities and communities of color. Jenn will keep the UFC updated on this new program. Art Hendricks is the lead.

## **UFC Chair Report: Chair Meryl Redisch**

Stop-gap Amendments:

A couple of weeks ago, David and Vivek provided excellent testimony to City Council. David did a good job of bringing science into the conversation. We scored a win when the inch-for-inch mitigation threshold was moved to 36 inches in diameter at breast height (DBH).

Mayoral Candidate Questions:

Five out of 12 mayoral candidates showed up to the Parks Board meeting last month. All candidates expressed varying degrees of interest and support for urban forestry issues.

UFC Chair Elections:

Damon, Catherine, and Meryl met and came up with a slate, with a couple of caveats.

- Mark Bello nominated to serve as Chair.
  - Meryl will serve as Chair in April, since Mark will be absent. Mark will serve as Chair beginning in May.
- Barbara Hollenbeck to serve as Vice Chair; will not be in attendance at the next meeting.
- Secretary will remain vacant until additional commissioners are appointed. Catherine has agreed to serve until that time.

Brian French motioned to accept the slate. Damon and Catherine seconded the motion. No one made any other officer nominations. Motion accepted.

Meryl volunteered herself to serve as the Chair of the Policy Committee once Mark assumes the UFC Chair position, until more commissioners are appointed. Candidate interviews can begin once UFC receives four to five applicants, including last year's applicants. There is no nominating committee for these recruitments; everyone's help is requested.

Mark recommended consulting with Parks Equity staff on recruiting for diversity. Meryl said that she has been seeking equity staff assistance and has observed that the process is contingent upon existing connections; also emphasized that it really is about relationship-building in the community. Mark agrees but emphasized this is a big task for a group that is already stretched thin. Jenn said that she will follow-up with Art Hendricks to see what he is able to do to support UFC's recruitment process.

Catherine gave a thank-you gift to Meryl for her parting with the position as UFC Chair. Meryl accepted the gift with a sincere thanks to everyone on the commission.

## **Education & Outreach Committee Report: Catherine Mushel**

Arbor Day:

Requested that everyone mark their calendars for Saturday, April 30<sup>th</sup>, 8:30 AM, to make it to the Arbor Day celebration. Thanked everyone for having conversations with her about the Naito Award nominations. Tree Story Project is being launched as part of Arbor Day this year. The guests are as follows:

- Brian French: Role of urban trees in wildlife habitat.
- Dave Hedberg: Stumptown to Treetown & Heritage Tree tour.
  - Sign-ups will be in the UF tent.

- Concordia Tree Team and the Albina Tree Team: Stewardship stories.
- Jennifer Karps, Mark Czornij, and other BES staff: Role of trees in watersheds.
- Friends of Trees.
- Hoyt Arboretum.
- PSU's Sustainable Studies students: Sustainable Studies department beginnings.
- Outdoor School: Statewide campaign for lottery funding.
  - Signatures will be collected here for the November ballot.
- The Parks GRUNT Program (Green Spaces Restoration and Urban Naturalist Team) as well as the Parks program that connects children to art and nature.

The proclamation reader, Alejandro, is a recent Parks hire who got his degree in architecture. The goal here is to hear all respective groups' tree stories and heartfelt passion.

Naito Awards:

Since the 1970s, tree stewardship recognition has shifted from individual volunteers to non-profits. Paid City employees in this field, except for retirees, are excluded from eligibility for the Naito Award. The E&O Committee considers this exclusion an equity issue. One of the nominees this year, Jim Labbe, is a professional conservationist who has been active for 20 years. Though he is a paid professional, it is impossible to track how many hours Jim Labbe has donated. The committee had a difficult time differentiating between one's professional duties leading to extra hours in the cause, and paid time. Committee members are certain that the quality of the nominee's commitment and whether he or she is a worthy example for others is key rather than time-keeping for volunteer and paid hours, which is not likely to be tracked in detail. This year, the committee recommends Jim Labbe for the individual Naito Award.

The E&O Committee votes for who they want to be the Naito nominee privately. Then the nominee list is sent to UF and a staff person tallies the votes. The Chair breaks the tie vote, if necessary. It was a hard road to reach this decision. The committee is re-writing the application and creating a score sheet.

For the group award, there were two nominations. One was the Albina Tree Team (ANTT). Using street tree inventory data, ANTT found one hundred dead and dying street trees in low-income areas, which residents could not afford to remove. ANTT was granted 2,000 dollars of stewardship funds from Urban Forestry and with these funds and Friends of Trees paying for the trees with Bureau of Environmental Services (BES) funds, they worked with residents to remove and replant trees, and even to plant large canopy trees in private gardens. With Friends of Trees' help, they also successfully planted five trees in an Oregon Department of Transportation-managed space.

The other group nominee was OakQuest. This is a project centered on the formation of an interactive map. This was led by Ted Labbe of Kingfisher Environmental Services, Lori Hennings from Metro, and three students from the Native American Studies Program at PSU, with the assistance of 80 volunteers, plus the involvement of 25 agencies. So far, 641 acres of Garry oaks have been mapped. The mission is to raise awareness of remnant oak savanna and the habitat that it provides. The project was very impressive in scope and execution.

UFC input was also requested. The E&O Committee chose ANTT because their local-level of impact could easily be witnessed by individuals on the ground. Their project was also a great example of an easy undertaking for other tree stewards.

Catherine asked if the UFC would consider awarding both groups. Damon said that the UFC is really representative of the city of Portland. Because of their regional scope, Oregon Community Trees (OCT) might be a better award-giver to OakQuest's more regional project. Meryl agrees that ANTT should be the nominee recommended for the Naito award because they are grassroots and will motivate others in the community to take on similar stewardship projects. Jenn said she is interested in reviewing the Naito Award criteria and is wondering whether we have to award the Naito Award every year. She also said that the UFC and UF must be careful of outward perception if staff will be considered for the award.

Catherine gave recognition to Nik Desai for his contributions to the E&O Committee and the creation of the Arbor Day poster, as well as his ability to quickly learn a still relatively new job. Lastly, Catherine encouraged UFC colleagues to use a more open-ended approach to encouraging tree stewardship by asking others how trees are significant, instead of telling them.

### **Policy Committee Report: Mark Bello**

On March 16<sup>th</sup>, Mayor Hales made a surprise announcement to propose postponing the adoption of the emergency tree ordinance to March 30<sup>th</sup>, citing additional testimony from the affordable housing community. The proposed amendment is to exempt affordable housing developers from the proposed mitigation requirements for removing trees above 36 inches in diameter.

With this new and unexpected proposed amendment, plus *The Oregonian* and private developers referring to mitigation fees as a "tree tax," the success of passing an emergency tree ordinance is not certain. At the March 30<sup>th</sup> City Council meeting, the emergency tree ordinance and the Oversight Advisory Committee (OAC) will be discussed together. UFC must be thoughtful about testimony, including tree benefits and the justification of tree fees. No other UFC members or UF staff were aware of the new amendment.

Catherine brought up concerns about the unintended message that the people who need low-income housing do not deserve access to large trees and their benefits. Meryl agrees, but noted that for this short-term need, the UFC should consider supporting the new proposed amendment; need to agree on what defines affordable housing.

Damon said that when a consulting arborist is involved with the planning stages of development, more trees are likely to be saved. Meryl agreed and pointed out that the 30 day notice to the neighborhood needs to go out as early as when a developer is considering purchasing property.

Brian asked for clarification about the timeline of following-up on the proposed new amendment. Mark explained that both the emergency tree ordinance and the OAC's report are going to be discussed together at the March 30<sup>th</sup> meeting. If it is passed, then it will be effective in 30 days.

Jenn added that in the current code, it appears to vaguely state that developers should always try to keep the trees and if it looks like the requirements for tree retention cannot be met in

development, then the exemption can be applied. She recommended that the code speak more to design that retains the trees. Just because the price tag is raised on a tree, does not mean it is guaranteed to stay. She reminded everyone that this is a stop-gap amendment meant to address the problem in the short-term.

Vivek said that this situation sounds like an opportunity for the UFC to tie large trees lost in development to affordable housing by proposing that for every large, preservable tree that comes down, more affordable housing needs to go up. Meryl agreed that input from the affordable housing community must be part of the solution when discussing trees in development.

Gregg asked if a development project will become exempt for having just a portion of its housing affordable. Meryl said that System Development Charges (SDCs) will be a fail-safe to help prevent this. She recommended creating a statement so that it's on the record before March 30<sup>th</sup>.

Damon asked how this new proposed amendment came up procedurally. Meryl explained that this was not voted on at the time, but that the Design Review Advisory Committee (DRAC) rescinded their support of the Fritz-Saltzman proposed stop-gap amendment package because the DBH threshold went down to 36 inches, from 50 inches. Habitat for Humanity submitted a letter with an example of how they were unable to preserve two large trees because of the location. UFC will reach out to Habitat staff in an effort to achieve some alignment.

Jenn clarified that in development where private property trees are impacted, developers will not be required to replant as mitigation for removal. They must either retain or pay. They would be required to replant if they're in an area where a certain canopy density is required, such as in an environmental overlay zone, where they are required to either plant or pay. Another point of clarification was made about permit volumes. While BDS has usually permitted 6 to 12 affordable housing development permits per year, legislation was recently passed which allows the city to make more affordable housing.

Meryl said she could not be part of drafting a follow-up response due to being out of town, but asked if something could be drafted in time for March 30<sup>th</sup>. Mark said that a conversation with the affordable housing community and developers is needed for a long-term solution.

Damon made a motion to have the Policy Committee follow-up with a response to the Saltzman proposal. Brian seconded. Mark voted against the motion due to lack of time. Damon withdraws motion.

After further discussion, Mark, Damon, and Jenn concluded that the developer should consult with an arborist and have an arborist report produced with the goal of preserving trees on the lot.

Mark motioned UFC's agreement with Commissioner Saltzman's proposed amendment provided the developer uses a consulting arborist and submits an arborist's report focused on preserving trees. Damon, Catherine, and Gregg seconded the motion. The motion was unanimously approved.

Tony Garcia, in referring generally to how public records requests are governed, explained that though UFC members could make public records requests as individuals, they could not submit such a request as a public entity.

### **Asian Gypsy Moth Report: Clint Burfitt, Oregon Department of Agriculture**

Clint is the Pest Detection Program Manager with Oregon Department of Agriculture (ODA). Last year, ODA detected the Asian Gypsy Moth (AGM), plus 20 other invertebrate species. One AGM was found in Forest Park, the other near Terminal 4 of the Port of Portland in St. John's. One AGM found in the Port of Vancouver.

#### Risks:

The cost in nursery stock quarantines would be high. The floricultural, hardwood and softwood timber, and Christmas tree economy would receive major impacts, since both industries export tens to hundreds of millions annually. Pesticide use by private landowners would go up.

Losing Oregon forests due to AGM could lead to higher stream water temperatures, lower oxygen levels, and increased organic load, negatively affecting native aquatic wildlife. Defoliation of forest trees would increase fire risk. Competition and displacement of native species would increase. For example, when the AGM larvae feed, food access becomes limited for northern tiger swallowtails.

#### Treatment area and outreach:

Last year, ODA placed 15,000 traps throughout Oregon, the majority of which are located from Astoria to The Dalles. Recommended treatment area would encompass much of north Portland, Forest Park, Hayden Island, and a portion of Vancouver. There are roughly 4,000 taxlots in this proposed treatment area, all of which received notice in the mail. Clint will conduct outreach for this treatment. The main impact would be on Lepidoptera—moths and butterflies. Public meetings were held on February 17<sup>th</sup> and 20<sup>th</sup>.

#### Eradication planning:

ODA is at the tail-end of the Environmental Assessment phase, which closed on March 14<sup>th</sup>. Public comments are being reviewed. The next step will be to devise the Heliport Operations and Incident Action Plan, followed by a Pesticide Discharge Management Plan. Last, ODA will put out project bids for treatment areas. Coordination with Oregon Health Authority on informational resources for the pesticide spray Btk will start soon.

#### Pesticide spray:

The spray is called *Bacillus thuringiensis kurstaki*, commonly referred to as Btk. It is an aqueous solution and considered organic by the National Organic Program and the Organic Research Methods Institute. Because it is used in organic agriculture production, it is already widely consumed by the public. The ODA is still studying the effects of Btk on non-target Lepidoptera. Brian French asked how many at-risk species there are. Clint said that an exact number is unknown, but most other Lepidoptera will not be in the target area during the treatment phase. Three high-profile species will be in the area. Leaf-roller species will be affected.

#### Public notice:

Gregg asked how the public will receive notification. Clint said that there will be a direct public health notice intended to notify those with suppressed immune systems. Signs will also be posted at campgrounds and camp sites. The public can dial 211 at any time. The Oregon Invasive Species Council will conduct robo-calls and texts. We are working with local food banks and Portland Public Schools to provide them with a public health notice. ODA has been working closely with BES, Portland Parks & Recreation, and Metro to develop a park notification strategy.

Mark asked how effective the AGM public outreach meeting was. Clint said that ODA remained mindful of explaining basic ecological concepts to the public to help highlight the importance of their AGM eradication work. Clint also reminded everyone that people are free to write a letter to the ODA to be on record.

### **Proposed Fiscal Year 2016-2017 Tree Permit Fee Changes: City Forester Jenn Cairo**

The tree permit fees that UF charges are directly connected to the number of staff, but generally do not cover the full cost of service. The UFC will review and comment on the proposed fee schedule, the City Forester will make suggested changes, then bring this to City Council next month. If City Council approves, the new fee schedule will be implemented on July 1<sup>st</sup>, the beginning of the new fiscal year. Planting and pruning permits are currently free so that there is an incentive for going through the permit process. However, these permit types do cost the department in staff time to process, to inspect the site, and to follow-up with the property owner about a permit decision.

In development situations, the department has come closer to cost recovery, but has not fully achieved it. Because the tree removals are occurring on private property through a privately vested and funded project, it is more appropriate to obtain cost recovery. UF always needs more staff, especially Tree Inspectors, and the revenue from these permits goes into paying the salary for this staff and other overhead costs. Two additional tree inspectors are needed to maintain the two week turnaround time given current permit volumes. The Estimated Cost Recovery and Funding Gap for FY15-16 handout shows what is charged currently versus the average cost of each permit type.

On the Fee Schedule Research handout, all green highlighted items are proposed for an increase; white items have no change; and yellow-orange items are being reduced. The increases will not lead to full cost recovery, for now. The increase will be slow over a number of years to avoid a one-time severe impact to permit applicants. A notable item is the unchanged fee in-lieu of planting on the bottom-most row. It costs more than 300 dollars an inch to plant a tree, but Commissioner Fritz stated that this would not increase this year, since the cost of tree mitigation is still contentious. The fees that are being removed are now going to be collected by others.

UF processes almost 900 tree removal permits per year, making tree removals one of the most frequently processed permits. With a proposed fee increase to 35 dollars, the funding gap would still be around 280,000 dollars. If permit fees are expensive, people probably will not get them.

Mark asked what the actual cost per inch is for replanting tree. Jenn said that it is now closer to 600 dollars per inch, due to stock standards and two years of establishment. The 300 dollar figure

is from 2009. Mark recommended changing the language in the fee schedule to “tree planting and maintenance” to clearly indicate the source of the costs; Jenn said she would consider that. Jenn added that no UFC action is needed, at this point.

In response to Catherine’s recommendation to share these updates with Neighborhood Tree Stewards, Jenn responded that City Council has a process for informing neighborhood associations.

### **Central City Plan 2035: Sallie Edmunds, Roberta Jortner, and Mindy Brooks, Bureau of Planning and Sustainability**

BPS is accepting comments until April 7<sup>th</sup> from UFC regarding the CCP 2035; please send to Sallie Edmunds. Tree related policies, the new tree standard for scenic corridors, and tree canopy methodologies and targets will be covered in the presentation, as well as next steps. The Discussion Draft was released in February of 2016. Visual aids for the draft were displayed in the BDS lobby and open houses were held on February 24<sup>th</sup> and March 2<sup>nd</sup>. The proposed draft will be published and released on May 10<sup>th</sup>. A hearing is scheduled for June 14<sup>th</sup> before the Planning and Sustainability Commission. It will be presented to City Council by the end of September.

The five-volume plan is built on a number of big ideas. The concept and regulations for the action of the plan prioritizes affordable housing development, supporting industry on the central east side, building heights, and trees.

Roberta focused on volume one of the plan. She said that supporting future tree canopy was integrated at both city-wide and district-specific levels of the plan. The plan calls for tree planting, investments in street trees, and enhancement of the city canopy through building larger planting spaces, thereby allowing the planting of larger tree and a more diverse selection of species. Some of the policies will touch on planting space soil volume.

Mindy introduced two proposals for the plan. The first proposal is to update the Central City Scenic Resources protection plan. The second is to update tree removal restrictions in environmental overlay zones. The Central City Scenic Resources Protection Plan received updates. Posted online is a map with a summarizing table. Everything is staying the same, except for viewpoints.

Outside of environmental overlay zones, there are no proposed changes to the tree code. Inside of an environmental overlay zone, the plan proposes that trees removed in a view point are exempt from environmental review, but will still require a permit. Trees removed in a view corridor are proposed to be permitted through the environmental review process. See 33.480 of the zoning code. There is a landscaping requirement for bald bank areas along the river which states that trees may not be planted within a view corridor.

Roberta discussed proposed canopy targets within the plan, opening with GIS models that were developed to produce future tree canopy scenarios. The goal with these scenarios is to conduct a more rigorous analysis of whether canopy targets are realistic, as also requested by community stakeholders and City staff; to compare the impact of CCP 2035 with current regulations and

investments; and to check how realistic canopy targets are in each quadrant plan. Essentially, BPS hopes to identify practical versus aspirational canopy goals. LiDAR data will probably affect these numbers. These targets will not be mandatory, but will help inform other projects, such as the *Urban Forest Management Plan*.

Target canopy for each Central City district was modeled for taxlot, public right-of-way (ROW), and park spaces. Key canopy change drivers are future development, investments in street tree planting, and parks management.

Under current regulations, it has been found that canopy is increasing in ROWs and parks, while it is being lost in development situations, often on private property. Though ROW plantings offset these losses a little bit, it is not a significant offset. There are infrastructural constraints on potential ROW canopy, such as underground vaults and buildings built up to the inner edge of the sidewalk. In regulatory terms, CCP 2035 addresses these issues with optional building setbacks, master plan sites that are large and would accommodate significant canopy growth, and an expansion of river setback. With investments, policies need to encourage more street tree planting, in general. The plan also calls for investment in a Green Loop, enhancement of the riverbank, and planned new parks.

The bottom line is that while existing tree canopy is at 7.3 percent in Central City, the CCP 2035 canopy targets are projected to increase canopy to between 10.5 and 11.9 percent, with between 80 and 120 acres of new canopy over time. The data does not currently account for the prohibition on planting trees in 3 foot wide planting strips, which took effect in the fall of 2015. Adjustments will be made as soon as LiDAR data becomes available. Vivek warned about the fact that the current LiDAR data is from 2007 and that there may be major shifts in canopy in some places. Gregg requested to discuss the sidewalk width planting prohibition at a future time; Meryl agreed.

Mark asked about the source data and also recommended changing canopy targets to being target rates of growth—incremental—over time, instead of having a specific number. Roberta said that BPS is considering incremental changes, as well as baseline numbers. Mark requested that this be in writing in the report. Mark then recommended that the methodology for finding target canopy should be different or more creative for specific areas, such as the Lloyd District, due to the high number of linear ROWs. Mark lastly proposed factoring in property owner resistance to the plan and changing the language to something like, “How do we reduce property owner resistance so that we can plant more trees?”

Brian asked how subsurface soil volume was factored into the target canopy methodologies. Roberta said that there is no code specification for soil volumes and there is no implementation strategy in place. BPS is looking for feedback on this and looking to other cities as examples. Meryl reiterated the importance of figuring out how to bring experts like Damon and Brian to the table while this plan is still being formed. Meryl also asked who the follow-up contact is for CCP 2035, and it is Sallie Edmunds.

Adjourned at 11:05 AM.