

## Urban Forestry Commission (UFC)

August 8, 2012

### Meeting Notes

Seattle Municipal Tower Room 2750

700 5<sup>th</sup> Avenue, Seattle

3:00 p.m. – 5:00 p.m.

*The Urban Forestry Commission was established to advise the Mayor and City Council concerning the establishment of policy and regulations governing the protection, management, and conservation of trees and vegetation in the City of Seattle*

### Attending

#### Commissioners

Matt Mega (MM) – chair

John Small (JS) – vice chair

Nancy Bird (NB)

Gordon Bradley (GB)

Tom Early (TE)

Leif Fixen (LF)

Peg Staeheli (PS)

#### Staff

Sandra Pinto de Bader (SPdB) - OSE

Jennifer Wieland - SDOT

Mark Mead - Parks

#### Public

Steve Zemke

### Absent- Excused

John Floberg (JF)

Jeff Reibman (JR)

**NOTE: Meeting notes are not exhaustive. For more details listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>**

### Call to Order

MM – Even though we don't yet have quorum, let's get started with presentations.

### Seawall project briefing – Jennifer Wieland (SDOT)

Jennifer Wieland gave a presentation on the Seawall project. The full presentation is located at:

<http://www.seattle.gov/urbanforestrycommission/docs/2012/2012%20docs/Seawall%20080812.pdf>

JW – I want to acknowledge that Peg is part of our final design team (SVR) thus she will recuse herself from commenting. 60% design scheduled for November 2012 this will include schematic design for the public realm. 100% design is a moving target. Using a general contractor/construction manager approach. Contractor will join the team at the end of 2012. They will help figure out how to sequence construction phases.

Draft EIS will be published in November 2012.

GB – how can the EIS be produced before design is complete?

JW – it's typical to do an EIS at 10-15% design. What the EIS does is evaluate alternative options. You do your environmental assessment fairly early on so as you progress on your design you can shape it and further minimize impacts and build in mitigation. The final EIS will be late Feb, early March 2013. Council and the Mayor have forwarded a bond measure to the November 6 ballot. \$290M over 30 years to fund Seawall and design and construction of public piers. Have \$60M secured.

GB- what happens if the ballot measure is not successful?

JW – the Seawall project is about safety. If the ballot measure is not successful we'll work with the Mayor and Council to identify other local sources. It might delay start of construction. Are working with Army Corps of Engineers seeking federal funding.

MM – how about maintenance dollars for the project's habitat. Are there already identified?

JW – there will be a monitoring plan for the project. We are looking at 5-10 year cycles for maintenance.

MM – It's a very urban waterfront and a lot of potential for pollution to move through. I encourage the use of trees to mitigate that pollution.

JW – We have an area on the south for riparian planting. There are areas with space for street trees.

TE – The improved soil which is the grouting. How is the jet grouting going to coordinate with plantings.

JW – We have been thinking about how the system underground is going to work. The jet grouting is not going to go from the road surface all the way down, we will only be grouting beneath the relieving platform so that is between 11 and 13ft section with fill material. It's not a huge cement block but more like a honeycomb formation with columns that allow for water transfer.

TE – are any of the utilities being relocated out of the liquefaction zone?

JW – yes, a variety of things will happen, some will be protected where they are and then moved. The service connections to the piers are the more difficult. They will be protected and then put back in a way that utility companies have access to them but are not under expensive finishes.

LF – you filled out our questionnaire. How did that go? You'll be removing 320 trees. I assume there will be more planting space, are we going to be able to put back at least 320 trees.

JW – that will not happen until the waterfront is built. The concept looks like a heavily planted plan. From Washington to Broad is 7,000 feet. Some are located between Virginia and Marion, others are on Eastlake.

MM – it's two to one replacement, right?

JW – how did we find this form. The questions were very relevant and even though some were difficult to answer they prompted me to think about trees. We'll touch base with the UFC again.

GB – one of the things that jumped out, was the response to the impact of existing trees. You concluded that most of the trees are ornamental and provided little habitat for native species. In fact lots of ornamentals provide significant benefit to the urban forest.

JW – it was not meant to be mean that it's okay to remove them because they are ornamental. Because we have to remove them we'll have the opportunity to plant something better.

JS – is there any insect monitoring as part of the fish monitoring.

JW – there is a study going on right now.

JS – I'm familiar with the biological opinion that non natives don't provide as much variety of insects. But ornamentals provide more diversity of insects than conifers. That should be studied before the trees are taken out to figure out what the baseline condition is.

JW – looking at planter boxes on the water side.

### **Parks briefing on crown reduction for private views – Mark Mead (Parks)**

Mark Mead from Parks gave a presentation on the Parks policy for private views. The full presentation is located at:

<http://www.seattle.gov/urbanforestrycommission/docs/2012/2012%20docs/Parks%20briefing%20on%20views%20policy%20080812.pdf>

Mark M – view pruning practices for Parks department. Our policy is only for Parks land. Doesn't reflect what SDOT and SCL are doing. The practices are similar to those done by other urban foresters. We consolidates regulations. Had public meetings and one of the issues that came up was trimming Parks trees for private views. We manage for a specific set of criteria.

PS – why is crown reduction not topping?

Mark M – topping would be to cut right across the top of the tree. What we do is selective cuts leaving the terminal bud.

PS – it feels like splitting hairs. The vertical form has really changed on that tree.

Mark M – we are dealing with trees that have been topped several times. If there is a healthy, un-topped tree I won't allow crown reduction and we don't allow crown reduction on conifers.

MM – you don't have the same problems of weakening?

Mark M – each one of those cuts will create weakness at the cutting point. The tradeoff is between keeping the tree and help us improve our forest.

PS – probably we need to use a better slide.

NB – is this work Parks is doing to accommodate private views?

Mark M – no, people can apply for a permit to do work on Parks property but they hire the contractor and pay for the work to be done according to Parks specs. We do manage 23 viewpoint across the city. The permit is \$125.

PS – is that all? And you did all that work and held all those public meetings?

Mark M – the number of permits has come down dramatically since we updated the policy.

NB – are the permits they apply for are to manage view points?

Mark M – no, they are anywhere in the city.

NB – why are we allowing that?

Mark M – because we are good neighbors. Seattle Parks has been allowing it from the very beginning. Seattle is a city of views. Some people bought their view property 20 years ago and now they don't have a view.

GB – once I pay for the permit do I have to provide a plan? Do you review and monitor activity?

Mark M – yes, all of the above.

Mark M - looking at adjusting permit fees to better reflect the amount of work Parks is doing.

LF – is there a realistic way to recuperate value to the UF?

Mark M – we haven't gotten to the point of being able to value the loss of services.

LF – charge per square foot?

Mark M – that's another issue they considered when they did the policy. At the time the science was not there yet. In truth Parks is selling the space the trees would occupy for view (air space). We haven't gone there yet. It would be an interesting discussion.

LF – maybe UFC can write the recommendation.

JS – consider the research agenda item of looking at the valuation. Using i-tree metrics to calculate values. To understand the cost of the work on public infrastructure.

Mark M – that's why we are looking at Lidar because it gives three dimensional value. Because canopy is a moving value (growth) we would have to determine that. I've seen fewer permits coming through.

TE – what about enforcement actions.

Mark – fewer illegal cuttings. Around 3-4 instances/year. The big ones that are hard to deal with are poisoning. Recently on Alki. Have to cut the tree down. I can only control what I know. Have turned about 5 cases to the police.

JS – who does the ECA review.

Mark – we have an exception for maintenance. This is considered maintenance. We do work just like this in Parks property. ECA rules give Parks department some flexibility. Are looking at this again. Had a SEPA exemption for GSP. The views work doesn't usually exceed the ECA rules.

### **Pruning of public trees for private views - discussion**

MM – Let's carry to next meeting.

Peg – question on the timeline. Put it on as a “to do.” Include something in the UFMP recommendation.

### **Letter to Council on GSP funding – introduction**

MM – did people get a chance to read? I would like to remove the qualifier I gave to wildlife in the second page.

**ACTION: A motion was made to approve the GSP funding letter of recommendation as amended. The motion was seconded and carried.**

### **UFMP update and DPD Tree Ordinance comment letters - continues**

MM – this is an ongoing effort. Sandra will send out results of Doodle poll.

### **Public comment**

Steve Z – following up on the issue with views, he agrees with Peg on there is a sense of entitlement over Parks property. You have no right to get rid of your neighbors’ trees. There is no clause anywhere that says that you have a right of view forever. Same thing applies to high-rise buildings being built in front of other people’s views.

Brennon made comment about permits at Open House that they can’t exceed the cost of providing the service. Parks is not taking that same approach. Parks could do that. Set fees that are appropriate to cost of services.

Mentioned at Open House: Asked how many trees are covered by the 24” threshold set by DPD in the new ordinance. DR 16-2008 – designation of Exceptional Trees and there are 27 tree species listed as native that are exceptional that are smaller than 24” in diameter (20 of those would no longer be exceptional under new ordinance). Madrona, Pacific Dogwood, etc. are no longer protected under the new ordinance. Only a few of the very large trees would be saved. DPD said that 14% were 24” or larger in the city. 86% of trees could be removed by anyone at any time for any reason.

### **Next month’s agenda items**

Nancy – have to resign from UFC is moving our out of state. Accepted a position City of Iowa. Thank you to everyone.

MM – this is a Commission appointment.

NB – the background is not common.

### **Adjourn**

### **Community comment:**

On Thu, Aug 2, 2012 at 3:04 PM, Michael Oxman <[michaeloxman@comcast.net](mailto:michaeloxman@comcast.net)> wrote:  
Dear Urban Forestry Commissioners,

I am writing to ask if follow up has been done to confirm that the intended recipients have actually read your Letters of Recommendation.

At a recent city hall meeting of the City Neighborhood Council, the Seattle Housing Authority development director presented information on Yesler Terrace. The Letter of Recommendation about trees at Yesler Terrace written by the Seattle Urban Forestry Commission was also distributed at that meeting. The SHA person said he had never seen your letter before.

You also wrote a letter about the canopy cover in Industrial areas of the city. I'm wondering if the Seattle Freight Advisory Board has seen this letter.

I have written the FAB asking that the canopy cover issue be placed on their agenda, but have never received an answer. In a conversation with an advocate of industrial property rights, I mentioned that the Urban Forest Management Plan requires freight handlers to be consulted prior to the city planting trees there. I was told planting even one tree in SODO would establish a dangerous precedent that could hamper freight mobility.

Thanks for your attention to this matter.

Arboreally yours,

Michael Oxman

---

**From:** Michael Oxman [mailto:michaeloxman@comcast.net]  
**Sent:** Saturday, August 04, 2012 1:05 AM  
**To:** Pinto\_de\_Bader, Sandra  
**Subject:** Comment to Urban Forestry Commission on Yesler Terrace

Dear Urban Forestry Commission,

This is the response from DPD. It seems that DPD disagrees with most of the recommendations by the Urban Forestry Commission. #2 is the only common ground, but it appears this material was not provided to the UFC when their analysis was done in March.

I did speak with some Parks people about performance bonds. Their policy is to require a 3 year bond & a Vegetation Management Plan to qualify for a permit to do work on Parks property.

The rationale that protecting trees is "complicated", merely means that the land can be sold for much more money with 30 story buildings on it rather than trees.

Hope this helps.

Michael Oxman

----- Original Message -----

From: "Levine, Al" <[alevine@seattlehousing.org](mailto:alevine@seattlehousing.org)>  
To: "LaClergue, Dave" <[Dave.LaClergue@seattle.gov](mailto:Dave.LaClergue@seattle.gov)>; "Eanes, Tom" <[TEanes@seattlehousing.org](mailto:TEanes@seattlehousing.org)>; <[michaeloxman@comcast.net](mailto:michaeloxman@comcast.net)>  
Sent: Friday, August 03, 2012 4:18 PM  
Subject: RE: Urban Forestry Commission's recommendation: Yesler Terrace

Sent from my Windows Phone

---

From: LaClergue, Dave  
Sent: 8/3/2012 4:09 PM

To: Levine, Al; Eanes, Tom; [michaeloxman@comcast.net](mailto:michaeloxman@comcast.net)  
Subject: RE: Urban Forestry Commission's recommendation: Yesler Terrace

Hi Michael, Al forwarded me your email and asked if I could respond. Here are my responses to the 7 points in Matt's letter from the UFC.

- 1) We appreciate the UFC's support for the tree protection plan and their careful review of the proposal.
- 2) At DPD's request, SHA included more thorough analysis of canopy cover in the FEIS for Yesler Terrace redevelopment. That study projected that recommended tree protection and planting would result in 22% canopy cover after new trees became established -- as you're aware, this exceeds the 20% goal for multifamily residential zones and the 15% goal for commercial zones (the proposed redevelopment would be mixed use). As part of the legislative process, we've filed the FEIS with the City Clerk for future reference as development proceeds.
- 3) Where trees are approved for removal, the Tree Protection Plan continues to require 1 for 1 replacement. Council is considering an amendment to the Cooperative Agreement that would increase this replacement ratio, but DPD advises that 3:1 would be too high for this site. A ratio that high would substantially surpass the number of trees that could reach healthy maturity in the available space.
- 4) Trees required for protection will be subject to further review as part of the Master Use Permit process -- City arborists will advise on appropriate BMPs to require for construction in each case.
- 5) DPD does not recommend performance bonds -- with the number of trees designated for protection, bonds would not be economically feasible for SHA or logistically possible for the City to administer. As development proceeds, SHA would have the option of requiring performance bonds of contractors and/or developers.
- 6) Matt's public hearing recommendation for removal of exceptional trees runs counter to the point of the protection plan -- the City is recognizing that it is infeasible to protect trees in the portions of the site where major regrading will occur, and in exchange SHA is agreeing to protect more than just exceptional trees where feasible elsewhere on the site. A public hearing for each tree that the City has "pre-approved" for removal would not be productive for participants, SHA, or the City.  
<https://email.seattle.gov/owa/?ae=PreFormAction&t=AddressBook&a=Done&ctx=2#>
- 7) We agree that taking the right steps for tree protection can be complicated and vary substantially from one case to the next. Careful documentation and enforcement will be necessary. SHA and the City will be happy to update the UFC and request feedback as development proceeds.

Best,  
Dave

---

From: Levine, Al  
Sent: Thursday, August 02, 2012 9:38 AM  
To: LaClergue, Dave  
Subject: FW: Urban Forestry Commission's recommendation: Yesler Terrace

Al Levine  
Deputy Executive Director  
Development & Asset Management  
Seattle Housing Authority  
206 615-3416

From: Michael Oxman [<mailto:michaeloxman@comcast.net>]

Sent: Wednesday, August 01, 2012 3:48 PM  
To: Michael Oxman; [yxcabdi@hotmail.com](mailto:yxcabdi@hotmail.com)  
Cc: Thomas M. Tierney; Levine, Al  
Subject: Re: Urban Forestry Commission's recommendation: Yesler Terrace

<http://www.seattle.gov/urbanforestrycommission/docs/Final%20issued%20docs/Recommendations/ADOPTED%20Yesler%20Terrace%20recommedation%20031412.pdf>

----- Original Message -----

From: Michael Oxman<<mailto:michaeloxman@comcast.net>>  
To: [yxcabdi@hotmail.com](mailto:yxcabdi@hotmail.com)<<mailto:yxcabdi@hotmail.com>>  
Cc: [ttierney@seattlehousing.org](mailto:ttierney@seattlehousing.org)<<mailto:ttierney@seattlehousing.org>> ;  
[alevine@seattlehousing.org](mailto:alevine@seattlehousing.org)<<mailto:alevine@seattlehousing.org>>  
Sent: Wednesday, August 01, 2012 3:46 PM  
Subject: Urban Forestry Commission's recommendation: Yesler Terrace

Howdy Yusuf,

Thanks for the informaton on SHA.

I am concerned about the 90 trees at Yesler Terrace that are proposed to be removed during construction. I feel these trees contribute to the social, ecological, and architectural values of our community, which are described in our city's Comprehensive Plan.

At Monday's meeting of the City Neighborhood Council, Mr. Al Levine made a presentation about Yesler Terrace.

Also presented at the meeting was the Seattle Urban Forestry Commission's letter with 6 recommendations about the trees at Yesler Terrace.

I would like to get a response from SHA about the UFC letter so that I can formulate coments that I can make at the Yesler Terrace Open House at City Hall on August 8th.

Please distribute the UFC Yesler Terrace letter to the other commissioners & place this subject on the agenda of the next meeting of the Seattle Housing Authority board.

Thanks.

Arboreally yours,

Michael Oxman  
(206) 949-8733

[www.treedr.com](http://www.treedr.com)<<http://www.treedr.com><<http://www.treedr.com><<http://www.treedr.com>>>>