



## City of Seattle

### Urban Forestry Commission

---

#### SEATTLE URBAN FORESTRY COMMISSION

**Becca Neumann** (Position #4 – Hydrologist), Co-chair

**Joshua Morris** (Position #7 – NGO), Co-Chair

**Laura Keil** (Position #10 – Get Engaged), Co-Chair

**Julia Michalak** (Position #1 – Wildlife Biologist) • **Falisha Kurji** (Position #3 – Natural Resource Agency)

**Stuart Niven** (Position #5 – Arborist – ISA) • **Hao Liang** (Position #6 – Landscape Architect – ISA)

**David Baker** (Position # 8 – Development) • **Jessica Hernandez** (Position #11 – Environmental Justice)

**Jessica Jones** (Position # 12 – Public Health) • **Lia Hall** (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*

#### Draft meeting notes

May 17, 2023, 3:00 p.m. – 5:00 p.m.

Via Webex call and in-person at the  
Seattle Municipal Tower, Room 1872 (18<sup>th</sup> floor)  
700 5<sup>th</sup> Avenue, Seattle

(206) 207-1700

Meeting number: 2490 550 6366

Meeting password: 1234

#### Attending

##### Commissioners

Becca Neumann – Co-Chair

Josh Morris – Co-Chair

Falisha Kurji

Hao Liang

Jessica Hernandez

Lia Hall

##### Staff

Patti Bakker – OSE

##### Guests

Toby Thaler

##### Absent- Excused

Laura Keil – Co-Chair

Julia Michalak

Stuart Niven

David Baker

Jessica Jones

##### Public

David Moehring

Steve Zemke

Francisca

Sage Miller

Sandy Shettler

**NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at:**  
<https://www.seattle.gov/urbanforestrycommission/meetingdocuments>

**Call to order:** Josh called the meeting to order and offered a land acknowledgement.

**Public comment:**

Steve Zemke urged the UFC to consider in relation to the ordinance response, three amendments TreePAC is recommending: 1) remove the 85% and 100% lot coverage as this issue wasn't evaluated accurately in the DNS addendum, 2) evaluating impacts of data, since they did not include an amendment for that, 3) issue of maximizing retention of existing trees; there is no reason to allow developers to cut all trees 6-24" if they don't have to. Also, the DNS did not include evaluation of potential impacts of House Bill 1110; that will dramatically impact tree canopy across the city.

David Moehring noted regarding the UFC recommendations and the amendments related to them – the city is close to having a new tree protection ordinance that might establish tree equity, just needs an amendment to make it more effective. A possible change to Chapter 25.11.070, where the 85% and 100% rules have been integrated, is to allow more flexibilities in development in higher canopy areas with lower displacement risk.

**Chair, Committees, and Coordinator report:**

Patti provided an update regarding federal funding opportunities, as it was recently announced that there is \$1.5 billion available for urban forestry projects nationwide, through the US Forest Service's Urban and Community Forestry program. This funding focuses on climate, equity and workforce development – all things that fit well with our urban forest focuses here in Seattle as well. There is a lot of coordination happening right now with city departments, non-profit organizations and other community groups, so that there is a good understanding of the various projects and applications that could be submitted by various groups, and so that groups are all supporting each other as much as possible. The city is looking at submitting an application with several components to it, including:

- Holistic NA management component, working across departments and jurisdictions.
- A neighborhood residential component – working to expand our canopy expansion work in neighborhoods – involving youth job training and working with community.
- Community engagement and development of the Canopy Equity and Resilience Plan, adding federal funds to the city's funds in order to deepen the community engagement work we want to do with that project.

Patti noted that the new date scheduled for confirmation of the appointees for positions 1 and 2 is June 14.

**Adoption of April 5, 7 and 19 meeting notes**

**Action: A motion to approve the April 5, 2023 meeting notes as written was made, seconded and approved.**

**Action: A motion to approve the April 7, 2023 meeting notes as written was made, seconded and approved.**

**Action: A motion to approve the April 19, 2023 meeting notes as amended was made, seconded and approved.**

**SA/ANSI standards related to the tree protection ordinance – Seattle Arborist Association**

Allen Taylor provided background information on what the ANSI standards are. There are ANSI standards covering many topics, arboriculture being one of them. The process to develop ANSI standards brings together practitioners, academics and government folks to develop standards that everyone can agree is how things should be done in the different disciplines. The standards are very technical and precise. They then also develop Best Management Practices (BMPs) that provide more detail, are more informative and readable. For arboriculture, the BMPs are written by the International Society for Arboriculture.

Most pertinent to arboriculture are the ANSI Z133-2017 – Safety standard, and ANSI A300 – various parts, including Pruning Standards, Tree Risk Assessment, Tree Support Systems, and Managing Trees During Construction.

The standards get updated regularly, and many are consulted and involved when updates happen, including commercial groups and organizations. There is a very large amount of content in the standards and all practitioners should be familiar with them. However, getting the standards can be frustrating. Hardcopies have to be purchased from ISA. Free online versions are often out of date. This creates a barrier for folks who are more tangentially interested and it makes it harder to encourage folks to defer to the standards if non-practitioners find it hard to get them.

Where do the standards fit in? Anywhere where the government or other authorities say they need to be adhered to. A lot of work goes into them and very knowledgeable people develop them. SAA has been advocating for referring to the standards that already exist rather than creating new standards. Opportunities to defer to the ANSI standards happen at all levels – federal, state, local governments, local companies.

The standards are used in a variety of ways: to inform arborists' discretionary work, to protect arborists from liability, for practitioners to learn how to do things correctly, and more. The words "should" and "shall" are important and specific in the standards, where "should" is a recommendation and "shall" is a requirement. That makes a really big difference in adhering to the standards and carrying out the work.

ANSI standards and construction – ANSI A300 Part 5 lays out guidelines for setting up tree protection zones during construction, along with many other construction-related requirements. 55.1.3 states that the TPZ radius should be 6-18 times the trunk diameter and gives considerable discretion to the arborist to modify the TPZ because of the word "should". Professional discretion could make the TPZ larger or smaller, and some trees may get more protection than they need, and some trees may not get enough protection. It's hard to put a hard and fast rule to natural systems and have it work.

TPZs vary quite a bit in real life; some fail miserably, some are very effective. How they're written out and how they're implemented matter. Starting with good standards and best practices for setting up the zones matters, and then having them adequately used during construction.

The standards are the foundation of a learning process that has no end and should never end. They and the implementation of them should be continually evolving.

Questions and comments related to the presentation included:

- Aside from the TPZ, are there other parts of the proposed ordinance update that you feel would have been improved by referring to the standards?
- Given the dynamic situation of the tree protection ordinance, accessibility and clarity within the code are very important. Updates of the ANSI standards happen more frequently than the city's tree code is updated. How can the city's code keep up with those changes? The ordinance should include the words "or successor" whenever ANSI standards are referenced.
- Seattle is using Tree Protection Area instead of Tree Protection Zone as referenced in ANSI and most other cities.
- Are there particular standards the UFC should become familiar with?

### **Presentation debrief**

Becca volunteered to draft a follow-up letter. Josh offered some points to be included:

- Thanking Allen for the presentation, the relationship building and sharing information with the UFC.
- It was interesting to learn the rationale for why the standards are such high quality in caliber and why it makes sense to often refer to them or try to defer to them as often as possible.

### **Tree protection ordinance process reflection**

Josh provided a recap of the ordinance process, particularly in the short window to review and respond to the 50 or so amendments and how they were dealt with by the Land Use Committee. Lia shared her feedback on the process and expressed the desire for the UFC to agree on the most important issue areas and unify the

messages. Josh and Lia relayed that from conversations with Councilmembers, they had a hard time absorbing all of the amendments and issues due to the timeline.

Josh walked through the draft letter he prepared for the UFC's input regarding the tree protection ordinance process. The letter includes appreciating that the provisions in the ordinance are a big step forward in how the city is managing trees on private property and that it includes many provisions advocated for by the UFC for many years. However, the letter requests additional time so that all the provisions can be considered carefully and good code can be created. Commissioners discussed the process and their recommendations, and edited the letter.

**Action: a motion to adopt the tree protection ordinance process letter as amended was made, seconded and approved.**

#### **Cambridge Urban Forest Master Plan briefing follow-up**

Josh summarized the draft letter Laura prepared for this follow-up, which includes appreciation for the informative presentation and notes on the relevance of the work.

**Action: a motion to adopt this follow up letter as written was made, seconded and approved.**

**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>**

#### **Public comment:**

David Moehring noted what can happen related to trees with lot subdivision. Applying the new 85% hardscape coverage, all trees can be removed from a lot during subdivision. If the 85% rule passes, it shouldn't allow the process of subdivision to be applied before the tree removal 85% is applied.

Steve Zemke noted to keep in mind other opportunities to be involved moving forward. There was an attachment to the bill which had a lot of issues to look at including the issue of oversight of trees, options for which include creating a Division within SDCI, keeping oversight in OSE or creating a department of Climate and Environment that has an urban forestry division in it. SDCI's primary mission is to help builders build projects; there's no clear division with a mission to balance that out. He urges looking at the issues and putting in requests for revisiting the issues in January-February that need to be looked at. Between now and then, the UFC can invite people to brief them on issues to more fully inform future action.

Francisca noted that there were many tree advocates speaking at the Land Use Committee meetings. They were surprised and disheartened that so many of UFC's recommendations were voted down. They follow the UFC's lead, especially today in your optimism and persistence, and they needed that today.

Sage Miller noted that the last opportunity to weigh in on this with Council is at the meeting on the 23<sup>rd</sup>.

Sandy Shettler supported the request to delay the vote on the ordinance, because there are things that need to be analyzed, such as the provision around homes or ADUs being less than 15 feet wide that would allow removal of exceptional trees.

**Adjourn:** The meeting was adjourned at 5:06 PM.

#### **Meeting chat:**

from Francisca to everyone: 3:03 PM

Francisca no public comment

from Jessica Hernandez #11 to everyone: 3:16 PM

Is anyone else hearing static?

from David Moehring to everyone: 3:18 PM

My apologies... I hope to check back in later ... back to a work deadline. Stay strong during each of your hard work efforts, Commissioners!

from sage miller to everyone: 3:21 PM

sorry for joining late. I was wondering about the status of the citizens complaint about tree cutting at 7019 23rd nw.

from sage miller to everyone: 3:22 PM

The complaint was submitted by Virginia Hassinger

from sage miller to everyone: 3:39 PM

A bit of clarity- complaint was submitted to Darren Morgan, Maintenance and urban forestry division .

Violation- removal of tree protection fence and excavator trenching in tree protection area #6860433-NC

from Lia Hall to everyone: 3:42 PM

Hi Sage, Sorry to hear about the tree cutting. Unfortunately we do not oversee these complaints. You would have to follow up with SDCI.

from Hao Liang to everyone: 3:54 PM

<https://www.portland.gov/trees/trees-development/construction-and-tree-preservation/prescriptive-path>

from Hao Liang to everyone: 3:54 PM

<https://www.austintexas.gov/permitingatx/residential-toolkit/building-near-a-tree#CRZ>

from Jessica Hernandez #11 to everyone: 4:04 PM

No comments from me -Jessica

from Allen Taylor to everyone: 4:07 PM

Most relevant ANSI Standards: ANSI A300 (Part 5) - 2019 Construction, ANSI A300 (Part 1) - 2017 Pruning, ANSI A300 (Part 8) - 2013 Root Management, Be sure to also read accompanying BMPs. All found here:

<https://www.isa-arbor.com/store/category/117/>

from Allen Taylor to everyone: 4:08 PM

I gotta run, thanks so much for having me!

from Hao Liang to everyone: 4:08 PM

Thank you Allen!

from Sandy Shettler to everyone: 4:08 PM

Thanks Allen, awesome presentation!!

from Steve Zemke to everyone: 4:12 PM

Need city plan on how the city is going to reach 30% tree canopy goal, No intermediate goals given, only 2037.

from Steve Zemke to everyone: 4:14 PM

Like Tree Service Provider legislation, can ask for review and possible amendments next Jan/Feb.

from Sandy Shettler to everyone: 4:15 PM

The UFC draft of 2019 is relevant--was the product of several years of analysis of best practices nationwide

from Steve Zemke to everyone: 4:16 PM

Key to delay and evaluate 85% and 100% guaranteed development area implementation now.

from Steve Zemke to everyone: 4:16 PM

City takes August off and shifts rest of year to mostly budget. Few meeting in Sept.

from Steve Zemke to everyone: 4:17 PM

So basically have June and July for any delay and reevaluation. and vote

from Antieau, Clayton (privately): 4:17 PM

Dft letter is vague and provides scant actionable information. Needs to be very specific wrt UFC 'concerns,' asks, actions...

from Steve Zemke to everyone: 4:20 PM

Need to protect more existing trees. People need trees where they live and that already are there. Planting new trees for removed trees is expensive, not all survive and can take decades to provide needed by environmental services.

from Sandy Shettler to everyone: 4:21 PM

I don't think public comment will help--there was a deluge of emails and many public comments, mostly in favor of UFC recommendations, did not have an impact

from June BlueSpruce to everyone: 4:22 PM

Agree that key focus of delay time should be hardscape allowance. It's an untested strategy that could have a brutal impact.

from Sandy Shettler to everyone: 4:23 PM

Or that were never presented, such as maximizing the retention of existing trees throughout development.

The UFC has pushed for this for years

from Steve Zemke to everyone: 4:23 PM

Council Chair and Land Use Chair can state don't want amendments but you have the right to ask they consider them. They have allowed amendments in the past. at the full Council.

from Toby Thaler to everyone: 4:24 PM

Calendar info: CM Juarez will not be chairing Council on 23rd; per Resolution 32036, Pro Tem chair will be CM Herbold.

from Toby Thaler to everyone: 4:24 PM

Because CM Juarez will not be present.

from June BlueSpruce to everyone: 4:24 PM

Council members feel frustrated by process too. May support this.

from Taha Ebrahimi to everyone: 4:25 PM

Hi all. I'm just listening in because I'm concerned about this issue. I'm glad to hear what Lia Hall just mentioned. My biggest concern is that this bill will basically ensure that any potential affordable housing will be without the benefit of trees. Affordable housing needs to be physically and psychologically safe housing also. It will be key to address that.

from Sandy Shettler to everyone: 4:25 PM

That's a great idea

from Lia Hall to everyone: 4:29 PM

Thank you for this feedback Taha. We would love to hear your comments at the end regarding affordable housing.

from Barbara to everyone: 4:29 PM

Yes Taha, I have asked councilmembers why people in affordable housing do not deserve the guarantee of the benefits the existing mature trees provide. I have never received a reply.

from June BlueSpruce to everyone: 4:31 PM

Thank you, Taha and Barbara. Agree and its verly important that the council hear this perspective.

from June BlueSpruce to everyone: 4:31 PM

it's very

from Steve Zemke to everyone: 4:33 PM

City has no plan as to how to reach 30%, no intermediate goals,

from Steve Zemke to everyone: 4:36 PM

Ned to include tree inventory on front end and tree Plan. Have to know what you have and what is being removed and what is being replaced. Need baseline dat!

from Steve Zemke to everyone: 4:36 PM

Need baseline date!

from Sandy Shettler to everyone: 4:40 PM

The fact that the UFC had a comprehensive ordinance already written shouldn't be ignored--only the DBH reduction for exceptional trees was carried over.

from Jessica Hernandez #11 to everyone: 4:40 PM

The Indigenous stakeholders question is not clear to me. I added comments to the document. Is this speaking about washington state tribes? or urban Indigenous communities?

from Jessica Hernandez #11 to everyone: 4:43 PM

Indigenous communities are not a monolith. This is important.

from Lia Hall to everyone: 4:43 PM

Very much understood, Jessica

from Steve Zemke to everyone: 4:45 PM

Thanks Josh!

from Jessica Hernandez #11 to everyone: 4:46 PM

I think it is important to note that we do not represent Indigenous communities as UFC

from Jessica Hernandez #11 to everyone: 4:46 PM

Maybe refer them to the tribes

from Sandy Shettler to everyone: 4:49 PM

In terms of intention, asking that development prioritize the retention of existing trees would support preservation

from Sandy Shettler to everyone: 4:49 PM

"maximize the retention of existing trees"--no requirement

from Steve Zemke to everyone: 4:50 PM

Can you add also "maximize retention of existing tree through total development process

from sage miller to everyone: 4:50 PM

will this letter be in the archive meeting?

from Bakker, Patricia to everyone: 4:52 PM

Sage, the letter will posted to the UFC website under the 5/17 meeting materials and on the recommendations page.

from sage miller to everyone: 4:53 PM

good

from sage miller to everyone: 4:53 PM

public meeting?

from Jessica Hernandez #11 to everyone: 4:54 PM

I will have to request time off so not sure

from Hao Liang to everyone: 4:59 PM

Excellent explanation David! Thanks!

from Sandy Shettler to everyone: 4:59 PM

That is super helpful

from Taha Ebrahimi to everyone: 5:00 PM

That was awesome. Thank you.

from Francisca to everyone: 5:00 PM

I just wanted to say for public comment...like Sandy, there were many of us tree advocates speaking at the LU meetings. I was surprised and disheartened that so many of UFC's recommendations were voted down. I follow UFC lead, especially today in your optimism and persistence. I needed that today.

from Sandy Shettler to everyone: 5:03 PM

I have a quick comment,

from David Moehring to everyone: 5:04 PM

Per public notice from City, last day for written comment may be this Friday.

from Steve Zemke to everyone: 5:04 PM

have 1 minute usually

from Bakker, Patricia to everyone: 5:05 PM

Public comment will be accepted up until the meeting; Councilmembers just would prefer them to be in by Friday so that they have time to consider them.

**Public input (additional comments received):**