

City of Seattle – Tree Regulation Update

Meeting with Environmental and Tree Advocates
March 12, 2008

Participants

Duff Badgely, Heron Habitat Helpers
John Barber, Parks and Open Space Advocates
Leslie Batten, Cascade Land Conservancy
Kim Drury, Sierra Club – Cascade Chapter
Steve Dubiel, Earth Corps
Rich Ellison, Save Seattle's Trees
Sharon London, Seattle Urban Nature Project
Matt Mega, Seattle Audubon
Michael Oxman, Seattle Urban Forest Stakeholders
Heather Trim, People for Puget Sound
Cass Turnbull, PlantAmnesty

Participants' Comments

Policies

- Seems like the latest political statements on stormwater handling and climate change would elevate the importance and value of trees high enough with decision-makers to support stronger tree regulations; stormwater handling and climate change position supports a unified message/plan across City departments
- Would have liked the regulatory update process to include this group – or a broader citizen group – from inception of the project
- Need a city-wide funding source for acquisition, maintenance, enforcement, planting
- The city needs a tree czar
- Need more incentives in place to make trees desirable – including property or utility tax incentives

Inventory

- Need an inventory of the entire city's tree population – utilize satellite imagery for 'tree by tree' detail – inventory should be county-wide
- Need a complete, comprehensive picture of the tree population across all departments
- Currently there is no tracking of tree removal

Regulations

- Look at other jurisdictions for good regulations (Redmond, Kirkland - specifically mentioned)
- Understand that DPD does have lot coverage limits in place and allows variance in setbacks in order to save trees
- Consider the dripline of an Exceptional Tree as essentially an Environmentally Critical Area (ECA) – an easement that must be protected
- Exceptional Trees concept – intended to retain only 1% of city population; how many have been retained with rule? Answer: about 12 to 20
- Consider lowering the percent American Forestry Association rating needed in order for non-natives to be considered Exceptional
- Defining viability of a tree must include that the tree will live more than a few years
- Off-site mitigation is not desirable

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- Problem with Exceptional Trees is that it focuses on one tree instead of best tree (or group of trees) for the site. The City should push the design of development so that we can get the most viable trees saved.
- Offer education or rewards for tree retention
- Similar to the noxious weed list, have an obnoxious tree list (or perhaps the opposite: trees that count – trees we want to have)
- Maintenance of steep slopes is a problem – if you are building next to an ECA you must restore any damage you caused
- Tree protection for Great Blue Heron area only lasts from Feb 1 to Aug 1. Why not all year? It is needed all year.
- Value must include wildlife habitat contribution, especially in certain areas – shorelines, riparian, buffers – should be part of the equation on which trees to retain

Permit

- Permit system seems necessary to administer and track tree activity in the city
- Having a permit review process provides an opportunity for discourse, education, and negotiation
- As George Washington stated “illicit tree cutting is ‘wrong’” – if you don’t have a good reason, then you shouldn’t be able to remove a tree
- Fees from permits should be dedicated to the Urban Forestry program
- Like the City of Kirkland’s density concept and requiring the last one or two trees on a lot to be replaced if removed; this could prevent clearing on half of the lots

Construction

- Need stronger protection rules during construction – current regulations inadequate
- Require construction bonds for tree protection during development
- Have a five-year bond for retroactive action for damaged trees by development – put a price per tree (a reverse “bounty”)

Enforcement

- Enforcement is essential; doesn’t seem like that is happening now
- Use aerial photos as part of the enforcement tools
- Set strong examples early to let people know that rules have changed
- Need more inspectors

Maintenance

- Should require certification to operate as arborist in Seattle – at least ISA certified
- Preservation will depend on qualified arborists
- City could provide tree service to help people maintain and care for their trees

Other Issues Identified

- How City deals with the whole package – all departments – will be important.
- One problem is with large houses and the amount of space they take up on lots, leaving little room for trees
- Promoting detached accessory dwelling units negatively impacts tree retention efforts
- WSDOT needs to develop maintenance and protection plans for trees in their corridor – City needs to partner with other major landowners in the city
- Industrial areas should be required to contribute more to the canopy goals
- Light rail landings = tree massacre. Where is SEPA?
- Construction tagging areas are notorious locations for tree removal
- Need more education about invasive species

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- Need new trees as well as retaining trees
- Seattle Center should be a model for retention efforts

Top Priorities Identified by Participants after the Meeting

- Inventory Seattle's trees (3 participants mentioned this)
- Create a citizen's review board for trees (3 participants mentioned this)
- Provide real funding for trees – a bond issue, 1% for trees, a percent of SDOT budget, a percent of utility fees, other (2 participants mentioned this)
- Measure how much money is spent and where it is spent on urban forestry in the city
- New regulations should be easy to understand
- Trees should be treated in a holistic way throughout the city – private trees, public trees, by individuals and City departments alike
- Protect all trees 6" or greater
- Tree protection now – prohibit removal of trees over a certain size and require a permit for trees under that size
- Do something soon, even if it is a token – a street tree ordinance, a tree board
- Require at least two tree viability analyses for projects (particularly controversial ones) since arborists reports can be subjective
- Eliminate the loophole that allows land clearance prior to applying for a development permit on some properties
- Require bonding and stiffer penalties for trees killed during construction
- Clarify where and what trees developers must retain when developing a site
- Better and stronger carrots and sticks for property owners to retain trees
- Better tree protection requirements during development
- Require any person or company offering tree services to be a certified arborist