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Re: Statement of Legislative Intent (SLI) MO-001-A-002

Date: June 9th 2021

Recommendations Summary:

1. The City retain an outside, independent consultant to review best practices for municipal urban forestry management structures
 2. The UFC and staff meet in deliberative sessions
 3. Focusing the scope of the SLI Response to address specifically city-wide and private property related urban forestry authority and accountability
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Dear Mayor Durkan and City Council Members,

As part of last year's budget process the Urban Forest Commission (UFC) was tasked with reviewing the City's overall forestry management in the [Statement of Legislative Intent MO-001-A-002](#). Specifically, this request asked that the UFC:

"...evaluate models for consolidating the City's urban forest management functions and, based on this evaluation, make recommendations on how changes could be implemented"

Additionally, this task is presented as one that the UFC, Executive, and staff work on in partnership. As the UFC has not received a message from the Executive or staff on this issue, the UFC takes this opportunity to formally offer our expertise in working on this together.

Background

In 2009 the City executed three critical efforts to finally tackle the ongoing environmental destruction in the form of tree loss in Seattle. The UFC was created, the (very outdated, and still in effect interim tree code was adopted), and the City Auditor's Office [reported on tree management](#).

The City made substantial progress on the Auditors findings. In [2011 a status report](#) was issued by the Auditor evaluating 13 specific recommendations related to urban forestry management identified in 2009. By June of 2011, nine of those items were completed; four were not complete. Of those four¹, three to this day remain unaddressed:

¹ Item #171 "The City needs to conduct an inventory of City-managed trees." was marked as no further follow-up planned in 2011. However, in the ten years since, SDOT has launched a compressive tracking of street trees, Seattle Center has completed numerous tree inventories, and Parks' data continues to improve.

#163 - The City should adopt new tree regulations for tree protection on private property.

and associated:

#164 - The Department of Planning and Development needs to conduct an analysis to determine resource needs for implementing the new tree regulations

Tragically, both items are noted in the report as having implementation dates of 2012. The UFC looks forward to continuing work on tree regulations with Staff, Council, and the Executive with an adoption goal of this year, 2021.

The remaining item relates to the SLI and the City-wide management of the urban forest:

#174 - The Mayor or the City Council needs to clarify the Office of Sustainability and Environment's roles regarding its authority and accountability for implementing the Urban Forest Management Plan (UFMP).

and associated note:

The City needs to have a single, executive-level official or entity that has clear authority and accountability for 1) implementing the UFMP's goals, 2) setting program priorities, and 3) resolving conflicts)

It is the understanding of the UFC that addressing these remaining challenges, and the accelerating tree loss in the city, is the goal of the SLI MO-001-A-002. The City still does not have a single entity that has clear authority and accountability, particularly when it comes to trees on private property, and the UFC believes that such authority would improve the urban forest and health and wellbeing of the city. Related, the SLI outlines:

"...evaluation should consider whether to transfer staff and regulatory authority from SDCI and SDOT to another department or office in order to improve Seattle's urban forest, particularly in regards to the removal of trees."

SDCI is currently accountable for the majority of trees in the city, vast a majority of available planting space, and the management of the trees under greatest threat. SDOT, along with SSC manage private and public trees associated with the ROW. SDOT has continually revised its tree management practices over the past decade and now is a leader within the city when it comes to tree tracking and accounting, tree protection, maintenance, permitting, and tree-care provider management. SDCI is still delinquent on action related to the 2009 and 2011 auditors report, [Director's Rule13-2020](#) superseding DR 16-2008, required enforcement and tracking of expectational trees under existing SMC 25.11.090 and [MHA legislation Ord 125791](#), [Council Resolution 31902](#) and [Executive Order 2017-11](#).

Recommendations

The UFC will issue complete recommendations, hopefully in concert with Executive and staff, in a formal response to the SLI in September. Those should include the recommended: (1) potential timeline for implementation; (2) consider staff involved in policy development, permitting and inspections, maintenance, community engagement, and stewardship; (3) identify code amendments needed to effectuate any changes; and (4) provide an estimate of costs, including potential savings, for implementing the proposed reorganization.

At this time the UFC requests:

1. **The City retain an outside, independent consultant to** review best practices for municipal urban forestry management structures.
2. **The UFC and staff meet in deliberative sessions** to share expertise, and ideally align recommendations to produce a coherent and unified response to the SLI. Without deliberative sessions, the UFC will produce its own set of recommendations on these issues.

And the UFC recommends:

3. **Focusing the scope of the SLI Response to address** 1) City-wide forestry authority and accountability and 2) specific private property authority accountability related to SDCI structure and management.

We look forward to working together on this SLI and delivering an actionable recommendation in September.