



AMANDA FRITZ, COMMISSIONER

MIKE ABBATÉ, DIRECTOR

URBAN FORESTRY COMMISSION

Meeting Minutes

May 19, 2016

City Hall, Lovejoy Room

Commission Members present: Chair Mark Bello, Vice Chair Barbara Hollenbeck, Secretary Catherine Mushel, Meryl Redisch, Damon Schrosk, Vivek Shandas, David Diaz

Commission Members absent: Gregg Everhart, Brian French

City Staff present: City Forester Jenn Cairo, Acting City Attorney Tony Garcia, ex-officio Lola Gailey, Urban Forestry Permitting Supervisor Casey Jogerst, Botanic Specialist Jeff Ramsey, Interim UFC Clerk Natasha Lipai

Guests present: Amy Chomowicz, Jane Bacchieri, Matt Kroeger, and Jennifer Karp, Bureau of Environmental Services (BES); Marc Czornij, AmeriCorps member; Dion Connelly and Jenifer Johnston, Office of the City Attorney; Scott Fogarty, Erica Timm, and Susie Peterson, Friends of Trees; Joe Petrina, Petrina Construction

Call to Order and Public Comments

Chair Mark Bello called the meeting to order at 8:00 AM. He asked Barbara to be the timekeeper for the meeting and recommended adjusting some of the agenda items to include 10 minutes for New Business. Catherine agreed to shorten her update to 5 minutes. Two members of the public made comments.

Jane Bacchieri, BES Tree Program Manager

Jane described the bureau's concerns about Urban Forestry's right-of-way planting standards, particularly regarding the minimum planting space width component. BES intends to appeal their pending programmatic permit with Urban Forestry if the minimum space size cannot be reduced further, as this standard may exacerbate the unintended consequence of making street tree distribution less equitable. A supplemental packet of data to reflect this concern was distributed to commissioners.

Scott Fogarty, Friends of Trees Director

Scott also described concerns about the minimum planting space width component of the standards. His concern is that this standard will make it more difficult to improve the equity of canopy distribution in the city, especially in increasing canopy in east Portland neighborhoods. Though he acknowledged that larger evergreen trees have greater long-term benefits, surveys and his own experience suggests that property owners are more willing to plant if given a small

tree option than when only a large tree option is presented. Thus, canopy goals and preparation for climate change effects will be more readily met if planting in small spaces continues to be permitted.

Forestry Report: City Forestry Jenn Cairo

Arbor Day:

Jenn thanked Urban Forestry staff, UFC commissioners, and partner organizations for their involvement in the Arbor Day festivities. Catherine Mushel, Education and Outreach Committee Chair, and Nik Desai, Urban Forestry Botanic Specialist, were recognized for their role in doing much of the coordination. Gina Dake, Van Bogner, Larry Maginnis, Dave Hedberg, Matthew Downs, Patrick Key, and Angie DiSalvo were some of the other staff recognized for their hard work. There was a good discussion held afterwards about what the event will look like in the future, to engage a broader spectrum of the community.

Tree Emergencies:

Urban Forestry spends about half a million dollars annually on emergency response. There has been a recent uptick in the number of emergencies that have received Urban Forestry response. Extremely dry weather, followed by a period of wet weather, often creates saturated soils, which can result in tree failure, and thus explains the recent emergency response increase. Within the last week alone, the Tree Inspector on stand-by for after-hours emergencies worked 72 hours, one of the Arborist IIIs on the crew clocked in at 88 hours, an Arborist II clocked in at 77 hours, and all, except for two of the Arborists on our crew eligible to work after-hours, logged some amount of time worked outside of work hours.

Permitting Workload:

Urban Forestry has also seen a significant increase in permit volumes for both development and non-development situations. Thus, the turnaround time for permit issuance has been delayed by as much as four weeks. The public and frequent customers have been notified. Data shows that the volume of permit applications processed is 19 percent higher than it was during the same week last year. The number of permits issued has also increased.

Budget:

The Mayor's budget has been released. Though it is not final, the budget is higher than anticipated due to increased general fund revenue. The Elm Protection Program for DED is funded in this budget. Thanks to the findings of Elm Program staff, the Budget Office also concluded that it would be more costly in the long-run to cut rather than to continue funding the program. A \$64,000 cut in natural areas maintenance was proposed in this version of the draft. Jenn informed Meryl that she was not aware of any groups that are advocating for fully funding natural areas maintenance.

Catherine noted that funding has remained the same for many years, and that, perhaps reflecting no increase in City funding, neighborhood elm inoculation groups have lost access to having an Urban Forestry Tree Inspector supervise the inoculations. She also noted, however, that elm removal costs, which can range from \$4,000 to \$10,000, are still covered by the City when the tree succumbs to DED. Jenn recommended that a discussion about Elm Program costs be held in the fall, when the annual Elm Report is presented.

Staffing:

Jenn recognized the great work of Urban Forestry staff and noted that the department has seen a remarkable increase in staff over the past few years, in part due to Title 11 funding. After rigorous skills testing and interviews, two new permanent full-time Tree Inspectors have been hired—Kelly Koetsier and Jesse Nellis, the former temporary inspectors. Kelly was one of the Arborists on the Operations Crew. A third Tree Inspector permanent position is open, but will likely be closed soon, since an offer will be made to someone in the existing candidate pool. Three others in this candidate pool will be offered limited-term, temporary Tree Inspector positions, to help alleviate workload.

An opening for a permanent Botanic Specialist II position with Urban Forestry is going to be posted next week. This is Angie DiSalvo's former position. This position runs the Street Tree Inventory, Heritage Tree Program, and conducts canopy measurement work, GIS data analysis, and plays an integral role in education and outreach. During this recruitment period, the department is also planning to hire an additional limited-term Botanic Specialist II, who will be assigned to develop a strategic Citywide Tree Planting Plan growing out of the Tree Mitigation Fund.

Urban Forestry is working to improve the diversity of staff members. There are currently six staff members who self-identify as people from underrepresented communities, whereas three years ago, there was only one.

Lastly, Urban Forestry will be hiring a limited-term Business Analyst, a position that will be funded through the Bureau of Development Services. The position will begin this fall and be dedicated to ITAP, the City-wide Information Technology Advancement Project that is conducting an overhaul and update of permitting services software.

City Council:

Gregg will present Heritage Tree Nominations to Council next week. Jenn will present the proposed Urban Forestry fee schedule to Council on June 1st, but will also be present at City Council next week with Gregg. On May 22nd, Urban Forestry staff will begin working with Portland State University (PSU) software group to identify high-priority areas in the City for tree planting. Lastly, the Title 11 Amendment item that was supposed to be heard by Council this week was delayed, and it has not yet been rescheduled. There is no buy-in and little bandwidth available from the Bureau of Development Services (BDS) to take on this project, as of yet.

UFC Chair Report and New Business: UFC Chair Mark Bello

Commissioners should feel free to approach Mark with new, creative ideas for how to prioritize agenda topics and manage time. Mark requested dedicating 10 minutes to New Business later on in the meeting. Meryl added that the UFC needs to strategize on how to move forward with a Title 11 amendment project.

Education and Outreach Committee Update: UFC Secretary Catherine Mushel

In planning Arbor Day this year, we focused more on preparing for the whole year, as opposed to only a singular event as part of a requirement to be a Tree City USA. As a result, the Arbor Day

event was less stressful. With the help of our new dedicated Urban Forestry staff person, Nik Desai, the big-picture approach worked well for the committee. The committee would like to check-in with Angie, the new Outreach and Science Supervisor, after coming up with a work plan for next year.

There was a lot of discussion about what the committee's outreach approach looks like and how to reinforce the message that Urban Forestry supports residents' efforts. A small example of this is that many patrons of the PSU Farmer's Market were curious about the free trees that Arbor Day patrons were carrying with them. This would have been a great opportunity for on-lookers to see a Parks Urban Forestry label on these containers. The committee would also like to update its practices to emphasize and invite two-way communication, instead of just the one-way outward communication of the perfect brochure that says why trees are important. The committee is emphasizing getting people's stories and listening to how they are connected to trees, whether that be a negative or positive communication. Improvements are needed in reaching out to non-English speakers. Karen Carillo, a recent contact from the Columbia Slough Watershed Council (CSWC) who has joined the committee, is helping the committee improve multi-lingual and multi-cultural communication. Committee members are already starting the process of planning to attend CSWC and others' events to build relationships and gain insight.

Catherine continued by announcing some upcoming events.

June 1: student presentation on re-imagining the 82nd Avenue corridor, which will include components on green infrastructure. It will be at the White Stag building.

June 4: Dave Hedberg of Urban Forestry is going to be part of a talk on "The Archaeology of Dwelling."

June 11: CSWC will host Explorando en Columbia Slough from 1 to 5 PM. Urban Forestry may have a presence there. Commissioners are encouraged to attend the event and become part of the outreach in earnest.

July 16: Portland's annual Tree Hug will be from 6 PM to 9:30 PM. There will be music, food, Movies in the Park, and other activities.

April 29, 2017: After reviewing a list of possible venues for Arbor Day 2017 provided by Marc Czornij, the committee proposes holding next year's Arbor Day event at K^hunamokwst Park, which is near Rigler School and its Learning Landscape Arboretum in Cully neighborhood.

Damon has made a contact with Asian Pacific American Network of Oregon (APANO). David recommended making a good record of new relationships and their needs. To end her report, Catherine thanked Joe Petrina, a developer with an interest in joining the UFC, for his presence at today's meeting.

Azavea GIS Intern: David Diaz

David welcomed recommendations for the intern's scope of work. This will be in partnership with Azavea, which is the software developer of Open Tree Map. Research priorities include identifying geographic patterns in canopy changes under the first year of Title 11, as well as how they relate to Urban Forest Management Plan goals; estimating compliance rates by overlaying planting and removal data for permitted and non-permitted actions with neighborhood-level canopy changes in the same period; identifying hotspots where there are high rates of tree removals; and exploring the relationships between canopy changes and social, policy, and

environmental indicators. Time-permitting, the intern should also determine whether there are any correlations between canopy and lot zoning.

David clarified to Meryl that the partners involved are Azavea, Ecotrust, and Urban Forestry. Meryl recommended considering the Equity Atlas as an additional resource. Damon considers the canopy change and compliance rate research high-priority, and recognized that Vivek would play an instrumental role here. David clarified that in overlaying permit point data with canopy data, it is the team's hope to make outreach recommendations where compliance appears to be low. He also added that the intern's products will be maps and data transferred over to Urban Forestry for their use and consideration, which would be available for the public.

Review of April Urban Forestry Commission minutes

One revision was made on page four. Revisions submitted by Gregg Everhart to correct the age of a Heritage Tree nominee and a grammatical error on page 4. Damon said that his name in the third paragraph from the bottom of page 4 should be Dominic's name. All corrections were verbalized by Natasha. Damon motioned to approve the minutes; Barbara seconded the motion. Motion accepted unanimously.

Permit Appeals Timeline: City Forester Jenn Cairo

Urban Forestry receives 6 to 7 appeals challenging permit decisions per year. Title 11 outlines specific timeline constraints in the appeal process. Because the applicant has 14 days to apply for an appeal, it is often difficult to hear appeals within 45 days of a permit decision. Urban Forestry requested that the UFC vote on whether to allow appeals to be heard at the next regular meeting of the Appeals Board, if 45-day deadline cannot be met. This would give the City the same ability as the appellant to hold an appeal once. If this cannot be agreed upon, then an additional meeting outside of the regular monthly meeting would need to be scheduled to hear appeals, according to code.

After discussion and clarification, the motion is as follows:

The Urban Forestry Commission finds good cause that timelines can make it burdensome to hear appeals within 45 days and therefore grants Urban Forestry the authority to extend appeals to the next regular Urban Forestry Commission meeting after 45 days has passed. Barbara made the motion, Meryl seconded. Five commissioners voted in approval. After voicing concerns about the seasonality of requests, Damon abstained from voting. The motion passed.

Legal Holds and Records Retention: Jenifer Johnston, Deputy City Attorney

Since City of Portland attorneys were consulting with the UFC, this portion of the meeting was not open to the public. No notes from this presentation will be included here.

Right-of-way Tree Planting Space: City Forester Jenn Cairo

Introduction:

This was an informational presentation about Urban Forestry's planting standards for planting trees in public right-of-way spaces. These standards were implemented in October of 2015. BES brought their concerns to UF in March 2015 after standards were released for planting in unimproved rights-of-way. Jane Bacchieri's public comments summarize BES's tree program goals as follows: Providing services equitably to meet the needs of diverse and traditionally

underserved communities, managing stormwater sustainably, and protecting human health by reducing urban heat island. Urban Forestry has these same goals, which are explicitly stated in the Urban Forest Management Plan. However, UF has additional goals that are specific to long-term urban forest management, beyond the planting stage.

Background:

UF had no planting standards prior to the implementation of these standards. These standards were created because it is a requirement of Title 11, the language of which specifies that these standards must be in accordance with proper arboricultural practices (11.10.010.A.5.a). The standards also serve as a proactive tool for achieving canopy goals for the City, which are to expand canopy and create canopy with the greatest return on services. With 8,000 tree permits processed and \$500,000 spent on emergencies per year, the thirty- to sixty-year lifespan of these trees is a long time for management. If trees are planted in an adequate space, long-term maintenance issues such as root pruning, pruning for traffic clearance, and tree or limb failures could be greatly reduced. Additionally, most other cities that are at least the size of Portland have planting standards in place. These standards give clearer guidance than the brochure that was used before October 2015, which is an accessibility improvement.

Minimum Site Width:

One specification of the standard is that trees shall not be planted in an unimproved right-of-way strip that is under 36 inches wide. This does not mean that small trees are not getting planted because even strips that are 36 inches wide are not ample space for medium- or large-form trees. A planting space in the right-of-way must be a minimum of 36 inches wide to accommodate a small-form tree.

Visual aids were used to illustrate what a 36-inch wide strip looks like, as well as the difference between various sizes of tree form. An adequately-sized planting space will accommodate greater soil volumes, which will support a healthier root flare. Additionally, soil quality declines more quickly in smaller planting spaces, which reduces aeration and a tree's ability to effectively uptake water and nutrition. Adequate root space is also important as trees age because root flare will develop and grow larger in order to bear the stress of excess wind or added weight.

Trees with poorly developed root systems become a public hazard, since their stability is compromised. To reduce risk to the public, the need for standards and regulations to apply to these trees becomes imperative. Beyond safety, other reasons to plant the right tree in the right place include some of the major benefits of a healthy canopy, including improved air quality, urban heat island effect mitigation, wildlife habitat, neighborhood aesthetic, and property value enhancement.

Some of the other planting standards used as a reference were developed over several years as a result of long-term studies. Urban Forestry issues about 1,300 root pruning permits per year, often the result of tree roots lifting the sidewalk. The roots of trees that are planted in an inadequately-sized planting space will hit the sidewalk edges within a matter of years, not decades. Additionally, traffic visibility is more likely to become an issue with trees planted in smaller spaces. Sidewalk maintenance is the responsibility of the adjacent property owner in the city of Portland, and each sidewalk repair job can cost at least \$1,000. Again, trees in spaces that

are too small will experience reduced stability and compromised health later in life. Tree maintenance for overall health and safety is also ultimately the adjacent property owner's responsibility in Portland.

Equity and Conclusion:

The role of Urban Forestry is to preserve and expand the urban forest, for the benefit of current and future generations. If a planting space does not suit the needs of the tree beyond the initial planting, then the tree will not reach its full potential of providing those critical environmental and social services for future generations. Because many other city's planting standards call for four to six feet in planting space width, and because Urban Forestry is aware of the ample amount of small planting spaces within the city, a lot of thought was put into deciding on the three foot minimum in these standards. For some perspective, about 90 percent of unimproved right-of-way planting spaces are three feet or greater.

Equity is a primary concern for Urban Forestry. Regardless of where in the city a tree is planted, higher maintenance costs are incurred if a tree is planted in an inadequately-sized space, and again, these are the responsibility of the adjacent property owner. In regards to planting trees, a frequent complaint by property owners is that the tree will become a problem in the future. If these planting standards are ignored, trees in poorer condition will result, which means more maintenance and cost for the property owner and an overall more negative public impression of tree planting in the city.

Additionally, focusing extra time and resources on planting in inadequate spaces ultimately reinforces existing inequity. Some parts of town have mostly smaller strips. Portland Bureau of Transportation (PBOT) has a 4-foot minimum planting strip width when making right-of-way improvements. No more of these under 3-foot planting sites are being developed. However, the resulting higher cost of trees in poor condition, due to being planted in an inadequate space, places even more of a burden on the adjacent property owner, than if trees are to be planted in an adequate planting site. Time and resources should focus on planting in larger available spaces, if not developing adequate planting spaces, in low-income areas. The planting standards describe techniques for improving right-of-way planting spaces.

With the conclusion of Jenn's presentation, each present commissioner had an opportunity to share their comments and questions about the planting standards.

Commissioner Comments—Meryl (32:03):

Do these standards contradict the root protection zone requirement for trees on private property? Also asked about how to build policies that improve planting sites and soil quality?

Commissioner Comments—Damon (33:45):

Existing planting space in Portland is not adequate; we should look at how to improve soil quality and options for horizontally elongating the volume of a planting space. Also, do we have a method for addressing property owners who plant out of compliance with these standards (i.e., who plant a tree in a right-of-way that is less than 36 inches wide)? Recommended putting a hold on these standards until the latter concern can be addressed.

At this point, Jenn wanted to respond, but David recommended delaying her response until after all other comments have been heard (37:11).

Commissioner Comments—David (37:25):

Concerned that planting replacement trees in the right-of-way would not happen within the same neighborhood where a removal took place. This is concerning for him especially because his neighborhood, Woodlawn, has mostly small planting spaces and many large trees in spaces that are too small; if these large trees come out, the replacement trees may not always get planted within Woodlawn. He recommended more creative work between UF and PBOT on how to address this issue.

Commissioner Comments—Catherine (39:00):

Expressed concerns about an unintended message communicated through the standards, as follows: A property owner should not expect to grow a perfect and thriving tree that will not disturb the sidewalk over time; if planting according to these standards means expecting no problems created by trees, this may advertently result in a generation or culture of people who do not understand the value of stewardship. She recommended investing funds and resources into communicating to the public that trees are living infrastructure, and design of gray (dead) infrastructure needs to deal with it; these standards communicate the opposite. She is also concerned that these standards could be an unintended barrier for a person/young child to participate in planting a tree and thus participating in public life supporting the commons.

Commissioner Comments—Vivek (41:10):

How would planting all potential spaces in planting strips affect the City's canopy goals?

Jenn response to Vivek (41:52):

Canopy goals are being revisited. Currently, the goal is to reach 33 percent. To answer your question, we would need to make broad assumptions to project the potential canopy impact.

Commissioner Comments—Barbara (43:06):

Expressed concerns that we will not meet canopy coverage goals and canopy function goals in one push. Is there a way to implement these standards in phases?

Meryl response to Barbara (44:38):

Parks and UF should work more together to merge park access goals and canopy access goals.

Ex-Officio Comments—Lola (46:12):

Planting trees in inadequately-sized spaces is bad for infrastructure. We need to continue to look at long-term management solutions. Neither UF nor PBOT have adequate maintenance funds, and there is a culture of cutting initial costs for installation while ignoring long-term consequences. She expressed support for the standards.

Damon question to Lola (48:24):

Is there a situation where you can require the property owner to get the planting space up to 36 inches wide before planting? (unanswered) There is also still an issue of property owners wanting to plant small trees in their yards, where there is adequate space for a larger tree.

Mark (50:05):

Requested that a volunteer review the standards further in order to be prepared for any future appeals related to these standards.

Damon made a motion recommending UF suspend the 36-inch minimum component within the standards while the UFC reviews the entire standard, meaning the standard would revert to the old 2.5-foot rule and focusing on the equity issue. David seconded the motion. Barbara added that if these standards are going to be rolled back, there needs to be a timeframe. Damon raised the question of whether his motion involved a conflict of interest. Tony clarified that there is a conflict of interest because Damon works as a contractor with BES. The motion was not voted on.

David asked what would happen if these standards were struck down. Jenn answered that UF would have to re-do the entire process of creating the standards, including outreach to stakeholders and other bureaus as part of creating the specifications.

David asked for clarification about when UFC was notified about the change in standards. Jenn replied that the standards were announced in October 2015. She also pointed out that the standard's minimum planting strip width was inadvertently still listed as 2.5 feet in the version of that was shared with BES. This was not caught until shortly after a staff change, and was Urban Forestry's error. That said, she concluded by saying that the presentation before the UFC was purely informational regarding the reasoning behind the change to the 36 inch threshold and that she was not seeking to change the minimum width back to 30 inches.

Mark recommended that the UFC, specifically the Policy Committee, review the standards and discuss them again in the future; also requested that Jenn follow-up on today's comments. Jenn recommended that Lola be involved with the Policy Committee's discussion of the standards, since PBOT has a vested interest.

Barbara asked if there was an application for a new programmatic permit and if BES has reported on the success of this permit to UF; Jenn said yes. Most programmatic permits do not require a report of the programmatic permit to UFC, but it is a requirement of the old blanket permit, and UF expects that to carry over.

Adjourned at 10:51 AM