

TO: Neighborhood Tree Team members and tree advocates  
FROM: Bruce Nelson, Cully Tree Team     October 8, 2020  
RE: Portland Urban Forestry Commission Meeting September 17, 2020:  
      Summary and Comments

**NOTE: This document is not an official document of the Urban Forestry Commission. I am a private citizen who is a volunteer member of the Urban Forestry Commission. I write as a private citizen.**

These meetings occur on a monthly basis, on the third Thursday of the month. Official minutes of the meetings are available at the website for the Urban Forestry Commission, once they are approved by the Commissioners (usually 1-3 months after the meeting). <https://www.portlandoregon.gov/parks/60405>

The decisions made at these meetings often affect the volunteer tree advocacy work being done in Portland. I am sending you timely commentary on these monthly meetings. If you do not wish to receive this, let me know.

*Italicized text indicates my own point of view and/or items not necessarily expressed during the meeting. Bold text is used for my required statement that this is not an official or adopted statement from the Urban Forestry Commission. Bold text is also used for subject headings and occasionally to identify who is saying what.*

The monthly Urban Forestry Commission meeting was held Thursday, September 17, 2020, 9:30 am – noon as a Zoom meeting, due to COVID 19 demands.

**Urban Forestry Commissioners Present** - Vivek Shandas (Chair), Anjeanette Brown, Gregg Everhart, Barbara Hollenbeck, Bruce Nelson, Daniel Newberry, Damon Schrosk, Megan Van de Mark

**Urban Forestry Commissioners Absent** -. Brian French, Lorena Nascimento

**Urban Forestry Staff Present** - Jenn Cairo (City Forester, Portland Parks & Recreation, Urban Forestry division); Brian Landoe (Analyst 1, Portland Parks and Recreation Urban Forestry division); Nik Desai (Botanic Specialist, Portland Parks and Recreation Urban Forestry division)

**Deputy City Attorney**- none present

### **Conflict of Interest Policy –**

“Members of City advisory bodies are public officials, based on State law ORS 244.020(15), and as such are required to disclose conflicts of interest. Under the Oregon Revised Statute 244.020(3), an appointee has a conflict of interest when participating in an official action which could or would result in a financial benefit or avoidance of detriment to the public official, a relative of the public official, or a business with which either is associated.”

**Visitor Presenters** – Tom Armstrong (Supervision Planner, Bureau of Planning and Sustainability); Jeff Caudill (City Planner II, Bureau of Planning and Sustainability); Sallie Edmunds (Supervising Planner, Bureau of Planning and Sustainability); Steve Kountz (Senior Economic Planner, Bureau of Planning and Sustainability); Emily Sandy (Policy Analyst, Bureau of Development Services); Eli Spevak (Planning and Sustainability Commission chair); Mike Houck (Planning and Sustainability Commission member)

### **9:30 am      Public Comments on Proposed Tree Code Amendments**

Bob Gelper, from the Downtown Neighborhood Association, was supportive of removing the CX zone exemption from Tree Code.

Mary Jo Mann encouraged the Urban Forestry Commission to remove the exemption from certain Tree Code requirements for heavy industrial zoned land.

### **9:40 am      UFC Discussion and Decision on Tree Code Amendments**

Emily Sandy of the Bureau of Development Services (BDS) reviewed the process used to get to the specific recommendations that BDS is bringing to Portland City Council . Portland City Council is scheduled to hear this matter October 29<sup>th</sup> from 2 – 5 pm):

- Remove the exemption from tree preservation and tree density in IG1 (General Industrial 1), EX (Central Employment), and CX (Central Commercial) zones on private and City-owned or -managed property.
- Retain the exemption from tree preservation and tree density in 1H (Heavy Industrial) zone on private and City-owned or -managed property.
- Reduce the threshold for required preservation of trees on private property from 36” to 20” in diameter at breast height (dbh), wherever tree preservation is required.
- Reduce the threshold for inch-per-inch fee in lieu of preservation for trees on private property from 36” dbh to 20” dbh.

The main reason given by City staff to retain the exemption for Heavy Industrial zoned land was that the specific predetermined process needs to be followed by City staff in determining how much industrial land is needed for future heavy industrial development. The parameters to be used in making this determination (Economic Opportunity Analysis = EOA) can't be changed in the middle of the process. These parameters do not include anything related to the current climate crisis, nor do they explicitly address equity issues, nor do they take into account canopy coverage. Projections made by Metro for anticipated economic development in the next 20 years contribute the key data. Emily Sandy of BDS suggested that BDS develop language to take to Council that addresses the challenges in dealing with IH zones.

UFC Commissioners spent over an hour discussing information presented by BDS, reviewing both written and oral citizen testimony, and expressing approaches that UFC could take. The major discussion area was whether or not to retain the current exemption from tree preservation and tree density that exists in IH (Heavy Industrial) zone.

UFC Commissioners were not in agreement with each other, or with BDS as to whether UFC should feel under any obligation to follow those same constraints. Much of the IH zoned land is immediately adjacent to low canopy, low income neighborhoods. Exempting these IH zoned land from aspects of the Tree Code reduces the potential environmental benefits derived from trees that could have assisted in both the IH zoned land and adjacent neighborhoods. Is this a form of structural racism, intended or not?

UFC Commissioners agreed that it is critical to get more public involvement in the next scheduled review of the EOA. Strong public expression of the importance of taking into account climate crisis and racial equity needs to be brought into the EOA. Emily Sandy stated that the Planning and Sustainability Commission will be involved in this review but currently it is not required that the Urban Forestry Commission be involved. This review starts in the summer of 2021 and will be in place by the following year. *It seems appropriate that UFC weigh in once this review of the EOA process begins.*

Vivek shared that students looking at the industrial lands as part of a class identified a wide variety of means that could be added to industrial areas to address various environmental concerns, including addition of trees.

[https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1128&context=usp\\_murp](https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1128&context=usp_murp)

UFC Commissioners thought that it is a false dichotomy to pit “trees against jobs” or “trees against affordable housing.” Quality of the work place and the home environment are important considerations, regardless of the type of housing or the type of work.

Megan expressed her concerns about how we can continue to not address climate crisis just days after enduring some of the poorest air quality (from smoke) in Portland’s recent history.

Eli Spevak, speaking as chair of the Planning and Sustainability Commission (PSC), shared that there is some concern that removing the current exemption of IH land from tree preservation and tree density regulations of the Tree Code will open up the City to possible legal challenges, and that these legal challenges could potentially threaten the entire Tree Code. He believes that City staff don’t have sufficient data to support the removal of the IH exemption. With more time, City staff may be able to develop the data to support removing this exemption. PSC wants to be very strategic in addressing the potential changes to the Tree Code. They would prefer to be able to separate out the IH portion from the rest of the considered changes.

Damon thought that overall the City is not doing well in reaching its canopy goals. This state of affairs requires more assertive action.

PSC member Mike Houck wondered if UFC has looked at the canopy goals for the City. Vivek responded that the current Urban Forestry Management Program (*adopted in 2004*) has not been reviewed by the Urban Forestry Commission in recent times.

Vivek believes that both UFC and PSC are in strong agreement on BDS’s recommended Tree Code changes, with the exception of the exemption to IH. UFC prefers to remove that exemption while PSC thinks it needs to be retained until staff can develop more data that would better support removing that exemption.

Gregg agreed that certainly there are questions as to how to address the IH when these issues are brought to City Council.

Damon feared that putting this issue off seems more like “kicking the can down the road.” He would prefer that we advise the Council as to the importance of this issue in addressing canopy and equity goals.

Barbara recommended that we should be bold.

After one motion was made and later withdrawn, a second motion was made to support the BDS recommendations except for the continued exemption for IH zoned land. UFC voted to support, by a vote of 6 – 1:

- Remove the exemption from tree preservation and tree density in IG1 (General Industrial 1), EX (Central Employment), and CX (Central Commercial) zones on private and City-owned or managed property.
- Remove the exemption from tree preservation and tree density in IH (Heavy Industrial) zone on private and City-owned or managed property.
- Reduce the threshold for required preservation of trees on private property from 36” to 20” in diameter at breast height (dbh), wherever tree preservation is required.
- Reduce the threshold for inch-per-inch fee in lieu of preservation for trees on private property from 36” dbh to 20” dbh.

It was agreed that Daniel Newberry will work with Emily Sandy on the wording of a letter expressing to City Council these sentiments.

*Anyone wishing to make either oral or written testimony on the final recommended amendments made by BDS to Portland City Council should follow the timelines and procedures listed at:*

<https://www.portland.gov/council-clerk/services/provide-testimony-city-council-agenda-item#in-person> for in-person testimony

[cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov) for submission of electronic written testimony

*It is likely that Mayor Ted Wheeler and current standing City Commissioners, Chloe Eudaly, Amanda Fritz, Joanne Hardesty, and Dan Ryan have already received informational packets from BDS on this matter. Submitting your testimony early may allow for more thoughtful consideration of your comments by staff of the various Commissioners and Mayor. It is highly likely that this meeting will be held as a virtual meeting.*

### **11:00 – 11.05 am Minutes Review Brian Landoe, Urban Forestry Budget Analyst**

The minutes of the July 16<sup>th</sup> meeting were reviewed and accepted with minor changes.

**11:05 – 11:20 City Forester Report**

**Jenn Cairo, City Forester**

1. Thanks for the comments and discussion on the Title 11 amendments.
2. Thanks are in order for all of the City staff time that has gone into addressing the City Council’s directive to bring back proposals to City Council on the tree code concerns raised last December and January.
3. The strong winds of September 7 – 8, 2020 generated over 430 tree emergency requests in public parks and along public roads. This was a very large emergency event.
4. With the poor air quality resulting from the fire smoke, only critical work was allowed to be done outside. Arborists working on the emergency situations needed to wear masks. Other non-critical outside work was put off until a later time when the air quality index returned to healthy levels.
5. Urban Forestry has received a lot of unsolicited “Thank yous” from the public, happy with the assistance during the strong wind-created emergencies.
6. Amanda Fritz has been reassigned to oversee the Parks and Recreation Bureau for the remainder of her term (until January 2021). Mayor Wheeler had been in charge of Parks and Recreation since the death of Commissioner Nick Fish. Amanda Fritz has been the Commissioner of Parks and Recreation in the past (2013 – 2018).
7. Work has started on building a new facility to take the place of the current “barn” at the Delta Park Urban Forestry office area. This is part of the Parks capital bond project (*approved in 2014*). Unless absolutely essential, members of the public are discouraged from visiting Urban Forestry’s Delta Park office until construction is completed.
8. Urban Forestry continues to work on its Yard Tree Giveaway. The targeted tree giveaway total is 1,200 trees. Due to Covid-19 concerns, the approach this year is to use no-contact pick up events.
9. Regarding filling the opening at Urban Forestry Commission, no completed applications have been received yet. It is expected that completed applications will be coming very shortly.
10. Streets 2035, a Portland Bureau of Transportation project, has no new information to report.

11. Twenty-five people have signed up to attend the Neighborhood Tree Stewards program that is scheduled to begin next week. This year's training should conclude in October.
12. Thirty-one elms in Portland have tested positive for the Dutch elm disease-causing pathogen this year. There may be more to come. In November, UF's annual report on the progression of Dutch elm disease will be shared.

Gregg wondered if it would be possible to see a draft calendar for scheduled UFC agenda items that are considered long-term items, i.e., update of Forest Management Plan, update of UFC bylaws, major changes to Tree Code. Additionally, Gregg would like to see the plan for the new building at the Delta Park Urban Forestry office.

Daniel wondered if there was any information forthcoming from the stakeholders' meetings held over the last month or so where discussions about what City agencies should have responsibilities for tree planting activities. Jenn reported that the group has been meeting. Some members of this stakeholders group have raised issues that were not originally on the agenda. There is one more meeting of the group left. This meeting will focus on directions for the future. Vivek, Jenn, and Brian all thought that this group has had some very good discussions in the first two meetings. A report will be made to UFC in the future.

### **Bill Naito Community Trees Award Discussion Clare Carney – Urban Forestry**

Clare shared with UFC the list of nominees this year in both the individual and the group categories. Bruce Nelson recused himself from any decision-making or discussion regarding the selections, due to a conflict of interest.

The Group Award nominees were

1. Tree Emergency Response team <https://www.elisabethjones.art/tree-emergency-response-team.html>
2. Friends of Mt. Tabor Park Weed Warriors <https://www.facebook.com/FMTP.WeedWarriors>
3. Pop-Up Arboreta Volunteers

4. Trees for Life Oregon <https://www.treesforlifeoregon.org>
5. Arbor Lodge Tree Team <https://arborlodgetrees.weebly.com/>

The Individual Award nominees were:

1. Kyna Rubin
2. Linda Robinson
3. Oriana Magnera

UFC Commissioners discussed briefly the nominees in the two categories. A vote was taken to select this year's awardees. Those winners will be recognized later this fall (*at the annual Tree Summit?*). It was the desire of UFC to extend great thanks to all of the nominees for their dedicated work in bettering Portland and its urban forest. So much can happen with the continued volunteer efforts like those of this year's nominees.

*It should be noted that the selection process has changed from that used in many previous years. In the recent past, UFC's Education Committee spearheaded this work and brought recommendations to UFC. UFC then generally approved the selection of the Education Committee. Beginning in 2019, with the shutting down of the Education Committee, the Bill Naito Community Trees Award work was assigned to Urban Forestry staff member Clare Carney. This marks the second year that Clare has been the lead in this endeavor. Once the awardees have been publicly recognized I will list them in my comments.*

### **Review of 2019 UFC Annual Report draft**

Due to the shortage of time, it was decided to take up this agenda item at a later meeting.

**Next Urban Forestry Commission Meeting:** The next Urban Forestry Commission meeting will be 9:30 am – noon, Thursday, October 15th, as a Zoom meeting. The complete agenda is unavailable at this time. Check the link below later this month for meeting agenda, meeting materials, how you can gain access to this Zoom meeting, and how to make public testimony:

<https://www.portlandoregon.gov/parks/80167>