

Urban Forestry Commission (UFC)

November 7, 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

Matt Mega (MM) – chair
John Small (JS) – vice-chair
Gordon Bradley (GB)
Tom Early (TE)
Leif Fixen (LF)
Jeff Reibman (JR)
Peg Staeheli (PS)

Staff

Sandra Pinto de Bader - OSE

Public

Steve Zemke
Richard Ellison
Nicholas Dankers

Absent- Excused

John Floberg (JF)

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

Public comment

SZ – Discussing draft on tree ordinance. This is a good discussion, getting into the weeds which you need to in order to deal with the issue. Urge that you look not so much at Brennon’s admonition of simplifying but do the right thing. There are things you didn’t discuss, didn’t see anything about the discussion of licensing of arborists – issue would be good to be addressed. I’m concerned about no discussion about limitation of # of trees to be removed over the years. Need to do something to try and limit removal of smaller trees. Urge that the tree permit system that you include public trees to get a good assessment of canopy. It helps to make it more acceptable to private sector. No mention of posting. It would be good to warn neighbors about what’s going on. Exceptional trees needs to be discussed. Maybe invite Lee Jacobson to come talk to UFC. Need to look at unique trees in the city. Lastly, urge you to removing this oversight from DPD. Oversight of trees should be under OSE. Trees need an advocate.

Richard Ellison – would like to add to what Steve presented. Certain communities that don’t have many large trees, in some neighborhoods you can cut all trees down if they don’t fit the 24” diameter threshold. There are no means for a neighborhood to protect and preserve trees. State champion trees should be protected. If this issue is not revisited for maybe 10 years, this

is going to be the overriding document to protect trees. There should be a mechanism by which a neighborhood can nominate a tree and protect trees that are important to them. Schools need to be regulated under this document. They are an area that is a free for all right now. Make them look at tree protection. The 24" diameter threshold is too large, reduce it to 12", want to save 10-12" trees, that the most we have. Save the healthy and unique trees. In the U District, a lot of trees are being removed due to development. As trees are planted in new developments, what's going to stop people from cutting those down before they reach the 24" threshold? By which mechanism can we save existing trees? Do want to support retention of groves. ECA protection might not be enough.

Approval of October 3 meeting notes

ACTION: A motion was made to approve the October 3 meeting notes as written. The motion was seconded and carried.

PS – it was a good approach for a mix up of things. She wouldn't do the same thing every year. Got good ideas out there. It allowed people to think out of the box a little bit.

TE – it also helped people identified where they can help each other. In the near future, see those partnerships blossom.

PS – we do need a campaign. The exercise had energy. Maybe ask Council to put together a campaign from trees in the city.

Review of proposed support letter for GSP funding through SPU rate increase – possible vote

JF – was approached by Forterra to support a rate increase to fund GSP.

TE – it doesn't identify how this increase would take place.

JF – I believe SPU rates are taken through Council and approved. Not sure of public process.

JS – State process with public utilities hearings.

MM – is this permanent increase or do they have to ask for it every year?

TE – The \$1.5M was targeted by GSP to meet their goal.

JF – the program's requirement is larger \$3M but has never been fully funded.

TE – this is a compromise

PS – concern is that it's up to \$500K/year. We need a stronger ask. We need \$3M. This is low-hanging. If we really understand the need then we need to ask for more.

GB – the language should support benefits for ratepayers, so we should include wording to that effect.

PS – we should also keep the \$500 in REET.

**ACTION: A motion was made to approve the letter of recommendation as amended.
The motion was seconded and carried.**

UFMP update and DPD tree ordinance recommendation – discussion continues

Commissioners discussed the issues at hand.

(The initial part of this discussion was not captured in these notes because Sandra was finalizing and delivering the GSP funding letter of recommendation to Council. You can hear the missing piece of the discussion online at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>)

PS – Does the SDOT ordinance has mitigation?

MM – IF the property owner gets a permit to remove a tree they don't have to mitigate.

JR – the beauty of using the same system for both private and street trees is that mitigation would apply to both.

GB – I'm still wondering about... how are people going to know what it is that they have in their yard.. What do the points accrue to the individual. The mitigation would be based on lot coverage?

TE – the threshold is, if you cut a certain size tree, you have to mitigate at a certain level. It's not by lot coverage, but tree by tree. You can mitigate in your own planting, or if you already have enough planting then you can mitigate elsewhere.

PS – trees that can become big and provide large canopy... you cut down a large potential canopy tree and plant a dogwood with little potential future canopy. That would be a problem.

MM – Portland gets around that by establishing trees to be small, medium, large tree canopy potential.

PS – maybe we say small trees don't count. That mitigation has to be for larger trees.

JS – this is how I envision it. First decision is, is it larger than 2" .If smaller than 6" don't track. Larger than 6" – does your parcel meet the points criteria (already have the information, lot size, etc). We need to determine the threshold for safety, hiring an arborist, loss of canopy, etc. If don't meet points criteria then you have to mitigate, on site or not.

JR – if you remove a certain size tree you have to plant to mitigate, if you don't want to plan, then have to pay a fee into the tree fund.

MM – basically is that it goes to mitigation by tree, if you want to argue that you have a fully planted lot, if you don't want to plant trees, pay money,

MM – what happens with trees such as Madronas?

JS – with greater than 6" you have to fill out a form.

PS – you are not going to sell me on it unless we don't count small non-native trees. Trees that will never get big. But the minute we try to add a layer onto this, then it is no longer simple.

TE – this is an improvement over the proposed ordinance.

JS – To play devil’s advocate: I think that as soon as you have a discrete size threshold protecting it you put every tree in that species under that threshold in jeopardy of being cut.

JS – we heard from the public saying that we need exceptional tree protection.

MM – the system would create the opportunity for City arborists to provide information to the public.

TE – having these thresholds may be a problem. But how do we make that better. AT this point we’ve isolated several levels of mitigation. If we were to do a sliding scale, what would be the We have 1:1 (6-12”), 2:1 (12-18”), 3:1 (18-23”), and 4:1 (24”+) mitigation levels.

JR – under development different trees are assigned different point values, when you develop a lot you have to comply with certain number of points. Four size categories and evergreen bonus. Every tree was able to contribute to that. Trees retained helped achieve the points. Why not use the tree portion of the points system and find a way to promote parity with a different combination of trees planted and preserved.

PS – nobody is making a case for getting more trees and canopy cover.

LF – if you cut a tree, you either mitigate or pay into a fund that then the City will strategically plant more trees to increase canopy.

JR – if you are targeting people who want to remove trees to increase canopy we are in trouble. We are trying to hold our own with those people and get funds to plant more.

PS – I’m not seeing that the mitigation is equivalent. What happens if you are cutting a 24” tree?

JR – in this case you might have to apply for individual review because my lot doesn’t have the capacity to plant more trees.

MM – if you cut a 24” Douglas fir you have to comply with 30 points.

PS – what’s the dollar amount? Will paying \$3K to the fund will allow me to cut a 24” conifer. And why isn’t this a tax?

LF- we can argue that is the same as wetland mitigation (it’s a tax).

PS – if this is a method that would move us in the positive direction of planting more trees, I can suffer the consequences of seeing more removals if there is a fee in lieu for planting.

TE – any of these ideas would help. My worry is that what we propose might be too strong, and we are requiring quite a bit of planting in SF homes. My goal was to get the 2” in and notification to start tracking. Then calibrate it stronger in 5 years.

JR – I’d like to make a counterpoint – this is the same requirement we are making of development. Why should it be weaker? You neuter the development situation because people would clear cut before development. If we can say the development lots come up to the new standard, and those lots not under development need to mitigate.

PS – it’s the big trees that have stormwater benefits and those are the ones we need to protect.

JR – I'm assuming that DPD has created a point system that reflects parity. IF they have not done that, then people will game the system and we will lose ground.

GB - telling SF owners that there is a canopy cover goal for their property in terms of trees might not be politically feasible.

PS – we do tell people what to do with their garbage. Giving people the option to pay out, we might also give the option of stewardship (instead of money, give time). So that people that don't have money can still cut down the tree.

JR – it's an interesting question. I think the mechanisms are out there. We do have volunteer programs available and if someone came to the City and say that they can't mitigate, then they might be able to volunteer in tree planting instead. We created an avenue to have the conversation. Assigning community service gets sticky but it's possible.

LF – just don't allow people to remove trees for no reason.

JS – DPD can figure out hardship cases.

MM – would \$200 a point be okay?

JR – the beauty of putting a point system in is that it's easy to adjust later on.

MM – we have three options (2 mitigation and one I have enough lot canopy coverage); the exceptional permit-based option.

PS – I'd like us to say, on your document... but we actually think this approach may be better.

LF – add at the end of the letter.

JS – if that's the direction we want to go to it should be front and center.

PS – move to get point system into a letter. Letter starts saying we have spent a few months looking at your approach in different configurations and believe it might not be in the best interest of a permit system and we propose the following....

MM – would like to present our ideas to Brennon next week.

PS – I feel we need to get something in place. We should get our ideas out.

TE – I'm getting nervous that there is nothing solid we can point to.

JR – prepare some sort of exhibit, a presentation to Brennon.

JS – We could say we agree in general to the approach for parcels under development, have questions on points, fees, but for parcels not under development there is a gap and this is how we deal with it.

New business and announcements

Adjourn