

**Urban Forestry Commission (UFC)**  
**September 12, 2012**  
**Meeting Notes**

Seattle Municipal Tower Room 2750  
700 5<sup>th</sup> Avenue, Seattle  
3:00 p.m. – 5:00 p.m.

*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*

**Attending**

Commissioners

Matt Mega (MM) – chair  
John Small (JS) – vice chair  
Gordon Bradley (GB)  
Tom Early (TE)  
Leif Fixen (LF)  
John Floberg (JF)  
Jeff Reibman (JR)

Staff

Sandra Pinto de Bader (SPdB) - OSE  
Brent Schmidt (BSch) – SCL  
David Bayard (DB) - SCL  
Brennon Staley (BS) - DPD

Guests:

Councilmember Richard Conlin (RC)  
Phyllis Shulman (PSh)

**Absent- Excused**

Peg Staeheli (PS)

Public

Michael Oxman  
Richard Ellison  
Steve Zemke

**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**

MM – we don't yet have quorum but we have a busy agenda so let's get started with the City Light briefing.

**Seattle City Light briefing on vegetation management – Brent Schmidt**

BSch – Gave an overview of the SCL's Vegetation Management Unit. They trim by feeder. Tree trimming budget was reduced for several years. Reliability went down. Had to make deeper, more apparent cuts during tree trimming. A regular cycle cuts smaller branches. They were having to play catch up. Have a number of Certified Arborists on staff.

64% of work is crown reduction for trees directly under power lines. Industry standard is 70% side trim. Usually trim 10 feet around main lines and transformers. People are responsible for trimming the service line to the house. Complaint he often get is that trimming is not aesthetic. And that they didn't trim for lower branches.

LF – does communication companies trim?

BSch – No. Have 657 miles of transmission lines. NERC compliance requires more aggressive practices. Transmission ROW managed on a 4-year cycle. Subject to federal regulations.

GB – how do you keep those miles clean. It must be a challenge.

BSch – it is because a lot of the property is private with easements. On the eastside is challenging due to suburban development, they need to interact with each individual property owner. Follow wire-zone, border-zone BMPs. Challenge in Pacific NW is that trees get very high (conifers). Regular maintenance and line clearance impacts service levels. In 2006 after several years of not funding the vegetation management effort, SCL had over 875 outages mostly due to trees. Since then, once the vegetation management was funded outages have averaged 182/year. It makes more sense to do regular maintenance more frequently. They have not trimmed the trees in some feeders for the past 10 years. Have Urban Tree Replacement Program – right tree in the right place. Partner with SPU on Trees for Neighborhoods (T4N) program and with SDOT on community tree plantings. Working on getting Treeline USA in 2013 certification which is similar to TreeCity USA. Vegetation Management software – SCL is moving away from paper and pencil only records. Working on a tracking system to better coordinate with cities' GIS with a tree layer. Working on tree growth regulators with Parks and SDOT

TE – what is it that NERC is looking for?

BSch – they are looking for line clearance

TE – are you partnering with T4N on what level?

BSch - work with individual property owners. Have a lot of backyard system. A lot of trees in people's yards that are not in the ROW. Those trees require maintenance. If owner wants tree removed

JR – for ROW do you have a budget for remove and replace. Do you have a mechanism for doing that internally?

BSch – depends if private or public tree. Work with SDOT using tree certificates with T4N

JS – all work in RWO permitted through SDOT.

BSch - is programmatic

JS – is the SDOT standard supervision.

BSch - our arborists supervises. Not always on site, they are when they are doing the pruning.

DB – system wide 360 trees removed in the ROW in the whole system. Not just Seattle.

TE – 64% of system work is crown reduction. Any approaches contemplating to lower that number.

BSch – not sure how we would do that. Crown reduction is mitigation for where the trees are planted.

TE – replacing trees or undergrounding wires.

BSch - Undergrounding is quite expensive. Historically trees planted in the wrong place. Use tree regulators to mitigate.

LF – As far as big picture – UFMP are there issues you'd like to see focused on more than they are right now? Are there things UFC can do to support and help.

BSch – has been with SCL for 17 years. We are now more focused on trees and proper tree care. Less of a merely utility focus. Feels supported from management.

JS – do you think that the door hanger system is working well?

BSch – do door hanger notification for tree trimming. Always tweaking. Only in English now. Always looking for better ways to do notification.

#### **UFMP update and DPD's proposed tree regulations discussion – CM Richard Conlin**

RC – thanks for opportunity to be here. The purpose of this meeting is to have conversation about how thinking has been evolving on next steps to promote trees in Seattle.

Good news – Street Tree ordinance, DPD's ordinance, UFMP update, how are we going to deal with GSP. Good news, Mayor will include \$500K for GSP in his budget. His thinking has evolved – tree protection and regulation. Has been wrestling with this for years trying to come up with appropriate.

Real goal find way to have people enthusiastically embrace planting trees. Everything else should be feeding into that. Incentives and regulations should be designed around people being excited and voluntarily plant and preserve trees. And that we use regulations in ways to guide people in that direction. Planting a tree doesn't necessarily mean that the tree is going to survive. Is going to be a big challenge, working with existing trees. Have random collection of trees around the city. Some trees are not likely to survive, others are thriving.

Have to sort our way through all of it and establish path. Make regulations workable so that people welcome them while they recognize that they need to comply (ideally willingly). Strategy, might involve significant amount in outreach and education. Mobilize private resources to get us there. Appreciates the work UFC has been doing. Looks forward to hearing

JF – interesting that he mentions regulations as exciting people. Specific example that comes to mind?

RC- most things we regulate we do because most people will do what we want them to do and regulate because some won't. We need to reach that stage (98% comply and 2% don't). That's one side. Interesting example is traffic regulations. Most people obey red lights because they recognize it as a way to keep them safe.

MM – we have had small working groups moving forward.

Some of the issues we are looking at are:

Exceptional tree 24" threshold.

Mitigation

SF tree credit

Evergreens

Groves

3 trees per year.

There are lots of options.

RC -when put interim regulation in place with 3 trees in place it was a good goal to strive for but don't know that it's being applied. How do you get at that is the bigger question?

MM – do you have a sense of how the enforcement of the ordinance will go/ we've had issues with courts.

RC – it will depend on how well the ordinance is drafted. Likely the courts will support it. Some things end up being dismissed easily if the court doesn't think they are significant. That's what happens with parking tickets. They either reduce or dismiss. City has to make a good case. That's probably how they'll act with trees.

JS – As we learn more how trees are managed in the City. It's complicated depending on ownership. Is this the time to consolidate how trees are protected and how tree cutting is permitted in the city. People don't understand the difference between trees in their yard and in the front.

RC – it would be great if we could consolidate them. St Tree creates a catch 22. SDOT owns it, property owner manages, but need a permit from SDOT to do anything.

Plans to talk to CM Rasmussen to coordinate work on ST Tree and DPD ordinance.

JS – don't know that is consolidation of the ordinances, but the customer facing approach so it's not confusing. Breaking down internal silos. Better outreach, one message and not complicated.

PSh – WE need a consistent policy approach for urban forest. SDOT and DPD how do we bring ordinance into committee and make sure that consistency exists or coordinate with other council offices. That's a starting point, then changes and amendments, can't control that.

RC – there are all this different pieces on how you look at trees in different properties. Trees in public property – City can put together things in place. Land under development – they have to go through permit process and comply. Those two sides are fairly clear. The stuff in the middle is difficult.

JR – Likes the idea of all residents think it terms of long-term sustainability of trees. Development rarely has a long-term view. Developers don't place the same level of gravity on tree regulations than they do on other types of regulations (zoning, utilities). I'm not sure whether a stricter approach for a while to build the gravity so they don't think tree regulations are second tier regulations.

PSh – Looking at what's going on around the country. One of the things that strikes me is that I start getting worried as she sees more levels of regulations to solve problems, and an ordinance with hundreds of pages to manage a resource. Are there other ways to do this work, look at ecosystems and watersheds... not on someone's backyard but as an ecosystem. Green spaces that connect with each other and then create the cultural shift to change approach.

Are there other holistic approaches? Unless you have a lot of \$\$ for enforcement, then a regulation is meaningless. It's expensive to enforce around the city who is cutting what trees.

MM – there are small projects going on around there. SPU talked about re-development plans and how they are coordinating with GSP. The barrier is the complexity of the problem and trying to stay ahead of invasives. The benefit of an ordinance is that you can make it citywide and have a larger scale. You need balance, an ordinance to level the playing field. We need both approaches to get to no net loss.

JF – UFC has talked about configuration of trees. Seattle Parks Foundation has report on bands of green. Look beyond the tree to look at stands and groves.

JR – Projects are influenced by different interests. Try to have core mission and one person shepherds the mission throughout the project. If solve every problem for every actor they likely will fail at a workable project. In the city have many different groups of people trying to address the problem and no one person who is really driving from a holistic point of view. I don't know if the solution is joining resources. Have a very high-level person whose core mission is to represent the end goal throughout the project. If we could achieve that in this case, it would be something to think about.

TE – incentivizing and informing the public to value the urban forest more. Commend Brennon's effort to simplify ordinance. Allowing time for everyone to explore the benefits of trees. Good point about the update. Issues are a larger scale than the individual parcel level. Use them to inform policy decision making.

JS – we are talking about regulation. But we can't regulate our way to improve ecosystems. People buy a \$2M house for their view. Ordinance should be simple, moderately protective and restrictive but not extreme. But instead of putting \$\$ on enforcement. Should spend \$\$ into information and outreach. Trees grow very well. WE need to remove trees and manage that but

we can look at the goals of the UFMP and work towards that by planting appropriate trees in the right locations.

Big patches are almost entirely owned by Parks and GSP is making that work. Corridors, is a hydrology issue. Canopy in the watershed as a whole is something UFC can influence to reduce peak flows. We don't let streams behave naturally in the city. WE can regulate hydrology more naturally.

MM – I would add that we need to maintain the trees we plant. GSP with invasive removal. Three circles, regulations, planting and maintenance.

TE – the Tree Ambassador (TA) program would be helpful to that end as well help inform people.

MM – recommendation is to keep TA going.

RC – if you have a volunteer program you have to provide the support to maintain the infrastructure of the program. Without support the program fails.

MM – once something gets really huge and successful we need to have partners to manage.

JF – TA launched with Federal grant that is ending. We need to be serious to have the support. \$500K for GSP is great but we'll need to prioritize.

**Sandra will find out much it would cost to keep the TA program functional**

JF – we need to talk about incentives, and flexibility, such as mitigation. In a way that allows us to get our value back as a city. Credit and bonus is another way to go.

MM – regulations could have incentives in the regulations as well.

PSh – noticed in her neighborhood is there a way to create tree regions. It's more of a collective effort and not just your backyard. What is the relation of a tree to other trees. Are there ways to develop a common sense with not just your property?

RC – one of the ideas interesting to pursue are block cooperatives. People get together to have more trees, maintain solar access, garden access and get more trees. Then they come to SPU and get a drainage credit for all properties.

MM – SPU mentioned that it's difficult to give that credit property by property. Difficult and time/resource intensive to outreach to neighbors. Cutting down one tree could jeopardize trees next to it.

RC – maybe have a contest in communities. Tree enhancement plan production.

LF – neighborhood civic associations in Seattle that regulate like in Boston?

RC – have a few historic districts but nothing like what Boston.

RC – WE are all wrestling with this. Appreciate energy and commitment UFC is putting in. Really need your advice. Goal is to try and work on this at the beginning of 2013 to coordinate with SDOT's piece. Winter and spring. Collecting ideas between now and then would be very helpful.

Phyllis – Open invitation to have numerous conversations and not just formal letters coming from the UFC. Invite us back to have those conversations as a recommendation is being formed. Doesn't have to be so formal.

MM – make sure that the UFC is speaking as a single voice.

PSh – will be good to have interaction.

RC – can have conversation about ideas as they develop.

### **UFMP update and DPD's proposed tree regulations recap and next steps**

MM – Brennon has agreed to join us

BS – try to come up with system by which people get credit by canopy cover potential of individual trees. Assigned point system based on that. Want to start from a place to make sure that at least we are mitigating impacts from development. Did drawings of taking properties and applying different measures to get something that was meaningful. We heard from people that it seems that we have frequently heard comments – more points for tree preservation. Preserved trees are already established. Giving a lot more points to preserving trees. Another comment heard is that it was a pretty rigorous system. They tweaked it so it wouldn't be so burdensome to smaller lots.

The grove is more interesting and complicated. They removed the term from the code due to the complexity of the term, it requires an arborist's involvement to determine whether we are talking about a grove or not. The term is not registering with people. Some groves are low value trees used as windbreak, sometimes they are planted too close together for them being healthy. This is very difficult to enforce and makes for inefficient regulation.

GB – we've heard from Maple Leaf community and also the issue at Ingraham Highschool – they were issues related to groves.

BS – those things happened before the interim regulations were in place.

JS – agree with the comment that there is no definition of groves outside of ECAs and are not well mapped in the City of Seattle.

BS – it's mostly just parks

JS – implementation – there are a lot of areas that meet that definition but they are not mapped. IF City is going to rely on that then the City needs to map all areas in the city that meet the definition of urban natural area.

TE – the intention was to simplify by getting away from groves. This applies to individual trees instead of capturing groves. Is that correct?

BS – captures a number of trees that would be included in groves

TE – what are the changes done towards the enforcement element.

BS – will propose to move to a citation system instead of notice of violation. Citation is much faster and easier to implement. Cost of enforcement is in line with what you get in fines. Appeals are to hearing examiner and it's a faster process.

BS – other changes are the fine. None of our fines have stood up in court. Trying to make it more in line with what courts allow.

TE – where do the fines go?

BS – the General Fund.

TE – could you direct it to TA?

BS – there is a substantial cost associated with enforcement. Don't want to create an incentive to issue fines by directly linking it to DPD.

TE – will you be affiliated with how it is administered?

BS – yes. There isn't much to write. I'm responsible of working with nuts and bolts of implementation. Have an internal team working on this.

GB – Has any thought been given to a two-tiered system?

BS – it's a question of what kind of tiers you are talking about. Three approaches: one is the kind we are applying, strict, can't cut tree unless property damage, hazardous. You can mitigate (provides flexibility) to get canopy cover to make up for the loss. Tracking for the sake of tracking didn't seem useful because if it's voluntary you'll get low compliance and wouldn't produce useful data. Looking at mitigation piece which is a possibility. It's tricky. People are receptive to permits if there is ability to mitigate.

BS – would like input on SF points. Bonus evergreens or just for conifers, unwanted species.

LF – how many people take down their tree because they are getting in their sewage line.

**Public comment**

MO – 3 years ago published photo showing SCL poles next to trees. SCL agreed not to set poles next to saplings but they can do it next to mature trees. Issue to accountability is address in the audit of the City trees. CC resolution 31138 asked SDOT and SCL to manage their disagreements. They got together and addressed tree list but not the damage done to trees by poles.

Yesler Terrace – planting of trees would be off-site mitigation instead of on site where you realized they should be planted.

Richard Ellison – Open discussion with CM Conlin, could have addressed more significant issues and have him hear UFC have a discussion. Missing opportunity for open discussion. Concerned about the issue of groves. Development of large parcels could still look into protection of groves. Same thing with 24” diameter threshold. Heron habitat area is still not protected. Important issue not being pushed forward. A way to get enforcement of ordinance is to get money for whistle blowers. Article on tree removal for views, should not be allowed in Seattle.

Steve Z – Talked to the property owner in the paper article. Trees were there for many years. His points are the same as before, who speaks for trees in Seattle. Don't ignore issue of where the ordinance originates and it's presented to people. Give recommendation to Mayor and CC. DPD shouldn't be administering protection of trees. OSE has the mission of sustainability and environment, SPU has a reason of trying to protect trees. It should be 3 trees in 3 years. It should be a rare occasion, not the norm. Address issue of replacement trees to address no net loss. There has to be replacement in order to increase canopy. Look more in depth at the issue of values of tree groves. Try to maintain the diverse habitat by protecting tree groves. UFC is taking the issue way out by deferring language to Brennon, they UFC should write up the specific language for the ordinance.

#### **Update on planning effort for UFC/IDT joint meeting**

SPdB – The planning group has been working on putting together an agenda that will keep everyone engaged and provide an interesting exercise for all.

#### **Next month's agenda items**

##### **Adjourn**

##### **Community comment:**

**From:** John Dixon [mailto:nativetrees@gmail.com]

**Sent:** Friday, September 07, 2012 6:29 PM

**To:** Pinto\_de\_Bader, Sandra

**Subject:** Tree Ordinance

Dear Sandra,

On July 18 Mayor McGinn told the Urban Forestry Commission in his parting words: "On the subject of a tree permitting system I wish to hear from Seattle citizens."

Recently I sent a letter to Mayor McGinn expressing my thoughts

on the subject of tree permits and other parts of the proposed weakening of an already weak Seattle Tree Ordinance.

Sincerely,

John Dixon  
14027 Stone Ave. N.  
Seattle, Wa. 98133

September 4, 2012

Mayor Mike McGinn

Dear Mayor McGinn:

As the creator of RAMROD (Ride Around Mt. Rainier One Day) in 1984 I am a long time cyclist and commuter. I deeply appreciate the new bicycle lane designations and stenciling. Cyclists are making Seattle a better place to live.

Trees also make Seattle a better place to live. As green as cycling is, trees are greener. In fact, trees are what I call bottom line green! Humans are polluting the world every day. Seattle citizens are polluting every day. Humans are the problem, trees are part of the solution. Trees reduce our carbon footprint. Trees absorb storm water. Trees filter water. Trees reduce energy demand. Trees absorb particulates. **Trees are bottom line green!**

Trees or more accurately our Urban Forest, provide benefits for all our citizens. We all breathe the same air. Our Urban Forest constitutes a community asset and needs to be treated as such. If a citizen acquires property with established trees it is incumbent for that citizen to be a steward of that tree. Our native over story should be protected as a community asset.

To protect this community asset we need to enact a tree ordinance that communicates that concept to our citizens. A tree ordinance with a tree permitting requirement is a necessity to send that message. Permits are required to build a deck in Seattle. **Permits need to be required before a citizen can cut down a tree!** Electricians and plumbers are required to be licensed before they can practice their trade. Tree service companies are not required to be licensed in Seattle. It is time for Seattle to grow up and leave its clear-cutting past behind. Our knowledge of nature's services has become more in-depth over the past 30 years yet Seattle remains in the past in its attitude towards trees.

The current tree ordinance proposal gives **no protection to tree groves. The current tree ordinance proposal allows 86% of all our trees to be cut down without a permit!** I know you project yourself as a green mayor but you are not a bottom line green mayor until you become a staunch advocate for Urban Forest protection.

Sincerely,

John Dixon

---

**From:** garth ferber [mailto:garthferber@yahoo.com]

**Sent:** Monday, September 10, 2012 9:25 PM

**To:** McGinn, Mike; Conlin, Richard; Licata, Nick; Clark, Sally; Bagshaw, Sally; Burgess, Tim; Harrell, Bruce; Godden, Jean; Rasmussen, Tom; Staley, Brennon; Pinto\_de\_Bader, Sandra

**Subject:** support for a tree ordinance

Folks - In 1972 Seattle had 40% tree canopy. Today we are at 23%. Our urban forests absorb storm water runoff, and sequesters CO2. Trees filter water, provide bird habitat and connect us to nature. Trees are a vital source of our well being.

I suggest that the new Seattle Tree Ordinance require:

1. All pieces of property in Seattle should be required to meet a ratio of tree trunk cross section area versus lot size of say 1:5000. So for example my 7200 square foot lot would be required to have 1.44 square feet of tree trunk cross section. Therefore for example 2 trees of 1 foot diameter would qualify ( $2 \times 3.14 \times .5^2 = 1.57$  square feet).
2. Emphasis should be on protecting native trees.
3. Tree service companies be licensed and made liable for not obeying the Seattle Municipal Code. I understand that that tree cutting permits are required in Shoreline, Lake Forest Park, Issaquah and Kirkland.
4. Groves of trees should require special protection especially if on public land.

Thank you for your consideration.

Garth Ferber  
11508 20th Ave NE  
Seattle, WA 98125

206-440-8289

## (2) Friends of Seattle's Urban Forest

### Recent Posts By Others



#### Michael Oxman

Seattle City Light uses sapling street trees to 'chock' utility poles prior to installation.

This damages delicate bark near ground level, where moisture collects, causing decay that is permanent and fatal to a street tree.

These street trees are located in the right-of-way, and the city has promised to end this harmful practice. Photo: Michael Oxman - May 26, 2012



Like · Comment · Share · May 27 at 11:45am



#### Friends of Meadowbrook Pond - Seattle

Wondering what your response is to SPU's plans to remove 50-60 trees as part of their expansion plans for Meadowbrook Pond this summer. SPU reps will discuss their plans this Tuesday, 5/15, from 7-9pm at the Meadowbrook Community Council meeting, held in the Meadowbrook Community Center. You can find more info on our