



URBAN FORESTRY COMMISSION

Meeting Minutes

April 21, 2016

City Hall, Lovejoy Room

Commission Members present: Chair Meryl Redisch, Secretary Catherine Mushel, Damon Schrosk, Gregg Everhart, Vivek Shandas, Kris Hikari, Brian French, David Diaz

Commission Members absent: Vice Chair Barbara Hollenbeck, Mark Bello

City Staff present: City Forester Jenn Cairo, Acting City Attorney Tony Garcia, ex-officio Lola Gailey, Urban Forestry Science & Outreach Supervisor Angie DiSalvo, Botanic Specialist Jeff Ramsey, Interim UFC Clerk Natasha Lipai, AmeriCorps Member Patrick Key

Guests present: Roberta Jortner, Jeff Caudill, and Dominic Maze, Bureau of Planning and Sustainability (BPS); Pooja Bhatt, City Council Office of Commissioner Amanda Fritz; Rachel Felice, Portland Parks & Recreation Land Stewardship (PP&R); Paul Ketcham and Jennifer Karps, Bureau of Environmental Services (BES); Marc Czornij, AmeriCorps member; Erica Timm, Friends of Trees

Call to Order and Public Comments

Chair Meryl Redisch called the meeting to order at 8:05 AM and asked for public comments. No public comments were made.

Review of March Urban Forestry Commission minutes

No revisions were made at this meeting; revisions from Meryl, Catherine, and Gregg were already added. Damon motioned to approve the minutes; Catherine seconded the motion. Motion accepted unanimously.

UFC Chair Report: Chair Meryl Redisch

Title 11 Stop-Gap Amendments:

Stop-gap amendments to Title 11 that include the affordable housing exemption were approved last week on April 13th. The amendments did not include the UFC's proposed condition that affordable housing developers must produce an arborist report to justify the exemption. Due to unspecified procedural confusion, Commissioner Fritz inadvertently ended up voting for this package. It is possible that the arborist report condition was excluded due to a misunderstanding that producing these arborist reports would result in excessive extra UF staff time. Pooja offered

to reach out to her colleague Tim Crail to gain more certain insight about excluding the arborist report, since he was Commissioner Fritz' lead staff on this issue.

Jenn later explained that the arborist report provision of the stop-gap amendments was determined likely not to be helpful because private developers are not actually required to preserve any trees on the lot, so it would ultimately be the property owner's choice, regardless of any arborist's report. Catherine commented that identifying the trees accurately is a first step in getting everyone to consider them in planting decisions, a change in the public's habits of mind.

Broadmoor Golf Course Re-Zoning:

Fifty seven acres of Broadmoor Golf Course have been proposed for industrial use rezoning. The golf course is located in underserved Sunderland neighborhood in Northeast Portland. Though it is in an environmental overlay zone, this overlay would not protect a lot of the large trees and habitat from development. City Council will hear this proposal in May. Meryl explained that though Audubon Society is already conducting outreach to the community about this issue, the UFC should consider this type of outreach in the future for issues affecting canopy. Meryl assumes the Columbia Slough and Verde are aware of this situation and letting their constituents know about it.

Meryl proposed writing a letter to City Council to oppose the re-zoning. David and Vivek explained that commissioners should have more information about the City's necessity for industrial land before unilaterally opposing the re-zoning. For the letter, David recommended connecting this proposed re-zoning to Title 11 if a tree code issue presents itself here. He also recommended that the letter critique the decision-making process of this proposed re-zoning, rather than urging the property owner not to do this.

Damon made a motion to entrust the Policy Committee to write a letter if the May City Council meeting is to occur prior to the May UFC meeting, or to vote on a draft letter written by the Policy Committee if City Council is meeting after the May UFC meeting. Kris seconded the motion. Motion accepted unanimously.

Forestry Report: Science and Outreach Supervisor Angie DiSalvo

Street Tree Inventory:

Street Tree Inventory new staff are beginning Tuesday, April 26th. This will be the final year of the tree inventory. Around 8,000 street trees in eleven neighborhoods will be inventoried largely by volunteers, while the rest will be staff-collected. Most of the city will be inventoried by the end of the season. The project will be temporarily closed afterwards.

Planting Compliance:

A sample of properties requiring tree plantings as part of a permit obtained in 2015 will be re-visited by Urban Forestry staff as part of a planting compliance study. The goal is to find out the rate of compliance under Title 11. Some examples of permits requiring planting are removals, street tree reviews under a development permit, and planting as part of a programmatic permit, such as with BES. Compliance checks will capture whether a tree was replanted, how well trees were planted, whether the correct species was planted, and the size caliper of the tree planted. The last compliance study was done in 2012 under Chapter 20.40, the former tree code.

IT Advancement Project (ITAP):

By the end of 2017, new software will replace the current permitting database system that is used by the City. This is sooner than originally expected. The goal of the project is to move to an online customer portal, where customers can apply for a permit online and pay fees online. Inspectors will also be able to access more permit case data in the field with a mobile device. Beginning in September of this year, Urban Forestry will be required to supply one full-time employee dedicated to the ITAP conversion. Street tree inventory data will be migrated to an access module, and permits will be tied to trees captured in the inventory. Since the Bureau of Development Services' (BDS) Planning and Zoning team will update the database for development permits, the documentation of trees affected by development is currently a process challenge that Urban Forestry is working on with BDS. Damon recommended that the ITAP project be considered as a tool to promote placing trees at the forefront of future development.

Heritage Trees: Gregg Everhart

The Heritage Tree Committee was thanked for bringing forward a new list of Heritage Tree nominations and reminded everyone that the deadline for submitting Heritage Tree nominations is coming up soon at the end of Arbor Month. Heritage Tree nominations are based on one or more factors—their size, age, or horticultural or historical significance. This year's slate has a combination of these characteristics. Generally, some neighborhoods will have more heritage trees due to having larger lot sizes or a history of wealthy property owners who collected trees. The committee is actively seeking Heritage Tree candidates from a greater diversity of locations.

Two of the nominees are dawn redwoods (*Metasequoia glyptostroboides*) in southwest Portland. These candidates are notable for both their size and historical significance. Until a small population of these trees was found in China in the 1941, this species was thought to be extinct. Seedlings were brought to the US by 1948. These candidates were planted in 1955 on a lot where a family-owned nursery once operated on SW Maplewood Drive. They measured at 27 and 34 inches in diameter at breast height (DBH).

The third nominee is a coast redwood (*Sequoia sempervirens*), located on the Peninsula Crossing Trail near a railroad. It was nominated by the University Park Neighborhood Association.

The fourth nominee is a Mt. Fuji flowering cherry (*Prunus* x 'Shirotae'), located in a residential front yard in the North Tabor neighborhood. This tree was first nominated in 2014 and declined by the Heritage Tree Committee in 2015. Neighbors petitioned for its reconsideration. It has great cultural significance for the neighborhood, as it is considered a landmark for celebrating the change of seasons. Additionally, since the house on the lot was built in 1912, the tree could be at risk of being lost to development, due to the rapid in-fill that is occurring in the neighborhood. Catherine recommended that the committee find out the history of the tree's care, since this tree type requires a different level of maintenance throughout its life.

The fifth nominee is an Oregon white oak (*Quercus garryana*) in Fernhill Park. The species is native to Oregon. Because of its multi-stemmed form, the committee thinks that it grew from a buried cache of acorns. Its DBH measures to about 45 inches.

The sixth and last heritage tree nominee is a madrone (*Arbutus menziesii*) and is also native to Oregon. As a small child, the current property owner planted the tree in the right-of-way in the month of July after bringing the seedling home from a camping trip. It is only 27 inches in DBH, but it is almost 60 years old and is significant to the neighborhood. Because of the recent failure of the heritage madrone in Madrone Park, it will now be the only madrone in the Heritage Tree program and the only Heritage Tree in this neighborhood.

Damon made a motion to approve the slate of Heritage Tree nominations. Catherine seconded the motion. Motion accepted unanimously.

Gregg and Angie will make plans for presenting this slate to City Council.

Portland Plant List Update: Roberta Jortner, Dominic Maze, and Jeff Caudill, BPS

Meryl expressed concerns about the process for updating the Portland Plant List (PPL) and requested that the UFC be included earlier on in the process in future updates.

Presentation:

The PPL is an authoritative guide that is used by governmental, non-profit, and private entities. It establishes native and nuisance plants and is referenced by City code. The list is designated as an Administrative Rule, meaning it is recognized as a technical document that should be updated as scientific literature is updated, without legislative delays.

The current update started in October 2014 as an inter-bureau collaboration involving PP&R, BES, Portland Water Bureau, Bureau of Development Services, and BPS. Ecological and botanical experts not employed by the City also review the PPL. Those notified include Metro, state and local agencies, neighborhood coalitions, watershed councils, nurseries, and other environmental and gardening organizations.

There are several steps to the update process, including a quantitative risk assessment. Jeff and Dominic clarified that the risk assessment is a step that assesses a species' reproductive characteristics and ecosystem impacts within a region, guided by the US Department of Agriculture and Bureau of Land Management. Three professional botanists helped inform the risk assessments of the two proposed species.

The proposed changes include the addition of eight species to the Nuisance Plants list, including two tree species: The sycamore maple (*Acer pseudoplatanus*) and the horse chestnut (*Aesculus hippocastanum*). Both have proven to be problematic in restoration areas and are already treated like invasive species by park and natural area maintenance staff.

Thus far, comments on the proposed PPL updates have expressed both support and concern. Two UFC members and one UF staff person shared concerns about the effect on trees already listed in the Heritage Tree Program and urban canopy. BPS's response to these comments is that adding tree species to the nuisance plant list will not trigger requirements for removal, nor will it preclude planting these species, except on City property, in the public right-of-way, and in overlay zones. Additions also will not impact existing heritage trees, but will preclude the

addition of future trees if they are now considered nuisance. The bureau understands that nuisance tree removal mitigation is an issue that is going to be considered for future Title 11 updates.

BPS is in the final phases of this update. Since no changes are expected to be made to the proposed updates, approval of these updates will need to come from the bureau director, who will then sign the amendment letter. The updated PPL would immediately take effect. BPS will then update other City documents for consistency. Future topics for discussion are the refinement of the standard operating procedures for PPL updates, refinement of risk assessment, potential code improvements, and another comprehensive PPL review and update. Jeff Caudill informed the audience that he will be doing further work on the Citywide Tree Project and is looking forward to getting to know the UFC and UF staff.

Discussion:

Dominic did not think that the beech or deodar cedar would make the cut of being invasive. He also explained that, as a more pro-active management strategy, BPS staff wants to assess the impact of plants that are listed on PPL's "watch list" and whether adding them to that list changes management practices.

Angie encouraged the presenters and commissioners to read Jeff Ramsey's letter in response to the PPL updates. In agreement with the letter's statement, Angie recommended that PPL updates be postponed until mitigation for nuisance tree removal can be revisited in the tree code and until the effects of these additions to the list can be demonstrated not to contradict canopy goals. After Roberta mentioned that she and her staff had not seen Jeff's updated letter, the clerk noted to send the letter at a later time.

Rachel pointed out that Urban Forestry staff's perspective shared today does not reflect the Parks bureau's submitted perspective on the PPL proposed updates. Keeping in mind that thousands of staff hours and taxpayer dollars are spent on managing invasive species in natural areas, Parks ecologists' were confident in bringing forth these proposed updates. Jenn added that in the Urban Forestry programmatic permit for the maintenance of natural areas, the sycamore maple and horse chestnut are already listed and treated as nuisance species.

Gregg shared a map that she created showing natural areas throughout the city. She also shared her concerns about applying one nuisance list to the entire city instead of differentiating between natural areas and urban areas. Dominic pointed out that the list of locations in the presentation was only hotspots, not an exhaustive list of where these trees are causing problems. Roberta explained that the nuisance list will not limit what trees citizens can plant in their own yards. She and Dominic agree that nuisance species are a city-wide problem.

Damon asked about the impact of the nuisance list in certain private property situations. It was clarified that regardless of the species of any regulated private tree, both property owners would need to sign off on a permit application if the tree stands on the property line. Mitigation for private property nuisance trees in environmental overlay zones is tree-for-tree.

Kris expressed support for the list updates, saying that the proposed updates demonstrate a genuine concern for the long-term health of local ecosystems. The PPL discussion presents an opportunity to revisit the exemptions and mitigation requirements currently listed in the tree code.

Brian asked about the feasibility of dividing the city into zones, where some zones that are dense with natural areas face the threat of nuisance species more than others. Dominic and Rachel answered that this is a policy issue. In response to his question about heritage trees, Angie answered that listing a species on the nuisance list only precludes the species from being added in the future. It does not impact existing heritage trees that happen to be a nuisance species.

Catherine recommended keeping public outreach in mind as future updates are proposed.

David pointed out that the distinction between what PPL components received scientific review versus what components are strictly due to policy was unclear. There should be a more scientific approach in determining whether the nuisance list should apply to the city as a whole. Where is the opportunity to balance canopy concerns through the administrative rule process?

Roberta said that BPS is considering updating the PPL every other year. Though Jenn clarified that “City goals” in Jeff’s letter meant canopy goals, David brought up a good point about whether stalling the PPL update would affect the City’s other goals.

Damon thanked BPS for their presentation and work on the proposed updates. He also recommended that the UFC prioritize mitigation of nuisance species in updating the tree code, while BPS keep UFC more informed of updates in the future. No vote or motion was made.

Arbor Month and Kris Hikari Farewell: Catherine Mushel & Chair Meryl Redisch

Catherine reminded everyone of the groups that were going to be present at the Arbor Day celebration downtown. This was shared during the March UFC meeting. The idea for the Tree Story theme came from a desire to be equitable in Urban Forestry’s service and outreach to the community. The Education & Outreach Committee would like to repeat this theme at least three more times throughout the year, with a goal of building relationships with communities that did not have a voice before.

The UFC presented a farewell gift to Kris, in appreciation for her UFC service. Kris graciously accepted the gift and thanked the commission.

Title 11 Amendment Project: City Forester Jenn Cairo and Commissioner Fritz Policy Analyst Pooja Bhatt

A table of tree code issues was presented to the commission. Jenn and UF staff are seeking the UFC’s input on this list of issues, specifically to find out if any other issues need to be added to the list and to prioritize which items should be reviewed. There is still no scheduled start date for a tree code amendment project. Some items may be addressed through in-house policy or RICAP 8 (Regulatory Improvement Code Amendment Package 8). Pooja explained that it will be more feasible to address a few high-priority items on this list in the short-term than to tackle all issues right now. Currently, BPS staff and resources are devoted to Comprehensive Plan, which is set to

be adopted this summer. The UFC was then asked: Which tree code issues would they choose to prioritize to be addressed in the short-term? Pooja also welcomed UFC input about whether tree code amendments should happen in one long-term attempt, or in a piece-meal manner, the latter of which is more likely.

Meryl announced that the City Council tree code amendment vote is going to happen on May 11th. Comments must be submitted to Commissioner Fritz before this date. Pooja advised that controversial tree code issues, such as tree removal mitigation, are less likely to be appropriate for the first phase of tree code revisions. Code items that require a more straightforward and less controversial revision are preferred.

Kris recommended that tree code exemptions such as the commercial lot exemption, lot size threshold, and the 10-foot-from-building exemption, be revisited in the first revision phase. A huge amount of canopy could be saved if these exemptions become more limited. David commented that equalizing mitigation requirements across development and non-development situations should be a priority. He later recommended that the code include clear language about when the removal of a large, healthy tree is justified.

Meryl asked whether the administrative rule is up for discussion as part of the tree code issues list. Pooja's understanding is that only Title 11 and not the administrative rule is up for discussion, but she can look into changing this.

Though UF staff have not yet prioritized items from the tree code issues list, staff do have some primary concerns. The first concern is that tree preservation in development situations is not required anywhere in the code; it is merely an option. Second, UF is looking at the effects of the administrative rule on canopy and the fact that certain components of the administrative rule are not consistent with Title 11. Mitigation under the administrative rule is less than tree for tree, and smaller tree species tend to be planted when larger-form trees are removed.

Damon recommended proposing root protection zones for neighbor trees that may be impacted by development. Jenn noted that this issue is listed as item 11 on the table.

Vivek advised keeping these traits in mind as tree code issues are considered: Level of controversy, ease of UF operations, and large tree preservation.

Meryl asked for volunteers from the commission to review the list and provide a priority ranking. David and Gregg volunteered to do this. She also encouraged adding any missing items. Pooja said that administrative rule issues may also be added. Jenn promised the creation of a Google doc version of this table for commissioners to add their priority ranking. By meeting's end, there was no vote or motion to have a UFC letter written, since a quorum was lost.

Adjourned at 11:13 AM.