

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

November 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)
Matt Mega (MM)
Erik Rundell (ER)
Peg Staeheli (PS)

Absent- Excused

Leif Fixen (LF)
Jeff Reibman (JR)

Staff

Sandra Pinto de Bader (SPdB) - OSE

Public

Steve Zemke
Ruth Williams
Irene Wall
Ted Holden
Darcy Edmunds

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

JF – let's start the meeting.

Public comment

S Zemke – TreePAC had questionnaires to Council members and Mayor and Ed Murray. Didn't get any feedback from O'Brien. Shows questionnaire coming from Ed Murray. The tree ordinance will probably be held up by the new Mayor. Murray and McGinn were very similar supporting tree permits, saving tree groves, consolidating tree oversight into OSE. Large trees and the issue of funding. I think you'll have a bit more support spelled out.

Ed Murray for Seattle Mayor Questionnaire

TreePAC Questions for Seattle City Candidates Nov.2013

Name: Ed Murray

Contact info: info@murray4mayor.com or 206.569.8337

Office and position you are running for: Seattle Mayor

1. Seattle currently has a 23% tree canopy cover. Seattle's Comprehensive Plan targets a 30% canopy goal by 2037. To help reach this goal do you support strengthening tree protection by requiring permits to remove large trees on private property which Portland, Oregon ; Redmond, WA; Lake Forest Park, WA; and Vancouver, BC currently do and as the Seattle Department of Transportation (SDOT) now requires for street trees?

Yes, this is why I sponsored the Evergreen Cities Initiative, to support our cities in developing sustainable Urban Forest Management plans, and to fund their implementation. Tree canopies prevent soil erosion, help stormwater mitigation, improve air quality, provide habitat for wildlife and profoundly influence the liveability of our neighborhoods. We should strengthen our protections of Seattle's existing tree canopies, and require good reasons for removing large trees, even on private property.

2. Seattle's Comprehensive Plan also states a goal of no net loss of canopy. Do you support requiring large trees being removed on public and private property to be replaced either on site or off site and proportional in size, over time, to the canopy being lost as Cities like Portland, OR and Redmond, WA currently do?

Yes, it is important that we expand Seattle's overall tree canopy cover. We can't lose this cover to attrition, even if, here and there, large trees are removed for good reasons (infrastructure impacts, public safety, etc.). We need to support planting additional trees to prevent any net losses. I support the updated Urban Forest Stewardship Plan's requirement that 2 trees be planted for each removed.

3. Seattle's interim tree ordinance protects existing groves of trees from being removed. The Department of Planning and Development has proposed removing this protection. Do you support continuing the policy of protecting tree groves to conserve habitat and canopy?

Yes. The Department of Planning and Development is wrong on this issue, just as the Seattle Public School District was wrong in proposing to raze a grove of trees as part of an Ingraham High School expansion project. I signed Steve Zemke's petition calling on the SPSD to desist, and joined with the City Council in supporting the protection of groves. Unfortunately, this is an issue where the DPD has come down on the side of development, growth and density. That would change under my administration.

4. The City Auditor in 2009 stated that the “City’s current approach to tree issues lacks top leadership.” Unifying “all City Departments behind a single vision through clear and demonstrated leadership of the Office of Sustainability and the Environment” has been recommended. Would you support a true City Arborist’s Office located in OSE with oversight and coordination of all urban forest issues in parks, streets, critical areas, private property and utilities?

Yes. The most obvious home for a City Arborist’s Office would be in the Office of Sustainability and the Environment, not the SDOT. On this issue, like many important, complex issues facing Seattle, somebody needs to oversee and coordinate the activities of different departments. Severe cuts to Seattle’s administrative services, and the loss of our city policy and management shop, OPM, has impaired communication and coordination between city offices, agencies and departments. We need to remedy these mistakes.

5. Larger trees provide significantly more ecological value to Seattle’s green infrastructure, including reducing storm water runoff, cleaning pollutants from the air and providing animal habitat. Do you support giving greater protection to large trees like Heritage Trees and exceptional trees? (by requiring a larger permit fee and greater numbers of trees being planted if they are removed or by prohibiting removal unless shown to be hazardous)

Yes. The benefits of Seattle’s tree canopy, and trees in general, is not just a function of their numbers. Larger, older trees should command greater respect and attention in our stewardship decisions. We should have more stringent restrictions on the destruction of Heritage trees, and find ways to encourage their retention as our city grows.

6. TreePAC believes that deferred maintenance results in the costly replacement of trees and landscapes. Will you fight to fund the maintenance of public greenspaces, including increased funding for the Green Seattle Partnership so that the goals to restore our parklands, greenbelts, and critical areas can be met?

Yes. The Seattle parks system faces ongoing financial challenges, including a \$25 million annual shortfall for operations and maintenance, and a more than \$200 million maintenance backlog. I will strongly support renewing the Seattle parks levy next year at a level that allows us to address some of that deficit. Additionally, I support and will spearhead the creation of a Metropolitan Parks District. This strategy has succeeded in other communities in Washington State, often with no new administrative costs. While this would increase taxes on property owners, it will relieve the City’s burden to use special levies for Parks, and will provide relief to both the General and Cumulative Reserve Funds. Most importantly, this money will be solely for Parks and could not be diverted for any other purpose.

7. Are you willing to meet briefly with representatives from TreePAC, at a time and place that is mutually convenient?

Yes, of course.

Darcy is here from Seattle Audubon following up on the tree map for the city. It would be a good idea for Darcy to present to the Commission sometime in January. Give an opportunity to the Commission to

provide input. We now have a separate website: friends.urbanforestry.org with links of different cities doing tree maps. Email Steve if we find another tree map so he can include in his website.

Ruth Willians – last time I was here I was

President of Thornton Creek Alliance to talk about the proposed mountain bike trails in natural areas. Parks brought it up at a meeting in September in it was received with dead silence. If they are going to go ahead, they need to have very clear parameters around when and where these trails would be allowed, look at stream and wetland areas, compressed soils, habitat, etc. to see if they can make these bike trails work. They also need to also consider restoration efforts.

Irene and Ted – three things she wants to talk about today:

- The project that she brought forward months back
- A new project in Phinney as well
- 52nd and Phinney project: DPD was here when we talked about this project.

Ted – I'm a neighbor of that site. It was supposed to be a green project with vegetated buffer. This morning they started at 7:00 a.m. and cut down a western red cedar. Ted had correspondence with Janet Oslund. Said that an arborist had said the health of the tree would be compromised by the garage and driveway. They are going to modify the permit and replace the red cedar with two shore pines. They planted a different tree (Hornbeam). They now planted the shore pines. The units were sold and were given an occupancy permit without them conforming to requirements imposed by the permit. Equivalent replacement of canopy at maturity will not happen. Four trees are not going to thrive. These are trees that were a permit condition, who is going to maintain the trees? Recommend stronger language to DPD moving forward.

Another issue – 63rd and Linden. Before photos show practically a small forest. Contacted DPD asking if any of the trees were going to be preserved. DPD said that 4 needed to be preserved. Irene could only find 2 of the 4. Requested an inspector to go out and verify that the trees were preserved as part of the permit. The trees as not there. WE need to get DPD's attention on this. We'll need the UFC to really lean on this issues. Real information, photos of the site before they cut trees down so DPD has a better sense of \what they are agreeing to.

Appeal she files having to do with Woodland Park Zoo – agreement for City to manage zoo. Last year they went to the City to ask for funding to increase parking capacity – cut 11 trees to accommodate surface parking. There is a policy that said City will no longer cut healthy trees to accommodate parking. Read current policy (interim ordinance) that it only allows 3 trees to be cut down per year.

Phinney is taking the heat for this. We want to see the ordinance in place enforced and more pressure on DPD to enforce it.

Peg – we made a recommendation to fund 2 part time FTE to perform site inspections related to trees. Make a request for follow up with DPD – maybe in January. The question we should post back to DPD is Are you enforcing the interim ordinance?

John Small – question to City attorney if the existing interim ordinance is enforceable.

Tom – if a planner comes to talk to us and feels in a tough spot they will look to a legal position regarding enforceability of the interim ordinance.

Peg – there may be wiggle room for Parks.

INVITE MARK AND DOUG REGARDING THE WOODLAND PARK ZOO – THE SOCIETY IS ACTING AS A PRIVATE DEVELOPER IN THIS CASE

Peg – What’s the interim ordinance enforcement from a legal point of view?

Irene – the interim ordinance is being perceived by the hearing examiner as meant to preclude people from clear-cutting their property to then sell it.

Peg – I would recommend you send a communication to all Community Councils to get a more organized position.

John S – when it’s a site-by-site approach it never gets the attention of those who need to be involved. It has to be a programmatic approach.

Steve Z – it’s a stop-gap ordinance

Matt – I agree with Steve. It’s never meant to protect trees. The interim ordinance is not going to do much. It boils down to the culture of DPD and conversations we’ve had about having inspectors on the same page. We need to have more teeth in between to preclude trees from being cut. There is no process to deal with diverging arborist opinions.

Peg – We will need to follow up on our past recommendation because trees not under development are being taken down. Trees shown on a plan that get removed should not be so difficult to save as a part of a permit to comply with code requirement or Green Factor. It is the interpretation of the interim ordinance.

Irene – there is not incentive for the developer to save trees. They go back and plant trees after the fact but they don’t have the space for them to survive, let alone thrive.

Ted – DPD has the ultimate hammer. They have the permit. If they don’t develop the site to plan then don’t issue the occupancy permit.

Tom – moving forward, what you can do, is talking with other community councils to see if this is going on as well. That would provide more pressure to DPD.

Irene – we will do that, but I come to you for support as well.

Peg – Council’s adoption of the UFSP is an opening for us to be able to exert more pressure.

Steve – maybe invite someone from attorney’s office to see if there are ways to make something enforceable for tree ordinance.

John S – we kept on waiting for a code revision to comment.

Peg – we are volunteers and we can ask them to come to us.

John F – we have enough examples to bring them in.

Irene – this was land use policy in place before the interim ordinance. Current policy talks about surface parking. Surface parking is a creeping problem in parks.

Approval of October 9 meeting notes

ACTION: A motion was made to approve the October 9 meeting notes as written. The motion was seconded and carried.

Tree preservation

- **Phinney Ridge Western Red Cedar removal and incorrect tree replacement**
- **Seattle Children's Home 2.5 acre parcel on Queen Anne**

Peg – staff are confused about the interim ordinance.

Matt – DPD tried to enforce someone cutting down a Monkey tree and the court threw it out. DPD went back to review the interim ordinance and found several errors that they then corrected through Council.

Peg – it would be good for DPD staff to tell us how the current ordinance is being interpreted.

John S – arborists in the city are not able to figure out how the tree interim ordinance applies to private property.

Tom – did Steve Wacker get a response?

Peg – Shane consults with DPD sometimes

Matt – this is an opportunity to make DPD come back to us periodically and track this through the process. This could be a case study to follow it through the process.

John S – spend the next month or two putting this together as a recommendation. Follow DPD's lead and put it into a more packaged format. This Commission needs to get out ahead of the issue a bit more instead of reacting to the issue. We should propose a new ordinance.

Peg – we can do both. Request confirmation of whether the interim ordinance is still valid and being enforced.

Tom – we need to have Law here to tell us what can be enforceable.

Peg – Article about climate change – we need to be advocates. Tacoma just removed trees they planted in the ROW because neighbors didn't want their views blocked.

Matt – there is a parallel track for us to work on this. We had lots of conversations with Brennon about changes to the ordinance. Brennon has these ideas in his mind but we have not yet seen anything.

John S – We haven't seen any code language. We might want to ask for any drafts put together to date so we can review them.

John F – if Law is not willing to get the back

Matt – three tracks: talking to Attorney’s office, putting together the language for the tree ordinance, tracking this Queen Anne parcel and see how it goes.

PLACE LINK TO INTERIM ORDINANCE IN UFC WEBSITE

CREATE A SECTION WITH USEFUL LINKS

Releaf, DPD, SDOT, SCL, SPU, OSE

SEND AROUND TO COMMISSION RESULTS OF VOTING ON UF FUNDING

John S – if UFC gives him the go-ahead, he’d like to ask for a public record request for Brennon to give us the drafts of the tree ordinance currently available.

ACTION: A motion was made to have John Small request records related to the tree protection ordinance update. The motion was seconded and carried.

Bike trails in Parks’ natural areas – initial conversation

Matt – dealt with this when he was at Audubon. New trails in Cheasty on the east side of Beacon Hill. Pretty close to Jefferson Park. Proposed by the Forest Stewards of that area. To promote eyes on the prize and community building. My biggest concern is that this is a pretty intact forest area and as soon as you put a trail you fragment the area. Sent an email to Mark Mead to clarify what designation this natural area would have. There is a way to set aside natural areas. HHH did that with the heron colony. Cheasty is not the best place for trails. This is going to be forward as part of the Parks Legacy Plan. That’s how this would be implemented. That’s a separate process. There is a commission that is reviewing the pieces of the PLP. There is a bit of a disconnect.

Peg – my understanding is as a user. My understanding is that there may be a plan. At a higher level, could it be considered? If it is considered, what are the parameters? I worked alongside Cheasty, I can see a benefit on a long trail. A bike might be a more viable way to get through them. In Duwamish if you had a trail you could use the greenbelt to get to White Center. My worry is to first say no without first considering the benefits.

Matt – we have lots of opportunities to create recreation in the city, we don’t have so many opportunities to create high-quality habitat.

John S – the issue that comes out when you look at these facilities, in other areas of the US, they get heavily used, so they won’t be narrow. They will be building for what they expect that level of use to be in the future. They have good design tools to keep the speed down but they are not small trails.

John F – are you aware of any surveys done ahead of time for plant and wildlife habitat.

John F – what about soil compaction?

Tom – this would be a single use trail.

John S – there are no trails in the entire Seattle parks system that are not paved or graveled. It's an opportunity to get rid of homeless encampments by activating the space. I'm a supporter of trails in natural areas but I agree with everything that Ruth said. They need to be thought out based on different parameters. Don't know Cheasty well enough to have an opinion on that one. I think Duwamish and Beacon Hill would be great places for these types of trails.

Peg – there might be hydrology issues.

John F – what's the appropriate frame of discussion as a Commission, not as individuals.

Peg – I think it deserves investigation but I would be concerned about them uplifting, cutting trees down, etc. If there was a way to get improved vegetation management and get funding for that, that would be great.

Matt – it's technically feasible, there are benefits. How does it fit into the larger picture of our parks system.

Peg – could we make a recommendation to the Parks Board on how to go about it?

JS – they need to be properly sited

GB – Maybe have the Parks staff that is involved to come visit to see if they have a plan to inform us before we make a recommendation. INVITE A PARKS STAFF TO TALK ABOUT THIS.

JF – once we know more we can have John S or Matt write a recommendation.

PS – this is not a capital project for 2014.

JS – levy should establish a process to address these issues.

MM – how do we accommodate compatible issues.

Chair/vice-chair elections and Position #9 re-appointment vote

ACTION: ELECTION AND VOTE RESULTS. PEG – CHAIR, TOM, VICE-CHAIR, ERIK TO BE RE-APPOINTED

New business and announcements

Canopy Connections – Audubon took SDOTs data and encourage mapping of private trees.

Adjourn

Community input

-----Original Message-----

From: thouless1@comcast.net [mailto:thouless1@comcast.net]
Sent: Monday, October 14, 2013 10:36 AM
To: Pinto_de_Bader, Sandra
Subject: Re: Last Meeting Green Seattle

Hi Sandra,

I meant to come to the last meeting but lengthy cold has been getting me down. I wanted to comment on the Green Seattle Partnership documents. They claim to have a lot less hours of volunteer time than they do have. This skews the number of volunteer hours per staff hours. The problem arose when they introduced the Cedar Portal computer system. I went to one of the original training sessions in June 2011. There was then no way to enter individual hours, only work party hours. A number of people I know personally just ceased recording hours at that time. Also a number of people running smaller work parties just do not register them as it is too much trouble. I have been talking to people about this. I hear that it is now possible to enter individual hours. However I have never officially been told about it let alone how to set up an account to enter my hours.

I just came across 105 unrecorded hours for 3 months in 2011 before I stopped writing them down. I am currently buying and rounding up all the plants for the 2013 Green Seattle Day on the Burke-Gilman Trail. I just got an e-mail saying I was registered for 2 hours in April. "We do not want to lose you" How about signing up for the BGT on Nov 2! I saw you at the Green Seattle Forest Stewards meeting last month. The number of stewards is growing fast. So the number of volunteers hours should not be just holding steady at a level lower than before 2011. It should be and I am sure is a rising number in reality.

So the message for the Urban Forestry Commissioners is that the number of volunteer hours is rising and the problem is with recording. Either people do not know how to do it or cannot be bothered because it is not made simple. This is important because volunteers are having a greater effect on increasing the Seattle tree canopy than GSP suggests.

Margaret Thouless,
Co-Chair Friends of the Burke-Gilman trail at Sand Point At large Board member
WNPS

From: Ruth Williams [mailto:ruthalice@comcast.net]
Sent: Friday, October 18, 2013 6:12 PM
To: 'Anderson, Christopher D (DFW)'
Cc: 'Brock, David W (DFW)'; 'Link, Russell E (DFW)'; Graves, David; Pinto_de_Bader, Sandra; Acosta, Rachel
Subject: RE: Mountain Bike Trails in Seattle Natural Areas?

Thank you very much for this detailed response, Chris, and for sharing it with David Graves. As you see, I am sharing it with the Seattle Parks Board and the Seattle Urban Forestry Commission.

Ruth

From: Anderson, Christopher D (DFW) [<mailto:Christopher.Anderson@dfw.wa.gov>]
Sent: Friday, October 18, 2013 3:33 PM
To: ruthalice@comcast.net
Cc: Brock, David W (DFW); Link, Russell E (DFW); David.Graves@seattle.gov
Subject: RE: Mountain Bike Trails in Seattle Natural Areas?

Ruth,

WDFW is available for site-specific consultation regarding local wildlife code consideration that involves WDFW Priority Habitats and Species, as well as any general inquiries or consultation regarding wildlife protection in WA state applicable under state statutes.

Seattle regularly contacts WDFW for wildlife management guidance under state Growth Management Act and specific to any language within local code.

Both of these natural areas you mention; Cheasty Mt. View and West Duwamish Greenbelt are considered “Biodiversity Areas and Corridors” by WDFW. Further, WDFW has other Priority Species documented in areas of West Duwamish Greenbelt, such as nesting Great Blue Herons (near Pigeon Point). It is plausible there are similar occurrences of various Priority Species in many areas throughout Seattle and King County in general, within the right habitat, but WDFW does not have the capacity to survey all areas and provide for up-to-date fine-scale documentation.

Our mappings are what we have found or has been reported to us and followed-up on. They are by no means all-encompassing of what may be on a given site. We recommend due diligence in land use change proposals adequately examine areas for occurrence of state Priority Habitats and Species – and report this information to WDFW.

From our Biodiversity Areas and Corridors habitat categorization definition; found in our listing of Priority Habitat and Species:

Biodiversity Areas and Corridors *

Priority Area Description

Biodiversity areas and corridors are areas of habitat that are relatively important to various species of native fish and wildlife.

1. Biodiversity areas

a. The area has been identified as biologically diverse through a scientifically based assessment conducted over a landscape scale (e.g., ecoregion, county- or city-wide, watershed, etc.). Examples include but are not limited to WDFW Local Habitat Assessments, Pierce County Biodiversity Network, and Spokane County’s Wildlife Corridors and Landscape Linkages.

OR

b. The area is within a city or an urban growth area (UGA) and contains habitat that is valuable to fish or wildlife and is mostly comprised of native vegetation. Relative to other vegetated areas in the same city or UGA, the mapped area is vertically diverse (e.g., multiple canopy layers, snags, or downed wood), horizontally diverse (e.g., contains a mosaic of native

habitats), or supports a diverse community of species as identified by a qualified professional who has a degree in biology or closely related field and professional experience related to the habitats or species occurring in the biodiversity area. These areas may have more limited wildlife functions than other priority habitat areas due to the general nature and constraints of these sites in that they are often isolated or surrounded by highly urbanized lands.

2. Corridors

Corridors are areas of relatively undisturbed and unbroken tracts of vegetation that connect fish and wildlife habitat conservation areas, priority habitats, areas identified as biologically diverse (see attribute 1a), or valuable habitats within a city or UGA (see attribute 1b).

WDFW aims to work with public and private entities; as well as the broader public; to document occurrences of Priority Habitats and Species in order to provide for adequate conservation measures regarding both rare species; as well as keeping common species common in which the state feels are appropriate for management consideration given their population status or life history needs.

The listing reference of Priority Habitats and Species which guides the state to document and provide wildlife management recommendations can be found here:

<http://wdfw.wa.gov/conservation/phs/list/>

Explanation of our role and this program under the state Growth Management Act:

<http://wdfw.wa.gov/conservation/phs/>

Thanks for contacting us with your summary and concerns. Again, we are available for informal consultation to Seattle, as well as follow-up confirmation of any Priority Habitats and Species that are documented or observed to be using sites in a manner consistent with our mapping criteria.

Regards,
Chris

Chris Anderson
District Biologist
District 12, King County
WA Dept. of Fish and Wildlife - Region 4
16018 Mill Creek Blvd.
Mill Creek, WA 98012
425.775.1311, ext 111
Christopher.Anderson@dfw.wa.gov
<http://wdfw.wa.gov>

Want to attract more wildlife to your property?
Check out the WDFW Backyard Wildlife Sanctuary Program:
<http://wdfw.wa.gov/living/backyard/>

From: Brock, David W (DFW)
Sent: Friday, October 18, 2013 2:09 PM
To: Anderson, Christopher D (DFW)
Subject: FW: Mountain Bike Trails in Seattle Natural Areas?

Chris,

For your information. A response is not necessary but would be appreciated.

Thanks,

David W. Brock
Regional Habitat Program Manager
16018 Mill Creek Blvd
Mill Creek, WA 98012
425-775-1311 #114
david.brock@dfw.wa.gov

From: Ruth Williams [<mailto:ruthalice@comcast.net>]
Sent: Friday, October 18, 2013 12:51 PM
To: Team MillCreek (DFW)
Subject: Mountain Bike Trails in Seattle Natural Areas?

Greetings:

Seattle Parks is drafting standards for mountain bike paths in natural areas. At this point only two parks are under consideration, Cheasty Mt. View and the West Duwamish Greenbelt. There has already been a Parks Board hearing, and mountain bikers outnumbered environmentalists about 10-1.

This comes at a time when Parks is also determining how to comply with a federal law requiring ADA standard trails in the natural areas.

We environmentalists are concerned that our urban forests are a fragile work in progress and much wildlife is only tentatively returning. Offering this new use to able-bodied people who already have access is not necessary. Mountain biking in no way requires a forest much less an urban one.

I have had a look at how Portland, OR is building their mountain bike trails, which are intended to be shared with hikers. These trails add a fair bit of plant pruning and removal, and compacted soil, to any trail plan. The surface is a minimum of six feet, plus occasional wider areas for passing. In high use areas the width is up to ten feet. Corners often have to be reinforced for banking. (We have all seen what switchbacks can do to plantings even just with hikers.) Greater sight distances are needed, so some trails may have to be decommissioned and some other areas cleared for trails. The Portland Trails document is [here](#), and the discussion of hike/bike trails begins on page 31.

The contact at Seattle Parks is David.Graves@seattle.gov. Is this something the WDFW might take a look at?

Thank you for your assistance.

Sincerely,

Ruth Williams
Green Seattle Partnership Forest Steward

From: John Lombard [mailto:johnlombard@q.com]
Sent: Wednesday, October 30, 2013 2:02 PM
To: Pinto_de_Bader, Sandra; Acosta, Rachel; Graves, David
Subject: Mountain Bike Trails in Natural Areas

Dear Ms. Pinto de Bader, Ms. Acosta, and Mr. Graves:

As a long-time member of Thornton Creek Alliance and the author of [Saving Puget Sound: A Conservation Strategy for the 21st Century](#), I am writing to urge against a blanket policy that would allow or encourage mountain bike trails in City natural areas. There may be some park properties that are officially designated as “natural areas” that are, in fact, not sensitive wildlife habitats, not refuges of natural quiet for neighborhood residents, or that do not contain fish-bearing waterways that are sensitive to erosion from adjacent lands. If there are such “natural areas,” then perhaps mountain bike trails would be appropriate there, and perhaps their designation ought to change to some name consistent with active recreation. But the many natural areas along Thornton Creek—such as the recently named Beaver Pond, Licorice Fern, Kingfisher, and Lavilla Meadows Natural Areas—would be irreparably harmed by mountain bike trails. In fact, if needed to preserve their role as natural and human refuges, there should be signs at entrances to these natural areas specifically prohibiting mountain bikes. There are many other places in the city where mountain bikes can go. Let’s keep the few truly “natural” natural areas we have as natural as possible!

Sincerely,

John Lombard
From: Graves, David
Sent: Wednesday, October 30, 2013 2:36 PM
To: John Lombard; Pinto_de_Bader, Sandra; Acosta, Rachel
Subject: RE: Mountain Bike Trails in Natural Areas

John,

Thanks for the e-mail. I agree that many of the natural areas along Thornton Creek are inappropriate for bicycle trails. In writing the proposed update to the policy, I did so with the thinking that as you said,

there are areas where bicycle trails may be appropriate and there are areas where they are definitely not appropriate. That is one of the reasons that the proposed update explicitly states that all trails are **closed** to bicycles unless signed as open, i.e if there is no sign on a trail saying bikes are allowed then they are not. Currently, all we are trying to do is update the policy such that if a group came to us with a trail proposal, we could entertain that request. We do not have a plan to locate mountain bike trails throughout the city. I'd be happy to talk with you further. Please feel free to give me a call or e-mail me.

Regards,

dg

David Graves, AICP
Senior Planner
Seattle Parks and Recreation
ph.: 206.684.7048
www.seattle.gov/parks

From: Wall, Irene [mailto:Irene.Wall@tetrattech.com]
Sent: Tuesday, November 05, 2013 4:40 PM
To: Ndifon, Christopher
Cc: Ted Holden; Pinto_de_Bader, Sandra
Subject: RE: Inquire re Project 6371813 and 6379825

Christopher,

Thank you for looking up these plans however I am frustrated that you did not act on my previous email below and send an inspector to the site. I can see from the DPD website that inspectors were at the site on Oct 18th and Oct 28th (for structural inspection.) Per our discussion DPD issued a permit that required preservation of 4 trees including 2 trees on the east (Linden Avenue) side of the lot. The two on Linden side are GONE as indicated below. It's not clear to me if the 15-inch tree west of the "bunker garage" was saved. The other remaining tree on the lot seems to be much closer to the property line with the house to the south than near the garage as shown on the permit application plot plan. The cherry tree on west side of the lot remains as indicated on the plot plan.

As I explained, Ted Holden and are meeting tomorrow with the Urban Forest Stewardship Commission to follow up on another problem with DPD's lack of effort in securing compliance with permit conditions that involved preserving trees that were to be saved on another property in Phinney Ridge at Phinney and 52nd St. We don't want this to keep happening in our neighborhood.

Please let us know when an inspector will go the site to determine if permit conditions were ignored and what will happen next.

Did the builder communicate with DPD about removing all the trees on the Linden side?

Was the builder given permission before October 6th to remove all the trees on the Linden side of the lot?

DPD web site shows that the construction permit was issued Oct 2nd and there was an inspection of the site on Oct 3rd. Had any of the trees been removed by that time?

Looking forward to explanation because we really need to improve this process. If DPD relies on complaints to ensure that permit conditions are met, then DPD must act on those complaints in a timely manner.

Irene Wall
206 883-9438 day phone

From: Wall, Irene
Sent: Wednesday, October 09, 2013 10:17 AM
To: 'Ndifon, Christopher'
Cc: Ted Holden
Subject: RE: Inquire re Project 6371813 and 6379825

Christopher,

Ted is checking with SDOT on the street trees. I drove by the site again this morning and I could identify only 2 of the 4 trees on the lot you mention below in your email. Could you request that an inspector go by and check on this? The house is now demolished.

Thanks
Irene Wall

From: Ndifon, Christopher [<mailto:Christopher.Ndifon@seattle.gov>]
Sent: Monday, October 07, 2013 11:49 AM
To: Wall, Irene
Subject: RE: Inquire re Project 6371813 and 6379825

Hi Irene,

On the site plan two of the trees are located to the north of the lot along N 63rd street, one on the west portion of the lot along Linden Avenue N and one towards the rear of the lot to the south. Trees on the right-of-way are under the jurisdiction of SDOT. DPD has not authority to regulate activities on the right-of-way. DPD works in consultation with SDOT regarding activities on the right-of-way. So if applicant is permitted by SDOT to remove the existing trees on the ROW, DPD cannot stop the permit. If you have any additional concerns or questions, regarding trees on the ROW, please call SDOT, Street Use Division for Assistance. Here is the Phone #206-684-Tree (8733).

I hope this information is helpful

Thank you
Christopher A. Ndifon
Land Use Planner II
Department of Planning and Development
City of Seattle
700 5th Avenue
Seattle, Wa 98124-4019
Ph: 206-233-7938

From: Wall, Irene [<mailto:Irene.Wall@tetrattech.com>]
Sent: Monday, October 07, 2013 9:47 AM
To: Ndifon, Christopher
Subject: RE: Inquire re Project 6371813 and 6379825

Christopher,

Thanks for your explanation. You refer to a plan to preserve the 4 existing large trees on the lot. On the plan, are these trees on the WEST side of the lot?
All the trees on EAST side of the lot are gone.

If the applicant had received permission from SDOT to remove the two cherry trees on Linden Avenue, would DPD have any record of that permission OR any requirement by SDOT to replace the trees?

Irene

From: Ndifon, Christopher [<mailto:Christopher.Ndifon@seattle.gov>]
Sent: Monday, October 07, 2013 9:41 AM
To: Wall, Irene
Subject: RE: Inquire re Project 6371813 and 6379825

Hello Irene,

Permit for the project located at 725 N 63rd Street has already been issued. In terms of the preservation of existing trees on the site, applicant clearly noted on the site plan that the existing 4 large trees will be retained on the lot. On the trees existing on the right-of-way, applicant has to get permission from Seattle Department of Transportation (SDOT) before removing any of the trees. According to the site plan, there was no indication that those trees on the right-of-way will be removed. If any of these trees have been cut down without a permit, please direct your complaints to DPD Housing and Zoning Inspectors for assistance. Here is the Phone #206-615-0808.

I hope this information is helpful.

Thank you
Christopher A. Ndifon
Land Use Planner II
Department of Planning and Development
City of Seattle
700 5th Avenue
Seattle, Wa 98124-4019
Ph: 206-233-7938

From: Wall, Irene [<mailto:Irene.Wall@tetrattech.com>]
Sent: Monday, October 07, 2013 8:38 AM
To: Ndifon, Christopher
Cc: Ted Holden
Subject: Inquire re Project 6371813 and 6379825

Christopher,
I came by 725 North 63rd Street yesterday and was shocked to see that all of the trees on that lot has recently been cut down. I counted at least 9 stumps along Linden Avenue. Some of these were large firs. The street trees in the Linden ROW are also gone. It appears they were cherry trees.

The enormous chesnut (?) tree on in the ROW on 63rd/Linden corner was still there as of last night.

Was any attempt made to protect any of these trees? I recognize this is a SF zone and the existing house is being demolished and a new one constructed. However, was there no means of protecting even a single tree on the parcel? From what I could tell by just looking at some of the structural correction notices, this will be a mega home, covering most of the lot... and this is a combined sewer area. How did the Green Factor apply in this case? Where will the site runoff go? The base of 63rd is prone to flooding and is a muddy mess all winter long.

Thanks
Irene Wall
Phinney Ridge Community Council

Cc : Ted Holden, PRCC president

From: Ruth Williams [<mailto:ruthalice@comcast.net>]
Sent: Wednesday, November 06, 2013 11:48 PM
To: Pinto_de_Bader, Sandra
Subject: Mountain Bike Trails in Natural Areas

Dear Seattle Urban Forestry Commissioners:

Thornton Creek Alliance takes a dim view of adding mountain bike trails to Seattle's natural areas. However, if this trail planning must proceed we believe it must also be accompanied by a set of very clear parameters defining where mountain bike trails would or would not ever be considered.

These parameters should include consideration of:

- 1) The size and configuration of the natural area
- 2) The habitat value – present and potential
- 3) Stream and wetland buffer zones
- 4) An assessment of compressed soils – existing and planned trails, and the new legally required ADA trails, with a goal of avoiding any increase; also keeping in mind that mountain bike trails add an extra foot for clearance on either side, e. g., a 4' trail is actually 6' wide
- 5) Level of necessary disturbance to the site
- 6) Existing restoration plans and goals

The issue of known impacts to wildlife was brought up at your Nov. 6th meeting. As you know, wildlife that was absent for decades is starting to return to many of our natural areas. We are aware that there is research supporting the idea that mountain biking does not harm wildlife, but that research was all carried out in mature forests in national or state parks, not in the smaller, fragile ecosystems of urban forests.

Thank you for your consideration.

Sincerely,

Ruth Williams, President
Thornton Creek Alliance

TCA is an all-volunteer grassroots, nonprofit organization of 115 members dedicated to preserving and restoring an ecological balance throughout the Thornton Creek watershed. Our goal is to benefit the watershed by encouraging individuals, groups, schools, businesses, and government to work together in addressing the environmental restoration of the creek system including: water quality, stabilization of water flow, flood prevention, and habitat improvement through education, collaboration, and community involvement.

Thornton-creek-alliance.org
and on [Facebook!](#)



From: cathy.tuttle@gmail.com [mailto:cathy.tuttle@gmail.com] **On Behalf Of** Cathy Tuttle
Sent: Friday, November 08, 2013 6:42 PM
To: Pinto_de_Bader, Sandra; Graves, David; Acosta, Rachel
Subject: Parks Bicycle Policy on Mountain Biking from Seattle Neighborhood Greenways

November 8, 2013

Rachel Acosta, Seattle Parks Board
David Graves, Seattle Parks
Sandra Pinto de Bader, Seattle Urban Forestry Commission

Dear City staff,

I am writing on behalf of Seattle Neighborhood Greenways in support of a nuanced approach to bicycle use when Seattle Parks updates its Bicycle Use Policy.

We understand Parks is in the process of updating its Bicycle Policy to allow limited off-road use of bicycles for recreational mountain biking in several Seattle parks including Cheasty Greenspace/Mt. View and the West Duwamish Greenbelt.

We see mountain biking in some of our parks as a great way to activate space in order to make it safer and high functioning. We trust Seattle Parks will be sensitive to, and define exactly what types of natural areas might be appropriate for bike trails and which, because of their size, shape, and habitat value would be inappropriate for mountain bike trails. Certainly, there are green spaces within our parks – Discovery Park, Thornton Creek, Seward Park come to mind – that are already so heavily programmed and well-maintained that mountain biking would put an undue strain on precious natural areas.

We encourage Seattle Parks to also be nuanced in its approach to bicycling in general in the updated Parks Bicycle Policy. Mountain biking, children learning to ride bicycles, and people riding their bicycles along five-foot wide trails for everyday transportation are vastly different uses of bicycles.

Most balls are round, but Parks policy would never cover tennis, golf, and soccer with the same standards. We trust the multiple uses of bicycles, particularly bicycles used as a healthy and equitable way to access our Parks system, will be the subject of many good discussions in the future.

Thank you for your consideration,

Cathy Tuttle, Executive Director
Seattle Neighborhood Greenways

From: buffalogal7@gmail.com [mailto:buffalogal7@gmail.com] **On Behalf Of** Barbara O'Halloran
Sent: Tuesday, November 12, 2013 12:07 PM
To: Pinto_de_Bader, Sandra
Cc: reesyong; John O'Halloran
Subject: Fwd: 3620 East John Street Tree Preservation

November 12, 2013

Sandra Pinto De Bader, Urban Forestry Commission Coordinator
Office of Sustainability and Environment
City of Seattle
700 Fifth Avenue, Suite 2728
P.O. Box 94729
Seattle WA 98124-4729

Hello Ms. De Bader:

We just spoke on the phone regarding the proposed removal of 3 exceptional trees in our neighborhood.

Please see the forwarded correspondence below, to the DPD regarding this situation, which includes a letter to Roberta Baker, Land Use Review Manager of the DPD, the arborist report concerning the health of the trees, and attachments detailing proposed site plans that would save the trees. Also attached is a sample of one of the letters written by a neighbor to the DPD detailing their importance to this neighborhood.

These trees are located in Denny-Blaine, one of Seattle's first developments. They are historic, old and extremely large trees. They are what makes Denny-Blaine so special. They can not be replaced in our lifetime. Brian Gilles, Certified Arborist, has seen the trees and his report, including photographs of the trees, is attached. He has certified that the trees are healthy and not hazardous.

Any support is appreciated. A decision to take these trees could come at any time, but by December 31st. (We hope to change that end date as it would make any further action we could take through the courts difficult or impossible, should the decision be against keeping the trees.)

Please contact me at [206-3241742](tel:206-3241742) if you have any additional questions.

Barbara O'Halloran
3710 E. John St.
Seattle WA 98112

----- Forwarded message -----

From: <reesyoung@aol.com>

Date: Thu, Nov 7, 2013 at 6:48 PM

Subject: 3620 East John Street Tree Preservation

To: roberta.baker@seattle.gov

Cc: diane.sugimura@seattle.gov, seth.amrhein@seattle.gov, molly.hurley@seattle.gov

November 7, 2013

Roberta Baker, Land Use Review Manager
City of Seattle Department of Planning and Development
PO Box 34019, 700 Fifth Avenue
Seattle, WA 98124 – 4019

Dear Roberta,

RE: 3614 East John Street / 3620 East John Street
Project #6381183
Project #3016281
Project #6374028

First, thank you for your thoughtful follow-up notes to our letter of October 31; we believe we now have a clear picture of the process DPD will use going forward. We certainly appreciate how responsive you have been to our concerns thus far, and hope this bodes well as we move to the next phase.

It is apparent from the DPD website that the developer of the property at 3620 East John Street has filed for a permit to develop the site. While not all of the relevant drawings are available to view, the Arborist's report submitted as part of the formal application is, and it is clear that even hired experts have declined to declare the truly exceptional trees on this property as hazardous. The site plan is available as well, and it shows the proposed house in direct conflict with the trees, as outlined in their arborist's report. It is our understanding that if the trees are not hazardous, they are now subject to the protections afforded by the city's land use code, particularly Section 25.11.060 (a number we now almost know by heart...)

Now that we are at this stage, there are a few points we would like to make:

1. The developer, Edson Gallaudet of Build Urban LLC, kindly accepted our invitation to meet with a few concerned neighbors to discuss their plans for the site, as well as our concerns. We met on Friday of last week, and covered all of the points outlined in our previous letter to you and Director Sugimura, and suggested that there were ways to avoid disturbing the trees while still being able to achieve his goal of building a house on the site per city guidelines. While he listened to our concerns, and perhaps even shared some, he did point out that he has a financial backer on this project, and that this person "could not care less about the trees." Perhaps this explains why Build Urban promptly filed its permit on the following Tuesday, with no apparent changes to its original site plan. The relevant lot boundary adjustment proposal was filed on Thursday, a move which further complicates the development options on the site.
2. Now that plans have been filed for the development of this property, we assume that the Department's consideration will commence in earnest. In support of that effort, and with a concern that the applicant may not provide all relevant information, we would like to provide the attached Exhibits for your consideration. You will also find a legal description of the driveway easement to the existing house at 3614 East John. An explanation of these Exhibits is as follows:

Exhibit A shows the two lots A and B as they now exist. Of particular note are items **F**, four Exceptional trees; **G**, the location of the potential LBA proposed under 3016281; **C**, the current asphalt driveway access to parcel A at 3614 E. John; and **D**, the location of the platted access easement to said house (a copy of the plat is also attached). Since the two lots have been heretofore held under common ownership, nothing compels the retention of the current driveway configuration except the costs of its relocation and the reconfiguration of the garage.

Exhibit B shows development parameters for Parcel B at 3620 East John Street. Of particular note are items **K**, a new access drive that remains within the confines of its platted easement; and **J**, a reduced rear yard depth consistent with the provisions of SMC 25.11.060

Exhibit C shows a development footprint that is 35% of the Parcel B lot area, or 2100 sf, which stays within all required yards while allowing for the retention of the 'Exceptional' trees. While this 2100 sf maximum would not be optimal for the trees, Exhibit C clearly shows that the exceptions outlined in SMC 25.11.060 A.1.a and b cannot be satisfied, and that therefore the Director cannot permit these trees to be removed.

Exhibit D demonstrates the impact that approving LBA 3016281 would have on the development of Parcel B at 3620 East John Street. Of particular note is the fact that the new access drive to Parcel A falls outside of the recorded easement, and that a new easement will need to be created in an area that would otherwise be available for building. Therefore, unless further incursion into the tree protection area is pursued, this self inflicted loss of 'safe' buildable area shrinks the potential footprint to 1790 sf as opposed to the 1925 sf which would otherwise be allowed on the adjusted Parcel B.

Exhibit E is more speculative in that it shows what might be achieved if the developer were to work with the department with the goal of successfully retaining the neighborhood's (and the city's) exceptional trees. Its 1600 sf footprint is not maximal, but it is certainly large enough to provide a substantial financial gain. It also shows some of that footprint extending into the required side yard along 37th Avenue East, a variance to development standards that could be justified by the particularities of the site and its topography, and the existence of a terrace garage and retaining wall in the required yard immediately to the north of the lot - not to mention the overriding benefit to all concerned.

Now that these applications have been accepted for review, it becomes the responsibility of the department and its reviewers to protect the trees by implementing the substance of Seattle's Tree Preservation Ordinance. We are confident that the developer, owning both lots, can find a way to make this work if both he and the Department are willing to join the neighborhood in making the survival of these trees, rather than the investors' profits, the primary concern.

Thank you once again for your attention to this matter, and your time and efforts on our behalf.

Sincerely,

Lanie Young and Peter Rees
Enc.