

Urban Forestry Commission
August 11, 2010
Special Meeting Summary

Seattle Municipal Tower Room 2240
700 5th Avenue, Seattle 3:00 p.m. – 5:00 p.m.

Attending

Commissioners

Elizabetha Stacishin-Moura, Chair (ESM)
Matt Mega (MM)
Gordon Bradley (GB)
John Hushagen (JH)
Jeff Reibman (JR)
John Small (JS)
Peg Staeheli (PS)

Staff

Brennon Staley – DPD (BS)
Tracy Morgenstern – OSE (TM)

Absent – Excused: Kirk Prindle (KP), Nancy Bird (NB)

This is a joint committee meeting to be run as a regular full Commission meeting.
The last minutes were not at hand to approve – postponed to next meeting

Draft Commission response to DPD Tree Regulatory Proposal

1. The draft response posted on the Commission’s website was read out loud and was followed by public comment.

2. Public Comment:

Note: our usual method of audio recording public comment was not available. As a substitute comments are paraphrased below to the best of the note takers ability.

Comments included:

Nicholas Dankers

- Likes the overall tone of the letter.
- It’s empathize climate preservation as a goal
- Need to come up with workable provisions for those people doing tree work

Michael Oxman shared his “5-step program” for proper tree management:

1. Make all citizens partners in this effort,
2. Need for a single tree department ran by an arborist with actual power,
3. A stable budget (could use storm water fees to support tree maintenance and planting),
4. Include all tree ordinances in one chapter of the code,
5. The process undertaken with the advisory board is very important. Be concise and powerful in your response. Get listened to.

John Dixon

- Supports the draft letter.
- The DPD proposal pays lip service to the importance of trees but in the body of the proposal it undercuts trees as infrastructure and emphasizes trees as a burden in many instances. Believes

that DPD considers trees not a valuable infrastructure but rather ‘things’ that get in the way of development

Frank Baccus

- Does not support the DPD Proposal, does support the draft response
- Recent landslides in China are due to tree cutting

David Miller

- Would like the commission to talk more about trees as infrastructure and that they need to be protected as such
- Would be helpful to establish a dollar value for storm water and point out that trees are a financial asset that reduces costs and provides health benefits
- Cities have used their trees as assets to increase their bond rating
- Trees provide health benefits by filtering out small particulate

Steve Zemke

- DPD’s proposal addresses only a small piece of what resolution 31138 asked for. It only looked at the private property component
- Tell Council that DPD missed the mark and did not consider the Council’s mandate
- Many people are disappointed with this closed process. Need to involve the public
- Citizens are coming together to provide an alternative to the proposal. An offer was extended for people to participate in the next public meeting on August 29, from 1:30 p.m. – 4:30 p.m. at the Broadview Library
- Should have a dialogue about all issues
- The process needs to be open

Rich Ellison

- Any incentives for saving trees need to be tied to variances and up front. Allow increase in height and zone changes. Builders can pay for conservation easements. If it’s just about voluntary compliance then it won’t be effective. Have tree removal be a last resort
- In the past, when the public gave comments to DPD the information went into a black box. Feel that DPD will only give us what they want to
- There is supposed to be a public brown bag tomorrow but have not been able to find information anywhere on the City’s website

GB clarified that this is just the beginning of a several month-long process where professional organizations, community groups, and citizens will have the opportunity to comment on the proposal. This is not a closed process as someone in the public suggested.

3. Review and Discuss Draft Response to DPD’s Regulatory Proposal:

PS – Suggested that before getting into the specifics of the letter it would be helpful to stay at a high level and produce no more than five key points to include. More detail can follow at a later date. The commission agreed to this course.

Points raised in discussion included:

JR – Don’t have time to hammer out specific recommendations about things that need to be added. Could call them out now to work on them in the future

GB proposed to add something about exploring and developing mechanisms for trees to be valued as infrastructure

JH suggested to use the phrase coined by Milwaukee City Arborist “trees are not an amenity, they are a necessity.”

ESM – We are jumping to the conclusion that the solution is a permitting system. She is not sure that’s the case. We don’t know enough about permit systems. We are biased in favor of it because it provides some benefits: help track trees cut, and add value

JR – There can be value derived from a regulatory process

JS – important to consider the value of all trees in the city, not just those in property under development

JR – Go back to the ‘lesson learned’ argument. Regulating both in and out of development in a more consistent way

John H – Bold action is needed soon, save trees and plant more otherwise we won’t reach 30% canopy cover goal. The proposal has not sense of urgency.

ESM – SDOT already has a permit system in place. It could be expanded

MM – The Green Factor and Tree Credit System are citywide. The system needs to be integrated throughout regulations

JR – Need to recognize canopy coverage’s environmental and mitigation purposes

MM – There is a disconnect between 31138 and the proposal

JH – don’t go backwards

ESM – interim regulations are a stop gap measure

JH – but they have had an effect

PS – there is nothing in the proposal about preservation

JR – He agrees, preservation needs to be explicitly stated. Preservation of existing trees should be considered a higher goal than replacement

GB – it’s important to clarify (for the public) the process that will be followed in developing the proposed regulations. It’s an open and inclusive process

JH – The sense he has from the Commission and the public is that DPS should be instructed to go back to the drawing table

JR – disagrees with JH. The process has started and the SUFC needs to help DPD get the proposal to everybody for public comment

PS – agrees with JR. A dual process would cause confusion. There is no value in going backwards

JH – The current proposal is not being embraced

PS – people reading the current proposal might not realize that it wipes out preservation efforts

MM – the letter could end with a question to Council – what to do next?

JR – proposes an amendment of the second paragraph

MM – use the high level bullet points on the board as the introduction to the letter, then go into more detail

ESM – important to realize that even the gains achieved with DPD's Green Factor are vulnerable

JR – Agrees because development is a cyclical process

6 points were agreed to (in no hierarchical order):

- Bold action is needed
- Ensure an inclusive process
- The Green Factor and single family Tree Credit System need to be integrated need to recognize canopy coverage.
- Regulation must be consistent inside and outside of development
- Preservation of existing trees must be valued along with planting
- There is a disconnect between this proposal and resolution 31138

Motion by JS work with draft #2 as the base (without KP's comments).

JR stated that version 2 captures his intent and has no problem using it as starting point

Motion seconded, voted on and approved.

Motion by PS to amend the draft with the bullet points on the board

Motion seconded, voted on, and approved unanimously

Motion by ESM for a 20 minute recess to incorporate changes to the draft response

Motion seconded, voted on, and approved unanimously

After Recess JS read the new version of the draft response

JR – Clarify that Green Factor does not require trees at all

Motion to approve is seconded, voted on and passes unanimously. The letter is adopted as amended

4. Discussion of Kirk's Letter

KP sent a letter directly to DPD, Council Members, and Diane Sugimura accusing DPD of using false references and using the UFC's name.

ESM did not want to debate the content of the letter but rather clarify the process. Individual commissioners never speak on behalf of the Commission unless specifically asked to do so by the Commission or Chair. If the letter was sent in the name of the Commission, that was inappropriate. ESM asked that in the future, individual Commission members make that distinction clear by adding a disclaimer at the top of all unofficial communication that pertains to Commission business saying: "Although I am a Commission member, I am speaking for myself and not for the Commission." KP needs to clarify that the letter represented his own view.

PS – Proposed in the form of a resolution that KP recognizes that the letter represented his own opinion by sending an email to that effect to TM. TM would then distribute to everyone who received the original letter. The Commission voted unanimously in favor of PS motion.

TM – the next meeting is August 16, from 1:00 p.m. – 3:00 p.m. in SMT 2750