Urban Forestry Commission (UFC)
July 18, 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
John Small (JS) – vice chair
Nancy Bird (NB)
Gordon Bradley (GB)
Tom Early (TE)
John Floberg (JF)
Leif Fixen (LF)
Jeff Reibman (JR)

Absent- Excused
Peg Staeheli (PS)

Staff
Sandra Pinto de Bader (SPdB) - OSE
Brennon Staley - DPD
Mark Mead - Parks
David Bayard - SCL
Glen Allen - SCL

Guest presenters
Dale Bahna – US Forest Service
Karis Tenneson - UW
Lisa Ciecko - Forterra

Public
Donna Kostka
John Dixon
Cass Turnbull
Tina Cohen
Margaret Thouless
Michael Oxman
Pat Whempner
David Miller
Steve Zemke
Richard Ellis

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

i-Tree Seattle report brief – Dale Blahna (US Forest Service, PNW Research Station), Lisa Ciecko (Forterra), and Karis Tenneson (UW)

Dale gave the background on how this i-Tree effort came about. Applied for federal funding to do several research projects. One of them was invasive species that would include King County. Projects related to stewardship. Studies on motivations and benefits with forest stewards. Have taken the funding and working with several partners. Partners have said they need more and relevant data for management purposes. There are approx 6 months left of federal funding left.

Lisa, will also be doing a technical report. This draft is specific to the city of Seattle. This is similar to what has been done in other cities such as LA, Chicago, Houston.

Karis walked through the content of the report.

Lisa Ciecko – the main intention is to provide information on the urban forest in the City of Seattle.

TE – The cost issue. Did going back and doing this research agan reduce the overall cost?

LC – she will go back and check her notes. Those cities used a different group format for that. The Seattle project cost approx $130K. Hired a PM and UW and USFS staff. Two crew members for 7 months of data collection.

JF – would you recommend doing this again?
LC- we could explore a different format to see if cost could be reduced.

JF – if you were to add triage to it how much would it cost?
LC – that's a totally different approach.
Karis – might be more difficult in Seattle with private lands

JS –It would be nice to know that the hydrological benefit of the work. So it's clear instead of people thinking there is no significant value…
DB – couldn't incorporate i-Tree hydro this time around.
JF – might be good to include something in the conclusion or recommendations

LF – were the trees also GPS'd?
LC – no they were plot mapped

GB – how does this data match existing inventory data
SPdB – Because of different methodology used in the tree counts (i-Tree considers any woody material with 1" or bigger diameter to be a tree; also with multi-stemmed that join below ground each stem is considered an individual trees), the numbers derived by i-Tree were too large compared with the inventory numbers that SDOT and Parks have. We decided to use a city-wide range. We need to do additional analysis of the i-Tree data.

JF – ability to extrapolate to the zones. Can you also talk about this and clarify it in the conclusion.
LC – connected land use with the zones. Estimates you are seeing are for the management units as defined in the UFMP and as they are currently laid out. We can do that with the existing

data. Some major institutions fall inside of the single family MU. The sample was determined using the GIS layer.

JS – if we had statistically valid data for neighborhoods. How to get the UF in a similar condition by neighborhood.

LF – ground cover. What are potentially plantable sites in the city. If we were to plant all available plantable spaces, would we get to the goal?

JF – good data on tree size, current and projected. What we don't have is how this will change over time. Ground-truthing on trees that actually realize their size potential. Is it really better to plant a large tree if it never realizes maturity. Or planting smaller trees that will be able to get bigger.

LC – WA DC has 3 cycles of data. Would like to see the comparative results. Please email me your feedback. If it doesn't get into this report it will get into the technical report.

JF – UFMP talks about health and vigor
LC - % dieback is the way to measure that.

JS – collect data on invasive species.

DB – will be doing a summary overview for all the ARRA projects.

LC – smaller particulate matter is also included in the new version. We need to see if we can manipulate the data further.

LF – can you pull out the shading of buildings? Are you doing proximity to buildings?
KT – the energy efficiency piece might look into it.
LC – proximity to the building is considered if closer than 18 feet. Can't get into the model and make tweaks to make it Seattle specific.

TE -might this change?
LC – itree staff is focused on having this be a national model. Local application is not a priority right now. There is a lot of local data such as pollution values that are specific to Seattle.

Extended public comment
Donna Kostka- She is parts of friends of parks stewards for Kiwanis, where 90 pairs of great blue herons are currently nesting. She wants to offer testimony on DPD's regulation. DPD has forgotten blue herons. Trees have another function besides making human homes look good, they provide home for wildlife. #11 on the fact sheet. DPD's proposal should apply to the 500 foot buffer around Kiwanis memorial reserve park. Directors rule 5-2007 is lacking in year around protection for trees. They are being removed from the buffer area. Without further protection it will be tree free (Full text included in the community comment section below)

John Dixon – take a close look at Portland's new tree ordinance to take effect February 2013. Require tree permits…. Tree for tree replacement, inch for inch mitigation for removing big healthy trees. Petitioned DPD in 2009 to investigate several exceptional trees. If exceptional tree ordinance is to be enforceable it needs to be removed DPD from enforcement of this ordinance. SPU values trees. The more trees we have the better we are. DPD is hostile to trees, and don't regard trees as infrastructure.

Cass Turnbull –24" is too big a threshold on the DPD ordinance to make any kind of difference on the tree cover in Seattle. 50% of trees have been already lost. We need to take bold action, this is minor improvement. People are concerned that the public will be upset when you are told you need a permit to remove your own tree. People will get over the fact that they have to have a permit to remove a tree.

Tina Cohen – Is a certified arborist and does a lot of work for Kirkland. Checks tree removal permits. Kirkland regulates all trees 6" and greater. There are allowances where they can take out 2 trees but still have to notify the City and there is no cost for that.

Margaret Thouless – I have a series of questions. The DPD proposal doesn't give adequate protection to trees in private property, why is tree ordinance in DPD's hands? Why not have an urban forestry division above, within Parks, SDOT or SPU. How did they arrive at 24" as a threshold? i-Tree shows that we have very few large trees. I thought it was because that size tree couldn't be taken out by the home owner.

Michael Oxman – I ask you to pass a tree ordinance that is progressive not regressive. This has backfired on you, you will be asked to rubber stamp repealing protection of trees. You thought you were giving recommendations to City Council and the Mayor. The info about the tree inventory is too late. i-Tree report is not done. How can a tree ordinance have been presented without conclusive data? i-Tree was paid with federal stimulus funds but this study is two years too late. Why does it take three years to get this data?

David Miller – president of Maple Leaf Community Council. We forget a lot that there is a significant public safety issue. If you want to do electrical work in your house you need a permit and a professional. Look at the public safety aspect of this and require professionals to do this work. The 25% bonus is specific to evergreens. We need to make it specific to conifers. Mimic SPU's data that make conifers 50% more valuable. Atlanta has a very strong permit program. Useful for UFC to talk to SPU about that. Strongly recommend to advance street tree proposal now and to not tie it to this. Only department that saw increase in canopy in the last assessment was SDOT.

Steve Zemke - Sent two emails that you should have. What you have are two proposals. The City's and what Portland did. They did a public outreach process, hundreds of hours and involving many people. DPD came up with proposal out of the public eye. They removed the single family zone exception. Treat all trees across the city the same. Tracking trees across the city not exempting utilities from the process. Up to 20" for exceptional trees, require tree replacement that Seattle doesn't propose. With no replacement we won't advance UFMP goals. Need to do your work, please read the Portland tree ordinance and see what's left out in the

Seattle ordinance. DPD is basic dealing with trees under the permit system and private property trees are not being protected, eliminates tree groves, it's a step backwards in terms of private tree protection.

Richard Ellison – Gave a timeline of work related to urban forestry. Resolution in 1997 – develop city-wide standards, develop heritage tree program. By 1999 evaluate all city efforts. 1994 resolution with a bond to protect a tree during construction. 1999 tree resolutions and action plans. In this proposal heritage trees are not protected unless they are 24" in diameter. Many trees will never mature to 24" in diameter and are not protected. Tree groves are not protected and this is outrageous. 24" is the cutoff; there are a lot of great trees that are not being preserved. Wildlife issues are not being addressed in this ordinance.

MM – will form working groups to get this work done before the end of public comment in September. Has question for John Dixon and Steve Zemke, Portland has type A permits (technical) allow cutting of 3 trees/year 20"or less. Want to have feedback from them to see if they agree.

SZ – the 4 trees per year are too many. It does require replacement. It's not going to be free to take a tree down. They'll have to pay on site or off site. It's a question of slowing people down cutting trees down. Gives them pause and educates them. It's a step beyond what we currently have. Need to replace trees removed to get to no net loss. Vancouver has one tree/year. Let's go that way.

MM – wanted to get into the public record that there are good and bad things in all approaches. Other cities are dealing with same issues.

John Dixon – BS said last week that DPD's proposal is the strongest in the NW and it's not the case. Shoreline is coming up with a permit system. 56% of the land base is in SF lots, if we are going to get to 30% canopy cover. We need to tackle the SF situation.

MO – can't get as much info from Seattle as it is in Portland.

SZ – how do we track tree loss? The lower you make the diameter to track with a permit system, the more information you can track (if permit is free).

MM – the UFC has supported the permit system and were pleasantly surprised that there is a permit in the proposal.

LF – i-Tree would be a good way to get a picture of what's happening if we do it every 5 years.

SZ – do a tree wiki like Philadelphia and San Francisco have so people can enter information themselves.

Cass – if you require people to get a permit to remove tree on their land, even if the permit is granted, it tells the public that the tree is valued by the community. Acting as a utility for everybody, not for just them.

GB – how does the Kirkland permit works.

Tina – for removals outside of development the city is to be notified, allowed 2 trees/year to be removed if they are not their last two trees. No cost. Can go to city hall or on line. That way they know what has happened if there is development later. If they wasn't to remove XX trees, they get 2 for free. Urban forestry is a division of DPD. All permits come to her, she does a site visit.

GB – when on non-residential location. How are people made aware of the permit being required? How is it monitored?

Tina – don't have statistics. Kirkland has a strong compliance department that issues fines. Don't know if you can know that there is full compliance. Kirkland has doubled in size due to annexation.

GB- a concerned is that there is no fee or is not a punitive kind of thing, but mainly to track what's going on. To what extent can we get compliance?

Tine – notification is voluntary. Only if they take more than their 2 they absolutely have to have a permit and an arborist letter. It's $200 and they have to pay an arborist.

JR – is this only for projects in development cycle or all.

Trina – both development or tree removal outside development.

JR – for tree removal outside development. What criteria allows the removal – hazard or nuisance? Get two for free and anything else would have to be hazard or nuisance.

UFMP update and DPD tree ordinance recommendation letters – initial conversation
MM – we don't have a consensus of all commissioners. A small group of Cs met and provided comments to MM to convey to the Mayor.
Vision and trees are infrastructure.
Pleasantly surprised that there is a permit system but 24" is too large a diameter.
Groves have been taken out but need to look at things holistically
3 trees/year rule, FUC agrees it has not worked. Have to come up with a way to look at the majority of trees not covered in the 24" rule.
Mitigation and replacement need to be addressed.
How to ensure that there is no net loss.
Don't want to get too much into the weeds.

On UFMP: thank you for coordination. Goals have not changed. Important to do so until we get more data. Going back to vision and look at age, species diversity. Need to inventory better to know what we have and know whether we are making progress or not. Look at management of trees to make it easier for public to understand.

JF – works on the UFMP and DPD. Create a department of urban forestry. Where does that fit? Do we talk about this stuff now or later.

JR – it came up once is looking at opportunities to partner with arborist community. Permitting proposed is a really good start and could be a springboard. Businesses working in city doing harm. City has an interest in changing that. 24" threshold is huge for public safety.

NB – give a pitch for the big picture. A larger vision needs to be in place. One place to go and what's the right department.
JF – experience of googleing 'tree' and getting a lot of confusing information.

JS – UFMP update needs to tackle strategy of organizational. It's a long way from an integrated approach to management.

MM – can we go up to 100 and not overwhelm the process.

NB – changing how we manage trees, not directly captured here.

MM – two groups UFMP comments and DPD ordinance comments. Each group with up to four commissioners.

TE – Ground cover – industrial and manufacturing is 12% bare soil, maybe there is gravel. But is not asphalt or rock. That 's encouraging.'

JS – keep in mind that some of the industrial zone areas are part of the Duwamish greenbelt and even if the number is not big, it has significant impact.

UFC feedback on UFMP update and DPD Tree Ordinance to Mayor McGinn
MM – welcomed the Mayor and all commissioners introduced themselves.
Vision of the UFMP captures the holistic element the UFC wants to capture moving forward. Second foundation, the UF is infrastructure. Pays us back, trees help us avoid having to build larger pipes.

DPD – 4 common threads

1. We are happy that a permit system is in place for exceptional trees in private property. The 24" diameter threashold is too large. Can we look at a tiered approach. UFC put a position paper out, tiered system. Will be a strong recommendation from UFC
2. Doesn't protect groves – how do you manage the asset as an ecosystem. How do we incorporate critical trees.
3. The proposed ordinance removes allowance of only remove 3 trees/year. 3 trees/year rule hasn't worked well. How to minimize loss of smaller trees.
4. Mitigation and replacement value. How to have no net loss of trees. Tree funds, tree replacement

UFMP- kudos to Sandra and OSE for staffing. Sandra worked hard to have UFC work closely with the IDT. Goals by land use were left the same.

Still need ecosystem services – we measure canopy cover but still need i-Tree to better know what we have in our urban forest.
How do we streamline, consolidate, make more effective the management of the urban forest.

JF – you can go to different departments to know about trees. There is frustration. There is an IDT. Can it be made simpler and more efficient. This keeps on coming up.

JR – Encouraged by the beginning of the permit system. Good step toward is better understanding of professional standards – city has interest in this, push further. How city regulated business and licensing. Tree maintenance by unqualified people. Sometimes valuable infrastructure damage our trees (we wouldn't let unqualified people work on our sewer system).

JS – UF is a $5B asset, provides tens of millions of dollars in services each year. Need to elevate the way we manage the asset. The IDT gets together and different departments with cross purposes. SCL removes trees for line clearance. They are not mitigating, there is no cooperative opportunity to get closer to getting the right tree in the right place.

Ordinance is punitive to people who have large trees in their property. If you don't have trees, large trees in your property, then the DPD ordinance doesn't affect you. Need more equality in terms of.

Mayor McGinn – asked SPU to look at what they can do. Rate incentive they can give a home owner for a trees is really small. Your stormwater bill is not too high so the benefit is relatively small. This is disappointing. We'd love to see, if this indeed has a tremendous public benefit, we'd like to incentivize it.

JS – it depends on how you do the math. We've done the cheap and easy stormwater infrastructure projects.

Mayor McGinn – Concentric grade with EPA over CSOs – the first investment they made are pretty strong ones, concentric grade, regulators said we were trying to get out of the requirement. He lobbied for top of the pipe solutions being more cost effectives instead of end of the pay gray infrastructure solutions. That is built into it. It will take more work from SPU to do the analysis and the quantification to the satisfaction of the regulators.

JS – we have not seen that research as part of the UFMP update.

Mayor McGinn – the challenge is that we can see the conceptual value but the quantification is not done yet. WE need more experience, we left the option for more green infrastructure for his.

LF – permit based system vs. an incentive ased system. If you keep trees in your property you get a lower sewage bill.

Mayor McGinn – getting $5 break is not enough to incentivize

NB – the UFC also talks about outreach OSE is doing a lot of things… there are ways to leverage other campaigns to get returns without large investments to encourage people to plant and keep trees.

Mayor McGinn – We looked at who gives out trees and how? It's a challenge we face in other areas. Have neighborhood granting programs and proposed streamlining and CC didn't think it was such a good idea. Once of the challenges is the integration piece. Challenge to integrate across departments and then integrating with the community as well.

JF – doesn't integrating government lead to integrating with the community.

Mayor McGinn – there is the aspect of making things more accessible to the public then how do you partner up with communities to make things better. DON does that with P-patch. GSP is a shining example of leveraging community interest. But people are not so engaged in removing leafs from drainage system each fall.

JR – it would be good to find ways to make urban forestry work for efficient. For example, the City could have a single tree crew that would get work orders from different departments.

Mayor McGinn – that would be great but then you would get into issues with color of money and unions. Having more flexibility on work rules, cross training of people, etc., involve personnel and labor people. You have to remember this is not the private sector.

GB – Would like to make an observation. City Council and the Mayor made the decision to create the Urban Forestry Commission. Having staff is very helpful. The community shows up at these meetings and provide UFC with great information for free.

Mayor McGinn – In relation to the issue of a permit system, I'm interested in hearing what the public has to say. Don't have a sense to overall opinion. You are talking about people's private property and we need to understand how much my sense of place in my property trumps my sense of place in the community.

Next month's agenda items

Adjourn

Community comment:

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From: John Barber [mailto:barber.seattle_posa@mac.com]
Sent: Sunday, July 15, 2012 9:15 PM
To: Pinto_de_Bader, Sandra
Subject: comments for the Urban Forest Commission about proposed tree regulations

The following comments are offered for the Urban Forest Commission to consider in
making recommendations about the proposed tree regulations:
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1) The concept of trees as a public utility should be the basis of justification for the regulations, instead of the balancing process that has been described. The value of trees as contributing to the reduction of costs -- both operating and development -- of city utilities, especially storm water management, can be quantified and used to demonstrate urgency in preserving more of the tree inventory.

2) The 24" diameter rule is both too arbitrary and inadequate for preserving trees valued for their environmental and infrastructural qualities.

3) The enforcement process is ill-defined and needs to respond to the time it takes to assure survival and retaining of replacement trees. This observation also relates to the critical areas ordinance because tree-cutting is allowed on a trade-off in which trees are replaced.

4) The Tree Fund and the formula for establishing a replacement cost should include the cost of acquiring land. The City has limited property available for serving as home for the new plantings, and the implementation of the tree replacement fund may too easily substitute for normal agency tree planting costs.

5) The completion of the tree inventory work near completion should be thoroughly analyzed before adopting new tree regulations.

Please forward these comments to the Commissioners.

John Barber

From: Rick Barrett [mailto:rickbarrett@gmail.com]
Sent: Tuesday, July 17, 2012 8:15 PM
To: Pinto_de_Bader, Sandra
Subject: UFC comments

DPD is the wrong agency to manage this. It should be managed by the Office of Sustainability and Environment.
The DPD definition of which size trees should be included is ludicrous at best.

Sincerely,

Rick Barrett

From: **Ruth Williams** <ruthalice@comcast.net>
Date: Wed, Jul 18, 2012 at 8:00 AM
Subject: Some Comments and Questions Regarding the Tree Regulations Update
To: spintodebader@gmail.com
Cc: brennon.staley@seattle.gov
Hello Sandra,
Will you please share this with the UFC and others attending today's meeting?
Thank you!
Ruth

Thank you for this opportunity to comment. I'm sorry I am unable to attend today, but I read this Update with great interest. Here are my questions and comments.

It is a step in the right direction that the "exceptional tree" designation is proposed to remain. However, I am totally baffled by the single 25" DBH criterion. This automatically excludes huge numbers

of our slow-growing or smaller native trees, including some of the most beautiful, like the Madrona and the Pacific Dogwood, or rare, like the Pacific Yew. Most people will call an arborist anyway when they want to remove a tree of any size, so the problem of requiring an arborist to determine the species is moot.

This Update proposes to remove the restriction on removal of three non-exceptional trees in one year, in part on the grounds that an urban lot would probably be void of trees in a couple of years anyway. Rather than remove the restriction, why not tighten it then? It would certainly be more effective if it was updated to read three trees over three years.

It is great that DPD is proposing an on-line permit system for the removal of exceptional trees! It will be easy to expand this to assist in tracking all removals of trees over 6" DBH. Time and again DPD mentions the difficulties of enforcement and tracking of tree protection compliance. A permit system, together with the licensing of arborists, will be of immeasurable value to monitoring Seattle's tree canopy.

I see that the tree credit table for new construction remains, but it appears more relaxed than before. In the July 2010 proposal a 12" DBH tree, for example, is worth 7 or 8 points, whereas now it is worth 12. Why the change? Also, why were maintenance bonds removed from consideration?

That DPD is taking steps to streamline the process for design departures in order to preserve trees is good news. I hope the results are effective and get a lot of use.
Thank you for your consideration.

Sincerely,

Ruth Williams
Seattle Tree Ambassador
GSP Forest Steward

From: Patrick Mann [mailto:patrickmann@hotmail.com]
Sent: Wednesday, July 18, 2012 10:51 AM
To: Pinto_de_Bader, Sandra
Subject: Comments on DPD draft tree ordinance

I would like to submit comments on DPD's draft tree ordinance.

The new draft addresses a number of shortcomings of the previous ordinance. In particular:

- online permitting and tree removal application fee
- removing exemption of lots <5000 sqf
- extending requirement to add street trees to single family homes

However, there are still serious problems with the draft:

- the 24" dbh rule is too broad. I think all dbh >24" can be unified under the new 24" dbh proposal; but individual dbh values under 24" should be retained; or at least there should be more than 1 category.
  For example, Madrona's are classified as exceptional at 6" dbh. The draft rule removes protection from almost all Madronas.
- tree groves need to be protected as they offer unique habitat
- public trees need to be included under the permiting rules
- arborists and tree removal companies must be trained and licensed -- a lot of tree mutilation is perpetrated by 'arborists'
- tree removal permits should be posted and available online as a matter of public record

Most importantly: oversight, regulation, and enforcement needs to be handled by a department that does not have a vested interest in property development like DPD. E.g. Parks, SPU, or Office of Sustainability and Environment.

I hope you will take these comments into consideration.
Thanks,
Patrick Mann

From: Steve Zemke [mailto:stevezemke@msn.com]
Sent: Wednesday, July 18, 2012 11:50 AM
To: Pinto_de_Bader, Sandra
Subject: Preliminary evaluation of DPD's draft tree ordinance

Preliminary Comments to the Seattle Urban Forestry Commission regarding latest DPD draft of tree ordinance
Jily 18, 2012
Save the Trees-Seattle

Our initial observations: This draft is a disappointment but not unexpected considering DPD's previous proposal. DPD spends the bulk of the 56 page draft ordinance on specific provisions regarding sites where they are issuing building permits and very little on protecting trees outside the development process.

While there are some good additions, like requiring all projects to add street trees, this provision already exists in most zones. They are adding it for Single Family Residential and Institutions. And while it appears they are now requiring permits to remove exceptional trees which they define as over 24" in diameter, at the same time they remove any limitations on removing any trees smaller than this and also remove protections for tree groves. Brennan Staley made the comment at the UFC that one analysis showed that only 14% of the trees in the city were over 24" dbh, meaning that 86% of the trees could be removed outside the development process with no limitations.

Their old definition for removing trees was that they would be saved unless they limit the development potential of a lot. They are now saying an exceptional tree will be saved "unless the location of proposed principle (sic) structure would not allow an adequate tree protection area..." It's just a different way of saying the sane thing.

By simplifying their definition of an exceptional tree to one 24" in diameter they are removing protections for many trees that the Director's Rule 16-2008 on Designation of Exceptional Trees classified as exceptional with a much smaller dbh depending on the tree species. Madrona trees for example were classified as exceptional at 6" dbh and Quacking aspen at 12" and Pacific dogwood at 6". They would no longer be exceptional under DPD's new proposal.

Currently people are able to remove 3 trees a year from their property. This is way too many but DPD removes all protections for trees less than 24" in diameter. The current system is not acceptable because the number needs to be less and because we need a permit system to track loss and hopefully slow loss by educating people on the value of our trees. Vancouver, BC, eg, limits removal to 1 per year. Shoreline's recently passed ordinance varies the number based on lot size.

DPD does nothing to mitigate loss of non-exceptional trees. The problem remains that tree protection should not be under DPD. It should be administered by a department that has a vested interest in saving trees and can be an advocate for doing that, not a Department whose main mission is to help people

develop their property and find ways to make it easier for them to remove trees. Possible Departments with more of a mission to save trees include Seattle Public Utilities, Office of sustainability and Environment and the Parks Department. DPD could still oversee the process of tree protection during development but not over private trees outside development.

Some good things in the draft:

1. Adding single family homes and institutions undergoing development to list of zones that must add street trees.
2. Requiring an online permit to remove trees larger than 24" dbh.
3. Implementing tree removal application fee for exceptional trees to help cover cost and evaluation
4. Removing single family home lots smaller than 5000 sf from not being covered by new ordinance.
5. Higher credit given for evergreens saved or planted during development

What is missing from this draft:

1. Protection of tree groves
2. Protection of trees smaller than 24" dbh, including trees previously classified as exceptional
3. A permit system for trees smaller than 24"dbh
4. Extending the permit system for exceptional trees to include public trees
5. Consolidating oversight, regulation and enforcement in a Department without a conflict of interest like DPD has.
6. licensing and training for arborists and tree removal companies
7. posting completed tree removal applications on line and posting of property
8. requiring disclosure of exceptional trees on property by real estate agents when property is sold
9. incentives to save trees like utility rebates
10. replacement of trees removed so there is no net loss of canopy over time, except some during development for not meeting credits

11 requirement to id all trees on property in development plans.

12. more emphasis on native trees and habitat values in tree plantings and preservation

It is important to note that Portland has approved a much more far reaching ordinance last year to protect their trees citywide that goes into effect in 2013.
At the last Urban Forestry Commission meeting Brennon Staley, the DPD lead for the new draft tree ordinance, asserted that if his version is enacted we woud have the strogest tree ordinance of any large NW city. I do not agree.

I forwarded this post last September to the UFC noting that Portland has made significant moves in their urban forestry protection efforts, including protections for private trees on single family lots.

http://www.majorityrules.org/2011/09/portland-oregon-leads-the-way-in-protecting-its-trees-seattle-needs-to-follow.html

Here are the two pertinent links in that post, You'll have to log in to the city website to access them. Because the bulk of the new tree ordinance does not go into effect until next year (2013) it appears the new ordinance does not come up easily in a Google search of Portland's tree policies. This may be the result of an effort by Portland to not confuse the public as to what they are currently required to do.

http://www.portlandoregon.gov/bps/index.cfm?&a=345713 2 page summary

https://www.portlandoregon.gov/bps/article/350786?&login=1 Title 11 Trees Portland, Oregon

I will be providing more detail on Portland's law in my public comments later but wanted to give UFC members a chance to check out the links before today's meeting. We can do a lot more to protect private trees than DPD's current draft proposes.

Steve Zemke
Chair - Save the Trees -Seattle
stevezemk@msn.com

From: Steve Zemke [mailto:stevezemke@msn.com]
Sent: Wednesday, July 18, 2012 1:29 PM
To: Pinto_de_Bader, Sandra
Subject: Preliminary evaluation of DPD's draft tree ordinance - part 2

Thanks, here are:

Additional Comments to Urban Forestry Commission – regarding DPD's latest draft tree ordinance updates

July 18, 2012
Steve Zemke Chair-Save the Trees- Seattle
stevezemke@msn.com

Are DPD's proposed revisions to our tree code the best we can do? It is important to compare them with what others are doing and one example is the new ordinance passed by Portland, Oregon last year. Portland's adopted code is much stronger than that proposed by DPD for Seattle.

On April 13, 2011 Portland, Oregon adopted much stronger strong tree protection regulations to protect their urban forest. The Ordinance became effective May 13, 2011 and the actual regulations go into effect on Feb 1, 2013. You can see the ordinance here.

http://www.portlandoregon.gov/bps/index.cfm?&a=345713 2 page summary
https://www.portlandoregon.gov/bps/article/350786?&login=1 Title 11 Trees Portland, Oregon

Portland currently has about a 26% canopy cover and has a goal of reaching 33%.

Their new ordinance consolidates tree rules under one title.

It addresses both public and private trees, both during development and outside development.

A City Forester is responsible for trees outside the development process and acts as a consultant during the development process with their development agency and also with a "responsible Engineer" overseeing utility, street trees and other public trees.

A two tier permit system to remove trees is established, applications being in writing or online.
Prior exemption for single family lots removed because of confusion.
It applies to street and city trees 3" or larger in diameter and private trees 12" or larger in diameter (private trees in some special zones 6" or larger also covered

Tree for tree replacement required for most permits, with inch for inch replacement or mitigation on 20 "' or larger trees.
A fee is assessed to process applications.

Tree permits must be posted on site.

Applicants can appeal city decisions on tree permits. Public can appeal decisions on trees 20" or greater or more than 4 trees per year 12" or larger.

Development process focuses on saving large healthy trees, native trees and groves.

Building permits require 1/3 of trees on site 12" or larger to be retained or mitigated.

Building permits require meeting tree density standards and achieving baseline canopy goals.

These are a few of the provisions in Portland's tree ordinance. It is important to note that this ordinance was developed in a much more open and public process than DPD' has used. We ask again that DPD post all meetings open to the public on their website so that citizens in Seattle can find opportunities to listen to the discussion and give feedback to the City. We also ask that DPD publicly post all comments submitted on their website, like Shoreline recently did, and like what is happening currently on comments on the Urban Forest Management Plan Update.

From: patricia whempner [mailto:patwhempner@clearwire.net]
Sent: Wednesday, July 18, 2012 1:10 PM
To: Pinto_de_Bader, Sandra
Cc: McGinn, Mike
Subject: tree ordinance input

Dear Urban Forestry Commission,

Please tell the mayor this proposed ordinance does not protect residential trees, it threatens them. Seattle's identity is 'The Emerald City". In addition to environmental benefits the tree canopy is a vital part of what makes Seattle desirable.

The fact that trees on private property under 24" in diameter may now be removed without any permit or penalty will wipe out a huge amount of tree canopy that would take years (if ever) to replace. The city continually ignores the recommendations of the UFC and presents this damaging ordinance as tree protection when it is really tree destruction.

Insist on your previous recommendation that protects all residential trees over 6" diameter. Advise creating a body of arborists (like Portland who has 10-12) to review, inspect, and enforce this protection.

Regards,

Pat Whempner

HHH Testimony at Urban Forestry Commission
On Seattle Draft Tree Regulations Update,
July 18, 2012

The Department of Planning and Development (DPD) has forgotten Seattle's Great Blue Herons. Trees have another function besides making human homes look good. Trees provide homes for wildlife! Even though DPD says it isn't updating its ECA regulations yet, it has included "Number 11" on its FAQ sheet. Number 11 says:

"Property owners would be required to get approval to remove any tree in or adjacent to environmentally critical areas such as streams, wetlands, or steep slopes, etc."

This update should go one step farther. It also should apply to the 500' buffer around Kiwanis Memorial Preserve Park, Seattle Parks' first established wildlife sanctuary. DPD previously established a 500' management area around this heron habitat, but its Director's Rule 5-2007 is sorely lacking in year-round protection for trees.

One by one, trees are being removed from this buffer area…so that -- without better protection – it could someday be a tree-free environment around the wildlife sanctuary. By then, the herons would probably be long gone, as they need the buffering trees to gather branches for nests, for perching, and for the screening from human activities they seem to like.

DPD, this time please listen to the Heron Habitat Helpers and the Urban Forestry Commission (which already supports this action). Include heron management areas and other wildlife protections in your update. Please give year-round protection to all trees 8" diameter or greater in the Kiwanis Heron Management Area and please use permits to remove any tree there because of disease.

For more information: Donna Kostka, 206.283.7805, donna4510@comcast.net