

SEATTLE URBAN FORESTRY COMMISSION

Weston Brinkley (Position #3 – University), Chair • **Sarah Rehder** (Position #4 – Hydrologist), Vice-chair
Steve Zemke (Position #1 – Wildlife Biologist) • **Elby Jones** (Position #2 – Urban Ecologist - ISA)
Stuart Niven (Position #5 – Arborist – ISA) • **Michael Walton** (Position #6 – Landscape Architect – ISA)
Joshua Morris (Position #7 – NGO) • **Steven Fry** (Position #8 – Development)
Blake Voorhees (Position #9 – Realtor) • **Neeeyati Johnson** (Position #10 – Get Engaged)
Whit Bouton (Position #11 – Environmental Justice - ISA)
Jessica Jones (Position #12 – Public Health) • **Shari Selch** (Position #13 – Community/Neighborhood)

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

Meeting notes

April 1, 2020

April 1, 2020, 3:00 p.m. – 5:00 p.m.

Via Skype call

(206) 386-1200 or (206) 684-5900

Conference ID: 68512011#

In-person attendance is currently prohibited per the Washington Governor's Proclamation No. 20-05 until April 23, 2020. Meeting participation is limited to access by telephone conference line.

Attending

Commissioners

Sarah Rehder - Vice-Chair
Steven Fry
Elby Jones
Jessica Jones
Josh Morris
Stuart Niven
Shari Selch
Blake Voorhees
Michael Walton
Steve Zemke

Staff

Sandra Pinto de Bader - OSE
Tara Beck - Human Services Department

Public

Michael Oxman

Absent- Excused

Weston Brinkley – Chair
Whit Bouton
Neeeyati Johnson

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

Sarah called the meeting to order

Public comment

None

Adoption of March 4 and March 11 meeting notes

ACTION: A motion to approve the March 4 meeting notes as written was made, seconded, and approved.

ACTION: A motion to approve the March 11 meeting notes as written was made, seconded, and approved.

Navigation Team's work

Tara Beck from Human Services Department provided an overview of the Navigation Team's work. The team's goal is to connect vulnerable people living unsheltered to services and shelter, remove encampments that pose serious public health and safety risks.

Background: launched in 2017 to address growing unsheltered community, impacts from unmanaged encampments. Navigation Team is comprised of specially trained police officers, outreach workers, and field coordinators and works closely with service providers and other public agencies.

City of Seattle – rules and protocols for encampment removals:

Multi-departmental rules (MDARs) call for, in some scenarios, to provide at least 72-hour removal notice and advanced outreach to encampments on public property, with offers of shelter, services, and storage of personal items. These clean-ups can only proceed if the City has enough shelter beds for every person in the encampment the day of the removal.

In other circumstances, the rules call for the City to remove encampments that pose a hazard or an obstruction to public property without 72-hour notice or advanced outreach. These removals do not require the City to hold shelter beds in order for the clean-up to proceed, however the City will offer shelter and connect people to shelter.

These rules are designed to balance both the rights of people living unsheltered, with the City's responsibility of maintaining public health and safety. Often, encampments on WSDOT property fit the criteria for removal and frequently are prioritized for Navigation Teamwork.

Navigation team prioritization

With an estimated 400 unmanaged encampments in Seattle, the team prioritizes sites for removal that pose the most significant public health and safety concerns.

Public health and safety factors:

- Obstruction to public use
- Hazardous location
- Exposed to vehicular traffic
- Criminality beyond substance abuse
- Large quantities of garbage, debris, waste
- Hazards to occupants/community (threats to infrastructure)
- Difficulty in extending emergency services (greenbelts)
- Scheduled construction/work
- Damage to natural environment
- Proximity to schools, hospitals, eldercare facilities.

Navigation Team outcomes

- Through the end of the third quarter of 2019, the team interacted with 2024 unique individuals and connected 594 unique individuals to shelter.
- Enhanced shelters were the most frequently utilized resources through the end of the third quarter of 2019, consisting of 77% of all shelter referrals.
- Through the end of the third quarter 2019 the team removed 1,154 tons of garbage, waste, and debris from public property.

UF Commissioners asked questions including what changes have been made during the COVID-19 emergency. **Note: to listen to the Q&A portion of the meeting, listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>**

UFC protocols discussion continues

The UFC reviewed the proposed edits to the UFC Coordinator Protocols.

ACTION: A motion to approve the UFC Coordinator Protocols as amended was made, seconded, and approved.

The UFC agreed to continue the discussion on the Letter Drafting Process Guide at the April 8 meeting.

Deliberative session on tree regulations with SDCI staff

Sarah and Stuart shared with the group the conversation UFC members had with SDCI staff during the last deliberative session on tree regulations. The meeting centered on the Exceptional Trees Director's Rule, specifically on the table listing species and sizes of exceptional trees. There was also discussion of a system to confirm that tree service providers are aware of tree regulations. Deliberative sessions will continue as SDCI moves this work forward.

Parks District funding and Green Seattle Partnership

This conversation was moved to next week.

Public comment

Michael Oxman – One of the agenda items for this meeting was the Seattle Parks and Green Seattle Partnership status. The rate of enrolling new acres has fallen below projected levels. This is after a 2017 report saying we were on track. We are now off-track and won't finish the project without more funding. Would like to see the June 30 report of SPR where they are responding to City Council's Statement of Legislative Intent. By September 30, the budget will be put in place and this gives a small window of opportunity.

Adjourn

Sarah adjourned the meeting.

Public input:

(see next page and posted notes)

From: David Moehring <dmoehring@consultant.com>

Sent: Thursday, March 19, 2020 5:44 PM

To: PRC <PRC@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

Cc: DOT_LA <DOT_LA@seattle.gov>; Mary Jean Gilman <mj.gilman@comcast.net>;
dkmoody@gmail.com; josh@sfc.org; sethely@gmail.com; surfsupgordi@yahoo.com;
rotterbj@hotmail.com; kares@uw.edu; irish_family@hotmail.com; laurelgene@comcast.net;
woodburne@gmail.com; slgaskill@aol.com; jimboo1471@aol.com; Pedersen, Alex
<Alex.Pedersen@seattle.gov>; josh@sfei.org; Strauss, Dan <Dan.Strauss@seattle.gov>; Pederson, Art
<Art.Pederson@seattle.gov>

Subject: Clear-cutting 23 trees at NW 92nd St (between Mary Ave and 14th Ave)

CAUTION: External Email

Dear Public Resource Center,

Thank you for allowing comment on the clear-cutting of 23 trees for 20 market-rate rowhouses within a Lowrise Multi-Family development at **9202 MARY AVE NW**, 3035015-LU. [Published as "Land use application to allow 4, 3-story rowhouse buildings (20 units total). Parking for 20 vehicles proposed. Existing buildings to be demolished. Early Design Guidance conducted under 3035048-EG."]

Please apply code-required design alternatives in order to preserve some of these larger trees. Better enforcement of tree protections is required.

EXCERPT FROM LAYTON TREE CONSULTING, LLC
ARBORIST REPORT DATED 05/13/19

| Tree/ Tag # | Species Common Name | Species Scientific Name | DBH (inches) | Height (feet) | Drip-Line (feet) | | | | Condition | Exceptional Yes/No | Comments |
|----------------|------------------------|--|-----------------|------------------|---------------------|----|----|----|-----------|-----------------------|--|
| | | | | | N | S | E | W | | | |
| 1 | thornless honey locust | <i>Gleditsia triacanthos x inermis</i> | 8 | 27 | 9 | 10 | 9 | 8 | Good | No | Sunburst' cultivar, young, good form |
| 2 | Douglas fir | <i>Pseudotsuga menziesii</i> | 23 | 93 | 11 | 12 | 12 | 11 | Fair | No | heavy cone crop, no root flare, drought stressed |
| 3 | thornless honey locust | <i>Gleditsia triacanthos x inermis</i> | 6 | 24 | 7 | 8 | 7 | 7 | Fair | No | Sunburst' cultivar, cavity, old wound at 10 feet |
| 4 | Colorado spruce | <i>Picea pungens</i> | 7 | 21 | 6 | 7 | 6 | 6 | Good | No | excellent vigor |
| 5 | Balsam fir | <i>Abies balsamea</i> | 6 | 16 | 6 | 5 | 4 | 5 | Good | No | young, bent top |
| 6 | Cedar of Lebanon | <i>Cedrus libani 'Pendula'</i> | 6 | 14 | 4 | 6 | 4 | 3 | Good | No | young, typical |
| 7 | Japanese maple | <i>Acer palmatum</i> | 4,3,3,3 (7) | 14 | 7 | 8 | 9 | 9 | Good | No | no concerns, reddish leaves |
| 8 | noble fir | <i>Abies procera</i> | 16 | 43 | 9 | 9 | 9 | 8 | Good | No | young to semi, good vigor |
| 9 | blue Atlas cedar | <i>Cedrus atlantica 'Glauca'</i> | 10 | 33 | 8 | 10 | 11 | 12 | Good | No | young, good form |
| 10 | Japanese maple | <i>Acer palmatum x dissectum</i> | 6 | 12 | 4 | 11 | 7 | 10 | Good | No | no concerns |
| 11 | Japanese maple | <i>Acer palmatum</i> | 5,3,4 (7) | 19 | 8 | 6 | 8 | 9 | Good | No | green leaves |
| 12 | noble fir | <i>Abies procera</i> | 6 | 14 | 4 | 4 | 4 | 4 | Good | No | good vigor |
| 13 | weeping Atlas cedar | <i>Cedrus atlantica 'Glauca pendula'</i> | 9 | 7 | 2 | 4 | 6 | 8 | Fair | No | trained along fence top |
| 14 | Douglas fir | <i>Pseudotsuga menziesii</i> | 23 | 83 | 14 | 12 | 12 | 17 | Good | No | good vigor |
| 15 | thornless honey locust | <i>Gleditsia triacanthos x inermis</i> | 10 | 33 | 7 | 11 | 10 | 12 | Good | No | Majestic' cultivar, moderate deadwood |
| 16 | grand fir | <i>Abies grandis</i> | 13 | 41 | 6 | 5 | 7 | 5 | Good | No | good vigor |
| 17 | noble fir | <i>Abies procera</i> | 9,8,4 (13) | 36 | 5 | 6 | 7 | 5 | Fair | No | forks at one foot into 3 stems/trunks |
| 18 | Japanese cedar | <i>Cryptomeria japonica</i> | 8 | 20 | 7 | 7 | 8 | 6 | Good | No | good vigor |
| 19 | pear, fruit tree | <i>Pyrus spp.</i> | 7 | 16 | 8 | 5 | 7 | 9 | Fair | No | typical |
| 20 | fruiting cherry | <i>Prunus spp.</i> | 3,4 (5) | 15 | 4 | 7 | 6 | 6 | Fair | No | poor form |
| 21 | apple | <i>Malus spp.</i> | 19 | 18 | 14 | 10 | 10 | 10 | Fair | No | mature, good vigor |
| 22 | apple | <i>Malus spp.</i> | 9,10,7 (15) | 15 | 7 | 14 | 12 | 10 | Fair | No | large basal cavity, good vigor |
| 23 | white fir | <i>Abies concolor</i> | 26 | 22 | 11 | 8 | 8 | 9 | Fair | No | topped, good vigor |
| ROW Trees | | | | | | | | | | | |
| 101 | Threadleaf cypress | <i>Chamaecyparis pisifera</i> | 3,3,7 (8) | 10 | 4 | 3 | 4 | 5 | Good | No | well maintained |
| 102 | Lawson false cypress | <i>Chamaecyparis lawsoniana</i> | 9,6 (11) | 18 | 5 | 11 | 6 | 9 | Good | No | cultivar of Lawson cypress, good vigor |
| 103 | Deodar cedar | <i>Cedrus deodara</i> | 16 | 30 | 6 | 17 | 16 | 13 | Fair | No | poor form |

Drip-Line measurements from face of trunk



EXISTING CONDITIONS - TREE SURVEY ①



It should be in the interest of the City in density along with retaining at least some of the urban tree canopy to counter local climate change. As a member of TreePAC and other tree canopy retention groups, we look forward to the implementation of the **2017 mayor's Executive Order for stronger tree protection** without further delay. These tree requirements should not only apply to home-owners (as Johnson's "Trees For All" attempted 18 months ago), but to development lots with protected Tree Groves and Exceptional trees, as well. We were hoping for former Councilmembers Bagshaw and O'Brien to include within their term legacies the necessary actions to implement tree ordinance recommendations of the Urban Forestry Commission that have been in process for a decade. It did not happen; and now there is another year being planned before something is enacted.

Questions to answer:

- [1] which of these trees are Code-protected as 'Tree Groves' (per DR 16-2008)* 🌿
- [2] please share what alternative layouts of the buildings that will be prepared to retain the existing tree groves and look at design mitigation measures - including underground parking.
- [3] how will the exterior on-grade amenity areas be achieved without the non-complaint use of trash and vehicle parking areas?

We need more affordable housing and tree canopy. It does not appear at the moment that this development design are providing either.

Thank you in advance!

David Moehring
TreePAC, Board member
<https://treepac.org/tree-preservation-efforts-in-seattle/>

"Street Requirements:

Based on the scope of the proposed project, the following street improvements are required per Chapter 23.53 of the Seattle Municipal Code. Please review Right-of-Way Improvements Manual for design criteria (<http://www.seattle.gov/transportation/rowimanual/manual/>). Show required street improvements on your "enhanced site plan" at SDCI permit application intake. If an SDOT Street Improvement Plan (SIP) is required, please list SDOT project number and SDOT contact name on the enhanced site plan. Street Improvement Plans must be accepted by SDOT prior to SDCI permit application intake. New structures must be designed to accommodate right-of-way improvements.

This project qualifies for a reduced street improvement, a noprotest agreement is required.

Street trees shall be provided in the planting strip according to Seattle Department of Transportation Tree Planting Standards. Contact SDOT Urban Forestry (for residential projects: (206) 684TREE; for all others: (206) 684-5693), to determine species of tree and standards of planting.

Please add a note to the site plan showing size, location and species of tree to be planted. Any planting proposed within the ROW must be reviewed and approved by SDCI and SDOT.

**  Active Seattle Department of Construction and Inspections Director Rules that interpret Tree Protection and fees (Ch. 25.11)

DR # Name

17-2018 [Calculating Tree Valuations & Civil penalties for Tree Protection Code Violations](#)

16-2008 [Designation of Exceptional Trees](#)

10-2006 [Clarifying when administrative design review is required in order to save exceptional trees in lowrise, midrise, and commercial zones.](#)

From: David Moehring <dmoehring@consultant.com>

Sent: Thursday, March 19, 2020 7:13 PM

To: PRC <PRC@seattle.gov>; Loo, Timothy <Timothy.Loo@seattle.gov>

Cc: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; neighborhoodtreekeepers@gmail.com; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>

Subject: Killing neighbor's two large trees with Single Family Unit Lot Subdivision

CAUTION: External Email

5724 35TH AVE NE SEATTLE Application for project 3035751-LU

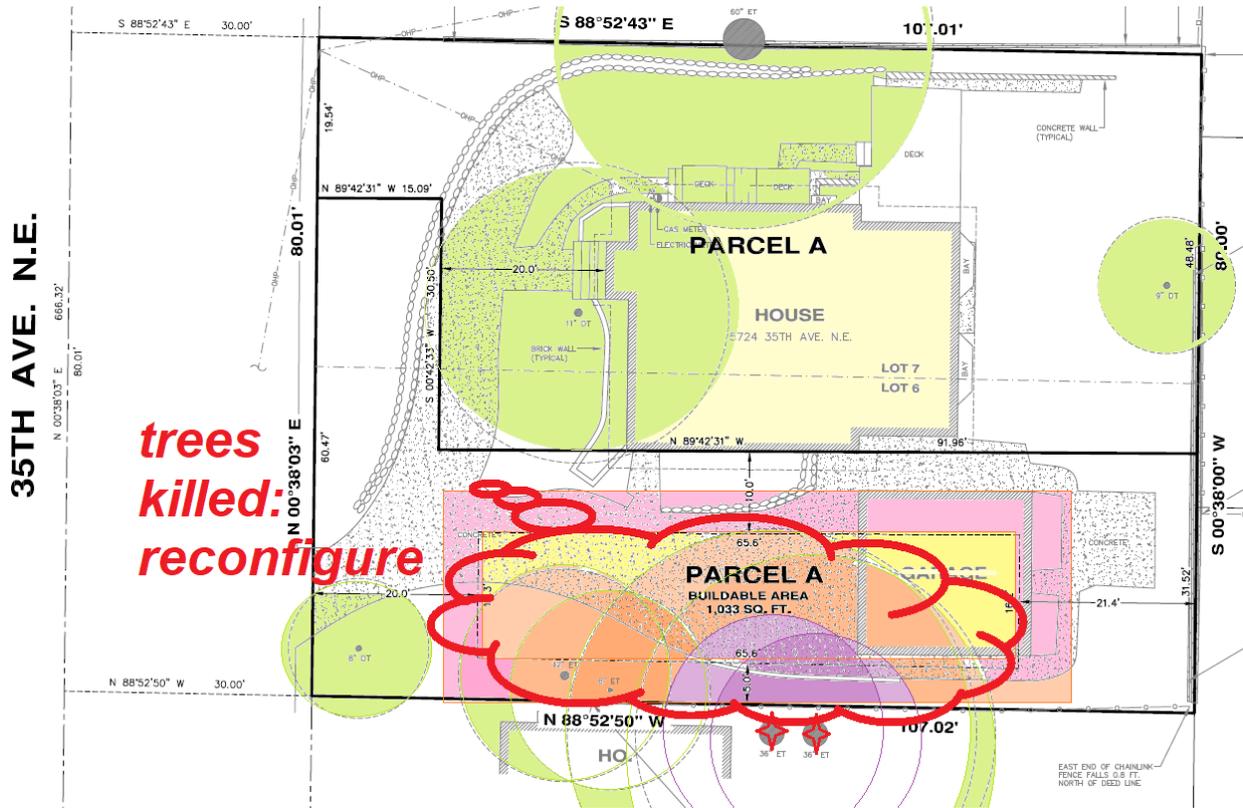
Land use application to subdivide one parcel into two parcels with one building to remain.

Thank you for allowing me to comment on the proposed short plat subdivision at **5724 35th Ave NE 98105**. Please keep TreePAC informed. Please also contact directly the neighbor to the south, Roe Hiroko, at 5718 35th Ave NE.

Let them know that their two large trees measuring at least **36-inches DBH will be killed by proposed new building excavations** within both trees critical root zones. Please provide an arborist assessment as soon as possible.

Thank you,

David Moehring
Member, TreePAC





The original lot is 8,561 square foot. Will the subdivided lot circumvent Seattle's 75/80 subdivision rule?

In order to comply with all of the criteria required to grant a subdivision, what alternative locations (such as the rear yard) would also accommodate a long narrow lot (as is being proposed here) that would not impact the neighbor's large trees?

From: Carol Warren <carolmwarren@comcast.net>
Sent: Friday, March 20, 2020 10:35 AM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Keep Seattle Livable!

CAUTION: External Email

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water

runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Carol Warren

carolmwarren@comcast.net

14042 42nd Ave NE
Seattle, Washington 98225

From: Stuart Niven <panorarbor@gmail.com>

Sent: Friday, March 20, 2020 2:40 PM

To: McGarry, Deborah <Deborah.McGarry@seattle.gov>

Cc: Pederson, Art <Art.Pederson@seattle.gov>; Rippey, Christopher <Christopher.Rippey@seattle.gov>; Humphries, Paul <Paul.Humphries@seattle.gov>; Roberts, Ben <Ben.Roberts@seattle.gov>; Rundquist, Nolan <Nolan.Rundquist@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Dilley, Jana <Jana.Dilley@seattle.gov>; Stubecki, Lou <Lou.Stubecki@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>; LEG_CouncilMembers <council@seattle.gov>; Durkan, Jenny <Jenny.Durkan@seattle.gov>

Subject: Re: large redwood decay pictures

CAUTION: External Email

Funny timing Deb as I was about to email you to let you know my thoughts on the removal of this tree which I found out was happening the day before yesterday from a client of mine who lives one block to the North and was devastated, like many of their neighbours, to see it come down in such an undignified manner and without prior notice, leaving people wonder whether the removal was legal or not. This is a prime example of why public posting is essential.

I was able to see the logs on the ground (photo attached clearly showing perfectly healthy wood in all stems) and watch the crane pick the last two sections (both co-dominant, presumably like the first section which was picked just prior to my arrival as it was lying on the top of the pile; clearly showing there were three trunks from just above grade) just after these photographs were taken. Having revisited the site yesterday morning to see the stump I am even more convinced that the removal of this tree should not have been permitted, neither for the reasons given by the property 'manager' whom I believe is the brother of the property owner, recently deceased, nor for the reasons stated in two separate arborist reports. The reason for my opinion being as such is that the 'extensive decay' (by the way, does the person who took the photographs have any knowledge or experience of arboriculture to be able to make such a definitive claim?) photographed was not necessarily part of the structural wood of the tree and was the typical accumulation of woody debris and root material from the inside of the included sections of the trunks. From the cross section of the stump I inspected this morning (please see photographs attached), the three sections of trunk were all normal and the only section of soft wood was in the middle, presumably at the base of the inclusions which perhaps increased in size heading up the trunk and would have explained the readings measured by Chris during his testing. Neither of these however, in my opinion, warrant the claim that the tree was 'high risk' and therefore a 'hazard'.

Furthermore, there does not seem to be a consistency in the reporting as there is one Tree Risk Assessment provided by the producer of the first report, which would have been immediately rejected by any peer review from what I understand of ISA and ASCA best practice, and then no follow up TRA by Chris following his testing. This does not make sense as according to DR 16-2008 a TRA is required to find the tree to be 'high' or 'extreme' risk of failure for the permit to be approved yet the only TRA submitted was quite rightly rejected by Paul Humphries based on the lack of evidence and poor reporting. Chris may have identified issues with the structure of the tree but he did not submit a TRA to accompany the report which should have taken into the account that mitigation was noted as possible given the tree's structure. Redwoods are perfect candidates for subordination and reduction as one only has to look at old growth trees in the redwood forests to see that they can deal with broken stems and reiterated growth time and time again, much like our Western red cedars. Of all conifer trees to be growing with questionable structure, I would expect a coast redwood to be perfectly adaptable to such conditions; they are not called 'sempervirens' for nothing!

This whole situation raises significant questions in my mind about the process of the timing of 'hazard' tree removal permits when they relate to properties being poached by developers (my client explained how this property has been a keen focus of some developers for a while now and that supposedly they were willing to pay more if the tree was not present when they submit their development plans) which given the speed at which this removal was enacted following the approval of the permit last week, the validity of the 'hazardous' nature is even further brought into question. Given the heavy weighting towards the risks associated with the tree by the first arborist in both his report and TRA, which claimed 'Probable' failure of all parts of the tree within 3 years, it seems clear to me that he was asked by his client to produce a TRA that would have the result of 'High Risk' simply in order to achieve receipt of the removal permit. Either that, or he simply does not understand trees and tree risk assessment as the tree has likely been peacefully existing in a similar condition for many years if not decades.

We all know that the development of a property can go ahead whether there is an 'exceptional' tree (or many many more) in the way of achieving 'development potential', which thankfully is not known by all developers taking advantage of Seattle's lax and un-enforced tree protection regulations and the push for density, but it is leading to developers encouraging home owners to remove trees illegally prior to sale, or find arborists who will enable their desire to condemn a tree based on its condition. This is not good in my opinion as it is pushing the balance of objectivity to a more subjective and even fear based approach to tree assessment. Chris states that "all trees will eventually fail" and that "unless fully removed, all trees pose some amount of risk to humans" which are both heavily biased statements and in fact not true. Some trees simply decline without failing or the opposite is true and live long beyond human lifespans. Redwoods for example often will regenerate from roots and can quite simply keep living for an undetermined length of time and many trees can evolve over centuries if not millennia through natural retrenchment and reiteration. If we changed our attitudes to trees and treated them with respect and not fear, we could be looking at a future where our conifers are 300-400 ft high in the City and hundreds of years old. As it is, our largest and greatest trees that are young relatively speaking are being chopped down without a regard for their exceptional benefits to our fragile ecosystems and

wider environment. Climate change and now a viral pandemic prove more than ever before that we need trees, especially large conifers and mature trees of all conditions, shapes and sizes. If we allow fear based decision making to determine the fate of all trees taller than us, we will literally be left with no shade beyond buildings and no habitat for birds, mammals, insects and beneficial fungi.

I perhaps have taken the point beyond concision but this type of removal simply should not be permitted, without exploring and enforcing all of the possible options for retention, even if it means restricting development on the property so that the tree can be saved, protected and enjoyed by all life forms in the neighbourhood. Now, because of the decisions made and actions of but a handful of people, the tree and the wildlife within it are gone forever, cut as logs to be milled into whatever the logging company deems most profitable and the stump will likely be unceremoniously ripped from the ground to make way for a densely packed property of over priced housing to continue lining the pockets of the developers who do not care about Seattle, just what it can give them in the short term.

Please work within your respective departments to improve tree protection codes so this senseless loss stops soon.

Thank you and kind regards,

Stuart Niven, BA(Hons)

PanorArborist

[ISA Certified Arborist PN-7245A & Tree Risk Assessment Qualification \(TRAQ\)](#)

[Arborist on Seattle Audubon Society Conservation Committee](#)

[Arborist on Seattle's Urban Forestry Commission](#)

www.panorarbor.com

Tel/Text: 206 501 9659

[WA Lic# PANORL*852P1](#) (Click to link to WA L&I's Verify a Contractor Page)

On Thu, Mar 19, 2020 at 12:25 PM McGarry, Deborah <Deborah.McGarry@seattle.gov> wrote:

Hi all,

I'm following up on the large redwood that was permitted for removal under permit 000109-20TA. The property owner sent me pictures this morning confirming the presence of extensive decay at the base of the tree. I would not have suspected so much based on the appearance on the outside.

Coincidentally, I was at Maple Leaf Park yesterday with my daughter and saw a truck from P and D Tree Service go by on Roosevelt. There was a trailer with a giant log that looked like a redwood. I wondered if that was the tree whose removal I approved. Sure enough, that was the tree.

I'm uploading these photos to the Accela portal (with the property owner's approval), and if we get anymore inquiries about this tree, we can share the pictures.

Hope everyone is staying healthy.

Take care.

Deb

Deborah McGarry

(she/her)

Reviewing Arborist

[Seattle Department of Construction and Inspections](#)

O: 206-727-8624 | Deborah.McGarry@seattle.gov

[Facebook](#) | [Twitter](#) | [Blog](#)

Helping people build a safe, livable, and inclusive Seattle.

From: Stuart Niven <panorarbor@gmail.com>

Sent: Saturday, March 21, 2020 3:16 PM

To: David Moehring <dmoehring@consultant.com>

Cc: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Herbold, Lisa <Lisa.Herbold@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Sawant, Kshama <Kshama.Sawant@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; Durkan, Jenny <Jenny.Durkan@seattle.gov>; DOT_SeattleTrees <Seattle.Trees@seattle.gov>; McGarry, Deborah <Deborah.McGarry@seattle.gov>; Pederson, Art <Art.Pederson@seattle.gov>

Subject: Re: Let Seattle clear everthing but street trees in a housing crisis?

CAUTION: External Email

Thank you for this information and thought provoking discussion. It is true that street trees alone will not be sufficient to provide adequate ecological benefits such as habitat for birds and mammals or essential shading and storm water interception, and that back yard trees and green space will be essential. The situation is already dire, and every large tree that is removed to be replaced with more concrete and buildings, with no room for decent tree cover and vegetation we are damaging all life in Seattle.

Trees and density can co-exist; it simply requires some thought and additional planning.

I was thinking recently when reading the well used comment that 'Seattle is suffering from a housing crisis', that this is not true. It is suffering from a planning crisis. Thinking logically, since the number of businesses and employees working in Seattle must be known by the City, the number of houses needed to match this would be known also. If the number of employees working in the city in all forms of work is larger than available housing, then there is a problem so the simple fix is limit and manage the number of companies employing people in the City. It is not rocket science and the City planning department can manage this, if it has the inclination to do so. One could put it another way; if baking a cake requires two eggs, one would only use two eggs and using more than two eggs would ruin it!

Thank you and kind regards,

Stuart Niven, BA(Hons)

PanorArborist

[ISA Certified Arborist PN-7245A & Tree Risk Assessment Qualification \(TRAQ\)](#)

[Arborist on Seattle Audubon Society Conservation Committee](#)

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Tel/Text: 206 501 9659

[WA Lic# PANORL*852P1](#) (Click to link to WA L&I's Verify a Contractor Page)

From: David Moehring <dmoehring@consultant.com>

Sent: Sunday, March 22, 2020 1:25 PM

To: PRC <PRC@seattle.gov>; SCI_Code_Compliance <SCI_Code_Compliance@seattle.gov>

Cc: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Stuart Niven <panorarbor@gmail.com>; treepac_seattlelists.riseup.net <treepac_seattle@lists.riseup.net>

Subject: Timber! Large 115-foot Seattle redwood declared a hazard

CAUTION: External Email

Please keep members of TreePAC informed regarding the oversized 7,620 square foot property zoned as Single Family SF-5000 at 1041 NE 100TH ST.

We suspect that this estate property will be sold for redevelopment soon and this **115-foot tall and 7.5 foot wide** (DBH) sequoia redwood tree was

removed as a pre-condition of sale or so that a higher value may be obtained at resale. The next few months will tell... including a likely land use or building permit applications following the current health crisis and normal permitting operations.

In the meantime, it is evident that Seattle needs a better tree ordinance in the interest of Seattle's climate and habitats. Given the Exceptional characteristic of this tree... and given that climate change has made Redwoods more favorable to the Northwest than the declining cedar trees... please advise how the property owner will replenish the tree canopy removed from this part of Seattle. Lots of this size within Single-Family zoning require a minimum combined total of 15-inches of tree trunk caliper.

Please publish for Seattle residents information on root pruning practices in lieu of tree removal where protection of existing site structures may be a concern.

David Moehring AIA
Board Member of TreePAC
dmoehring@consultant.com

Attached and below image relative to SDCI #000109-20TA located at 1041 NE 100TH ST

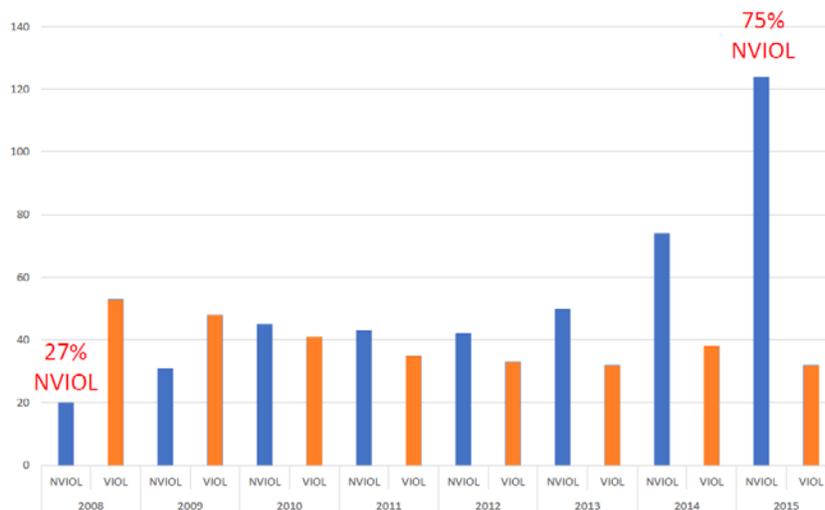
*City approved removal
of 115-foot tall and
90-inch diameter (at
breat height) redwood
removed in March
2020*

1041 NE 100TH ST



Tree Cutting closed to Violation or No Violation. Trend 2008 - 2015

| | |
|------|-----|
| 2008 | 27% |
| 2009 | 37% |
| 2010 | 52% |
| 2011 | 54% |
| 2012 | 55% |
| 2013 | 57% |
| 2014 | 64% |
| 2015 | 75% |



Source file: IW_tree_canopy_ppt_TreeRegsPhaseIIIMarchUpdate_032717v13FINAL_installment_2.pdf, March 27, 2017; "Tree Regulations Research Project -Phase II, Final Findings and Recommendations"

<http://www.seattle.gov/DPD/Publications/CAM/cam331b.pdf>

| Document | Size | Date | Record # | Record Type |
|--------------------------------------|---------|----------|-----------------------------|--|
| Photo | 2 MB | 03/19/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Photo | 3 MB | 03/19/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Photo | 4 MB | 03/19/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Results Letter | 102 KB | 03/10/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Tree Risk Assessment | 1570 KB | 03/10/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Results Letter | 103 KB | 02/12/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Arborist Report | 1418 KB | 01/22/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Site Photos | 4 MB | 01/22/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |
| Site Plan | 3 MB | 01/22/20 | 000109-20TA | Hazardous Tree Removal and Vegetation Restoration Approval Request |

Sent: Friday, March 20, 2020 at 2:39 PM
 From: "Stuart Niven" <panorarbor@gmail.com>

Subject: Re: large redwood decay pictures

Funny timing Deb as I was about to email you to let you know my thoughts on the removal of this tree which I found out was happening the day before yesterday from a client of mine who lives one block to the North and was devastated, like many of their neighbours, to see it come down in such an undignified manner and without prior notice, leaving people wonder whether the removal was legal or not. This is a prime example of why public posting is essential.

I was able to see the logs on the ground (photo attached clearly showing perfectly healthy wood in all stems) and watch the crane pick the last two sections (both co-dominant, presumably like the first section which was picked just prior to my arrival as it was lying on the top of the pile; clearly showing there were three trunks from just above grade) just after these photographs were taken. Having revisited the site yesterday morning to see the stump I am even more convinced that the removal of this tree should not have been permitted, neither for the reasons given by the property 'manager' whom I believe is the brother of the property owner, recently deceased, nor for the reasons stated in two separate arborist reports. The reason for my opinion being as such is that the 'extensive decay' (by the way, does the person who took the photographs have any knowledge or experience of arboriculture to be able to make such a definitive claim?) photographed was not necessarily part of the structural wood of the tree and was the typical accumulation of woody debris and root material from the inside of the included sections of the trunks. From the cross section of the stump I inspected this morning (please see photographs attached), the three sections of trunk were all normal and the only section of soft wood was in the middle, presumably at the base of the inclusions which perhaps increased in size heading up the trunk and would have explained the readings measured by Chris during his testing. Neither of these however, in my opinion, warrant the claim that the tree was 'high risk' and therefore a 'hazard'.

Furthermore, there does not seem to be a consistency in the reporting as there is one Tree Risk Assessment provided by the producer of the first report, which would have been immediately rejected by any peer review from what I understand of ISA and ASCA best practice, and then no follow up TRA by Chris following his testing. This does not make sense as according to DR 16-2008 a TRA is required to find the tree to be 'high' or 'extreme' risk of failure for the permit to be approved yet the only TRA submitted was quite rightly rejected by Paul Humphries based on the lack of evidence and poor reporting. Chris may have identified issues with the structure of the tree but he did not submit a TRA to accompany the report which should have taken into the account that mitigation was noted as possible given the tree's structure. Redwoods are perfect candidates for subordination and reduction as one only has to look at old growth trees in the redwood forests to see that they can deal with broken stems and reiterated growth time and time again, much like our Western red cedars. Of all conifer trees to be growing with questionable structure, I would expect a coast redwood to be perfectly adaptable to such conditions; they are not called 'sempervirens' for nothing!

This whole situation raises significant questions in my mind about the process of the timing of 'hazard' tree removal permits when they relate to properties being poached by developers (my client explained how this property has been a keen focus of some developers for a while now and that supposedly they were willing to pay more if the tree was not present when they submit their development plans) which given the speed at which this removal was enacted following the approval of the permit last week, the validity of the 'hazardous' nature is even further brought into question. Given the heavy weighting towards the risks associated with the tree by the first arborist in both his report and TRA, which claimed 'Probable' failure of all parts of the tree within 3 years, it seems clear to me that he was asked by his client to produce a TRA that would have the result of 'High Risk' simply in order to achieve receipt of the removal permit. Either that, or he simply does not understand trees and tree risk

assessment as the tree has likely been peacefully existing in a similar condition for many years if not decades.

We all know that the development of a property can go ahead whether there is an 'exceptional' tree (or many many more) in the way of achieving 'development potential', which thankfully is not known by all developers taking advantage of Seattle's lax and un-enforced tree protection regulations and the push for density, but it is leading to developers encouraging home owners to remove trees illegally prior to sale, or find arborists who will enable their desire to condemn a tree based on its condition. This is not good in my opinion as it is pushing the balance of objectivity to a more subjective and even fear based approach to tree assessment. Chris states that "all trees will eventually fail" and that "unless fully removed, all trees pose some amount of risk to humans" which are both heavily biased statements and in fact not true. Some trees simply decline without failing or the opposite is true and live long beyond human lifespans. Redwoods for example often will regenerate from roots and can quite simply keep living for an undetermined length of time and many trees can evolve over centuries if not millennia through natural retrenchment and reiteration. If we changed our attitudes to trees and treated them with respect and not fear, we could be looking at a future where our conifers are 300-400 ft high in the City and hundreds of years old. As it is, our largest and greatest trees that are young relatively speaking are being chopped down without a regard for their exceptional benefits to our fragile ecosystems and wider environment. Climate change and now a viral pandemic prove more than ever before that we need trees, especially large conifers and mature trees of all conditions, shapes and sizes. If we allow fear based decision making to determine the fate of all trees taller than us, we will literally be left with no shade beyond buildings and no habitat for birds, mammals, insects and beneficial fungi.

I perhaps have taken the point beyond concision but this type of removal simply should not be permitted, without exploring and enforcing all of the possible options for retention, even if it means restricting development on the property so that the tree can be saved, protected and enjoyed by all life forms in the neighbourhood. Now, because of the decisions made and actions of but a handful of people, the tree and the wildlife within it are gone forever, cut as logs to be milled into whatever the logging company deems most profitable and the stump will likely be unceremoniously ripped from the ground to make way for a densely packed property of over priced housing to continue lining the pockets of the developers who do not care about Seattle, just what it can give them in the short term.

Please work within your respective departments to improve tree protection codes so this senseless loss stops soon.

Thank you and kind regards,

Stuart Niven, BA(Hons)

PanorArborist

[ISA Certified Arborist PN-7245A & Tree Risk Assessment Qualification \(TRAQ\)](#)

[Arborist on Seattle Audubon Society Conservation Committee](#)

[Arborist on Seattle's Urban Forestry Commission](#)

www.panorarbor.com

Tel/Text: 206 501 9659

[WA Lic# PANORL*852P1](#) (Click to link to WA L&I's Verify a Contractor Page)

On Thu, Mar 19, 2020 at 12:25 PM McGarry, Deborah <Deborah.McGarry@seattle.gov> wrote:

Hi all,

I'm following up on the large redwood that was permitted for removal under permit 000109-20TA. The property owner sent me pictures this morning confirming the presence of extensive decay at the base of the tree. I would not have suspected so much based on the appearance on the outside.

Coincidentally, I was at Maple Leaf Park yesterday with my daughter and saw a truck from P and D Tree Service go by on Roosevelt. There was a trailer with a giant log that looked like a redwood. I wondered if that was the tree whose removal I approved. Sure enough, that was the tree.

I'm uploading these photos to the Accela portal (with the property owner's approval), and if we get anymore inquiries about this tree, we can share the pictures.

Hope everyone is staying healthy.

Take care.

Deb

Deborah McGarry

(she/her)

Reviewing Arborist

[Seattle Department of Construction and Inspections](#)

O: 206-727-8624 | Deborah.McGarry@seattle.gov

[Facebook](#) | [Twitter](#) | [Blog](#)

Helping people build a safe, livable, and inclusive Seattle.

From: Rippey Arboriculture, LLC <christopher.rippes@gmail.com>

Sent: Sunday, March 22, 2020 8:07 PM

To: Stuart Niven <panorabor@gmail.com>; McGarry, Deborah <Deborah.McGarry@seattle.gov>;
Humphries, Paul <Paul.Humphries@seattle.gov>; Pinto de Bader, Sandra
<Sandra.Pinto_de_Bader@Seattle.gov>

Cc: scott cannon <1scottcannon@gmail.com>

Subject: Redwood Removal

CAUTION: External Email

Several thoughts and comments popped up while I read Stuart's latest email. I hope the information that follows will help all of you in your future decision-making processes.

- I talked with the property owner, Scott Cannon and Stuart Niven did not have permission to enter this property to take the pictures he sent or gather the information for his email.
- The Preface of the ISA, Best Management Practices; Tree Risk Assessment, 2nd Edition states "It is impossible to maintain trees free of risk; some level of risk must be accepted to experience the benefits trees provide." A similar statement is also found in the Introduction of the International Society of Arboriculture's (ISA) Tree Risk Assessment (TRA) Manual. It is well established in our industry that all trees pose some level of risk to people.
- It is a fact that all trees will eventually fail. Trees must abide by the laws of physics. As stated in the ISA TRA Manual in the Tree Risk Assessment Within the Context of Tree Risk Management section, "any tree, whether it has visible weakness or not, will fail if the forces applied exceed the strength of the tree or its parts." Even long-lived tree species that reiterate from root shoots like big leaf maple or coast redwood will experience a tree failure at some point in their lifespan. If these trees did not, soil would never get replenished with nutrients from decayed wood and new trees would not grow.
- Regarding the subject tree, this tree was most likely to fail at the area of trunk attachment (150cm tomography area). Here, the decayed inner wood was much more structurally important than the non-decayed outer wood. It is a well-established fact that tension wood in a tree is much better at load carrying than compression wood. For more information please refer to "Plant Physics" by Karl J. Niklas and Hanns-Christof Spatz. In this book, the following statement is found in 4.13 Strength, "the compressive strength of most species of wood is roughly 50% of the tensile strength of the same species". In our subject tree, the inner decayed wood would have been under tension loads more often than the outer wood and was the more structurally important.
- There is a standard used around the world to assess the decayed cross sections of trees commonly known as the One-Third Rule. This rule was founded in the 1960s but applied to urban trees in the 1990's by German professor named Claus Mattheck. This rule says that a structurally sound decayed tree should have an intact cross section of wood at least one-third of the assessed cross section's radius. For the subject tree, the intact wood at the assessed cross section would have to be at least 14 inches, it was not. Please refer to Gere and Timoshenko, 1997 to see how the shell thickness more predictable homogenous material strength is diminished when intact shell wall thickness is reduced. Your research will show you that when a tubular object has a shell wall of only one-third of its radius, the tubes strength will be decreased by about 20%. As the intact cross section gets smaller than one-third, the angle of strength loss curves down at a much sharper angle.
- ISA TRA forms are not designed for what the City is using them to do. To quote Appendix 1 in the ISA TRA Manual, these forms are "intended to act as a guide for collecting and recording tree risk assessment information." In my opinion, they should not be used to validate an arborist opinion, expertise

or risk assessment. This should be done in a proper arborist report where an arborist is not limited in space or to the categories of the form.

- The City of Seattle had no right to post my report online. My client Scott Cannon had permission to share my report with Deb Brown from the City of Seattle only. My report is *privileged, and confidential information* intended only for the use of the Individual(s) I sent it to. The city needs my specific permission to share it with the public. Please take my report off wherever site it has been posted to for public viewing.
- Arborists have a fiduciary duty to their client and must practice good ethics. A great reference to go over ethical principals in arboriculture is the American Society of Consulting Arborist, Guide to a Professional Consulting Practice. There in the Ethic vs. Ideology section, you can find this quote “an Arborist must strive to separate ideology from ethics, both in their own mind and in interactions with clients and other consultants. For example, a strong desire to save trees- or what some might see as placing a low priority on saving trees- is an ideological rather than an ethical consideration.” Arborist should strive to be impartial, meaning to be objective and free from bias or prejudice, when observing trees and especially while rating the risk that they pose.
- When I got involved in this case, I was asked to get more information about the tree for Sal Nolder, the original project’s arborist. As with all cases like this, I told Sal to not show me his original assessment or give me any details of the case. I do this to remain unbiased. When I first observed the tree, I thought advanced assessment of the tree was unwarranted. Out of respect for a fellow ISA TRAQ and Certified Arborist, I was still willing to test the tree. I changed my opinion about testing the tree after I observed seam separation with included bark on the west side of the tree. I then tested the tree, discovered the decayed wood and validated my results. Had I not been objective and respectful of another arborist opinion, I would not have discovered the decay in this tree. I then agreed to write the report to get what I considered to be a tree with unreasonable related risk, removed.

I hope this information gets you all thinking. Please keep me in mind if in the future the City would like to hire me to inspect complex Significant Trees that are under review to be removed.

Respectfully,

Chris Rippey

--

Rippey Arboriculture, LLC



Christopher Rippey

PNW-ISA 2019, Arborist of the Year
ASCA RCA #633

ASCA Tree & Plant Appraisal Qualified

ISA Certified Arborist (WE-7672AUTM)

ISA Tree Risk Assessor Qualified

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--

Inline image

Ripsey Arboriculture, LLC

Christopher Ripsey

ASCA RCA#633

ISA Certified Arborist (WE-7672AUTM)

ISA Tree Risk Assessor Qualified

From: David Moehring <dmoehring@consultant.com>

Sent: Tuesday, March 24, 2020 5:35 AM

To: DOT_SeattleTrees <Seattle.Trees@seattle.gov>; PRC <PRC@seattle.gov>; DOT_LA <DOT_LA@seattle.gov>

Cc: McGarry, Deborah <Deborah.McGarry@seattle.gov>; Katy Griffith <katygr@msn.com>; Kevin Orme (via treepac_seattle Mailing List) <treepac_seattle@lists.riseup.net>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>

Subject: 2 exceptional trees at 8001 ashworth ave N

CAUTION: External Email

Dear PRC@seattle.gov

Thank you for the comments of one a Seattle's City arborists to enforce the Seattle code on tree protection!

Please keep TreePAC Members informed about the development at 8001 Ashworth Ave N where exceptional trees are at risk:

<http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=5355057>

The development plans ignore tree protection requirements by clearing all 4 trees on the site and killing the neighbor's tree to the north.

Notice is in regard to the pending SEPA Environmental Determination (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.

Please add to notices issued how many Exceptional trees are intended to be removed - as in this case it would be two.

David

From: Jennifer Baldino <info@email.actionnetwork.org>
Sent: Tuesday, March 24, 2020 4:01 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Save Our Trees!

CAUTION: External Email

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation

- (SDOT) – to cover all Significant Trees (6” and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
 3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24” DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
 4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
 5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
 6. Post online all permit requests and permit approvals for public viewing.
 7. Expand SDOT’s existing tree service provider’s registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
 8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Jennifer Baldino

jbaldino6@gmail.com

12329 Roosevelt way N.E

Seattle , Washington 98125

From: heidi calyxsite.com <heidi@calyxsite.com>

Sent: Thursday, March 26, 2020 2:55 PM

To: David Moehring <dmoehring@consultant.com>; john fox (jvf4119@gmail.com) <jvf4119@gmail.com>; Kevin Orme <ovaltinelatte@hotmail.com>

Cc: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>

Subject: CONSTRUCTION must stop- not essential-

CAUTION: External Email

FYI, please see below....

Heidi Siegelbaum

(206) 784-4265

<http://www.linkedin.com/in/heidisiegelbaum>

From: Gov. Inslee Press Updates <press@updates.gov.wa.gov>

Sent: Wednesday, March 25, 2020 7:56 PM

To: heidi calyxsite.com <heidi@calyxsite.com>

Subject: Inslee provides construction guidance and signs proclamations for UI rules, healthcare payments



March 25, 2020

Public and constituent inquiries | 360.902.4111

Press inquiries | 360.902.4136

Inslee provides construction guidance and signs proclamations for UI rules, healthcare payments

Gov. Jay Inslee announced new measures to combat COVID-19 today and released additional guidance for construction in his "[Stay Home, Stay Healthy](#)" order.

The governor's guidance on construction states:

"In general, commercial and residential construction is not authorized under the proclamation because construction is not considered to be an essential activity.

"However, an exception to the order allows for construction in the following limited circumstances:

- a) Construction related to essential activities as described in the order;
- b) To further a public purpose related to a public entity or governmental function or facility, including but not limited to publicly financed low-income housing; or
- c) To prevent spoliation and avoid damage or unsafe conditions, and address emergency repairs at both non-essential businesses and residential structures.

"To that end, it is permissible for workers who are building, construction superintendents, tradesmen, or tradeswomen, or other trades including, but not limited to, plumbers, electricians, carpenters, laborers, sheet metal, iron workers, masonry, pipe trades, fabricators, heavy equipment and crane operators, finishers, exterminators, pesticide applicators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC technicians, painting, moving and relocation services, forestry and arborists, and other service providers to provide services consistent with this guidance.

"All construction activity must meet social distancing and appropriate health and worker protection measures before proceeding."

[The guidance memo can be found here.](#)

Healthcare parity

The governor signed a [proclamation](#) today that provides payment parity between health care providers.

In order to serve more patients, Inslee has signed a measure that would increase the parity between those health care providers who deliver in-person care and those who do it through telemedicine. Telemedicine claims must now be reimbursed at the same level as care delivered face-to-face. Telemedicine claims cannot be denied by insurance carriers.

[SB 5385](#), passed by the legislature would do the same thing, although its implementation date was not set until January 2021. The governor's action will allow this to go into effect immediately to help increase access to care during the COVID-19 outbreak.

Rules for Unemployment Insurance

The governor also signed a [proclamation](#) today that waives work search requirements in order to receive unemployment insurance. With this action, the Washington State Employment Security Department can provide immediate assistance to those who have been financially impacted by COVID-19.

"We need to do whatever we can to help those who are financially impacted by COVID-19," Inslee said. "It would be counterproductive to require people to search for work when we are asking them to 'Stay Home, Stay Healthy' to slow the spread of the virus. This is the right thing to do to get money in people's pockets and waive this requirement for the short-term."

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This email was sent to heidi@calyxsite.com using GovDelivery Communications Cloud on behalf of: Office of the Governor / Office of Financial Management · PO Box 40002 · Olympia, WA · 98504-0002



From: David Moehring <dmoehring@consultant.com>

Sent: Wednesday, March 25, 2020 12:28 AM

To: PRC <PRC@seattle.gov>; Zeng, Sissi <Sissi.Zeng@seattle.gov>; DOT_LA <DOT_LA@seattle.gov>; Quackenbush, Tom <Tom.Quackenbush@seattle.gov>

Cc: Strauss, Dan <Dan.Strauss@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Pinto de

Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; Dawson, Parker <Parker.Dawson@seattle.gov>; An, Noah <Noah.An@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>; Herbold, Lisa <Lisa.Herbold@seattle.gov>; Mosqueda, Teresa <Teresa.Mosqueda@seattle.gov>; Gonzalez, Lorena <Lorena.Gonzalez@seattle.gov>; info@historicseattle.org

Subject: 7 more trees lost at 820 NW 54TH, a Seattle phenomenon

CAUTION: External Email

Dear Seattle Public Resource Center,

Without a meaningful Seattle tree protection ordinance, the Seattle phenomenon of clear-cutting without space to restore the tree canopy will lead to pandemonium from the city's youth suffering from increasing local urban heat island effects.

Without measures to retain Seattle's architectural heritage, the Seattle phenomenon of destroying habitable existing structures will continue to waste the world's precious resources.

WHERE WAS THE ARBORIST?

About seven more trees are coming down from this Ballard lot, and perhaps 1 to 2 street trees... yet there is not even an arborist report on the public file for the project. This lot had 39% tree canopy coverage ... all of which will be replaced with parking, driveways, and insignificant groundcover and bushes.



WHERE IS THE AFFORDABLE HOUSING?

The site's 1914 heritage house was purchased for only \$165,000 in 1993. Now, Modern Homes will bring in about **\$3.2MM** or more from the revenues from the sale of four market-rate townhomes within a small 4,000 square foot lot, yet only chip-in to the City their required MHA-R contribution of **just \$108,993**. That token in-lieu-of-payment represents less than 3.4% of the forthcoming revenues on the re-development... leaving the City of Seattle without trees and with only enough funds to purchase just an eighth of the land equitably sized somewhere in the city. Insufficient by any measure for the City to build affordable housing. Unfortunately, this land increased its

zoning last year in April 2019 from SF-5000 to the new zone Lowrise Multifamily LR2 (M1) --- where the MHA requirements apply to development would be subject to 'Medium Areas' fee requirements. The low in-lieu-of-fee results in no inclusionary affordable housing in Ballard (or elsewhere). It is kind of a joke compared to other cities' affordable housing in-lieu-of fees.



EVERY WEEK TREES LOST, HERITAGE VANISHES, and AFFORDABLE HOUSING IS DISPLACED

Please keep TreePAC members informed of the current land use application to subdivide one development site into four unit lots. (3035973-LU; The construction of residential units is under Project #6735161-CN.) Development standards - including tree protection regulations - were to be applied to the original parcel and not to each of the new unit lots. Thank you for taking comments appropriately through April Fool's day (and hopefully beyond given the corona virus).

Lost:





<http://web6.seattle.gov/dpd/ParcelData/Parcel.aspx?pin=3019300110>
<http://mapping.ballardhistory.org/2018/10/mapping-historic-ballard-interactive.html>

David Moehring
Board Member, TreePAC

From: iwall@serv.net <iwall@serv.net>
Sent: Saturday, March 28, 2020 8:45 PM
To: David Moehring <dmoehring@consultant.com>
Cc: SCI_Code_Compliance <SCI_Code_Compliance@seattle.gov>; Godard, Holly <Holly.Godard@seattle.gov>; Lofstedt, Emily <Emily.Lofstedt@seattle.gov>; Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; An, Noah <Noah.An@seattle.gov>; Toby Thaler <toby@louplop.net>; Dawson, Parker <Parker.Dawson@seattle.gov>; Lewis, Andrew <Andrew.Lewis@seattle.gov>; treepac_seattlelists.riseup.net <treepac_seattle@lists.riseup.net>; Pederson, Art <Art.Pederson@seattle.gov>; McGarry, Deborah <Deborah.McGarry@seattle.gov>
Subject: Re: Magnolia tree ignored in Phinney Ridge 7-pack

CAUTION: External Email

How many of these tree deaths does it take to motivate political action? We have a development virus attacking trees, please, maximum density is not by far the highest virtue in Seattle.
Irene Wall, Phinney Ridge

On Mar 28, 2020 6:00 PM, David Moehring <dmoehring@consultant.com> wrote:

We either need *climate-conscious design* (Note 1) or we need an *easier-to-enforce tree ordinance* which requires the SDCI Planners to exercise their discretionary authority in requiring responsible design that accommodate BOTH added density and space for trees.



Please keep me informed to share with TreePAC the development at **604 N 43rd Street** (Note 2). A notice of Land Use Application to allow a 3 story, 7-unit rowhouse **townhouse** building was issued by SDCI and was approved following Department review in January. Surface parking for 3 vehicles proposed for the 7 market-rate rowhouse dwellings. The existing building is to be demolished and dumped into a landfill. Zoning is LR1 (M) on a 5,000 square foot lot.

Why was this approved without consideration of alternatives to retain the large magnolia tree?



Where to start? Please take a quick look at the attached PDF (image repeated as well) that shows a common maneuver to juxtapose the location of dwelling units while still providing the same floor area and dwelling count.

What is Seattle's big picture? As one may see from the before (2009) to current (2019) aerial views in the attached PDF, Seattle is **on pace to the extinction of the urban forest and its natural habitats**. We are able to have both urban DENSITY and urban TREE CANOPY... but only if we enforce regulatory guidelines.



We are losing too many trees and not providing land for replanting within the locality of canopy loss.

Thank you,

David Moehring
dmoehring@consultant.com



Note 1 - such as demonstrated a few years back with 6 row-houses within the Ballard HUB at NW 61st St and 20th Ave NW

Note 2 - Date of Application: February 20, 2019 Date Application Deemed Complete: March 1, 2019

Note 3- Arborist report may have intentionally undersized the Magnolia tree by 1 inch to get below the Exceptional threshold

[Arborist Report](#) 1020 KB 11/26/19 [3033470-LU](#)

[Plan Set - Land Use](#) 11 MB 02/19/19 [3033470-LU-001](#)

Below: the redmarks demonstrate how the number of parking and units desired could have been achieved while saving the large magnolia tree.

From: Rosanne Tobin <info@email.actionnetwork.org>
Sent: Sunday, March 29, 2020 12:37 PM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Please Strengthen Seattle's Tree Ordinance

CAUTION: External Email

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

TREES ARE THE ANSWER!

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation

- (SDOT) – to cover all Significant Trees (6” and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
 3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24” DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
 4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
 5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
 6. Post online all permit requests and permit approvals for public viewing.
 7. Expand SDOT’s existing tree service provider’s registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
 8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Rosanne Tobin

rosanne97@hotmail.com

6513 27th Avenue NE

Seattle, Washington 98115
