

MATERIAL PREPARED FOR DISCUSSION BY THE URBAN FORESTRY COMMISSION. THIS DELIBERATIVE DOCUMENT DOES NOT REFLECT THE OPINION OF THE URBAN FORESTRY COMMISSION AND MAY OR MAY NOT MOVE FORWARD TO VOTE.

Mayor Jenny A. Durkan and Seattle City Council Members
Seattle City Hall
600 4th Ave
Seattle, WA 98124

RE: Statement of Legislative Intent (SLI) MO-001-A-002

Dear Mayor Durkan and Councilmembers,

As part of last year's budget process the Urban Forest Commission (UFC) was tasked with reviewing the City's overall forestry management in the Statement of Legislative Intent MO-001-A-002. The UFC submitted an initial SLI response to you all on July 15th providing background on the state of urban forestry management in the city and the context of a series of City Auditor reports related to this topic. That letter also requested the UFC work with City staff to craft a robust, unified set of recommendations as specified in the SLI. Unfortunately, staff did not respond to our request to collaborate.

The UFC today is following up with our formal recommendations related to MO-001-A-002. As previously stated, we continue to recommend that:

1. The City retain an outside, independent consultant to review best practices for municipal urban forestry management structures.

The SLI specifically outlines four items for inclusion in a response. 1) timeline for implementation; (2) consider staff involved in policy development, permitting and inspections, maintenance, community engagement, and stewardship; (3) identify code amendments needed to effectuate any changes; and (4) provide an estimate of costs, including potential savings, for implementing the proposed reorganization.

Without staff cooperation the UFC is unable to effectively comment on staffing timelines, costs estimates and savings and will therefore not be addressing items 1 and 4 in this letter.

Focusing on items 2 and 3 outlined in the SLI, the UFC believes that the final item from the 2011 Auditor Status Report: *"The City needs to have a single, executive-level official or entity that has clear authority and accountability for 1) implementing the UFMP's goals, 2) setting program priorities, and 3) resolving conflicts"* has both not been resolved and is the critical need underlying this SLI. The City desperately needs a single entity with authority and accountability for trees and vegetation.

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Additionally, the UFC believes that the question poised in the SLI, whether, *“evaluation should consider whether to transfer staff and regulatory authority from SDCI and SDOT to another department or office in order to improve Seattle’s urban forest, particularly in regards to the removal of trees”* is of utmost importance. The UFC believes that while the authority currently rests with SDCI, they have been unwilling to use it to manage trees in our city.

Seattle Department of Construction and Inspections (SDCI) is currently responsible for:

- the majority of trees in the city,
- a majority of available planting space in the city,
- and the management of the trees under greatest threat.

Additionally, SDCI has numerous tools such as permitting and inspections, engagement, education, and outreach, rule development, fee in lieu and mitigation mechanisms all currently authorized under existing City code. Yet, SDCI has not chosen to manage trees in a way consistent with the Urban Forest Management Plan Goals, Seattle Comprehensive Plan goals associated with trees and vegetation, existing Executive Orders, or Council Resolutions.

Therefore, the UFC recommends:

2. A Division within SDCI be created with authority and accountability to manage trees and vegetation on private property, during and outside of development, in a way that is consistent with City plans, goals, and code. This Division should be additionally resourced to implement effective:

- I. Licensing of private property tree care providers
- II. Permitting of significant and exceptional tree removal
- III. Tracking of significant trees, exceptional trees, and tree groves, planted and removed
- IV. Monitoring, maintenance, and as needed replacement of trees planted as part of mitigation activities
- V. Educating and resourcing the public about tree management on private properties
- VI. Managing and disbursing resources from a Tree Replacement and Preservation Fund
- VII. Issuing stop work orders and notices of violations, and imposing penalties and fines
- VIII. Produce regular reports documenting these items

SDCI has a 20-year record of prioritizing development over tree and urban forestry protection. Both need to be done for a healthy, livable city that addresses climate change, environmental equity, race and social justice, and housing affordability.

Therefore, if SDCI is deemed inappropriate for such authority to oversee private property trees, the UFC recommends that,

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3. Another (new or modified) Department-level (not Office) entity within the City of Seattle be assigned the above private property tree and vegetation management responsibilities and adequately resourced to carry them out effectively.

The UFC would like to see trees on private property receive much more attention and protection than they currently do.