Urban Forestry Commission (UFC)
March 14, 2012
Meeting Notes

Seattle Municipal Tower Room 2750
700 5th 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
Nancy Bird
Tom Early (TE)
John Floberg (JF)
Peg Staeheli (PS)

Absent- Excused
Gordon Bradley
John Small (JS) – vice chair
Jeff Reibman

Staff
Sandra Pinto de Bader (SPdB) - OSE
Roy Francis (RF) - SDOT
Nolan Rundquist (NR) - SDOT
David Bayard (DB) - SCL

Public
Nicholas Dankers
Leif Fixen
Steve Zemke (SZ)

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 – Call to order

Chair report

SDOT report on Street Tree Ordinance Public Comment and Outreach

Roy Francis and Nolan Rundquist from SDOT briefed the Commission on the outreach process for the Street Tree Ordinance (posted below).

RF – Received comments supporting having penalties for damaging a street tree. Comments from tree service companies asked for more outreach and training.

JF – Were there any comments about the Tree Ambassador program?

RF – It did come up.

NR – It was more about how to train homeowners, because we are asking home owners to care for their trees. SDOT has been actively supporting the Tree Ambassador program.

Street Tree Ordinance Outreach Summary

SDOT's Urban Forestry section has proposed a revision to the street tree section of Title 15 of the existing Street Use Code to strengthen the requirements for protecting and preserving trees to increase the tree canopy for the City of Seattle. The proposed changes will not affect the permitting process; the permits which are required remain free of charge unless associated with other street improvements.

Public Meetings

Date	Location or group	Attendees
12/12/11	High Point Community Center – public meeting	6
12/14/11	Van Asselt Community Center– public meeting	0
12/15/11	Miller Community Center - public meeting	8
1/4/12	SouthWest Community Council– community associations	15
1/9/12	Meadowbrook Community Center – public meeting	10
1/11/12	Ballard Community Center – public meeting	9
1/11/12	Ballard District Council presentation – community associations	40
1/24/12	North Seattle Industrial Association	20-25
2/1/12	Feet First Board meeting	8
2/1/12	North District Council	32
2/6/12	Mt Baker Community Club	31
2/21/12	Magnolia Community Club	12

Announcements/Correspondence

- Public meeting announcements were sent to 100 individuals.
- Mailing to Business Owners -2250 letters in English and Spanish, from business license database and the Office of Economic Development were sent. (Of these letters, 150 were returned as not deliverable.) The business license holders we sent letters to included:
  - Landscaping Services,
  - Lessors of Residential Buildings/Dwellings,
  - Lessors of Non Residential Buildings
  - Real Estate Offices,
  - Residential Property Managers, and
  - Nonresidential Property Managers.

Public Comment Summary

Overall, in the public meetings we received good support for the direction of this proposed ordinance. We did receive a couple of comments in the public comment website as well as nice letters of support from the community groups who invited us to give them a presentation regarding this draft ordinance.

Through this outreach, we have not reached the conclusion that we will need to make any substantive changes to the draft ordinance. We may consider a delayed implementation for the certification

requirement to ensure that there is good outreach and opportunities for education to support the certification process for the small business owners to become certified and registered with the SDOT.

Maintenance responsibilities per sections 15.43.040: Many (13) of the comments worried about the obligation for the adjacent property owners to have to maintain the trees in the planting strip. Although this is not a new requirement, the public's awareness of this responsibility is scant. The proposed ordinance does not change the adjacent property owner's responsibility but it does clarify it. Other comments about maintenance responsibilities included concern about the costs to be incurred by the homeowner, particularly if the tree is at risk and determined to be a hazard. Urban Forestry is committed to working closely with the homeowner to address those specific concerns.

New Regulation requirements for tree service providers per sections 15.43.050: The (6) comments we received about the proposed certification requirement for the most part were neutral in our public meetings where we were able to explain the impacts of the draft ordinance. After we did our mailing we received a few comments concerning how this regulation will impact a small business owner (all were landscape maintenance contractors) requiring a certified arborist supervise the work on site. Ironically, we had one written and two comments at the public meetings asking if homeowners would be required to become certified arborists before being allowed to prune trees in their planting strip. It may be of interest to note that there have been no concerns brought forward that the sanctions were too steep if a tree were to be damaged or killed through the actions of a homeowner or tree service operating outside the permitted work.

Media

We have met with and have been covered by: KING TV, KOMO radio, KPLU and the WestSeattleBlog and the Ballard Tribune. Our public comment period as well as our public meetings has been posted on not less than 30 community blogs.

Interagency communications

- There have been three SDOT blog posts on this topic.
- We met with King County - METRO.
- We met with OED.
- We briefed the Freight Advisory Board.
- We will be briefing the Pedestrian Master Plan Advisory Board.

SEPA

The SEPA announcement and comment period was published and opened from January 5, 2012 to January 26, 2012. It was determined by SDOT Capital Projects and Roadway Structures -Environmental that there was a determination of non significance (DNS). There were no questions that questioned the DNS determination.

Tools

New Street Tree mapping tool for the public.

RF – some people said the ordinance was unfair because of the impact it would have on low income people. Also that homeowners shouldn't be stuck with trees planted by prior owners There were also comments about SCL pruning and whether or not the ordinance applied to them. There was also mention that 2-weeks posting for removal is too little.

NR – if there are landscape companies that do a lot of pruning and don't have a certified arborist on staff. We are asking for a certified arborist to supervise and make sure they are doing good tree work. Also, someone mentioned that their neighborhood covenant gave him the right to top trees for views, and I explained that the SDOT Street Tree Ordinance prevails.

PS – we need to educate people on pruning for views.

JF – to do appropriate pruning instead of topping. Were there any comments around gardens and need for access for solar?

RF /NR – no specific comment was made about that.

RF – Crews must be supervised on site. This gave concern as being financially onerous as a requirement for smaller companies. The City has the ability to revoke registration if work is poorly done repeatedly.

JF – what's the process for identifying badly pruned trees?

NR – Usually get calls from neighbors. Tree work companies are expected to have the permit and registration on site and need to submit it if anyone asks to see it.

RF – People usually hire a tree company if they want to prune a mature tree.

PS – the UFC talked a lot about the certification and on site supervision requirement.

MM – does this apply to all pruning or just on trees of certain size? The bigger issues is, is SDOT [planning on ramping up enforcement at the beginning?

RF – we have limited resources, but SDOT has inspectors doing other permit related work. We could educate them to be extra eyes for us.

MM – how many permits and fines did you process last year?

NR – There were only 8-10 fines. They were all for non-permitted work. When people apply for a permit, they usually do a good pruning job.

MM – we need to think creatively about how to work together

TE – If applying AINSE 3000 we would be setting the bar for legitimate business people and would be citing infractions for people that don't bother to apply for a permit.

RF – through public education we can raise public awareness about improper/illegal pruning.

JF – The main issue is unpermitted action.

NR – typically the work done poorly is by people who have no training.

RF – We would also need to determine how we are defining supervision

PS – maybe take a more defined and reasonable approach to supervision

TE – It doesn't look like that's the problem.

PS – have seen it. Something that indicates showing the permit gives the residents supervisory capacity. They are able to ask to see the permit and certification.

RF – they will work on a definition that would include something along the lines of 'before work begins, a certified arborist needs to be there providing instruction and direction.' They could then rotate around different jobs. Also the CA should rotate back and inspect the work done and address any issues.

MM – talk about the threshold on tree size. Have a permit with sign-off at the end of the job. Provide a hook to the owner group and keep everybody honest.

RF – the next steps are:

- Capturing all comments
- Respond (they already responded to most of them)
- Brief SDOT director
- Brief Mayor
- Submit to Council in late spring

They have been meeting with Council central staff all along as well has had the City attorney's office review.

TE – noticed that you have hazardous tree definition but it doesn't identify what the rating is for a tree to be determined hazardous.

NR – We are adopting the 12 points systems. Will use risk assessment to determine level of hazard. Risk management, not risk elimination.

PS – installation of street trees in ROW that might impact sewer lines is still an issue in my mind. How to clarify levels of responsibility? It hasn't been enforced but the wording is there.

NR – the ordinance applies to Main lines.

RF – we have an MOU with SPU to deal with conflicts between street trees and utilities.

Urban Forest IDT briefing on 2011 Progress Report and 2012 Work Plan

Sandra provided a briefing on the 2011 UFMP progress report and the 2012 work plan. Documents can be found at:
Progress report:
http://www.seattle.gov/trees/docs/UFMP%20Status%20Report%202011.pdf
2012 work plan:
http://www.seattle.gov/trees/docs/2012%20Work%20Plan.pdf

JF – Are you planting saplings?
NR – We plant 1.5" DBH trees
RF – we provide establishment maintenance for three years
JF – do you have mortality statistics?
NR – about 5%

PS – need to come up with a more creative way to protect our conifers while planting. Do we know how many trees were planted in the ROW by developers?

SPdB – I'll ask DPD

JF – we probably won't see more conifers if the UFC doesn't push for them
MM – we need to find opportunities in wide planting strips to get conifers in there.
PS – we need to increase
MM – need to stress that conifers are better for diversity in the education piece.
PS – there is the fear factor about safety
TE – that's another education issue
MM – Maybe SDOT can find groups to do joint workshops to further educate
RF – SDOT is planning to hire an intern to field research and help inform the canopy cover goal.
NR – had a conversation with the Freight Advisory Board. They want freight mobility.
JF – could some of that field work be done to provide a snapshot of the industrial area?
RF – yes.

UFC comment to Yesler Terrace Tree Protection Plan - vote
MM – had a conversation with Dave LaClergue and made changes to the recommendation draft.

> **ACTION**: **A motion was made to approve the recommendation as amended subject to quorum. The motion was seconded and carried. Commissioner Staeheli recused herself. Commissioners Bradley and Reibman voted via email.**

Public comment
SZ – Thinks it's a good idea to require an arborist's signature at the end of pruning work. In re-development situations they frequently build to the lot line. In the Ingraham case they could have planted bigger trees. Outreach could use environmental groups besides blogs. Send the information to community councils also. He hasn't heard talk about habitat value in the argument for trees. Discussion on what type of wildlife we'd like to see in the city.

MM – things get tougher. Birds are height dependent. We also need to talk about the understory.

Next meeting agenda items
MM – I'll make a presentation on my findings on city-wide canopy cover. The following week we'll work on creating review standards for large projects.

Adjourn