

[MHA Final EIS](#)

Urban Forestry Commission comments to draft MHA EIS:

Seattle Urban Forestry Commission Tom Early, Chair • Steve Zemke, Vice-Chair Weston Brinkley • Leif Fixen • Reid Haefer • Craig Johnson Joanna Nelson de Flores • Sarah Rehder • Andrew Zellers

August 2, 2017.

Samuel Assefa Director - Office of Planning and Community Development 600 4th Ave Seattle, WA 98124

RE: MHA Draft EIS

Dear Sam:

As the City of Seattle drafts policy that seeks to increase urban density and affordable housing to accommodate more people and jobs, protecting and enhancing Seattle's urban forest is needed more than ever to abate the biological, visual, and health impacts of this measure.

The Urban Forestry Commission commends the MHA Draft EIS for stressing the importance of tree coverage for Seattle, specifically citing the goals outlined in the 2013 Urban Forest Stewardship Plan (UFSP), as well as incorporating the most recently published 2016 canopy cover assessment results.

The Commission, however, disagrees with the MHA Draft EIS determination of no significant impacts to the city's tree canopy and requests clarification regarding methodology and mitigation measures proposed in the MHA Draft EIS, specifically:

1. What is the projected tree loss in the No Action Alternative of the MHA Draft EIS? 2. Please explain in more detail the methodology used to estimate the projected tree loss in Alternatives 1 (No Action), 2 and 3 of the MHA Draft EIS. 3. How would a mitigation measure be actionable or enforceable when the UFSP is a policy document and not a required ordinance? 4. Why is a 0.5% loss of tree canopy considered not significant? The MHA Draft EIS does not cite any authority or precedent for that conclusion.

In addition, the Commission requests a response to the following additional comments regarding the MHA Draft EIS:

Underestimation of tree canopy impacts: The MHA Draft EIS states that there will be less than a 0.5% decrease in the tree canopy for both Alternatives 2 and 3 compared to the No Action Alternative. The Commission questions the methodology used in the MHA Draft EIS for calculating this assessment for the following reasons:

1. The MHA Draft EIS states, "Tree cover for a given zone was assumed to remain constant over time if the zoning designation stayed the same." [Page 374] The Commission recommends that the MHA Draft EIS should account for some increase in tree canopy loss in zones that stay the same. MHA will likely incentivize developers to maximize gross floor area (GFA) on a redevelopment sites, and one way a developer can maximize GFA is to develop the site to its fullest development potential.

The MHA Draft EIS does not take into account the effect (i.e. enhancement or increase) of the development potential of a lot in MHA areas when calculating tree canopy loss. We request that the

final MHA EIS include a calculation of tree canopy reduction using the full development potential of each lot within MHA areas even if the zoning is not changing.

2. The MHA Draft EIS calculates that 0.5% decrease in tree canopy would result in up to a 5 to 16 acre loss in tree canopy associated with Alternatives 2 and 3. While a 0.5% reduction in canopy seems like a low percentage of loss, in real terms it would generally equate to a loss of 173-555 trees (assuming a typical tree canopy has a radius of 20 feet (1,256 square feet)), which is a potentially significant number of trees. Citing tree canopy loss using an estimated number of trees that are lost would more accurately communicate the likely impacts of the MHA policy to the neighborhood tree canopy.

The MHA Draft EIS does not cite any authority for the assertion that a loss of 0.5% tree canopy (i.e., 173-555 trees) is not significant. The Commission believes a loss of this many trees is a significant impact under Alternatives 2 and 3 that should be mitigated, and that the MHA Draft EIS is unsupported as written.

Inadequate Mitigation Measures: The MHA Draft EIS states no significant, unavoidable adverse impacts to the tree canopy have been identified, but does list some mitigation measures that would help to avoid and minimize tree canopy loss. The Commission thinks the current mitigation measures are inadequate, and need to be expanded and strengthened.

1. The MHA Draft EIS recommends the City evaluate future urban forestry policies as part of the 2018 UFSP update, but does not include mitigation measures within the context of existing policies such as updating Seattle tree protection code, Seattle Green Factor guidelines, or the Seattle Street Tree Manual. Mitigation measures for tree canopy loss should deal with changing or updating existing regulations and not just recommending evaluation of future policy, which is not enforceable.

Specifically, the Commission recommends requiring mitigation for tree loss to include replacement of equivalent canopy on- or off-site or paying into a City tree replacement and maintenance fund.

2. A healthy urban forest can have an outsized impact on reducing the negative effects associated with increased development intensity, as trees (especially street trees) help to mitigate the visual impacts of density and create a more human-scaled environment, as well as providing important ecosystem and public health benefits. While the MHA Draft EIS documents multiple negative aesthetic impacts associated with increased development intensity, the plan does not recommend any mitigation measures focused on increasing or improving the urban forest to mitigate aesthetic impacts of density.

The Commission recommends including stronger, more binding requirements to promote and improve tree coverage in urban village areas. These recommendations could include but are not limited to the following:

1. Expand incentives and development standards to promote street trees in Urban Villages;
2. Update the interim tree protection ordinance to account for the impact MHA will have on development;
3. Reduce conflict between power lines and street trees;
4. Modify the Seattle Green Factor guidelines to give higher score to preserving healthy existing site vegetation;
5. Assess, monitor, and tally tree loss in the permitting process; and
6. Update the tree code to require retention, replacement, or payment into a City tree replacement and maintenance fund for all removed trees, including hazardous trees, or trees which die as a result of development impacts or that are planted as project mitigation.

Thank you for your attention. The Commission looks forward to your response.

Sincerely,

Tom Early, Chair

Response to Seattle Urban Forestry Commission Comments to draft MHA EIS:

Early, Tom (Seattle Urban Forestry Commission)

1. **What is the projected tree loss in the No Action Alternative?** The EIS does not estimate the amount of tree canopy cover loss under the No Action Alternative. Changes in canopy coverage are expected, but would be a result of current zoning and tree protection policies, codes and development standards. Since the most recent 2016 LiDAR data can't be directly compared to earlier tree canopy assessments due to data limitations, it is not possible to calculate a trend for tree canopy loss or gain under existing conditions. The Urban Forest Stewardship Plan (UFSP) is referenced in order to characterize goals and challenges related to preserving and increasing tree canopy coverage under existing conditions without MHA implementation.
2. **Please explain in more detail the methodology used to estimate the projected tree canopy loss under the alternatives.** Please see Assessment Methodology in Section 3.6.
3. **How would mitigation measures be actionable or enforceable when the UFSP is a policy document.** In order to enforce actions for mitigation, recommendations and policy suggestions in the UFSP would have to be codified, or administrative practices would need to be adjusted. Please see additional discussion in the FEIS on tree canopy protection measures, including discussion of the recent Executive Order on tree canopy protection. It is anticipated that recommendations of the UFSP would be implemented during the 20 year time horizon to activate mitigation.
4. **Why is a 0.5% loss of tree canopy not a significant impact.** The assessment of no significant impact is made by the consultant who prepared the analysis. It is based on the small estimated increment of change due to the proposed action. It is anticipated that implementation of mitigation measures including options the city is currently exploring would mitigate potential impacts to tree canopy and potentially have the intended effect of increasing tree canopy citywide.
5. **Tree cover should not be assumed to remain constant over time if the zoning designation stayed the same.** Changes in tree canopy coverage over time include tree losses due to development as well as tree maturation and planting. Measures described in subsection 3.6.3 mitigation measures are already being considered by the city and with the intent of increasing tree canopy coverage to meet the 30% citywide goal. Since 2016 LiDAR data are not directly comparable with past tree canopy coverage surveys it is not possible to ascertain an overall trend in tree canopy gain or loss under existing conditions. It is possible that city policies will have the intended effect of increasing tree canopy over time. The assumption that developers will develop sites to full potential is reflected in the assumption in the action alternatives that rezoned areas will transition fully to a tree canopy coverage condition of the new zone over the study time horizon.
6. **Expand and strengthen identified mitigation measures for tree canopy loss.** Please see additional discussion and additional mitigation measure identified in the FEIS. Several specific code changes are added in the FEIS as an integrated part of the proposal. These include modification to green factor requirements to give greater weight to tree preservation, incentives in design review for tree preservation, and a new tree planting requirement in the Residential Small Lot (RSL) zone