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537-2023

[Report](#)

Accept the 2022 Title 11 Trees Fund Report

Accepted

REPORT TO COUNCIL

DATE: May 25, 2023

TO: City Council

FROM: Jenn Cairo, City Forester

SUBJECT: Accept the 2022 Title 11 Trees Fund Report (Report)

I am pleased to submit for your consideration the annual report on the two Urban Forestry funds established by Title 11, Trees. This report summarizes the revenue, expenditures, uses, and plans for the Urban Forestry Fund and the Tree Planting and Preservation Fund from July 1, 2021 through June 30, 2022.

In total, PP&R used the Tree Planting and Preservation Fund to plant more than 2,700 trees in parks, natural areas, and at schools across the city. PP&R's tree planting activities are guided by the City's tree planting strategy, Growing a More Equitable Forest, which was completed in 2018 and accepted by City Council in 2019. The strategy prioritizes new tree planting in low-canopy areas of the city with a particular focus on historically underserved communities.

This report was shared with the Urban Forestry Commission and is posted on Portland Parks & Recreation's (PP&R) Urban Forestry website.

We are excited to have these resources with which to improve and expand the city's tree canopy, and we look forward to reporting progress in the future.

Sincerely,

Jenn Cairo
City Forester

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

Contact

Jennifer Cairo

Urban Forestry Division
Manager

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date
June 28, 2023

Documents and Exhibits

 [2022 Title 11 Trees Fund Report](https://www.portland.gov/sites/default/files/council-documents/2023/fy22-title-11-fund-report.pdf)

(<https://www.portland.gov/sites/default/files/council-documents/2023/fy22-title-11-fund-report.pdf>) 4.28 MB

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this report is to provide an update on the two funds established on January 1, 2015 by Title 11 Trees: The Tree Planting and Preservation Fund (TPPF) and the Urban Forestry Fund (UFF).

In fiscal year 2021-22, the TPPF received \$1,822,419 in revenue against \$765,550 in expenses. This resulted in an ending balance of \$5,962,115. These funds are from fees paid in lieu of tree preservation or planting required by tree permits (tree mitigation fees), and fees paid for violations of city code pertaining to Private trees.

The UFF received \$30,048 in revenue against \$30,740 in expenses. Revenue to this fund comes from fees paid for violations of city code pertaining to City and Street trees. This resulted in an ending balance of \$1,044,388.

Financial and Budgetary Impacts

There are no financial or budget impacts directly from the submission of this report.

Community Impacts and Community Involvement

In FY22 the Tree Planting and Preservation Fund was used to plant more than 2,700 trees across the city. Tree planting in parks and natural areas is done according to park master and desired future conditions plans which were created with resident input and review, such as Citizen Advisory Committees. All tree planting is guided by the City's tree planting strategy, *Growing a More Equitable Forest*, and furthers the goals of the city's Urban Forest Management Plan including preference for native, evergreen and large form trees in appropriate locations, and focuses on low-income and low-canopy areas of the city.

The Urban Forestry Fund supported the Tree Inventory Project, which provides data to support informed management of Portland's public trees while educating the community on the benefits of these public assets.

100% Renewable Goal

N/A

Budget Office Financial Impact Analysis

No fiscal impact.

Agenda Items

537 Consent Agenda in [June 28, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/6/28)
(<https://www.portland.gov/council/agenda/2023/6/28>)

Accepted

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

URBAN FORESTRY

Title 11 Fund Report

Fiscal Year 2021-2022



PORTLAND PARKS & RECREATION SM
Healthy Parks, Healthy Portland



A newly planted street tree in East Portland.



PORTLANDPARKS.ORG

Commissioner Dan Ryan | Director Adena Long

URBAN FORESTRY
Title 11 Fund Report
Fiscal Year 2021-2022

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11.15.010 TREE PLANTING AND PRESERVATION FUND

portlandoregon.gov/citycode/article/734790

The Tree Planting and Preservation Fund enables the City Forester to mitigate for lost canopy as a result of unmet tree preservation or planting standards. Fund contributions come from several sources:

- Payment made in lieu of tree replacement as part of a tree permit issued as stated in Chapter 11.40;
- Payment made in lieu of preservation or planting where site or street characteristics or construction requirements make it infeasible to meet the requirements of Chapter 11.50;
- Payment of restoration fees for enforcement actions for private Trees; and
- Voluntary contributions.

Title 11 outlines the following allowable uses for the Tree Planting and Preservation Fund:

- Planting trees on public or private property, including streets. Planting trees includes the cost of materials and labor necessary to install and establish a tree for a five-year period;
- Purchasing conservation easements for the perpetual retention of trees and tree canopy. Such conservation easements shall allow the City to replace trees that are removed when they die or become dangerous; and
- Acquiring land to permanently protect existing trees or groves.



Yard Tree Giveaway recipients picking up their new trees.

Financial Reporting and Forecast

as of June 30, 2022

	2021-22 ACTUAL	2022-23 PROJECTED	2023-24 PROJECTED	2024-25 PROJECTED	2025-26 PROJECTED
BEGINNING BALANCE	\$4,903,246	\$5,962,115	\$5,760,274	\$4,605,245	\$3,767,624
REVENUE	\$1,822,419	\$1,720,000	\$1,367,220	\$1,566,448	\$1,641,112
EXPENSES	\$763,550	\$1,937,614	\$2,275,056	\$2,187,005	\$2,270,476
ENDING BALANCE	\$5,962,115	\$5,760,274	\$4,605,245	\$3,767,624	\$3,080,226
TREES PLANTED	2,784	3,200	3,500	3,500	3,500

RISKS TO THE FORECAST

When Title 11 was implemented in 2015 it capped mitigation fees for trees removed in development at \$1,200 regardless of tree size. Public concern emerged shortly thereafter about the removal of especially large diameter trees during development. As a result, Ordinance 187685, referred to as the Large Tree Amendment, was adopted to increase mitigation payments for trees larger than 36" DBH. Acknowledging that the amendment was a fast-tracked emergency ordinance, a sunset date of December 31, 2019 was set. In 2019 City Council extended the sunset date to December 31, 2024 and directed staff to conduct additional analysis.

In 2020, staff returned to City Council with a report which found the higher mitigating payments reduced the number of trees 36" DBH or greater removed in development by 71%. Further, economic analysis conducted by Johnson Economics concluded that reducing the threshold for higher payments to 20" DBH would only reduce future housing development by 54 units (0.06%) over twenty years. The staff report also detailed the significant economic, environmental, and human health services that urban trees provide. City Council adopted Ordinance 190200 to implement the report's recommendations.

PP&R's financial projection assume the Large Tree Amendment provisions will continue beyond the current sunset date at the end of 2024. Should that provision expire, revenue into the Tree Planting & Preservation Fund will decrease by at least 50%. This will require significant programmatic changes including a reduction in staff, contractor costs, and number of trees planted.

Expenditure Highlights

TREES PLANTED

PROGRAM	NUMBER OF TREES
Free Street Trees	422
Learning Landscapes	58
Parks, Natural Areas	560
Yard Tree Giveaway	1,744
TOTAL	2,784

Free Street Trees, 422

PP&R offered a Free Street Tree planting program in Lents, Parkrose, and Parkrose Heights neighborhoods in East Portland. Streets were surveyed to identify available planting spaces. Urban Forestry contacted adjacent property owners, notifying them that they would receive free street trees and allowing the opportunity to decline trees. Contractors planted trees and also provide three years of establishment care (watering, weeding, mulching) at no cost to adjacent property owners.

Learning Landscapes, 58

PP&R partnered with community organizations to plant trees at schools and in public spaces. Students, teachers, and community members worked together to select sites and species. On planting day, students and volunteers gathered to dig holes, plant, water, and name their trees. Contractors support plantings and provide three years of establishment care (watering, weeding, and mulching). Sites included Creston Elementary School, Lent School, Patrick Lynch Elementary School, Whitman Elementary School, and Richmond Elementary School. Partners included Portland Public Schools, Centennial School District, and Depave.

Parks, Natural Areas, 560

Native trees were planted as part of larger natural area restoration efforts in partnership with many PP&R friends groups. Sites included Kelly Point Park, Oaks Bottom, and various other eastside natural areas.

Yard Tree Giveaway, 1,744

PP&R offered free yard trees for Portland residents at events in East, Northeast, and North Portland. Residents received up to two trees at events held in Cully, Mt. Tabor, and



Whitman Elementary School students with their newly planted school tree.

Powellhurst-Gilbert, and neighborhoods. Free delivery was offered to Centennial, Glenfair, and Sumner neighborhoods. Seventeen different species were offered with a focus on large-form, evergreen, and native trees. In addition to trees, participants received instruction on planting and care, a watering bucket, and mulch. PP&R is currently conducting a long-term monitoring effort to determine the success, survival rate, and health of free yard trees.

RECOMMENDATIONS FOR FUTURE EXPENDITURES

- Tree planting expenditures are guided by the citywide tree planting strategy, *Growing a More Equitable Urban Forest*. Plantings are focused in low income, low canopy areas of Portland where the need is greatest. portlandoregon.gov/parks/article/705823
- PP&R anticipates planting 3,500 annually for the next five years with the majority of trees planted in priority neighborhoods.
- Over the next five years, the Tree Planting and Preservation fund balance will decrease as planned expenses exceed anticipated revenue. Additional resources will need to be identified in order to sustain the current level of tree canopy expansion investments in priority neighborhoods.

11.15.020 URBAN FORESTRY FUND

portlandoregon.gov/citycode/article/514534

Restoration fees, civil penalties, or civil remedies resulting from City or street tree enforcement actions are paid into the Urban Forestry Fund. The purpose of the fund is to enhance the urban forest through the planting of street or City trees, and to increase public awareness of trees, tree care, and the values of the urban forest.

Title 11 outlines the following allowable uses for the Urban Forestry Fund:

- To replace, establish, and maintain street or City trees illegally removed or damaged;
- To plant, establish and maintain street or City trees where, in the judgment of the Forester, they will enhance the values of the Urban Forest;
- To provide education, outreach, and technical assistance to the community; and
- Other forestry-related actions or programs, as determined by the City Forester.



Youth Conservation Crew members collecting street tree inventory data.

Financial Reporting and Forecast

as of June 30, 2022

	2021-22 ACTUAL	2022-23 PROJECTED	2023-24 PROJECTED	2024-25 PROJECTED	2025-26 PROJECTED
BEGINNING BALANCE	\$1,044,714	\$1,044,388	\$949,177	\$763,533	\$570,693
REVENUE	\$30,048	\$63,440	\$55,467	\$58,105	\$60,900
EXPENSES	\$30,740	\$152,307	\$230,018	\$233,440	\$50,000
ENDING BALANCE	\$1,044,388	\$949,177	\$763,533	\$570,693	\$557,233

Expenditure Highlights

STREET TREE INVENTORY

Funds supported the Tree Inventory Project, which has twin goals of providing data to support informed management of Portland's public trees while educating the public about the benefits of these public assets. In May 2022, PP&R Urban Forestry staff and volunteers began an update to the inventory of more than 218,000 street trees, first completed in 2016. Information on street trees in all Portland neighborhoods will be updated by Fall 2024.

Data collected on park trees will be used to:

- Track changes to the species composition, size, and condition of Portland's street trees.
- Manage the impacts to Portland's street trees from pests, diseases, and a changing climate.
- Identify opportunities for planting in City rights-of-way.
- Connect the public to trees in their neighborhoods, providing open data downloads for research and analysis, as well as interactive web maps and guided tree walks.

RECOMMENDATIONS FOR FUTURE EXPENDITURES

- Continue supporting Street Tree Inventory, which will conclude in Fall 2024.



*A family celebrates the planting of their new street
in Lents neighborhood*



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