

Urban Forestry Commission (UFC)

October 3, 2012

Meeting Notes

Seattle Municipal Tower Room 2750
700 5th 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

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 - OSE
Brennon Staley (BS) - DPD

Public

Jan Bultman – CM Bagshaw’s office
Margaret Thouless
Steve Zemke

Absent- Excused

Matt Mega (MM) – chair
Peg Staeheli (PS)

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

John Small is chairing the meeting.

Public comment

Steve Zemke – comments on the discussion on DPD’s ordinance. His group met with Brennon last Saturday. John Barber asked Brennon a question: what incentives do you see out there that we can implement in this plan, and there was no answer. The problem remains that the incentive we have are pretty limited. One is rebates through SPU and the cost of implementing it seems to be prohibitive. Alternative to more stringent tree ordinance is education. Best way to educate is to tell people that they have to apply for a permit to remove trees. This could be done online and DPD would screen. Something not really onerous but letting people know that if they don’t apply for a permit they’ll get a fine. The City would then be able to track tree removal.

Seattle Forest Ecosystems Value – 24” is 14%, getting down to 12” is 18%. This would allow to cover more of the larger trees. Similar to Lake Forest Park, 9” and smaller are ¾ of their trees. Need to look at tree composition to see what types of trees are being saved.

Jan Bultman – CM Sally Bagshaw’s office has been getting a lot of feedback on tree ordinance. She is here to get acquainted with the issue.

LF – the feedback you’ve been hearing is for or against?

Jan – similar to what she heard here today.

GB – we did invite a couple of development folks that represented a different perspective.

JS – more recently we have not heard from them.

GB – would like to add a question of Steve. What one might think about in terms of incentives that would effective to retain tree?

SZ – the argument is that there are not many incentives. We talk about and ask what can be done. If you are passing an ordinance you should talk about incentives. I interpreted Brennon’s response as saying that there are not many.

BS – do you want me to give you the list?

JS – the Portland program was not geared at full compensation for tree planting, but with a little advertising or social engineering it could become effective reward for people.

BS – I’ll run through list of things:

- Free trees or reduced priced trees – Trees for Neighborhoods program, coupons
- Education: there are a variety of programs but they cost money
- Expertise: things that help people understand what’s appropriate to plant, what’s not.
- Stormwater rebates (we look at the science and how we justify the amount we give people, cost of administrating program costs would defeat the purpose of the program)
- Tax property – for large properties
- Help with maintenance cost – raking leaves for older people. Reduced costs for yardwaste collection. Dump leaves onto the street and have the City collect (has stormwater impacts).
- Building incentives – to retain trees during construction. Higher height (a permanent higher building for temporary tree protection might not be attractive).
- Incentive-based approaches – regulations that use more of an incentive approach, such as Green Factor (not sure that fits in the incentives category).

Approval of September 5 and September 12 meeting notes

ACTION: A motion was made to approve the September 5 meeting notes as written. The motion was seconded and carried.

ACTION: A motion was made to approve the September 12 meeting notes as amended. The motion was seconded and carried.

UFMP update and DPD tree ordinance recommendation – discussion

JS – Matt put together a draft letter that was circulated to John S, Tom and Peg. Matt did a good job of setting the framework. We could work through it page by page.

GS – what's your sense of where this is having contributed.

JS – I'm pretty satisfied. There are several comments in here that are worthy of additional comments. It's important that it gets to decision makers pretty quickly.

SPdB – Brennon wanted to share with UFC the gist of the comments he received.

BS – fewer comments than the last time around. Three types of comments in general.

1. There was a strong email letter campaign that followed the gist of the Seattle Audubon letter: 8" threshold for native trees, retaining groves, requiring notification for non-exceptional tree removal, and requiring mitigation for removal of exceptional trees. These have been the majority of comments we've received. Very little deviation from those four points.
2. The other major body of comments is from homeowners worried that there is very little flexibility once trees were protected. Once a tree reaches a certain size it can't be removed. Large trees are more expensive to maintain, leaves, pruning; a lot of people don't feel comfortable having large trees in their yards (they are afraid of them).
3. Tree retention standards during development are too unpredictable and the developer doesn't want to go through the planning process with proforma if at the end they won't be able to develop due to tree retention.

JS – one of my concerns is that it would create an incentive that people will cut down large trees preemptively. Predatory arborists might go after people with larger trees and instill fear.

BS – maybe move away from a strict no. Maybe allow to remove trees with mitigation so it's more of a gradient, so the largest trees are not retained in perpetuity.

TE – one of the guiding principles is to make the ordinance simple. Bringing in a gradient how would it affect the implementation of the ordinance?

BS – looking more at a gradient of mitigation. Depending on size mitigate with 2 for 1 or 3 for 1,

JR – you can look at the tree point system as a starting point. You could say we need to maintain the tree point.

BS – we considered that in the first round. That results in a very expensive permit because you need an arborist.

JR – it would be for the tree you are removing, not the whole property.

JS – would you need an arborist to sketch out a site plan? It's important to look at the rest of the parcel. What if you already have a lot of points in that parcel?

BS – if you care about species, you will need to hire a tree care professional.

GS – what is the range of the developer and the issues surrounding that. Not the private homeowner. What's going to be in place to ensure that if there are some trees there, to look at possible retention?

BS – in the current proposal? The proposal says that you can't remove exceptional tree prior to development. Currently you can't remove an exceptional tree unless it precludes you from realizing the full development potential of the parcel. The issue is that it's very complicated. You are navigating between what is the root zone of that species, what technologies can you use to preserve root area? If you haven't paid a surveyor to do a tree by tree analysis with a survey tool, then things can get very complicated in the middle of construction. We are not even getting into staging issues.

JR – you usually scrape it clean and replant when you are done. SF is very different from larger scale development, where you have GreenFactor. You go through lengthy review process in the larger developments.

JS – any other questions for Brennon?

TE – have there any comments about notice for violation?

BS – we'll put out a list that summarizes everything we've heard.

JS – how many comments did you receive?

BS – written comments are probably on the scale of 30.

JR – that's a fraction of what you got last time.

BS – last time we had over 20 meetings.

TE – if the permit system as we understand it, if a notification system is implemented, would it be a significant amount of additional work?

BS – not necessarily. Provided it's voluntary.

JS – how difficult would it be to have links or triggers to send a customer to SDOT if they are looking at something in the ROW.

BS – I would assume it would be a part of it.

JS – the more we streamline things under one internet roof for residents, it would be great.

JS – Matt is eager to get this letter to the elected. I want to give people time to weigh in and improve it.

JS – smaller trees need to be protected.

TE – at least different levels of protection. That would remove concern.

JS – starting at 8” maybe? IN terms of specific species Matt pulled out it would become a mute point if we start at 8” DBH.

JR – when we talk about the idea of doing a more gradual valuation of trees, in terms of starting small and moving to a larger diameter trees. Is this by species? What we are saying is that an 8” crab apple is worth the same as a 24” Douglas fir.

TE – this was in response to the fact that a lot of these trees will not reach 24” in the same amount of time.

JR – Are moving back to the old system.

LF – are we protecting canopy or are we protecting a diverse urban forest? If it’s canopy then I don’t care about a crab apple.

TE – correct. It would be nice to have the threshold of replacement.

LF – are we talking about an exceptional tree program or an urban forest preservation program? When we start assigning value it gets tricky.

BS – let me know if you don’t want me jumping in. If you change the species that you require mitigation for the actual outcome is not different.

JR – the outcome could be different because we are talking about the parameters of when you can cut a tree down. Dealing from a property perspective, I would like to see it be simpler and go by diameters. Maybe consider small, medium, and large tree species. I would recommend using the existing list and use a couple of size categories that represent the tree at the different stages of life. A large version of a small tree might be protected sooner than a small version of a large tree.

LF – a crab apple will reach maturity and start decaying in 50 years, when a conifer is much more long-lived. How do we relate the value of the DBH by time.

TE – I would stay away from that. Here are my thresholds based on DBH.

JS – you can potential submit a site plan without an arborist. Then it would be a straightforward calculation and see what the point system calls for.

TE – that would simplify this portion of the issue.

JS – I'm a big fan of the natives, but when I look at this list, then I think of the other trees we are not mentioning. I wish there was great science about the value of natives for insects and such but it hasn't been well-studied to my understanding.

JR – we are not dealing with a 'native' environment, this is an urban environment.

LF – Natives sometimes are the hardest ones to get established. I would not get natives in there.

JR – Basically not consider natives. Set up size categories of the tree we have today, and base mitigation on that value.

JS – look at what else is left on the lot using a point system?

JR – if you don't want to mitigate, make your case if you have a fully treed lot.

BS – the point system is designed for a post-construction environment.

JS – has concern over making it easier for people to manage a lot with lots of trees in it.

TE – it might be better to approach this from the point of view that a lot of people are going to be willing and able to plant more trees. Perhaps, if they want to argue that they are managing their property and that they have more trees in the property, then there could be the opportunity to look at that specific situation.

JR – there is an opportunity here for people that don't want trees in their property, we could ask about street trees and whether they would be willing to have those. Maybe include street trees in the equation.

JR – if you are removing a 32" conifer you'd need 40 points and you could comply with planting and mitigation.

TE – the letter also allows mitigation within the neighborhood. I don't know how well this could be monitored or administered.

BS – fee in lieu goes to a specific tree planting program. Which would be targeted at areas that have a greater need. The issue is going to be if you set standards if you discourage removal and allow for mitigation and whether this would become a tax on people that have large trees.

LF – who makes that decision?

BS – Five Council members and the Mayor (and courts).

JS – this would get rid of the exceptional tree concept. Would we start then at 2"?

TE – the reason I started at 2” is that this would become a notification system. But most trees that are planted in the city are smaller than 2”. The other reason is that most trees are planted at 1.5 or 2” caliper and would want to know if they are being removed.

JR – would it be feasible for this permit system, based on address, to link the property to a development process within the past five years? Or flag linkage to certain types of permits such as a Master Use Permit?

BS – as long as the address what inputted correctly, yes.

LF, JF, TE – like this approach.

GB – this will assume people will be good citizens and report their cutting trees through the permit.

JS – I proposed using the definitions from WA dept of fish and wildlife, they are not difficult to map and it’s a start.

TE – they need to be mapped first?

JS – that’s the problem. They should be mapped according to the definitions.

BS –this was tentatively under the list of things to do during ECA update. We won’t do it outside of that process.

JS – it makes more sense to have the two things be consistent. I would like to see tree ordinance and ECA language be consistent. What’s the schedule for ECA?

BS – it’s coming up. The last update was 2006.

TE – if we leave the ECA language as is for tree ordinance, and then the ECA gets updated....

JS – in my opinion, the really important groves are public property and already protected by ECA.

TE – would we require a different level of mitigation for groves?

LF – I wouldn’t get too hung up on the groves piece.

JS – the smaller groves of a few dozen trees in back yards, we are mitigating if removing trees on that grove.

JF – we could make another recommendation to protect groves separately as part of ECA.

GB – a lot of people are interested in groves. It would be nice to have some evidence for going one way or the other. Agree with John Floberg in terms of needing more information. In residential areas where contiguous canopy exists, a whole grove might disappear and

mitigation would only take of a couple of trees. What's the major threat of a whole grove disappearing.

JS – re-development of large parcels in SF areas and the occasional subdivision of small houses in large lots and developing more densely, how can those be mapped? WE are moving towards using the mitigation scheme and the point system, trees will be planted but not necessarily like a grove.

LF – it will be City forestry deciding where more groves are needed.

TE – what would be the benefits and downside of fixing a single lot to a grove definition. For instance adding an element of protection or additional mitigation if an entire grove is removed from a single parcel. Maybe mitigation goes up?

JS – the person we want to reach out with this legislation is the one with two crab apples in the ROW and no trees in their property.

JF – what will cause the behavior to be protective of groves. Going back to Conlin's comment is that the goal is to have engaged residents that will help the City increase and maintain canopy.

JS – anything else on groves?

TE – tree credits. We would just be going with some sort of tiered system based on DBH with the ability to argue if they have enough trees in their property they can be exempt. Obviously that gets into staff time and the City will need to figure it out. You can get a certified arborist letter and do spot checks. What would be the threshold of canopy coverage.

LF – the issue would be that there is a problem that needs maintenance to improve health conditions for existing trees.

JR – that makes a lot of sense. Why mitigate a benefit that is not there?

JS – other comments on tree credit system?

TE – is there any talk about credits for snags?

BS – no

TE – what are the next steps

JS – hoping to have an ad-hoc group get together with Matt and walk him through the new letter. JS, JR, MM. Give

New business and announcements

Adjourn

Community comment:

From: Keith Scully [mailto:Keith@newmanlaw.com]

Sent: Monday, September 17, 2012 10:59 AM

To: Staley, Brennon; Pinto_de_Bader, Sandra

Cc: Harrell, Bruce; Godden, Jean; O'Brien, Mike; Licata, Nick; Conlin, Richard; Bagshaw, Sally; Clark, Sally; Burgess, Tim; Rasmussen, Tom; McGinn, Mike

Subject: Comment on draft tree protection ordinance

Dear Urban Forestry Commissioners and Council Members:

I write to urge you to make three key changes to the draft tree protection ordinance. I am an attorney with land use experience; I represented the citizens who challenged Seattle Public Schools' plan to cut down a substantial portion of a grove of trees at Ingraham High School in court. I write, though, entirely on my own behalf to urge you to make the following changes:

1. Create an easy-to-use permit system for all trees over 8 inches in diameter.

Citizens can only follow rules they know about, and the city can only protect trees it knows exist. A simple, straightforward rule, requiring citizens to get a free tree removal permit for any tree over eight inches in diameter, solves both problems. The permit application should be straightforward, and able to be completed online. It should require the citizen to identify only the parcel, the size and species of tree, and how many trees will be removed. Online (and paper in DPD's office) tree identification guides should be easily accessible, and city staff should be available to review photographs and assist in identification.

Most of the time, a tree removal permit can be issued immediately, making the burden minimal. Most Seattle residents want to protect trees, and want to follow the City's rules. Making the process accessible and easy for all—but requiring contact with the City before removing all but the smallest trees—is a minimal burden on citizens and helps insure that exceptional trees are not inadvertently cut.

2. Protect groves, not just trees.

A grove can be exceptional even if individual trees within it are not. Tree associations—collections of native trees growing together, as they would in nature—are worth protecting simply because they are so rare in the urban environment. They also provide unique habitat for urban wildlife. Moreover, protecting groves protects understory, including rare and exceptional native plants that would not otherwise receive protection. Further, protecting groves allows smaller trees to flourish and become the exceptional trees of tomorrow.

3. Maintain the current exceptional tree list.

The draft ordinance would modify the current exceptional tree list to protect only trees greater than 24 inches in diameter. But many of the City's exceptional trees, including madrone and dogwood, rarely if ever exceed 24 inches.

The interim tree ordinance was a tremendous step forward. I look forward to a permanent ordinance that continues Seattle's protection of its forest canopy and exceptional trees.

Keith Scully
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Email privileged and confidential - please destroy if you are not the intended recipient

From: Nancy and Dick Rust [mailto:ndrust@comcast.net]
Sent: Tuesday, September 25, 2012 4:17 PM
To: Staley, Brennon
Cc: Pinto_de_Bader, Sandra
Subject: Tree ordincance

To Brennon Staley
From Nancy Rust
900 University St Apt 701
Seattle Wa 98101

Trees are not just an amenity they should be considered as part of the infrastructure of our city. Currently, the largest source of pollution in Puget Sound is storm water run off. Because trees retain that storm water, that's one reason why trees need to be protected. Other reasons are that they clean the air of pollutants, they lesson the affects of global warming, they provide habitat for wildlife, they provide privacy and they calm traffic.

I was disappointed in your proposal for a new tree ordinance. Although it has a few good things, what is lacking overwhelms. A 24 inch (dbh) tree is a very large tree. There is no protection for smaller trees. Where is the protection for native dogwoods? Evidently you do not think they have much value. Certainly you must agree that our native madronas need to be protected and although occasionally they can grow larger than 24 inches dbh, smaller ones need protection too. As a former resident of Shoreline and chair of a citizen's committee on tees, I advocated for protection of all trees larger than 6 inches in dbh. This is the standard in other cities in King County.

I have concentrated on this one issue but there are other issues that need to be addressed.

In closing, I believe Seattle can do better than this draft.

Sincerely,

Nancy Rust

From: capella7 [mailto:capella7@aol.com]
Sent: Monday, October 01, 2012 2:32 AM
To: Pinto_de_Bader, Sandra
Subject: Save the Trees: Comments on the Draft DPD Tree Proposal

After seeing the decimation of Planet Earth and my specific neighborhood caused by massive tree removal, I am very concerned that any new tree ordinances enacted in this city should adequately and thoroughly protect trees in a way that is meaningful for environmental protection and preservation of this planet. Obviously our city government is aware of the vital role that trees perform in absorbing the carbon that is creating the Greenhouse Effect and returning that carbon to the atmosphere as valuable oxygen. In addition, trees play a role in the recycling of water from atmosphere to earth and back again by helping to retain and release that moisture of which Seattle has had an abundant supply in the past. Eight virtually rainless Seattle weeks does not yet signify a new climate pattern, but I can't help but wonder if our future will include long, dry stretches like our current unusual aridity due to the already massive decimation of the tree canopy. Desertification of Africa is a result of tree removal. It can happen here. I applaud all efforts to prevent further decimation of the tree canopy in this city. However, to be really effective any ordinance must contain all of the requisite protective measures.

The current ordinance proposal needs modification to include these important requirements:

1. Protection of tree groves
2. Protection of trees smaller than 24" dbh, including many trees previously classified as exceptional
3. A permit system for trees smaller than 24" dbh. Portland Oregon will cover all trees 10" dbh and larger.
4. Extending the permit system for exceptional trees to include public trees
5. Consolidating oversight, regulation and enforcement in a Department without a conflict of interest like DPD has. Trees need an advocate for their protection and Seattle Public Utilities or the Office of Sustainability and the Environment make more sense for overseeing protecting trees in the city
6. Licensing and training for arborists and tree removal companies
7. Posting completed tree removal applications on line and posting of property
8. Requiring disclosure of exceptional trees on property by real estate agents when property is sold
9. Incentives to save trees like utility rebates
10. Replacement of trees removed so there is no net loss of canopy over time, except some during development for not meeting credits
- 11 Requirements to id all trees on property in development plans.
12. More emphasis on native trees and habitat values in tree plantings and preservation

Some good aspects of the draft which should be retained are:

1. Adding single family homes and institutions undergoing development to the list of zones that must add street trees.
2. Requiring an online permit to remove trees larger than 24" diameter breast height (dbh).
3. Implementing a tree removal application fee for exceptional trees to help cover cost and evaluation
4. Removing single family home lots smaller than 5000 sf from not being covered by the current ordinance.
5. Higher credit is given for evergreens saved or planted during development

Especially essential is the requirement of a permit to remove trees larger than 24" diameter breast height. In my Ravenna/Bryant neighborhood, I have witnessed with helpless outrage over the past six years the removal of fifteen (15) old, healthy, well-established evergreen trees in immediate proximity to my home to make way for new construction of a hideous "skinny mini" house and to increase yard maintenance ease at another house. Also, during the process of restructuring a perfectly functional driveway next door to my home, the plane was changed sufficiently to cause disease in my 34 year old healthy hemlock tree, according to an arborist who examined the tree. Then some unknown person apparently piled dirt around the bottom of the tree trunk to complete the job of sickening the tree. I am currently trying the rejuvenate and save the tree by fertilizing and watering according to the directions of the arborist. As a result of this experience, I believe that a most important addition to the draft should impose a stiff fine as penalty for anyone who re-landscapes or engages in any other activity that causes sickness or death of a tree on adjacent properties.

I strongly support adoption of a strong ordinance that will offer needed protection to the city's trees and urge that these necessary changes should be made in the current draft. Taking the necessary, effective action now is vital to saving the environment and preserving the livability of this city and planet.

Sincerely,

Mary Anderson
6844 30th Avenue N.E.
Seattle, WA 98115
206-523-7485

From: Nancy Oyloe [mailto:nkoyloe@me.com]
Sent: Monday, October 01, 2012 11:49 AM
To: Staley, Brennon; Pinto_de_Bader, Sandra; Harrell, Bruce; Godden, Jean; O'Brien, Mike; Licata, Nick; Conlin, Richard
Cc: Bagshaw, Sally; Clark, Sally; Burgess, Tim; Rasmussen, Tom; McGinn, Mike
Subject: Trees in Seattle

Hi All,

I know some attention has been given to saving trees in Seattle. I am sure you have all been privy to the scientific information regarding the value of preserving our tree canopy. I would like to encourage your support in doing so. I have been a Seattle resident for 62 years and if you've traveled anywhere, you know the unique beauty that keeping the emerald city green provides, for residents and tourism. I am stunned by the number of home owners who cut down large trees to avoid a few leaves or needles falling in their yards. I have seen several trees decades old, destroyed in minutes just this summer. Better regulation would not only force these people to become better educated and rethink their impulses but also prevent the loss of trees which are of value to the entire community. Planting small bushes or trees that take decades to grow is not a substitute. In addition, I think the idea that builders can "pay" to avoid preserving or planting trees is ridiculous in that it is likely cheaper to pay the price than comply. We need to do what is good for our community and not be the city that can be bought out.

I would also like to suggest that the city use trees and bushes to deter graffiti. I have noticed that along the freeway, where trees grace the sound walls, there is no graffiti. It provides a much more attractive drive and reduces the cost of painting out graffiti.

Keep Seattle Green!!
Nancy Oyloe

From: Annie Fanning [mailto:anniefanning@gmail.com]
Sent: Monday, October 01, 2012 2:45 PM
To: Staley, Brennon
Cc: Pinto_de_Bader, Sandra
Subject: Comments on DPD Tree Ordinance (July 2012)

Good Afternoon, Brennon Staley:

Please preserve and strengthen the green infrastructure of our city.

As a tree ambassador for the Maple Leaf neighborhood, I have some concerns with the DPD's proposed Tree Ordinance (July 2012) for private property.

My first concern is with the slack definition of exceptional trees. The proposed definition of exceptional tree is a trunk girth at breast height of 24 inches. This is too loose a definition of "exceptional."

There are many reasons why equating "exceptional" with trunk girth is faulty logic, but to my mind the worst reason is that it exposes healthy, young conifers to the whim of the axe.

All native conifers are "exceptional" trees" because they have a high quantifiable value to our urban forest and our city's green infrastructure.

Native conifers are highly functional trees: they are evergreen so they trap particulates and keep our air clean year round; they suck up large amounts of rain, so they help mitigate storm water in winter; they stabilize slopes, so they protect from erosion; they provide habitat. Such conifers have a quantifiable value to our urban forest and to our city's green infrastructure.

Under the current definition of "exceptional" many young native conifers could be cut without proper consideration for the future urban forest and our city's green infrastructure.

My second concern with the proposed Tree Ordinance is the lack of protection for groves.

Conifers in groups of three or more trees are extremely important to the green infrastructure of our neighborhoods. A grove of conifers is worth far more than the sum of its trees. Groves provide capacity for green infrastructure.

For example, on the "Morningside" or east slope of the Maple Leaf/Victory Heights neighborhoods, there are many groups of trees on privately held land that are currently unprotected by the Tree Ordinance. These groups of conifers have long stabilized this slope and sucked up storm water in the DPD-designated "salmon watershed" of Thornton Creek—yet because they are not sited on property that fits the very specific definition of "environmentally critical"—they are not protected.

If we were to lose, due to development, windstorms, homeowner whim—a hypothetical 20 percent of these trees—the drainage of the entire slope, the amount and quality of run-off to the stream, and the urban nature habitat of the entire neighborhood would all be adversely impacted.

The point of the Tree Ordinance—and this is my third concern with the current draft—seems to be lost. I truly believe that the Tree Ordinance should promote practices that build, sustain, and protect the green infrastructure of our city on private property.

Trees are just part of the green infrastructure equation—but they are keystone to the natural systems that clean our air and water, and that provide us with the best possible "people habitat," particularly in single and multifamily neighborhoods.

The very livability of our city depends on strengthening our green infrastructure to support density. With a Tree Ordinance that specifically targets the green infrastructure requirements we can both educate the public on the value of trees to our city, as well as promoting best practices for healthy population density.

This is Seattle—the first city in America to certify its forests on parkland— and we have a reputation to uphold! Do not be afraid to promote green infrastructure and the urban forest ideal! It is the right thing to do.

I sincerely hope that this letter helps in some small way focus such a difficult and unruly task as drafting a citywide Tree Ordinance.

I wish you all the best,

Annie Fanning
Tree Ambassador, Maple Leaf Team
Cell (206)730-2539

From: Ruth Williams [mailto:ruthalice@comcast.net]

Sent: Monday, October 01, 2012 3:50 PM

To: Staley, Brennon

Cc: McGinn, Mike; Conlin, Richard; Bagshaw, Sally; Clark, Sally; Burgess, Tim; Rasmussen, Tom; Godden, Jean; O'Brien, Mike; Licata, Nick; Harrell, Bruce; Pinto_de_Bader, Sandra

Subject: Discussion of DPD's Proposed Tree Ordinance

Hello Brennon,

By now you know quite a bit about my views on this subject, but here they are, spelled out in writing. Thank you for putting in all those public presentations, for being the public face of this project, and for listening to what the greater community has to say.

Re Green Factor:

This shows a lot of creativity and does a nice job of favoring trees, and large ones at that. It's good that lots smaller than 5,000 sq. ft. are now included.

The major drawback with this system as proposed is that there is nothing requiring the property owner to retain any of the plantings once the Certificate of Occupancy is issued. Even if the owner can't ever build in that tree area he or she could still convert it to some other use, legal or not. There has to be a way to protect trees planted as part of a permitted building plan. Many other communities are doing this, including Berlin, Germany, one of the leaders in the use of green factor. Berlin actually has a sliding scale, so that up to four trees might be required to replace one especially large one, and on site if at all possible. Portland, OR also protects planting-plan trees.

Another problem is that it only applies to the 1% of properties under development in any given year.

Re Proposed Permit System:

The on-line permit system and fee structure are a good beginning. If I understood you correctly you have said that protecting 24" dbh trees will result in protecting about 14% of the city's trees, which is the same percentage that is being protected now. According to the available data Seattle's tree canopy has been remaining fairly constant at about 23%. If we keep the same policy as before, we may get some improvement in tree canopy coverage, but much too slowly to make the modest goal of 30% by 2037. This just isn't enough. It is imperative to protect more than 14% of our trees if we are to grow the canopy at a reasonable rate. Additionally there is NO provision for replacement of ANY trees removed outside of development.

While there is provision for not protecting some species for various reasons (Norway Maple should be included), there is no provision for lowering the threshold for any of our native trees that never, or almost never, attain that magic 24" diameter. The net result would be that we might save a few more native conifers, but it is always open season on many of the native hardwoods that are also vital to habitat systems. (Malmö, Sweden, another famous green factor city, and Berlin, Germany pay a great deal of attention to designing various kinds of ecosystems.)

The reason DPD gives for all this neglect is that sound tree policy is too complicated for people to understand. Personally, I am befuddled by the way complexity seems to know no bounds for green factor, but a seemingly callous simplicity has to rule all trees, and therefore ecosystems, outside of development. We need a system that protects native trees and groves if we are to get any habitat value out of this process.

The proposed policy is so extreme I suspect it might be motivated in part by a desire to limit administrative costs; never mind that for every dollar DPD saves SPU will spend hundreds in drainage and waste-water projects, in addition to restoration of our abused natural waterways.

Educating people about the value of our urban trees is crucial. The point has been made that if we make the laws the education will follow. A broadened permit system can serve to educate people. It isn't necessary to pile on the steep fees and fines from the get-go. An on-line permit system can also serve the purpose of helping people learn about their trees and even identify them. Fines for violations can be added later and over time.

Vancouver, BC has a sliding scale for the number trees on private lots. A ¼ acre lot is required to have five trees, and they are protected. I'm sure by now you have heard all about what Portland, OR has done. (It's here.) DPD doesn't seem to have the will to care for the 99% of trees not on developing lots. It would be wonderful if Seattle's trees and ecosystems could be under the jurisdiction of an entity with an interest and expertise in ecosystems and green

infrastructure rather than just development. (Why is there no role for SPU in this process?) That would pay huge dividends in the long run.

Monitoring our Progress:

Trees are a privately owned community resource. Like the drainage system on a property or the appearance of the yard, to cite a couple of examples, the owner must take care of them for the common benefit of all. Aerial surveys and programs like i-Tree Eco are helpful in giving us general information about the tree canopy, but boots on the ground are a necessary component of a true picture. A useful way to track what is going on with our trees outside of development would be to license arborists and have them report what they are cutting and the health of trees planted as part of a planting plan. Given the opportunity, arborists could play a beneficial role in educating property owners and keeping the city informed about the quality of our tree canopy.

Healthy Urban Forest = Healthier People:

Statistics abound on the ecological benefits and services of trees, and evidence of their therapeutic value for sick, injured, stressed, and mentally ill people is piling up. One of the most famous examples is the Horse Chestnut tree in the Diary of Anne Frank:

Nearly every morning I go to the attic to blow the stuffy air out of my lungs, from my favorite spot on the floor I look up at the blue sky and the bare chestnut tree, on whose branches little raindrops shine, appearing like silver, and at the seagulls and other birds as they glide on the wind. As long as this exists, I thought, and I may live to see it, this sunshine, the cloudless skies, while this lasts I cannot be unhappy.

This tree and its value to Anne Frank meant so much to so many people that despite all odds they managed to keep the tree alive until 2010. Now they are nurturing a shoot that came up from the stump.

A Groundswell of Support is Building:

The City of Seattle is doing some things right. The Green Seattle Partnership has delivered amazing results and created a roster of 160 volunteer Forest Stewards; the reLeaf program runs out of trees every year due to popular demand; the new Tree Ambassador Program is bringing needed attention to the beautiful trees we have. Just this past Saturday we Northgate/Matthews Beach Tree Ambassadors had 75 persons attend our tree walk after Ciscoe Morris published it in the paper. ([Click here](#) to see the pictures.) It would be the best if DPD would join us and do their part to carry out the goals of Resolution 31138 and the Urban Forest Management Plan.

Incentives:

We have drafted a list of over a dozen incentives to entice people to plant and nurture trees. (This list has been sent in a couple of times already, but if you need another copy please let me know.) We could add a program similar to Portland, OR's Treebate, where property owners get a refund on their utility bill for planting certain kinds of trees.

Thank you for your consideration.

Sincerely,

Ruth Williams
GSP Forest Steward
Tree Ambassador
46th LD PCO

1219 NE 107th St.
Seattle, WA 98125

From: RICHARD ELLISON [mailto:richard_ellison@hotmail.com]
Sent: Monday, October 01, 2012 5:02 PM
To: Staley, Brennon
Cc: Pinto_de_Bader, Sandra; Deehr, Rebecca; seattle posaGROUP
Subject: Comments on the City of Seattle Revised Draft Tree Regulations Update

To: City of Seattle. DPD Brennon Staley. Brennon.Staley@seattle.gov ;

Comments on the City of Seattle Revised Draft Tree Regulations Update Summary July, 2012

From: Richard Ellison, SaveSeattlesTrees.org, 8003 28th Ave NE, Seattle, WA 98115
Date: October 1, 2012

These comments are in addition to my earlier comments, and do not exclude their importance. Attached is a MSword copy of this letter.

- 1. Urban Tree Sacrifice Neighborhoods.** Many neighborhoods have very few trees ≥ 24 inch DBH. Communities like Ballard or the downtown could be clear cut, and the burden of tree protection would fall on other neighborhoods like Laurelhurst and north Capital Hill which likely have a greater density of big trees. Does the City know which areas have the highest or lowest density of big trees, and so can predict where protections will be effective and neighborhoods where any protection is highly unlikely? "*Suburban areas with mature trees are 4 to 6°F (2 to 3°C) cooler than new suburbs without trees,*" (American Society of Landscape Architects, <http://www.asla.org/greeninfrastructure.aspx>).
- 2. "Seattle is frequently ranked among top U.S. cities as judged by education levels"** <http://www.cityofseattle.net/oir/datasheet/quality.htm>. Surely, these highly educated citizens are capable of figuring out even a moderately complex tree ordinance, rather than use the excuse we have to "dumb down" the ordinance to assist compliance. It is not a difficult burden to have neighbors observe if trees are in a grove, and especially in development projects professional surveys are already required.
- 3. Tree groves must remain protected.** The habitat value of continuous trees is greater than isolated ones. The city of Charleston, S. Carolina's proposed tree ordinance includes: "*The main goals of the proposed ordinance are: 1) To conserve significant individual trees as well as clusters of trees thereby preserving wildlife habitat and providing valuable green space*" <http://www.charlestoncity.info/dept/content.aspx?nid=1786&cid=12486> ; additional urban wildlife related decisions: http://www.ci.oswego.or.us/sites/default/files/fileattachments/planning/cityprojects/12154/findings-approved_lu12-0012.pdf.

Groves of trees may also protect each other from wind damage better than a big tree recently isolated by the removal of neighboring trees “*Larger patches are also less vulnerable to natural disturbance such as windthrow, and are likely to be more sustainable without requiring active management,*” (Wildlife habitat design in urban forest landscapes, by Raedeke and Radeke, in Urban Forest Landscapes, edited by Gordon Bradley, 1995).

4. **The threshold for retention should be 12” deciduous, 8” evergreen** (broadleaf and needle). Many native species rarely if ever mature to 24” DBH, such as Cascara, Pacific Yews, Madrones and Willows. These species must be protected. State and local champion size trees that do not mature to 24 inches must be protected. For example, in 1994 the Seattle City Council in a decision, overruled a Hearing Examiner decision and gave protection to a Chinese Tree Privet, the tallest of its species in the PNW at the time, and placed Seattle’s first construction bond (\$2500.) on a tree for protection (<http://community.seattletimes.nwsourc.com/archive/?date=19940524&slug=1912204> and [http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?s1=MUP-93-041&S2=\(%40dtir%3E19900000%3C20000000\)+OR+\(%40DTA%3E19900000%3C20000000\)+OR+\(%40DTS%3E19900000%3C20000000\)+OR+\(%40DTSI%3E19900000%3C20000000\)+OR+\(%40DTMY%3E19900000%3C20000000\)+OR+\(%40DATE%3E19900000%3C20000000\)+OR+\(%40dtf%3E19900000%3C20000000\)&Sect4=AND&l=0&Sect1=IMAGE&Sect2=THESON&Sect3=PLURON&Sect5=LEGI2&Sect6=HITOFF&d=LEGA&p=1&u=%2F~public%2Flegisearch.htm&r=1&f=G](http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?s1=MUP-93-041&S2=(%40dtir%3E19900000%3C20000000)+OR+(%40DTA%3E19900000%3C20000000)+OR+(%40DTS%3E19900000%3C20000000)+OR+(%40DTSI%3E19900000%3C20000000)+OR+(%40DTMY%3E19900000%3C20000000)+OR+(%40DATE%3E19900000%3C20000000)+OR+(%40dtf%3E19900000%3C20000000)&Sect4=AND&l=0&Sect1=IMAGE&Sect2=THESON&Sect3=PLURON&Sect5=LEGI2&Sect6=HITOFF&d=LEGA&p=1&u=%2F~public%2Flegisearch.htm&r=1&f=G)).
5. **Special categories of trees, as spelled out in the Seattle City Comprehensive Plan must have a means to protection.** “E21 Strive to protect and retain certain trees and groups of trees that enhance Seattle’s historical, cultural, environmental and aesthetic character.” The proposed plan does not provide a means to protect Seattle’s historical trees, culturally important trees, wildlife trees (beyond endangered species protection) and trees deemed “aesthetic” by neighborhoods.
6. **Special wildlife habitat areas** (like Heron Rookeries in the Kiwanis Heron Management Area) require year-round permanent protection. The Seattle Urban Forestry Commission’s proposed changes to the Director’s rule DR5-2007 to protect Heron habitat: “*All 6 inch (dbh) or larger screening trees shall be retained where the removal of those trees would decrease the effectiveness of screening of new and existing development from the colony. Screening trees are those trees that are within direct line of sight of the nesting area or block line of sight to the structure during any part of the year.*”
7. Do to the hazardous nature of any large tree removal, the vast majority of homeowners would have to hire a professional service for removal. When a tree professional comes to give a bid on the job, it is reasonable for these tree professionals to be competent to provide accurate knowledge of any Seattle Tree Protection law. These professionals should have the knowledge to accurately evaluate tree health, prior to any tree removal. The use of trained professionals, such as an **ISA certified arborist** would help to limit any liability to homeowners or the City for the retention or removal of mature trees.

From: thouless1@comcast.net [mailto:thouless1@comcast.net]
Sent: Tuesday, October 02, 2012 3:54 PM
To: Pinto_de_Bader, Sandra
Subject: Comments on DPD Tree Plan

Comments on Seattle Tree Ordinance Draft 2012

To Brennon Staley DPD:

Please do not send the draft Seattle Tree Ordinance to the Mayor and Council in its present form.

Seattle should not have a tree ordinance which offers less protection for trees than its sister cities, Portland Oregon or Vancouver BC. which have similar climate and vegetation.

Those cities protect trees much smaller than 24" diameter. Smaller trees must be protected so that there will be large trees in the future. Evergreen trees are more valuable than deciduous trees but the precise minimum size should be determined by what householders themselves, can cut as that can not be controlled.

Requirement for Arborist training and licensing must be included. Arborists will then know about sizes of trees which may legally be cut and about the permitting process. They will also know about tree health and dangers.

The system of significant trees should be retained. Many native trees will never grow to a 24" diameter. Groups of trees such as those which often exist on both sides of a property line, should be preserved as they are important habitat for birds and small mammals. They often form links to wildlife corridors.

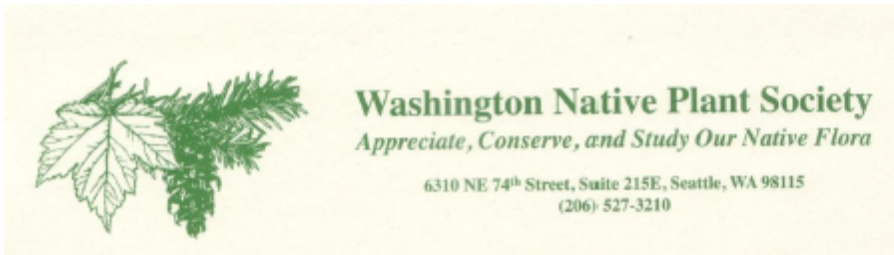
A system of permits needs to be included in the Tree Ordinance. It should be online and probably free. The purpose is for documentation of tree numbers and tree cutting in the city. It will also provide a way of knowing if a particular tree that has been felled had a permit.

There should be a system of significant fines for trees felled without a permit. There should also ultimately be a system of rewards for those with large conifers on their property in the form of rebates on their Seattle Public Utilities bill.

The Seattle City Parks Department should not be exempt from rules controlling tree cutting on private property.

More encouragement needs to be given to increase the canopy in industrial areas. Many industrial parking lots are completely bare of trees.

Margaret E. Thouless
4959 Purdue Ave NE
Seattle WA 98105
206-527-5091



September 24, 2012

Brennon Staley
Land Use Planner
City of Seattle

Dear Brennon,

The Central Puget Sound Chapter of the Washington Native Plant Society strongly supports Seattle's determination to adopt a robust tree ordinance. To accomplish the city's goals of increasing canopy, improving ecologic function, and maintaining urban livability, major adjustments to the proposed plan will need to be made.

In addition to furthering the provisions of the Seattle's Urban Forest Management Plan, a new protective tree ordinance aligns with our organization's mission to promote the appreciation and conservation of Washington's native plants and their habitats. Our mission not only serves to protect the city's environment for our local chapter members, but by conserving native plant species it contributes to the maintenance of a sense of place for all residents and visitors.

We are optimistic that adjustments to or inclusion of the following regulations will help the city improve critical ecologic functions and achieve forest plan goals, thereby maintaining its renowned quality of life and economic vitality.

- Protection of existing trees (adjustment needed)
- Tree density standards (adjustment needed)
- Standards for required trees (adjustment needed)
- Tree Permits (inclusion needed)

Fair use property concerns are adequately addressed through the following regulations, which are included in the proposed plan.

- Modifications of building permit development standards for constrained sites, with fairness assured by permanent covenants recorded on the property deeds 23.44.017(D)
- Establishment of a tree fund to hold "in lieu of" funds for building permit modifications ensuring mitigation of the loss of trees that will inevitably occur.

We recognize that setting appropriate thresholds for these regulations is not an easy task. We urge that requirements be determined using Best Available Science, appropriate statistical comparisons, cost-benefit ratios when available, consideration of concerns expressed by impacted neighbors and citizens

not just developers, and in accordance with the greater good of the city and region. We also urge that the ordinance ensure that funding is available for future ecological analysis and assessment.

WNPS-CPS is concerned that a number of the thresholds in the proposed draft will not maintain or improve Seattle's environment and overall quality of life. We would like to see the following changes made before adoption of the ordinance. Without them we do not see how the increased canopy and healthy forest goals will be met.

RECOMMENDED CHANGES

- **Protection of Existing Trees**

- **Change (23.44.017A&D, 23.45.524C, 23.47A.016D, 25.11.040):** The Tree retention requirement should protect evergreen trees 6 inches or greater in diameter and deciduous trees 12 inches or greater in diameter.

This threshold meets requests for simplicity while protecting at least some slower growing native trees. Figures in Seattle's Urban Forest Management Plan indicate that 64% of trees are less than 12" in diameter¹. This suggests that larger trees that provide increased ecologic function need protection. A less restrictive threshold will unlikely contribute to meeting the 2037 canopy cover goals especially considering the inevitable loss that will occur due to exemptions.

This threshold will protect less than half the city's trees. It should not preclude increasing city density. It is less restrictive than the 8 inch restriction of Vancouver, British Columbia, the third densest city in North America and the most ecologically similar. Many local cities, including Redmond, Issaquah, and Lake Forest Park have 6 inch triggers. Sammamish and Burien have 8" evergreen and 10" deciduous triggers.

Alternately, the current Exceptional Tree criteria based on tree species and age should be continued.

WNPS-CPS appreciates the exemption of several non-native, aggressive trees from this provision including: European holly, English laurel, European mountain ash, tree of heaven.

- **Change (25.11.030):** The exemption for tree removal on public parkland and open spaces should be removed except in the case of environmental restoration projects that contribute to urban forest goals by introducing additional, preferred tree species or protecting existing high-function trees.

As written, the exemption places a significant number of trees outside of the protections of the ordinance and compromises progress toward reaching canopy cover goals. Approximately 11% of the city's land base is either developed parks or parks natural areas. Developed parks have 25% canopy cover, less than the desired 30% whereas the canopy cover in parks natural areas is 80%. Our proposed change furthers the goals of the city and WNPS-CPS by encouraging species diversity that contributes to a healthy forest.

Regulations that exempt government agencies or departments contribute to public distrust and provide opportunities for perceived or actual misuse. Seattle's tree ordinance should be good for everybody and should apply to everybody. Government agencies have an opportunity to demonstrate that regulations are for all public and private entities.

- **Retain** (23.44.017, Table A): The value of existing trees is recognized in the point system of the Tree Density Calculation. We encourage inclusion of this type of incentive.
- **Concern:** WNPS-CPS is highly concerned that protection of groves or groups of trees has been omitted. We strongly encourage reconsideration of this decision.

Groves of trees provide benefit well beyond that offered by individuals; their sum is equal to more than their parts. Ecologically, they provide habitat for our native shade-loving understory plants and wildlife. They also soften the hardscape of a dense city and provide areas of rest within its stimulating environment.

- **Tree density standards**

- **Add** (23.50.035): Additional requirements that will ensure industrial use setbacks are large enough to support large trees and industrial use landscaping includes adequate trees. Buffer strips of 20 feet are recommended as they will accommodate larger trees.

Currently, Industrial uses make up 11% of the land area and have an estimated canopy cover of only 4%. In order to ensure that these uses contribute their share toward meeting Seattle's ecologic and social goals they need to be encouraged to increase their canopy cover.

- **Standards for required trees**

- **Add** (23.44.017(B)(2): Non-native invasive tree species shall not be used to fulfill the tree density requirements of this ordinance. These species include those classified as noxious weeds or weeds of concern by the King County Noxious Weed Board.

WNPS-CPS is highly concerned about the threat of non-native invasives to native species. Non-native invasive species threaten parkland within our cities and rural areas. Seeds and reproductive vegetative fragments are inadvertently transported when we travel to recreation areas. Inside and outside of our cities monitoring for their presence and controlling them once found requires exorbitant investments of paid and volunteer labor.

- **Permits and enforcement**

- **Add** (new): A permit system, supported by permit fees, that will apply to all trees 6 inches or greater including those removed from private and public land whether or not development is occurring. Fees for removal of evergreen trees 6 inches or over and deciduous trees 12 inches or over could go toward a DPD arborist-regulator with responsibilities including the oversight of the application of the tree ordinance provisions and the education of residents and planners on the benefits and maintenance needs of healthy urban forests and trees. Funds generated by non-compliance fees should be allocated to enforcement.

Currently, no trees 6 inches or greater can be removed from undeveloped lots unless they are hazardous or as part of development. WNPS-CPS believes that at a minimum the city has a duty and interest in maintaining a record of these trees. This record will guide future decisions on appropriate thresholds necessary to achieve canopy cover goals, environmental function, and maintenance of livability.

In order to monitor progress toward the goals adopted in the Urban Forest Management Plan, quantitative data should be recorded in a way that is easy for the city and the public to access. A fee for the permit to remove a tree not only helps cover the cost of data collection, but serves to educate the public on the value of trees.

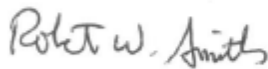
- o **Add (new):** A Treebate, in the form of a reduced stormwater charge, for property owners that maintain 40% or greater canopy cover.

Canopy cover slows runoff and associated costs. Reward those property owners that provide public benefit by retaining and maintaining their trees. Aerial photos are an available tool that can be used to determine compliance.

The Central Puget Sound Chapter of the Washington Native Plant Society commends Seattle for taking time to adopt a comprehensive tree ordinance. The trees of the Emerald City benefit us ecologically, socially, and economically. They deserve not only our recognition but also our protection.

Sincerely,

Rob Smith, Chair
Central Puget Sound Chapter
Washington Native Plant Society



Rebecca Chaney, Conservation Chair
Central Puget Sound Chapter
Washington Native Plant Society



¹ Seattle statistics are taken from the draft 2012 Urban Forest Management Plan.

From: Jeannie Hale [mailto:jeannieh@serv.net]
Sent: Wednesday, October 03, 2012 11:46 PM
To: McGinn, Mike; Clark, Sally; Burgess, Tim; Bagshaw, Sally; Conlin, Richard; Harrell, Bruce; Rasmussen, Tom; Licata, Nick; O'Brien, Mike; Godden, Jean; Sugimura, Diane; Staley, Brennon
Cc: Pinto_de_Bader, Sandra
Subject: July 11, 2012 Draft of the Proposed Tree Regulations Ordinance

Hello Mayor McGinn, Councilmembers and DPD,

Attached and pasted below are comments from the Federation on the draft proposed tree regulations ordinance. We hope you will consider our views.

Jeannie
Federation President

October 3, 2012

Members of the City Council
601 Fifth Avenue, 2nd floor
P. O. Box 34025
Seattle, WA 98124-4025

Mayor Mike McGinn
601 Fifth Avenue, 7th floor
P. O. Box 94749
Seattle, WA 98124-4749

Diane Sugimura, Director
Dept. of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Brennon Staley
Dept. of Planning and Development
700 5th Ave, Suite 2000
P.O. Box 34019
Seattle, WA 98124

RE: July 11, 2012 Draft of the Proposed Tree Regulations Ordinance

To the Mayor, City Council, and DPD:

Trees make Seattle a livable city. The Seattle Community Council Federation supports strong legislation to protect Seattle's urban forest. While we applaud the Department of Planning and Development for eliminating some weaknesses in an earlier draft of the proposed tree regulations ordinance, the draft that was released on July 11, 2012 has failed to address some important concerns raised by the public about the earlier draft, and we urge that the proposal be strengthened before it is presented for consideration by the City Council.

We represent a diversity of neighborhood and community interests across the city that supports the goal of increasing Seattle's urban forestry canopy to 30% from our current approximately 23% cover. We expressed support for these goals when we commented on the previous proposal. Here are specific comments regarding the current proposal:

The current proposal actually eliminates some important protections in the interim tree ordinance, such as the protection of tree groves. These provide habitat value for wildlife that individual trees do not. Patch size is important for maintaining a diversity of bird species and other wildlife. This is well documented in the scientific literature.

We applaud DPD's recognition in the July 11 draft that a permit system is needed for removal of trees over 24 inches in diameter. Large trees provide many more infrastructure benefits to the city, like removing carbon dioxide and other air pollutants and reducing storm water runoff. We also support the requirement that removal of such trees involve a finding that the tree is hazardous.

However, we urge that the proposed tree ordinance be revised to provide better protection for trees under 24 inches in diameter. As was noted at SCCF's Sept. 25, 2012 meeting where DPD's Brennon Staley was present, 24 inch diameter trees only represent about 14% of Seattle's tree population. Allowing the removal of an unlimited number of trees less than 24 inches sends the wrong message to the public about the value of trees. It is a retreat from the current position of not removing from each lot more than 3 trees per year (an amount which is already quite generous). We suggest that the allowed removal be 3 trees in any three year period.

We also oppose the removal of protection of exceptional trees less than 24 inches in diameter. The current Director's Rule 16-2008 protects a number of trees that never will reach 24 inches in diameter, even at maturity. Of 28 native tree species currently protected as exceptional, only 7 would still be protected under the 24 inch threshold. The language in the July 11 draft ordinance is a complete reversal from the interim ordinance, and backs away from efforts to maintain a diversity of tree species. We support having a two tiered permit system that includes trees down to 8 or 10 inches in diameter. To track tree loss or gain citywide, we need to know what is happening to the majority of our trees, not just 14%. If adopted, the July 11 ordinance proposal would open the city up to significant tree loss from disease or insect infestations as our mix of tree species becomes less diverse.

If we want the public to support tree protection we need to communicate to city residents that all trees are valuable and that diversity is important. A healthy urban forest has a diversity of tree sizes and ages. There is a need to say that trees less than 24 inches in diameter have value, including replacement for large trees that die.

Having to get a permit to remove trees, even if it is free, is a great educational tool to let citizens know that trees have value. Removing limits on the number of trees less than 24 inches in diameter and the lack of a permit to remove smaller trees is reducing protection of our trees, sends the wrong message to the public and is contrary to the national trend for increasing protection of urban trees through clear regulations and limits on tree removal.

The current City Comprehensive Plan promises no net loss of tree canopy and a goal of 40% ultimately. Without a strong tree regulations ordinance, this promise cannot be fulfilled. We must require replacement of trees removed, either on or off site. Other cities, like Portland, have adopted a replacement policy for trees removed.

We support two-week posting of property where trees are to be removed, just as SDOT posts its plans to remove street trees. SDOT also has a permit system to prune or remove street trees that has been working for a number of years. The tree regulations ordinance should draw upon this experience in requiring a permit for removal of trees on private land. The City needs to provide notice and disclosure to homeowners so they can understand what is expected of them in helping to maintain Seattle's tree canopy. A key place for this disclosure is when property changes hands via real estate transactions.

Another way to help educate the public and insure compliance with the tree code is that all arborists operating in the city should be licensed and trained. In most cases it is the arborist that will deal with

applying for city permits to remove trees, just as contractors (not the homeowner) now get building permits to do electrical work. This arrangement eliminates the problem mentioned by DPD that homeowners would find it difficult to identify tree species or size or to define a tree grove is. Professionals would be making these determinations.

Safety is another reason for certifying arborists. Having a licensed arborist remove large trees would put the burden on them to understand the law and also do the job safely. The arborist, not just the homeowner, would be accountable for any code violations. This is how it works now with homeowners who hire contractors for construction work that requires city permits.

In protecting trees during construction and at other times, we believe there is great value in protecting native tree species, especially conifers. Our northwest rain occurs mainly in the winter yet this is when deciduous trees lose their leaves, shedding more rain and clogging up drains. Conifers provide the most value in reducing storm water runoff and drainage problems for the city.

We support continued efforts to educate people about the value of retaining and planting trees and looking for incentives to save trees. However, we do not believe these educational efforts will work in the long run without an expanded tree permit and tracking system. This need for regulation has been borne out by other cities which have concluded for rigorous regulations including permit systems.

Please revise the July 11 draft tree regulations ordinance to strengthen protections for our urban forest. Otherwise, this draft will go backwards in removing some protections in the interim ordinance. Our Emerald City urban forest is a unique treasure and needs our best efforts to protect and enhance it for future generations that come after us. Thank you for considering the views of the Seattle Community Council Federation.

Sincerely,

Jeannie Hale, President
3425 West Laurelhurst Drive NE
Seattle, Washington 98105
206-525-5135 / fax 206-525-9631
jeannieh@serv.net

cc: Urban Forestry Commission, Sandra Pinto de Bader, Coordinator