



SEATTLE URBAN FORESTRY COMMISSION

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

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

Alicia Kellog (Position 2 – Urban Ecologist) • **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

September 6, 2023, 3:00 p.m. – 5:00 p.m.

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

(206) 207-1700

Meeting number: 2492 136 4537

Meeting password: 1234

Attending

Commissioners

Becca Neumann – Co-Chair

Josh Morris – Co-Chair

Alicia Kellogg

David Baker

Lia Hall

Staff

Patti Bakker – OSE

Guests

Councilmember Pedersen

Toby Thaler

Absent- Excused

Stuart Niven

Hao Liang

Jessica Hernandez

Jessica Jones

Public

Steve Zemke

Michael Oxman

June BlueSpruce

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: Becca called the meeting to order and offered a land acknowledgement.

Public comment:

Councilmember Pedersen described the proposed ordinance he drafted to amend the tree protection ordinance. The proposed ordinance would require SDCI to check in with the State's Department of Archaeology and Historic Preservation to verify whether a tree is a historic site or a culturally modified tree. It also provides that if a driveway is part of a proposed project and the driveway is what causes tree removal, the parking requirement will be waived, and it makes changes to the required tree protection area methodology to provide more flexibility in retaining trees.

Steve Zemke urged considering and supporting CM Pedersen's amendment ordinance. The tree protection area changes proposed could have a big impact on saving more trees.

Michael Oxman noted that a good analysis is needed of what the outcome of the various versions of tree protection area are, and informed staff members are needed to analyze the survivability of trees.

Chair, Committees, and Coordinator report:

Patti noted that Seattle Forest Week is coming up, starting with Arbor Day on Saturday, October 28, then featuring forest education and appreciation events throughout the week, and ending with Green Seattle Day on Saturday, November 3. She also noted that the Green New Deal Oversight Board application period is open through September 18, as OSE is seeking applicants for five GND Oversight Board positions:

- Environmental justice organization representative
- Representative with experience in greenhouse gas reduction and/or climate resiliency strategies relevant to cities
- Two youth representatives between the ages of 16 and 25 who are directly impacted by racial, economic, and environmental injustices
- Representative directly impacted by racial, economic, and environmental injustices

Josh shared that the tree protection ordinance subgroup has been meeting on a weekly basis and invited any other Commissioners interested to participate to let Patti know. He also noted that Cascadia Climate Action is starting to organize some climate science topic events relating to urban forestry and climate change. It will be a panel discussion format; anyone interested in participating as a panelist or helping organize the events can get in touch with Mary Manous at Cascade Climate Action.

Snoqualmie Tribe urban forestry work – Jaime Martin and Steven Moses

Jaime and Steven provided overviews of their work with the Tribe. Jaime works on government affairs and is managing the Snoqualmie Tribe ancestral lands movement, which was started in 2021 in response to a lot of recreational impacts on their ancestral lands. Part of this effort includes urging people to think about how we can redefine recreation to include building reciprocity and not for recreation to be framed just in consumptive terms. So, rather than people just going out for a hike and focusing on the benefit that they as an individual get, taking that as an opportunity to build relationship with the land versus just passing through it, and there's a lot of overlap in how we engage in our urban forest and the city.

Steven is Director of the Tribe's Department of Archaeology and Historic Preservation. They watch out for and review projects that are announced by counties or cities, which is approximately 13-14,000 projects reviewed in a calendar year. When reviewing, they look for projects that will have an impact on any archaeological or culturally important site. Three criteria: where is it – is there overlap with Tribal lands; scope of the project – what is the potential impact; who's permitting it and who's funding it? Based on these three things, they consider whether there will be an impact to a site that is culturally significant to the Tribe.

Questions and comments from Commissioners include:

- During the permit review process, are applicants required to notify or involve the Tribe? The permitting authority is supposed to do the consultation with the Tribes. The consultation piece is

critical – they don't know to review a project without that. The amendment to be introduced on the tree ordinance will be a great step toward that for Seattle.

- Did the Tribe have opportunity to help develop the proposed ordinance to amend the tree ordinance?
- How can the UFC best support the Tribe's efforts on this? They applied for a grant for their urban forestry work, including CMTs. If they get it or other funding, developing education materials.
- Are there other areas of urban forestry in Seattle on their radar as high priorities? Native Plant Plan – foraging is a big interest, but complicated to open it up to broad use. Need to focus more on native plants and develop nurseries.
- What is the process for working government to government with cities?
- Given how challenging it is to protect all mature trees and the fact that trees rely on one another for support, does the tribe plan to try and rally for other trees on lots undergoing development?

Tree Protection Ordinance

- **Coordination with Green New Deal Oversight Board**

Maria Batayola provided information on the GNDOB's recent action requesting that a Task Force be set up to develop recommendations to improve the tree ordinance, that would be Co-Chaired by the GNDOB and the UFC. The intent is for this Task Force to develop a report with recommendations to provide the new City Council in 2024.

Lia provided a recap of what the tree ordinance subgroup has been working on and discussing. There is a proposal that members of the UFC and GNDOB attend each other's meetings to start providing some coordination between the groups. The subgroup is also working on solidifying its goals beyond the general goal of trying to better understand the tree ordinance.

The UFC agreed there was general support for the concept of developing the Task Force. Josh will work on drafting a letter formalizing the support to be considered at the next meeting.

- **Proposed Council amendments**

Josh walked through the tree ordinance amendment proposed by CM Pedersen, which includes the three elements mentioned by CM Pedersen during public comment. Commissioners discussed questions and clarifications around the proposed amendment. The ordinance subgroup will discuss at the next meeting and prepare a draft letter to be considered by the UFC at the next meeting.

- **Director's Rule 11-2023-Tree Measurements input**

There is not time for the UFC to develop and officially adopt a letter of input on this Director's Rule, so Josh will call Christy Carr who is the contact at SDCI on this, to provide input as discussed by the UFC today.

- o Commissioner input includes:

- It's hard to visualize what's being covered.
 - The DR refers to the tree Tiers without the descriptors for them.
 - One key consideration is to make sure there is an Arborist involved in decision making around determining tree protection areas.

Comprehensive Plan process update

The draft Environmental Impact Statement has not yet been issued by OPCD, so there is not a new product or process phase for the UFC to weigh in on yet. Patti will check in with OPCD staff to get an update on expected timing for it.

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:

June BlueSpruce noted appreciation for the Snoqualmie Tribe's work and reiterated two points from what they shared: relating to the land is a reciprocal relationship and trees are not just single trees, they are part of larger systems. They urged the UFC to support the task force idea.

Michael Oxman noted that the video recordings are a great way of documenting things. He warned during the Comp Plan update, to be prepared for an attempt to reduce the 40% canopy cover goal.

Steve Zemke reviewed some of the language from the tree ordinance, noting that there are inconsistencies and contradictions in the ordinance that weren't caught because it was reviewed and passed so quickly.

Adjourn: The meeting was adjourned at 4:55 PM.

Meeting chat:

from Sandy Shettler to everyone: 3:10 PM

Thank you so much Council member Pedersen!!

from Lia Hall to everyone: 3:15 PM

Our arborist, Stuart Niven is in the TPO subgroup

from Pedersen, Alex to everyone: 3:20 PM

<https://pedersen.seattle.gov/strengthening-seattles-tree-ordinance/>

from Pedersen, Alex to everyone: 3:20 PM

<https://pedersen.seattle.gov/wp-content/uploads/2023/09/Tree-Ord-amendments-TMP-9902-technical-refinements-clean-2023.09.06.pdf>

from Bakker, Patricia to everyone: 3:20 PM

Not active yet, but soon to be launched Seattle Forest Week website: www.seattleforestweek.org

from Bakker, Patricia to everyone: 3:20 PM

GND0B application: Seattle's Green New Deal Oversight Board Member Application Survey (surveymonkey.com)

Email contact for more information or questions: equityenviro@seattle.gov

from Joshua Morris to everyone: 3:20 PM

Cascadia Climate Action "Climate Science on Tap" <https://cascadiaclimateaction.org/on-tap/>

from Bakker, Patricia to everyone: 3:21 PM

SCL Urban and Community Forestry Lead position application:

<https://www.governmentjobs.com/careers/seattle/jobs/4171734/urban-and-community-forestry-lead-strategy-advisor-2?keywords=forestry&pagetype=jobOpportunitiesJobs>

from Bakker, Patricia to everyone: 3:22 PM

GND0B application: <https://www.surveymonkey.com/r/23GND0BAPP>

from David Moehring to everyone: 3:40 PM

David Moehring joining while ill and not able to speak on webex today.

Nevertheless, I will share notes relative to the City Council land use committee proposed Sept 13th amendments to the 2023 Tree Ordinance:

1— an amendment to recognize that Culturally Modified Trees exist and should be considered in development plans; and we are expecting the number of trees within this category to be a low count comparable to Tier 1. This is a very good requirement to add as an amendment even with a relatively minor influence on the comprehensive plan canopy cover goals. It does partially address the Seattle Comprehensive plan policy EN1.7 relative to retention of historical significance of trees ... such as Culturally Modified Trees and such as yet to be documented Heritage trees on public and private land.

2— UFC should closely review a proposed amendment to reinstate pre-2023 exceptional tree retention design departures and require creative design for "exceptional," now classified as

from David Moehring to everyone: 3:40 PM

Tier 2) to be removed for new driveways; minimizing lot clearings with creative design is a requirement with the 2035 Seattle Compromise Plan policy BL-P26. This amendment should be strengthened further to pre-2023 levels. One CM was recently considering a stronger proposal ... not only for new driveways, but also new on-site parking spaces. Formerly the tree ordinance code allowed exceptional trees to be retained by waiving on-site parking requirements. This amendment as currently written does not get us back to 2022 tree retention provisions.

3— the pre-2023 tree protection code would not allow for a tree to be cut down if a small amount of the root zone is disturbed, emphasizing tree protection techniques. As Steve mentioned in public comment , the UFC should consider returning to 2022 tree retention methods that would allow one-third of the outer critical root zone to be altered while retaining the tree and considering this as an essential measure with the new pre-design 85-perce

from David Moehring to everyone: 3:40 PM

nt calculation.

Thank you!

from Lia Hall to everyone: 3:43 PM

<https://bioneers.org/the-honorable-harvest-robin-kimmerer-zstf0619/>

from Sandy Shettler to everyone: 3:45 PM

Agree on shortage of native trees for planting! Anyone with even a small yard can help via the Grow It Forward program where people can foster tiny native trees which are eventually given back to planting agencies. Thanks so much to Jaime and the Snoqualmie Tribe for carrying on this critical effort.

from Michael Oxman to everyone: 3:47 PM

What is the status of the Heritage Tree partnership with PlantAmnesty?

from Martha Baskin to everyone: 3:48 PM

Given how challenging it is to protect all mature trees and the fact that trees rely on one another for support, does the tribe plan to try and rally for other trees on lots undergoing development?

from June BlueSpruce she/her to everyone: 3:49 PM

Yes, thank you to the Snoqualmie Tribe for your work and for these ideas to coordinate efforts and respect Tribal sovereignty.

from Michael Oxman to everyone: 3:51 PM

Really enjoyed the op-Ed in the Seattle Times by Jaime Martin

from David Moehring to everyone: 3:52 PM

Also the Land Use Committee will also vote on CH 120635, requiring developers to pay Transportation Impact fees to fund street trees. Thank you to CM Pedersen for introducing this to Supplement tree planting measures. The UFC SHOULD CLARIFY for the City Council and mayor relative to a misunderstood concept that public street trees are being considered as the answer to achieving 30-percent equitable canopy cover in Seattle. Without protections of trees on developed parcels and without studying how much ROW plantable land area is actually logistically available within street right-of-way, we know that 30% citywide canopy cover will not be achieved within the next 15 years and beyond. Approximately 80,000 to 100,000 street trees (medium to large) would be needed to be planted cover the city's current deficit from 28.1%... not counting the known rate of tree loss currently at roughly 51 acres per year. Planting street trees is something to promote widely , but planting street trees alone is

from David Moehring to everyone: 3:52 PM

not a mathematical response to the 30-percent canopy cover.

from Steve Zemke to everyone: 4:04 PM

Would be good to look at current comp lan provision

from Michael Oxman to everyone: 4:04 PM

Please introduce a motion to adopt the task force proposal

from Steve Zemke to everyone: 4:08 PM

would be good to look at current comp plan provisions involved eg environment section, and propose changes to be considered in next draft for next year. The Planning Commission is doing this like in transportation and housing.

from Andrea Starbird to everyone: 4:18 PM

Perfect explanation Josh and Patti! Tree protection areas should be specific to the tree and site :)

from Lia Hall to everyone: 4:18 PM

What happens if the tree still dies with this reduced area?

from Jim Davis to everyone: 4:21 PM

The difficulty is that there is not a requirement, to my knowledge, that there be an assessment of the main roots of the tree, if the space is reduced.

from Maria Batayola to everyone: 4:21 PM

Replacement for a tree that died is a good amendment to the draft ordinance.

from Sandy Shettler to everyone: 4:21 PM

Andrea, we are so glad to see you again!

from Steve Zemke to everyone: 4:21 PM

Dead trees need to be replaced. during development. But protected trees that die afterwards do not need to be replaced unfortunately

from Michael Oxman to everyone: 4:21 PM

Code language cannot guarantee tree survival. That is why arborists are consulted to assess site & tree conditions.

from Toby Thaler to everyone: 4:24 PM

New 25.11.090.B: B. For each relocated or required replacement tree, maintenance and monitoring is 1 required for a five-year period. The period begins when the replacement tree is planted. 2 Maintenance and monitoring shall include the following: 3

1. Sufficient maintenance actions to ensure survival of the replacement tree: 4

a. When more than one replacement tree is required, 80 percent survival of 5 new trees planted at the end of five years; 6

b. When one replacement tree is required, 100 percent survival of the new 7 tree planted at the end of five years; 8

2. Replacement and replanting of failed trees; and 9

3. Photographic documentation of planting success retained for the five-year 10 period. Submission of documentation to the Seattle Department of Construction and Inspections 11 is not required unless requested by the Department.

from Toby Thaler to everyone: 4:24 PM

[ignore line numbers]

from Chris Gaul to everyone: 4:24 PM

How does the public find out which trees in their neighborhood are replacement trees?

from Andrea Starbird to everyone: 4:25 PM

I believe the code change had a provision that required SDCI publish a map of replacement trees by early 2024 (?) but anyone please feel free to clarify if that would apply in the situation Chris is asking about

from Michael Oxman to everyone: 4:26 PM

This Directors Rule will require new staff, so the budget hearing should include input from UFC.

from Steve Zemke to everyone: 4:26 PM

Correction - No replacemnt if die after 5 years that I am aware of.

from Toby Thaler to everyone: 4:27 PM

Steve Z is correct: That's clear from extract 25.11.050.B above.

from Steve Zemke to everyone: 4:27 PM

UFC members can weight in individually at Land Use Committee next week.

from Andrea Starbird to everyone: 4:28 PM

Other cities do have survivor requirements - personally I think that's a great idea but still subject to the same problems with enforcement/oversight

from Sandy Shettler to everyone: 4:29 PM

Andrea, can you share which cities have those requirements?

from Jim Davis to everyone: 4:30 PM

Reduce the TPA if the main roots of the tree are still protected would be a good clarification.

from Andrea Starbird to everyone: 4:30 PM

Sandy, I'll gather some examples and be in touch!

from Andrea Starbird to everyone: 4:32 PM

Often it's in the form of 'tree preservation bonds'

from Maria Batayola to everyone: 4:34 PM

Thank YOU, CM Pedersen for your perseverance and work.

from Steve Zemke to everyone: 4:35 PM

Again commissioners can send in individual comments.

from June BlueSpruce she/her to everyone: 4:36 PM

Yes, I am so grateful to CM Petersen and Toby Thaler for tireless work to preserve and grow our urban forest.

from Steve Zemke to everyone: 4:37 PM

Commission needs to come up with some procedure to secure votes to pass resolutions in timely fashion. Is it possible to ask absent members to vote on a resolution outside the meeting for approval?

from Lia Hall to everyone: 4:41 PM

Does the city then have replacement trees inventoried if they have to be specified on permit applications?

from Andrea Starbird to everyone: 4:43 PM

Only street trees would be mapped / inventoried, but replacement trees or new trees as development requirement would be likely only be shown on the approved building plans. Not sure the city has those mapped or will include private property trees in the map required by the directive in the ordinance

from Steve Zemke to everyone: 4:44 PM

Councilman Strauss said draft EIS will be out sometime this month.

from David Moehring to everyone: 4:44 PM

Scoping DEIS is projected to be released this month

from Toby Thaler to everyone: 4:45 PM

June/July deadline was postponed. Council will be briefed on October 2. Open to public to watch. 2 p.m.

from Michael Oxman to everyone: 4:45 PM

Comp Plan revisions will for sure see an attempt to reduce aspirational Canopy Cover goal down from 40%. Please expect tyhis and resist it.

from Steve Zemke to everyone: 4:45 PM

Delay was to evaluating impact of HB1110 on middle housing. and other state bills

from June BlueSpruce she/her to everyone: 4:52 PM

And I forgot to say thank you to Maria and Josh for their work to move the proposed Task Force forward.

Public input (additional comments received):