

TO: Neighborhood Tree Team members and tree advocates
FROM: Bruce Nelson, Cully Tree Team September 4, 2020
RE: Portland Urban Forestry Commission Meeting August 20, 2020:
Summary and Comments

NOTE: This document is not an official document of the Urban Forestry Commission. I am a private citizen who happens to be a member of the Urban Forestry Commission. I write it 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 we are doing. I will send 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 regarding opinions expressed as my own. 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, August 20, 2020, 9:30 am – 11:25 am as a Zoom meeting due to COVID 19 demands.

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

Urban Forestry Commissioners Absent - Anjeanette Brown, Brian French

Urban Forestry Staff Present - Jenn Cairo (City Forester, Portland Parks & Recreation), Brian Landoe (Analyst 1, Portland Parks and Recreation)

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)

9:30 am Public Comments --None presented.

9:35 – 9:55 am City Forester Report Jenn Cairo – City Forester

1. Tony Garcia, the Deputy City Attorney, is unable to join the meeting due to a medical emergency.
2. Anjeanette Brown, Urban Forestry Commission member, hopes to attend our September meeting. A very heavy work load has prevented her attendance at recent meetings.
3. The joint Public Hearing (Urban Forestry Commission and Planning and Sustainability Commission) on the proposed Title 11 amendments will be held September 8th (Zoom, 2 – 5 pm, at time of this writing).
4. Vivek shared an update on the Tree Planting Advisory group. This group is a joint endeavor of both Portland Parks and Recreation and the Bureau of Environmental Services to talk about the future of city-sponsored tree planting in Portland in general. Currently there are multiple options as to where the tree planting programs can reside. A second meeting is scheduled to occur Friday, August 18th. The first session focused on issues related to equity and street tree maintenance. The second session will focus on planting strategies and how they currently operate. The third and final session is expected to focus on recommendations. Records from these meetings will be available to the public. Once these meetings are completed Jenn will report back to UFC on any findings, decisions and/or recommendations coming from this group.
5. The Portland Bureau of Transportation has made no progress on Streets 2035. Other items have been deemed more pressing.
6. The Urban Forestry-funded Street Tree Maintenance report being done by Davey Resource Group is mostly completed. The initial report was presented to UFC in January 2020. Using feedback from that meeting, some modifications have been made. The COVID-19 challenges have slowed the progress of this report. At this point there is no scheduled finish date.

Questions and Comments from UFC Commissioners Pertaining to the Street Tree Maintenance Report.

- a. **Megan** wondered who the stakeholders are on the Tree Planting Advisory Group. Vivek asked Brian Landoe to send out this information. *A few days after the meeting **Brian Landoe** sent the list. It includes Nancy Buley (Friends of Trees); Derron Coles (Blueprint Foundation); Ted Labbe (Portland Utility Board/Urban Greenspaces Institute); JR Lily (East Portland Plan advocate); Ryan Petteway (OHSU/PSU School of Public Health); Vivek Shandas (PSU & UFC Chair); Meryl Redisch (natural resources advocate); Bob Sallinger (Portland Audubon Society); Ashton Simpson (Rosewood Initiative); Janice Thompson (Citizen's Utility Board); Bonnie Gee Yosick (Parks Board Vice Chair); and Maiyee Yuan (APANO).*
- b. **Damon** would also like to know who is in this group and hopes that there will be time on the agenda for discussion of the information coming from this group, potentially at the September meeting.
- c. **Daniel** wondered what would be the process used in Urban Forestry taking on Street Tree Maintenance, based on information in this Street Tree Maintenance Report. **Jenn Cairo** reported that the City Council would need to approve City take-over of Street Tree Maintenance and would need to approve budget dollars for that endeavor.
7. **Vivek** wondered about the timing for the finished Street Tree Maintenance report. **Jenn Cairo** reported the hope is before the end of this calendar year. Before bringing any recommendation to the City Council it would need to first be brought to the Parks Commission for approval and assistance in advocating for such a major change. Much planning would be needed prior to taking such a proposal to Portland Parks Commission or Portland City Council.
8. The effects of the pandemic on Urban Forestry operations include hiring freezes, budget reductions, furlough days for all staff, and a growing backlog of private development processes. Currently there is an increase in volume of public capital improvement projects, which involve Urban Forestry staff. The current backlog in this area is 5 weeks.
9. Urban Forestry got an exception from the hiring freeze to bring in seasonal staff to do weeding and watering of selected newer trees. Regular Urban Forestry budget dollars were used for this work. No Tree Planting and Preservation funds were used for this purpose.
10. Recently there has been an uptick in tree-related emergencies.
11. The giant sequoia case in northeast Portland where the tree is recommended for removal has been appealed to the Code Hearings Officer. The date of this

hearing, when known, will be sent out to UFC Commissioners. *The scheduled time for this hearing is Thursday September 10, at 1:30 pm. The Hearing Number is 3200026. The Bureau Case # is 19-205171 UF. If you go to the Hearing Office site, you can find more specific information on how to listen to the hearing. No public testimony is allowed at the hearing.*
<https://www.portlandoregon.gov/hearings/>

12. The Youth Conservation crew, smaller than originally hoped for, has involved 10 youth this summer. It will conclude its activities shortly.
13. Urban Forestry staff is doing the summer monitoring of elms for Dutch elm disease (DED) symptoms. To date there is 1 confirmed DED infected tree and 14 other samples are at the lab waiting for results. Urban Forestry is doing some elm inoculations.

9:55 – 10:00 am Minutes Review Brian Landoe Urban Forestry Budget Analyst

The minutes of the June 18th meeting were reviewed and accepted with minor changes.

10:00 – 11:25 Title 11 Amendment Project

Emily Sandy (Bureau of Development Services); Tom Armstrong (Bureau of Planning and Sustainability); Jeff Caudill (Bureau of Planning and Sustainability); Sallie Edmunds (Bureau of Planning Services); Steve Kountz (Bureau of Planning and Sustainability)

Emily Sandy led the presentation of the staff report requested by City Council at a January meeting. City Council, as part of a discussion that originally was only about extending the sunset date for the inch-per-inch fee in lieu of preservation for trees 36” or larger diameter at breast height (dbh), directed staff to come back to Council with recommendations regarding strong citizen comments and requests from both the Urban Forestry Commission and the Planning and Sustainability Commission:

1. To remove exemptions from tree code and tree density requirements in certain zones;
2. To lower the inch-per-inch fees in lieu of preservation down to 20” dbh from the current 36” dbh standard.

Information was presented on how the staff gathered and analyzed the information required by the City Council request. The staff report is available at <https://www.portlandoregon.gov/trees/article/765310>

Information about testifying via Zoom or in writing on the staff proposed Tree Code amendments can be found at:

<https://www.portland.gov/bd/planning/projects/potential-tree-code-amendments/about-proposed-updates-portlands-tree-code>

The conclusions reached by the group involved in the Title 11 Amendment Project were:

- **Remove** the exemptions from tree preservation and tree density in IG1 (General Industrial 1), EX (Central Employment), and CX (Central Commercial) zones on private and City-owned/managed property;
- **Retain** 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

Questions and Comments from Urban Forestry Commissioners to staff follows.

Barbara: Has there been any pushback from the business community about the recommendations? **Emily Sandy:** Some company officials have expressed concerns but to date there has not been a lot of business pushback.

Daniel: I appreciate all the work that staff has done on this excellent report. It should be noted that most of the acreage involved in the different zones addressed in the staff report is heavy industrial where no change is proposed. There are other considerations besides State Land Use Planning Goal #9 Economics that are listed as part of the State Land Use Goals. Were any of those taken into account? Statements in the staff report state that the economic analysis was the primary consideration. **Emily Sandy:** When code changes are being considered, staff look at them first through the lens of why can't they be implemented. In the past, Planning Goal #9 Economics has been the key factor limiting specific code changes. That is why staff focused on this area. **Steve Kountz:** Johnson

Economics found that implementation of code changes in the heavy industrial zone IH1 would reduce development by 34%. That is very significant. There are very few vacant sites in IH1. Typically what you are looking at is redevelopment. **Tom Armstrong:** The City uses a specific formula for determining land loss and economic loss that results from code changes. It is not a nuanced approach at all.

Megan: In considering trees and economic development, does this take into account externalities, like tree benefits 20 years out? Is this prioritizing economics over public health? **Brian Landoe:** I appreciate the comment. Currently planning Goal #9 Economics presents a substantial obstacle. Further work is being done by staff to determine if there are ways to address this obstacle and increase tree canopy. **Steve Kountz:** The City of Portland has adopted a specific Economic Opportunities Analysis (EOA) procedure that needs to be followed, relative to State Land Use Planning Goal 9. That specific EOA will be reviewed by the City in 2021 to see if change is necessary in the EOA procedure while still meeting State Land Use Planning Goal #9.

Lorena: The world is changing. Long-term planning is becoming more and more important. Are there any business groups working on how their practices and specific company land property can help address the changing climate situation and challenging environmental needs in our community? Have City staff reached out to any industry groups to seek their suggestions? **Emily Sandy:** Over the past 5 years there has been a public shift by industrial interests to one where environmental concerns have risen. It is unknown if there's been any City staff outreach to business interests in the form of educational outreach related to trees. **Steve Kountz:** A 20-year planning process was just completed (Comprehensive Plan) which has major support within the business community and community at large. There are often trees in the IH1 zones that are protected as part of an environmental overlay. Certainly the industrial community is aware of the importance of trees.

Gregg: The reduction in the threshold dbh from 36" to 20" will not necessarily lead to the preservation of more trees. In looking at Goal #9 of the State Land Use Planning Goals, philosophically, this planning goal is like a malignant growth in that it is constantly requesting more land be set aside to meet this 20-year economic growth projection. Portland has a fixed amount of land so we are confined geographically. Yet, we are required by current interpretations of Planning Goal #9 to always have sufficient heavy industrial land available to meet

the 20-year anticipated heavy industrial land needs. **Emily Sandy:** The Portland City Office of Governmental Affairs is the local governmental agency where citizens and public officials should direct their concerns. **Steve Kountz:** It should be noted that Heavy Industrial areas in Portland provide important state-received benefits, especially relative to transporting of goods (harbor, interstate access, proximity to airport). This has huge economic importance to the state and to Portland. It is true that equity concerns are recognized in Portland's latest Comprehensive Plan. **Jenn Cairo:** It is okay for Urban Forestry Commissioners to express the constraints on urban tree canopy that result from current interpretations and reliance on State Land Use Planning Goal 9.

Damon: Steve said that many trees on some IH properties already received some protections from the Environmental overlays. Are we double dipping in terms of land availability for heavy industrial use? How do you account for underutilized heavy industrial zoned land? **Tom Armstrong:** The Environmental overlay areas are already accounted for in the calculations. We do take into account portions of unused industrial lands.

The staff report on the amendments to the Tree Code contains a great deal of interesting detail that spells out the possible consequences of adoption of the changes. A key driver in this consideration is whether or not the economic consequences are significant. It is on the basis of economic information that retaining the exemptions for the heavy industrial zone (IH1) is recommended in the staff report. In the report it is clearly stated that bringing the threshold for inch-per-inch fee in lieu of preservation from 36" to 20" may not save many trees but will definitely increase fees received and able to be used by Urban Forestry's Tree Planting and Preservation Fund.

In 2020 there are released studies, City reports, and members of the public expressing concerns about climate change, air quality, water quality, and workplace safety. This proposed exemption for heavy industrial lands from something that is a part of solutions to these issues – trees- seems stuck in place by analysis, metrics, and thought processes that may not be appropriate now. Our urban canopy in Portland faces threats from many small and big decisions. We give exemptions for heavy industrial zones, for lots under 5,000 square feet, and for low-income housing. All take a toll on our urban canopy. We restrict tree size and placement along streets to take into account perceived threats to overhead utility wires and underground utility pipes. We see increasing reliance on

narrower utility/tree planting strips between sidewalks and the street. We allow building designs that easily remove trees to allow short-term benefit to builders and long-term costs to the public in lost environmental benefits. We allow greater building density on residential lots, resulting in insufficient space to plant large-form trees. We are losing many of the large trees that have been growing 50 years or more. When we replace them, we often plant trees that will never grow more than 30' tall. Thirty years from now, how difficult will it be for a person to take a neighborhood walk and see trees over 50' tall on private property? How common will it be to see 100-year old Douglas firs on private property? Will Portland join with cities all over the USA in becoming a City of Small Trees? Your advocacy for necessary code changes and enlarging public perception of the importance of tree canopy is critical.

On these particular Tree Code amendments, a joint public hearing of the Urban Forestry Commission and the Planning and Sustainability Commission is scheduled for 2 – 5 pm, Tuesday September 8th. Staff presentations will start at 2 pm with public testimony scheduled to begin at 3:30 pm. This is a Zoom meeting. <https://www.portland.gov/bds/planning/projects/potential-tree-code-amendments/about-proposed-updates-portlands-tree-code>

On Thursday September 17th, the Urban Forestry Commission's regularly scheduled meeting, via Zoom, will discuss the proposed tree code amendments and is expected to decide on its recommendations to City Council, relative to the staff proposed amendments to the Tree Code, Title 11. On Tuesday September 22nd, the Planning and Sustainability Commission will hold its regularly scheduled Zoom meeting when it is expected that the Tree Code proposed amendments will be discussed and recommendations developed for submission to City Council. Tentatively, on Thursday October 29th, from 2 – 5 pm, City Council will review the Tree Code amendments brought to it. All of these meetings have opportunities for public testimony.

Next Urban Forestry Commission Meeting

The next Urban Forestry Commission meeting will be 9:30 am – noon, Thursday, September 17th, 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>