SEATTLE URBAN FORESTRY COMMISSION

John Floberg, Chair • John Small, Vice-Chair
Gordon Bradley • Tom Early • Leif Fixen • Matt Mega • Jeff Reibman • Erik Rundell • Peg Staeheli

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

March 6, 2013
Meeting Notes
Seattle Municipal Tower Room 2750
700 5th Avenue, Seattle
3:00 p.m. – 5:00 p.m.

Attending

Commissioners
John Floberg (JF) - chair
John Small (JS) – vice-chair
Gordon Bradley (GB)
Tom Early (TE)
Leif Fixen (LF)
Matt Mega (MM)
Jeff Reibman (JR)
Erik Rundell (ER)
Peg Staeheli (PS)

Staff
Sandra Pinto de Bader (SPdB) - OSE
Tracy Morgenstern - OSE
Janet Oslund - DPD
Art Pederson - DPD

Public
Irene Wall
Steve Zemke

Absent- Excused

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

Public comment

Irene – in order to send a powerful message to those that are removing large mature trees and tell them do not remove that tree if there is any way to protect it. In this situation I can't imagine why it was not possible to save the tree. Don't want to reward the behavior of removing trees that should have been preserved by awarding Green Factor points. That tree was at the edge of the parcel being redeveloped. Why was this tree removed in the first place and how will we ever replace the canopy in the very little space provided for a tree. There are two other trees that are supposed to be saved. The question is can you get 4 large trees in that small space and expect them to thrive. The other lesson is that in an urban infill situation in steep slope where every other developer is burying parking, why didn't they do that in this case. To allow surface parking even if it's pervious and allow green factor points and removing that large tree is criminal.

Approval of February 6 and February 13 meeting notes

ACTION: **A motion was made to approve the February 6 meeting notes as written. The motion was seconded and carried.**

ACTION: **A motion was made to approve the February 13 meeting notes as written. The motion was seconded and carried.**

Climate Action Plan presentation – Tracy Morgenstern (OSE)
Tracy talked about the Climate Action Plan process.

Seattle has the goal of being carbon neutral by 2050. For 2020 and 2030 they have intermediate targets related to transportation, building energy, and waste. The City is also working on preparing for climate impacts.

The CAP process started with community outreach. Technical advisory groups met to talk about the different sectors. The Mayor created the Green Ribbon Commission and they issued recommendations. Currently they are receiving public comment. The expectation is to adopt the Climate Action Plan in the Spring of 2013.

They used the public outreach and engagement liaisons to have community conversations using visual showing community outcomes of the proposed strategies. They had 14 meetings in nine communities, in native languages. 305 residents participated. They also ran stories in ethnic media.

The Green Ribbon Commission was formed by 26 community leaders. They had 14 meetings over six months. Their recommendations were informed by input from the technical advisory groups. They established bold, long-term strategies, quick start actions, and guiding principles.

OSE will be working on a comprehensive assessment and planning process for climate adaptation. They'll look at natural systems, utility impacts, land use and the built environment and community preparedness.

Trees in the climate context:
Trees and other vegetation are at risk from emerging disease and insect pests and may be weakened by changes in growing conditions; trees support wildlife and enhance the livability of developed urban areas; and help keep our city cooler by mitigating the heat island effect and reducing stormwater runoff.

Urban forest actions identified thus far are:
- Thermal imaging to identify areas impacted by heat events
- Restore all 2,500 acres of forested parkland by 2025 through the Green Seattle Partnership
- Urban creeks projects
- Green stormwater infrastructure

Next steps:
- Currently considering Technical Advisory Group, Green Ribbon Commission, and community input to develop the Climate Action Plan.

- Plan to be released on Earth Day (April 22)

Tracy would like to get feedback from the Commission.

PS – there are some neighborhoods that don't have trees
Tracy – The proposed action is to do a heat map. The actions in the CAP are higher level, to optimize we would need more input.

JR – I'm behind tools to prioritize investments. Add layers beyond thermo mapping. Is there anything about creating intensive ecosystem services pockets by parcels of land. For example, to dedicate a parcel of land to neighborhood composting, or stormwater mitigation by neighborhood. How to boost ecosystem functions of a neighborhood to reduce carbon footprint.

PS – recognize our city is diverse. Maybe prioritize one aspect of a neighborhood. Is there outreach?

TE – in the land use section are you discussing ways of dealing with raising sea levels?

Tracy – no. we are doing it a regional level. We have inundation mapping and will develop adaptation mapping in the next two years. Develop worst case scenarios. Impacts table will go in the final plan.

JF – does the plan come with money?

Tracy – the plan looks at founding sources and opportunities

JF – do better studies to figure out the benefits trees bring to stormwater infrastructure.

Tracy – we don't talk about offsets. The plan is focusing on reducing emissions.

PS – heat island – how do we measure or put action items? Large trees are difficult to get in the ROW and only these trees will have an impact on the heat island effect. But they need to get planted now to have an effect by 2030-2050.

Tracy – She would need comments by Monday. The majority of tree-related issues is in the adaptation section.

JS – air conditioning units are significant sources of emissions and as days over 80 degrees increase, people are going to be buying A/C more.

Tracy – SCL is looking at that and they are not too concerned

JS – composting and bio-fuels are two items that you can come up with different results, depending on how deep into the data you go.

Tracy – don't look at urban trees as carbon sinks due to their short life span

JF – UFSP would be great to have Council approve it. Is that happening to this plan?

Tracy – yes. Council is driving the CAP and will approve it.

Gordon – under natural systems slide – there is a recommendation for forest protection. Looking at saving trees as existing infrastructure (just like buildings) protect tress besides inside of GSP and forested parklands.

PS – keep the message to protect trees very strong

Tracy – the CAP is a very high level plan that will be implemented through other plans such as the Pedestrian Master Plan, the Bicycle Master Plan, the Urban Forest Stewardship Plan, the Freight Plan, etc.

PS – make sure all efforts are integrated.

Tracy – 2015 action includes integrating transportation, land use planning, and looking at other ways to have better integration.

JS – GSI – focus on redevelopment areas? Or retrofitting existing infrastructure?

Tracy – they will work on developing a policy and an implementation strategy.

Phinney Avenue project – Janet Oslund and Art Pederson
Janet talked about the different steps in which DPD identifies trees and make sure landscape is installed and maintained as planned. There is a checklist that they fill out. The inspector looks at the site plan and makes sure trees are correctly marked in the plan. The project is reviewed to make sure it complies with Land Use code and tree protection ordinance. For any decisions around trees DPD relies on the project arborist (smaller projects do not necessarily have a landscape architect, but they all have a tree professional). There is a site visit before the foundation is poured.

PS – how is a multi-stem species accounted for? We might need to clean up the tree list based on size of multi-stems

TE - were there any correction notices coming out of this?

Janet – yes, a correction was written.

Irene – the correction was only written after the tree was cut down.

Janet – they said they were keeping the tree so we assumed they were doing so.

JS – if you are relying on the applicant to provide accurate information you should require the dripline to be shown.

TE – if the applicant makes a mistake and cuts a tree that should have remained there should be serious repercussions for the project.

PS – we have to make this a more credible process.

TE – isn't there also conflict of interest?

JR – things are done the same way for everything. The City relies on professionals' opinion.

JS – and professional standards, which is where we have a gap here

PS – I think realistically, the tree was dead on arrival due to the way they excavated that retaining wall

JR – if a tree is going to be retained, then you get a comment saying 'show defenses and show the dripline'

PS – that happens for bigger projects

Janet – reviewers are looking at erosion plan

JR – did they follow it?

MM – does DPD have arborists on staff?

Janet – we consult with City arborists and we now hired back Al, who is very knowledgeable about trees. When a project is being built, the inspector is trying to keep the project moving.

PS – we need to figure out how to support reviewers to get more information on the trees on a project

Janet – there is the streamlined design review process that allows changing the code to save trees. There is extra cost and the perception that it will take a long time. Requires a Master Use Permit.

PS – I thought it was an easier process because we are saving the tree… but a couple of months for a small development like this would be a huge impact.

Janet – this tree was over 2 feet but was not exceptional. Project had enough large trees being preserved so they didn't need to keep that one tree.

JS – other issues I have with the site plan – I've been required to show an existing condition plan. Without comparing existing to proposed condition there's no way to assess impacts on trees. There might be a bigger tree off-site that is being affected by the project.

Janet – the problem is that if they put too much information on the plans it becomes very hard to read.

JR – many times they end up eyeballing the size of trees on other properties because they don't have access to the property to measure.

PS – I see the lack of skills in DPD as an issue. When we changed the law to protect large trees we turned trees of a certain size into a different category worth protecting and I don't think we've realized how to apply this. We can't have a law like this and not follow through.

Janet - we are also seeing that developers are not buying sites if they have any trees in them.

MM – how often does DPD reviewers get on the same page (like an audit) about projects.

Janet – we do have staff meetings where we talk about projects, but it doesn't happen when a project is being built. We want to keep it moving forward.

PS – I think that tree could have been saved. We need to get the point across that we are protecting large trees and the image in the placard appears to be that of an ornamental tree.

JS – do inspectors verify tree diameters?

Janet – no, they don't. We rely on survey information and information provided by the tree professional.

PS – the tree should be measured in pre-inspection. That is the stage where the City can give important feedback to the project team.

JR – even if the size of the tree is eyeballed, they can ask for positive ID for that tree.

MM – Green Factor should have helped save these types of trees

JR – This is about quantitative amount of landscape

Janet – something needs to change in the consciousness of the reviewers

Art – I created a draft placard taking the idea from SDOT. The idea here is to have the placard be a requirement. Asking for protective fencing, and if that is not possible then mulch and plywood to protect the drip line.

New business and announcements

JF – Leif wanted to know what do we done for comment on the DPD issue brought to us.

PS – the starting point is DPD's code. Smaller projects are the issue.

MM – we need to come up with a protocol on what inspectors should do.

PS – Green Factor is not a tree protection system.

JR – we might want to do test cases under tree point system for L1 and L2 sites.

Adjourn

Public comment:
From: Michael Oxman [mailto:michaeloxman@comcast.net]
Sent: Wednesday, March 06, 2013 4:31 PM
To: Pinto_de_Bader, Sandra; Bagshaw, Sally
Cc: SeattlePOSA@yahoogroups.com

Subject: Public Comment to Seattle City Council Parks & Neighborhoods Committee and Urban Forestry Commission

Howdy,

Thanks to you and the urban foresters & arborists who maintain Seattle's trees.

I've reviewed the presentation on Parks Service Plan Levels http://clerk.seattle.gov/~public/meetingrecords/2013/parks20130307_2a.pdf for the March 7th meeting.

Agenda: http://clerk.seattle.gov/~scripts/nph-brs.exe?s1=&S3=Parks.COMM.+and+Neighborhoods.COMM.+and+%40DATE%3E%3D20100000&s2=&s4=&Sect4=AND&l=30&Sect6=HITOFF&Sect5=AGEN1&Sect3=PLURON&d=AGEN&p=1&u=%2F%7Epublic%2Fagen1.htm&r=1&f=G

I have a few suggestions to save money by aligning the Parks tree planting program with SDOT's tree establishment program.

Please consider consolidating the SDOT tree program with the Parks tree program. It is redundant to have 2 separate departments that do exactly the same thing with less than 10 employees each.

Parks should adopt SDOT's tree planting budget category that includes costs for watering, stake adjustment & removal, pruning, mulching, etc. during a followup period of several years.

This 3-5 year program is known as the tree establishment period. SDOT did this because year to year budgets often allow forgetting all about the fact that trees are very delicate during the first few years of life, and any oversight discards the financial investment made up until that point.

Besides the planting and young tree establishment category, there are 3 other categories to save money on, Tree Pruning, Tree Removal, and program administration.

The City Council has never asked staff how much the optimal service level is for tree maintenance. I feel they are afraid to ask this question because if risk is documented, but ignored, liability from claims is increased. This fear can be obviated with scheduled tree maintenance, which is a pragmatic defense against liability claims. A more real fear is what the voters would think of public officials who supervise over a half a million trees on 3,500 parkland acres, yet only employ 6 field arborists to deal with them.

Unfortunately, Seattle only provides on-demand tree services generated by calls to create work orders for staff to carry out. This is similar to DPD's laughable complaint enforcement system.

Tree inventory also includes documenting the human & equipment resources to deal with them. Because there is no tree inventory, our tree administrators cannot really administer effectively. If we were to ask how many crew hours would be necessary to prune every tree, the result would be a dollar amount. If we then divided this sum by a reasonable number of years (7-10) between prunings we would have a yearly budget.

Currently, no publicly available records are kept on how many trees are planted, pruned or removed in any year. Portland, Oregon publishes a monthly newsletter with combined Parks and Street tree reports.

Also, no records are kept of the canopy area (dripline width) of trees worked on by staff arborists. This does not track performance metrics of progress toward our 30% citywide canopy goal from the current estimate of 23%. This fault is detailed in the 2009 Seattle City Auditors report, "Tree Management Can Be Improved".

Much of our tree population consists of mature trees, and removal costs are increasing as years pass and the trees get larger. If we consider the emergency nature of tree removal, too big a chunk of our budget is spent on geriatric tree removal. The only way out of this trap is to extend the lifespans of young trees by structural pruning during the first 10 years of life. My information is that this is the last priority. First priority is for deformed trees and trees that have developed space conflicts with adjacent structures that need clearance pruning.

Thanks.

Arboreally yours,

Michael Oxman
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www.treedr.com

Michael Oxman

From: iwall@serv.net [mailto:iwall@serv.net]
Sent: Wednesday, March 06, 2013 8:59 PM
To: Pinto_de_Bader, Sandra
Subject: Follow up to today's Urban Forest Commission meeting

Sandra,

Please forward this message to the Commission members. Thanks.

Members of the UFC,

Thank you for devoting so much time today to the "reverse engineering" of the DPD process for (not always) protecting trees. There was a question about the zoning for the project example today. The site is zoned LR3 according to DPD's permit records for project 6318733.
I believe you identified several areas where improvements should be made:

1. In the culture at DPD which places a low priority on tree preservation relative to other goals.

2. Close gaps in training for planners so they feel more interested in and empowered to find ways to protect trees.

3. Giving all large trees the benefit of the doubt and verifying their dimensions. Having these measurements with photo documentation (so easy to take picture of a tape measure around a tree trunk) at the intake meeting so tree protection measures can be built into the process from the beginning.

4. Strengthen the rules and standards for measuring and showing real drip line dimensions on all relevant dwgs.

5. Requiring a licensed professional LA or arborist opinion on the health of trees above 6-inch dbh on a development site for the intake meeting.

6. Require more descriptive site photos of "before" conditions. As was pointed out, there is a huge difference in perceiving the size, canopy, overall health and site relationships of trees in a photo versus as a symbol on a survey.

7. Improve the carrot of large tree preservation in the Green Factor. Large trees should greatly outweigh the benefit of planting a few street trees (which Ms. Morgenstern admitted to writing off as a global warming offest because they are so short lived. Certainly using pervious pavement for surface parking should simply be a code requirement, not a way to earn Green Factor credits.

8. There has to be some significant financial consequence for failing to protect large trees after making a commitment to save them or for not saving them when a small effort would do so. The 5201 project is a good example of this. DPD should NEVER have approved the surface parking as configured for this site where doing so clearly allowed over excavation. Squeezing three silly 12-foot wide floorplate "row houses" onto this site is a separate land use crime but doing so is complict in the loss of the WRC and turning the other trees into future hazards.

9. The code for replacement of large trees should be strengthened so that they are not simply replaced by spindly trees. Also verify how the canopy calculations are done to prove replacement trees can achieve the code required canopy "at maturity" and when maturity will occur.

10. Only trees on the large tree Green Factor guidance sheet should be accepted as replacements trees when mitigating for the loss of large native trees. That way designers would not be tempted to offer poor substitutes in the Correction Notice cycle as occured here.

Other ideas / Issues / Answers still needed

We need a shaming campaign focused on developers who make removal of trees a condition of purchasing a property or who make no effort to design for tree preservation.

Inspectors should also receive more training on tree protection. In the case before us, some inspector had given a "pass" based on inspection for ground disturbance. This occured at the same time I took photos of the over excavation at the site. So clearly the inspector failed to notice the problem.

We should know why the WRC was cut down in this case, and why this was done without notifying DPD. If the developer determined that the WRC was so damaged, DPD should have been informed before taking action. Clearly it was not necessary to cut the tree down on a Sunday morning as occured in this case.

What criteria was used to decide that the two, 2-inch Pinus Contorta will meet the code regulations of 25.11.090 - in the crowded space with little room for roots to spread out?

As Janet mentioned, DPD requires that a "professional" prepare a landscape mainatenance plan for the trees and other vegetation associated with the GF permit. This is given to the Owner and DPD has no part in ensuring its adequacy. Worse, this is largely meaningless because there is no penalty to the "Owner" - in most cases a developer - after they sell off the housing sitting on the little Unit Lots they have

created. So who is the owner responsible for maintaining the permitted landscaping? This is no longer a matter of aesthetics alone. Which of the 3 owners in this case will be made responsible for ensuring that the 2 code-required replacement trees survive, let alone thrive long enough to meet the permit condition?

Again, thanks for giving this matter your continuing attention. If there is anything else I can do to help, I will be happy to.

Irene Wall
Phinney Ridge