



SEATTLE URBAN FORESTRY COMMISSION

Weston Brinkley (Position #3 – University), Chair • **Sarah Rehder** (Position #4 – Hydrologist), Vice-chair
Julia Michalak (Position #1 – Wildlife Biologist) • **Elby Jones** (Position #2 – Urban Ecologist - ISA)
Stuart Niven (Position #5 – Arborist – ISA) • **Michael Walton** (Position #6 – Landscape Architect – ISA)
Joshua Morris (Position #7 – NGO) • **Blake Voorhees** (Position # 9 – Realtor)
Elena Arakaki (Position #10 – Get Engaged)
Jessica Jones (Position # 12 – Public Health) • **Shari Selch** (Position # 13 – Community/Neighborhood)

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

Meeting notes

March 3, 2021, 3:00 p.m. – 5:00 p.m.
Via Webex call
(206) 207-1700
Meeting number: 146-423-2494
Meeting password: 1234

In-person meeting are not being held at this time due to the pandemic. Meeting participation is limited to access by joining the meeting through a computer or telephone conference line.

Attending

Commissioners

Weston Brinkley – Chair
Sarah Rehder - Vice-Chair
Elena Arakaki
Julia Michalak
David Moehring
Josh Morris
Stuart Niven
Shari Selch
Blake Voorhees
Michael Walton

Staff

Sandra Pinto Urrutia - OSE

Public

June BlueSpruce
Jim Davis
Drew Foster
Michael Oxman
Steve Zemke

Absent- Excused

Elby Jones
Jessica Jones

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: Weston called the meeting to order and read the UFC land acknowledgement.

Public comment:

June BlueSpruce: she has been participating in UFC meetings and she sounds like a broken record, but the City passed a resolution to develop and adopt a tree protection ordinance. That hasn't happened yet. Nine months ago, the City started working on a Director's Rule that would enhance tree protection. There was a flood of comments in support of the DR. She continues to be concerned about the health of our urban trees and the health of people that benefit from the tree's protective impact. She wants to see the ordinance adopted.

Jim Davis: He lives in Magnolia. He has two comments: 1) Has the UFC considered a study on the supply side of tree service companies? He sees companies that are doing tree work that he didn't recognize. It would be interesting to know where the companies are based and what type of market there is in order to understand the dynamics. 2) if we aren't progressing with City rules, what could be other answers? Maybe look at citizen initiatives.

Steve Zemke: He urges the UFC to watch the video of the last meeting of Council's Land Use and Neighborhoods committee where Weston and Sarah presented the UFC's 2020 annual report and 2021 work plan. They emphasized to Council the importance of passing an ordinance. He is looking forward to hearing the discussion on the director's rule. He remembers the recommendation the UFC issued on 8/12/20. Current code already gives authority to issue permits. He thinks the City needs to move forward the non-controversial pieces of the DR. The House Bill 1216 to provide urban forestry support to municipalities via DNR, but a poison pill was introduced where the owner of a private property can opt out.

Michael Oxman: He wanted to share several complaints he has filed with SDCI about tree removals in several parcels. He wants protective fencing to be placed before any work is done, including surveys. He also mentioned several code violations.

Chair report:

Weston reminded the public that the UFC doesn't have budget to be able to commission studies or reports. This is something that could be discussed as part of internal operations.

1. We are still working on establishing membership for the Administrative and Equity/Diversity committees. Please let Sandra know if you are interested in participating. He would like to finalize the committees at the next meeting.

2. Whit Bouton resigned to position #11 (Environmental Equity representative) because he accepted a job with SDOT.

Adoption of February 3 and February 10 meeting notes adoption

ACTION: A motion to approve the February 3 meeting notes as amended was made, seconded, and approved.

ACTION: A motion to approve the February 10 meeting notes as written was made, seconded, and approved.

The good, the bad, and the ugly presentation _ David Moehring

David did a presentation giving examples of situations where development preserved trees; instances where community involvement asked for alternative design solutions in order to preserve onsite trees, and situations where trees were removed after development had created conditions to preserve them.

Properties included in the presentation were:

- - 4101 Wallingford Ave N
- 2000 NW 61st St and 6105 20th Ave NW
- 2030 and 2042 NW 62nd St
- 2813 4th Ave W
- 2213 NW 63rd St

Information obtained through an October 2019 public records request.

David also provided information about street trees and share SDOT's [website](#) that includes information about environmental equity and justice, urban tree canopy, and tools to explore street trees.

David also shared numbers of street trees removed and trees planted by SDOT from 2007 to 2019 (600 to 900 per year removed obtained from October 2019 Public Records Request).

David stressed the importance of supporting a healthy urban forest as we increase density. He showed photos of cities with no room for trees and cities where they preserve tree canopy as they provide density.

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>

SDCI's Director's Rule 13-2020 – Exceptional Trees

The group discussed issuing another recommendation about DR 13-2020. Ideas shared included:

- Move forward immediately those items that can move forward, such as updating definition of exceptional trees, tree groves, significant trees, re-defining hazardous trees, submitting a new Exceptional tree list, and including tree care provider acknowledgement.
- Proposed timeline: development of outreach materials. Finish this portion to focus on outreach and public engagement.
- Have survey done – to help messaging of why this is important. Pre-pandemic was supposed to be completed by May-June 2020. Is effort ongoing? Has it been tabled?

Possible things to include in a recommendation:

- Regarding groves: if a tree is lost due to damage during development, that doesn't mean that the grove status for that area is lost. The grove needs to be a footprint definition consistent with "x" # of trees and it's important to keep track of the data. SDCI should not lose track of groves due to trees being damaged by development.
- Should acknowledge the tree tracking sheet and recommend that it's used in a way to get to the grove issue. Should ask how it's being used RE: exceptional trees required to be replaced based on current code. Where is the tracking for those replacement trees (based on current code). Is the tracking sheet sufficient? The UFC believes there are missing criteria that need to be included in the tracking sheet.
- We are trying to track through tree removal permits. If we can't get those, then could track through the building permit process.
- Registered tree service provider to be added in. It's already being done by SDOT.
- Regarding tree loss prior to actual development, if threshold is lower and there is a tree service provider requirement this could save more trees when they are not connected to development.
- Define tree service provider. Currently there is a loophole. It's anybody doing significant pruning or removal on any significant tree. Is there a State classification that could help?

Tina Cohen's input provided via email for the UFC to consider:

"The tree risk assessment must conclude that the exceptional tree is a "high" risk hazard using the tree risk assessment methodology and criteria established by the International Society of Arboriculture (ISA) due to one or more of the following:

- *The tree or tree part has structural defects and/or other conditions that make the tree or tree part very likely to fail;*
- *There is an existing structure or an area of moderate-to-high use by people, such as walkways or trails that would be impacted if the tree failed;*
- *There is a utility or existing structure that is damaged and/or impacted by the tree and cannot be repaired or relocated;*

- The danger cited cannot be mitigated by either pruning the problem portion of the crown or roots of the tree, repairing or moving the structure or relocating the activity, or repairing the utility; and*
 - When development is proposed and allowed per Chapter 25.11, the likelihood of survival after construction.***
- Please close this loophole.”*

Webex chat during the meeting:

- From Steve Zemke to everyone: 4:10 PM: developers are required to replace any exceptional tree removed or tree over 24 inches. If not on site plant on city property. Without any fee, is city going to do it for free?
- From Steve Zemke to everyone: 4:12 PM: Reduce exceptional tree size to 24" DBH. Portland has gone down to 20 ' DBH.
- From Steve Zemke to everyone: 4:15 PM: Last version they excluded street trees as part of grove. Including street trees as part of grove makes sense.
- From Steve Zemke to everyone: 4:21 PM: Require same conditions for tree service providers same as SDOT has, including certificate of insurance and annual city of seattle business license and WA staate contractor's license to insure workers can get workers compensation.
- From mwalton (privately): 4:23 PM: If she is interested in joining, I noticed the Webex number listed on the city website has a typo. The correct number is 146 423 2494. On the website the middle set of numbers is listed as 243.
- From David Moehring to everyone: 4:28 PM: Here is the link to the ideal arborist report for the good Ballard development example at 2000 NW 61st Street:
<http://web6.seattle.gov/dpd/edms/GetDocument.aspx?id=2986569>
- From David Moehring to everyone: 4:32 PM: ... and the 2.5-minute video of the Exceptional Tulip Tree that Sandra messaged to us located at 2813 4th Ave W, Seattle (Queen Anne)
<https://tinyurl.com/seattletuliptree> (FYI This development is complete with the 5 townhomes recently sold.)

Bylaws final review and possible vote

The group reviewed and discussed the bylaws one more time and moved to adopt them.

ACTION: A motion to approve the UFC bylaws as amended was made, seconded, and approved.

Public comment:

Michael Oxman: He doesn't like the idea of dropping the fee-in-lieu from the director's rule. Residents want it. He participated in SDCI's open house. There were questions asked but they were not shared with the panel. Staff said that the questions were not part of the scope.

Steve Zemke: He wanted to remind the UFC of the letter it issued about the Director's Rule on August 12, 2020. He is concerned about UFC members participating in internal meetings without a record. It becomes hard to respond to specific objections about the director's rule. What other things besides permit and fee-in-lieu are being considered. He recommended looking at Portland.

Drew Foster: He has been thinking about canopy cover recently. The 2016 assessment is excellent. However, lidar is not very consistent and it's not collected annually. It would be good to look at how to look at canopy cover change over time more frequently.

Adjourn: Weston adjourned the meeting.

Public input: (see next page and posted notes)

From: Sophia Córdova <bookworm@seanet.com>
Sent: Monday, March 1, 2021 9:18 AM
To: Pinto Urrutia, Sandra <Sandra.PintoUrrutia@seattle.gov>
Subject: Please adopt, with amendments, SDCI's Director's Rule 13-2020

CAUTION: External Email

Sandra Pinto de Bader,

Please adopt, with the amendments recommended by the Seattle Urban Forestry Commission, SDCI's Director's Rule 13-2020 (Designation of Exceptional and Significant Trees, Tree Protection, Retention, and Tree Removal during land division, including tree service provider requirements).

Seattle must move forward now, without the delay urged by some, in adopting this updated Director's Rule with the amendments proposed below. This process of increasing protection for our urban forest was first proposed by the Seattle City Council 11 years ago and is long overdue.

The following updates as proposed in the draft Director's Rule are great steps forward:

- Reducing the upper threshold on exceptional trees to 24 inches in diameter at standard height (DSH) from 30 inches
- Designating trees 6 inches DSH and larger as protected trees, starting in the platting and short platting process
- Requiring Tree Care Providers to register with the City as the Seattle Dept. of Transportation already requires
- Continuing protection of tree groves as exceptional trees, even if a tree is removed from the grove
- Making clear that all exceptional trees removed during development must be replaced per SMC 25.11.090
- Tightening tree removal requirements for exceptional trees as hazard trees

The following changes to the draft Director's Rule are needed:

- Change Subject Title to remove words "land division" and replace with "Development"
- PURPOSE AND BACKGROUND. add "SMC 23 requires that all trees 6 inches DSH and larger must be indicated on all site plans throughout the platting and sub-platting process, and that projects must be designed to maximize the retention of existing trees. This requirement continues throughout any subsequent development on all lots in all zones in the city."

- SECTION 1. Reduce the number of trees and sizes required to be a tree grove. Kirkland, Woodinville, and Duvall all define a tree grove as “a group of 3 or more significant trees with overlapping or touching crowns.” Include street trees in groves.
- Add “Significant trees may become exceptional as they grow in size. They are future replacements in the urban forest for exceptional trees when they die. Development projects must be designed to maximize the retention of both exceptional and significant trees to maintain a diversity of tree species and ages.”
- Add “All replacement trees regardless of size are protected trees and can’t be removed.”
- SECTION 2. Change the heading to “TREE PROTECTION”. Remove references to “Exceptional Trees” only and change to “Trees”. e.g., change “Exceptional Tree Protection Areas” to “Tree Protection Areas”.
- SECTION 4. Add “The Director shall have the authority to allow replacement trees on both public and private property to meet the goals and objectives of race and social justice under Seattle’s Equity and Environment Initiative.”
- Under SMC 25.11.090 the Director has the authority to require “one or more trees” to be planted as replacement trees for removed exceptional trees during development. The number of trees required should increase with the size of the tree removed, with a goal to achieve equivalent canopy area and volume in 25 years. Any in-lieu fee must also rise as the size of the removed tree increases. The city can not wait 80 years to replace an 80-year-old western red cedar tree and expect to maintain its canopy goals as large exceptional trees are removed during development.
- SECTION 5. SEPA requirements under SMC 25.05.675 N are for protecting special habitats and need to be considered at the beginning of the development process. The language of this SEPA code section should be included in the Director’s Rule to be certain that the code is complied with.
- SECTION 6. SDCI should adopt SDOT’s registration process and requirements to assist Tree Care Providers in complying with city code and regulations. Reduce the number of citations that will remove a Tree Care Provider from being registered with the city to no more than 2 per year. Require annual registration same as Seattle business licenses require. Require that Tree Care Provider companies have a WA State contractor’s license to ensure they have workers’ compensation. Require they have a certificate of insurance that lists the city as an additional insured so the city cannot be sued. Require that all jobs either have a certified arborist on the work site or that they have visited the site and officially sign off on the specific work being done.

Thank you for protecting our urban forest.

Sophia Córdova

bookworm@seanet.com

6215 Ravenna Ave NE

Seattle, Washington 98115-7025

From: Sophia Córdova <bookworm@seanet.com>

Sent: Monday, March 1, 2021 9:20 AM

To: Pinto Urrutia, Sandra <Sandra.PintoUrrutia@seattle.gov>

Subject: Save our Trees!

CAUTION: External Email

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.

2. Require the replacement of all Significant trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Sophia Córdova

bookworm@seanet.com

6215 Ravenna Ave NE

Seattle, Washington 98115-7025

From: Jean Trent <info@email.actionnetwork.org>
Sent: Tuesday, March 2, 2021 2:07 PM
To: Pinto Urrutia, Sandra <Sandra.PintoUrrutia@seattle.gov>
Subject: Tree Protection Ordinance, pass and enforce

CAUTION: External Email

Sandra Pinto de Bader,

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

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8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Thanks, jean

Jean Trent

jean.trent@gmail.com

9100 Roosevelt WY NE

Seattle, Washington 98115

From: kylee Slevin <info@email.actionnetwork.org>
Sent: Saturday, March 6, 2021 5:24 PM
To: Pinto Urrutia, Sandra <Sandra.PintoUrrutia@seattle.gov>
Subject: Please adopt, with amendments, SDCI's Director's Rule 13-2020

CAUTION: External Email

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Thank you for protecting our urban forest.

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