



**SEATTLE URBAN FORESTRY COMMISSION**

**Julia Michalak** (Position #1 – Wildlife Biologist), Co-chair  
**Joshua Morris** (Position #7 – NGO), Co-Chair  
**Elby Jones** (Position #2 – Urban Ecologist - ISA) • **Weston Brinkley** (Position #3 – University)  
**Stuart Niven** (Position #5 – Arborist – ISA) • **David Moehring** (Position # 8 – Development)  
**Blake Voorhees** (Position # 9 – Realtor) • **Jessica Hernandez** (Position #11 – Environmental Justice)  
**Jessica Jones** (Position # 12 – Public Health)

*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*

**Meeting notes**

February 2, 2022, 3:00 p.m. – 5:00 p.m.  
Via Webex call  
(206) 207-1700  
Meeting number: 2494 878 7167  
Meeting password: 1234

*In-person meeting are not being held at this time due to the pandemic. Meeting participation is limited to access by joining the meeting through a computer or telephone conference line.*

**Attending**

Commissioners

Josh Morris – Co-Chair  
Julia Michalak – Co-Chair  
Weston Brinkley  
Stuart Niven  
Jessica Jones  
Jessica Hernandez

Staff

Patti Bakker – OSE

Guests

Laura Keil

Public

Steve Zemke

Absent- Excused

David Moehring  
Blake Voorhees  
Elby Jones

**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:** Julia called the meeting to order 3:02 and offered a land acknowledgement.

**Public comment:**

Steve Zemke wanted to note some things happening: the tree service provider registration legislation is set to be introduced February 9<sup>th</sup> at City Council’s Land Use Committee. This is non-controversial legislation that can get this piece of the tree protection going now. There are several bills in the State legislature session dealing

with tree issues; recommend folks visit [www.leg.wa.gov](http://www.leg.wa.gov) to review and comment on the bills. HB1099 is one of these; it recommends adding climate resiliency as an element in the Growth Management Act. This is definitely a tree issue, in tree equity and environmental justice, as areas of our city don't have adequate tree canopy. Mayor Harrell has appointed a new Director for OSE, Jessyn Ferrell. The next canopy cover assessment will be complete as early as March; this information should inform the draft legislation. Jessica Hernandez has put out a new book dealing with equity issues in her area of expertise – congratulations, Jessica.

**Chair, Committees, and Coordinator report:**

Julia seconded the congratulations for Jessica Hernandez on her new book.

Patti provided an update on position recruitments. Interviews are scheduled for applicants for positions 4 and 6 this week. The new recruitments for positions 2, 3 and 13 are set to be posted tomorrow, with applications due February 24<sup>th</sup>. We are still waiting for an update on the status of confirming the appointments for the Get Engaged positions. Laura Keil has been patient in the meantime, attending meetings and participating as able.

As Steve Zemke mentioned, the Land Use Committee will be hearing the tree service provider registration legislation at their meeting next week. The meetings of this committee now overlap with UFC meetings on some Wednesdays, so there is this conflict next week, and potentially more throughout the year. The UFC may want to consider changing meeting times to avoid conflicting with those meetings.

Commissioners discussed a potential change to meeting schedule. There was support for changing the schedule in order to avoid this conflict, since it hinders Commissioners' ability to participate and also causes members of the public to have to choose between the meetings. Further discussion was postponed to the Bylaws item later in the meeting.

Josh reported that he called new Councilmember Sara Nelson and talked to her staff person Taemin Um, who will be her point person for the UFC questions or comments. He also left a message for the new City Attorney, and learned that the point person for the Mayor's Office will be Marco Lowe. He will set up a meeting with him as soon as possible. Regarding Jessica's book, he noted he found a copy at Elliot Bay Books and Julia noted that there is already a waitlist for it at the public library.

Jessica H. noted that it is a privilege to write about Indigenous science and indigenous perspectives especially as we talk about conservation and climate change. She is pleased that it has been so well received publicly and has made the best sellers list.

Josh noted that the padlet that Jessica set up for community engagement input from Commissioners is still open and there are some positions who haven't filled it out yet.

**Approval of January 5 and 12 meeting notes**

**ACTION: A motion to approve the January 5 meeting notes as amended was made, seconded, and approved.**

**ACTION: A motion to approve the January 12 meeting notes as written was made, seconded, and approved.**

**Environmentally Critical Areas updates follow-up**

Weston drafted a recommendation letter, which was distributed and posted prior to the meeting, and provided an overview of it. There were two main goals for the recommendations based on the notes from the last meeting: thanking SDCI for the briefing and a request that the UFC be kept in the loop as the TIPs are

updated. He also added in detail to address each of the ECA adjustments, as well as a piece he noticed in a deeper dive of the materials. The appreciation portion of the letter includes their willingness to accept comments from the UFC after the official closing of the comment period.

Weston noted that the clarifications that SDCI pointed to in the omnibus do all seem to be positive clarifications to existing code. The letter asks for these materials to be more friendly for public review (materials difficult to find on the website, hard to decipher.)

Weston noted a question that wasn't covered by SDCI or asked about by Commissioners during the briefing, but seems to be a blatant adjustment to existing code as reflected in the full omnibus. Commissioners discussed and agreed that it can read as a change in code, or it could be that that language is contained in another section of the omnibus. The letter requests an answer from SDCI on this question.

The letter closes with the request that SDCI connects with the UFC when they work on updating the TIPs – anything relating broadly to trees and vegetation but also the heron habitat and riparian management topics.

There was a question from the notes that needed clarification, regarding a large uptick in hazard trees being removed. Commissioners worked through what that related to and how it fits into the letter, as well as other edits to the letter. There was a suggestion to make a note to follow back up with SDCI on the work to update the TIPs, if the UFC hasn't heard from them on that work. Other edits were made to incorporate accountability and aim to ensure SDCI response to the questions.

**ACTION: A motion to adopt the letter to SDCI regarding the ECA updates as amended was made, seconded, and approved.**

#### **Bylaws amendment regarding leadership structure**

Patti reviewed the proposed amendments to the Bylaws. The decision to incorporate these changes to accommodate the new leadership structure alternative was made in January. Patti made the appropriate changes, primarily to the Officers and Duties of the Chair sections and then small edits throughout the remainder of the document. The changes allow for the new structure as an option, but also retains the Chair/Vice-Chair structure as an option.

Julia noted that it may make election of officers difficult, with the option retained to have a Chair and Vice-Chair or Co-Chairs, if you don't know heading into an election which structure is to be used. This may shake out during the nomination process; when nominations are opened, Co-Chairs can ask for nominations of a certain type. Julia and Josh can report out at the end of this year how this first year with this structure went from their perspective as the first Co-Chairs.

Discussion on changing the meeting schedule was revisited in this topic. There are some pros and cons for both keeping meetings in back-to-back weeks (retaining first and second Wednesdays) and putting a week in between (first and third Wednesdays). A poll of Commissioners present indicated that the change to the first and third weeks would work for them. Changes to Bylaws require a notice of 30 days. Commissioners agreed they want to make this change to the Bylaws, so those Commissioners not present will be consulted to ensure the change works for them and then an official change to the Bylaws will be considered at a meeting more than 30 days out from today.

Commissioners then discussed how to address the conflict with next week's Land Use Committee meeting. The time of that meeting will be adjusted to start later to allow for participation in that meeting. The UFC meeting will be 4:00-5:30 next week instead of the usual 3:00-5:00 timeframe.

**Action: A motion to adopt the Bylaws amendments as written was made, seconded, and approved.**

## **2021 annual report text**

Patti reviewed the annual report text as updated to reflect Commissioners' text recommendations from the January 12 meeting, the primary edit to which was removing the Conclusion heading and incorporating a new reflections section noting highlights from the year and focal areas for the next year. Patti recapped the process for the annual reports, with the draft language introduced at the last meeting and then potentially the language being finalized at this meeting. Patti would then do the final design for the annual report with the finalized language. A few more edits were made during discussion. Commissioners also discussed how to incorporate feedback, and tracking of responses to the recommendations made by the UFC through the year. That would make a more complete picture of the UFC's accomplishments for the year. Patti noted that this tracking can be incorporated into the new work plan template, so that next year's report can include that information.

**Action: A motion to adopt the 2021 annual report text as amended was made, seconded, and approved.**

## **2022 Work plan**

Julia noted that Commissioners were requested to note which tasks and work areas they want to participate in this year, to input into the work plan. Patti noted some of the updates made to the work plan since the last discussion on it, including fleshing out some of the actions that were incomplete thoughts or lacked actual action indicated, so that each item listed is now a concrete action. She reviewed the five types of outcomes/deliverables that have been incorporated into the plan as a drop down in that column, and discussed some of the criteria around determining priority levels and the lenses through which the Commission aims to do its work. An item was also added to the Race and Social Justice Initiative work area to cover work of the Equity and Diversity Committee, which is called out in the Bylaws. Commissioners added their names to actions during the discussion.

**NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>**

## **Public comment:**

Steve Zemke – regarding the UFC's representation on the Chief Arborist SLI, urge the UFC to take the position that the new position be a Chief Forester or Urban Forester to get someone who is looking at the larger picture than a Chief Arborist indicates. The tree protection ordinance work, now a 10-12 year process primarily focused on getting stronger tree ordinance in place, and we're finally close to something being done. Folks can make comments as individuals as well as Commissioners on the UFC.

**Adjourn:** The meeting was adjourned at 4:56 PM.

## **Meeting Chat:**

from Joshua Morris to everyone: 3:02 PM  
has recording started?

from Jessica Hernandez to everyone: 3:09 PM  
Thank you Steve for the shout out!

from Steve Zemke to everyone: 3:14 PM

The land use committee will be dealing with draft tree ordinance also so could ammend bylaws to neet 1st and 3rd Wed for UFC

from Weston to everyone: 3:15 PM

Agreed - if we have time to discuss bylaws that sounds like a good fit for our scheduling conversation

from Joshua Morris to everyone: 3:17 PM

<https://padlet.com/jessica1267/v6zzsm5a9m6qcbiw>

from Weston to everyone: 3:31 PM  
page 74 and 75 for folks following along  
from Steve Zemke to everyone: 3:34 PM  
The hazard removal comes from Tre  
from Steve Zemke to everyone: 3:35 PM  
The hazard tree removal increase comes from the Tree Regulations Research Project Report - more trees  
declared as hazard trees to justify their removal  
from Steve Zemke to everyone: 3:51 PM  
Suggest 2 Co-Chairs with Vice-Chair being next in charge. Not sure 3 Co-Chairs necessary. Need for some  
continuity in leadership.  
from Steve Zemke to everyone: 3:58 PM  
This year 3rd Wed is Nov 16. Dec would be Dec 21st.  
from Jessica Jones to everyone: 4:00 PM  
I can make either work  
from Joshua Morris to everyone: 4:00 PM  
Josh is OK with first and third  
from Julia Michalak She/Her to everyone: 4:00 PM  
Julia OK with 1st and 3rd  
from Weston to everyone: 4:01 PM  
ok with 1st and 3rd  
from Stuart Niven to everyone: 4:01 PM  
I am ok with either  
from Steve Zemke to everyone: 4:01 PM  
Other option write letter to Dan Strauss asking urban forestry issues be held in 1st hour of his meeting which  
is from 2-4PM 2nd and 4th Wed. of month.  
from Jessica Hernandez to everyone: 4:01 PM  
same here +  
from Laura Keil to everyone: 4:01 PM  
I'm ok with either!  
from Steve Zemke to everyone: 4:09 PM  
Need to confirm that Tree Care Provider bill will be introduced for sure. Let me call Strauss office or  
Pedersen to reconfirm. before you vote.  
from Joshua Morris to everyone: 4:09 PM  
4-5:30 works for me.  
from Julia Michalak She/Her to everyone: 4:10 PM  
4-5:30 works for me too  
from Weston to everyone: 4:10 PM  
works for me  
from Laura Keil to everyone: 4:10 PM  
works for me  
from Jessica Hernandez to everyone: 4:21 PM  
Can we connect that environmental justice lens to include "recruitment of new commissioners" as well? To  
bring more diverse perspectives missing at our current table.  
from Weston to everyone: 4:24 PM  
single family residential?  
from Steve Zemke to everyone: 4:38 PM  
Toby Thaler said UFC should contact Noah Ah in Strauss office as he sets the meeting agenda of Land Use  
Committee and ask to have any discussion of the bill in the first hour of the meeting. The Tree Service  
Provider bill will probably be on the agenda. Toby Thaler in listening to this meeting and you can ask him to  
comment on this if you want more information.  
from Jessica Hernandez to everyone: 4:40 PM

Can we get this updated sheet sent to us via email? So that we can see who has signed up? Thank you.

from Jessica Hernandez to everyone: 4:40 PM

It is blank.

from Jessica Hernandez to everyone: 4:40 PM

The ones we received are blank. Thank you

from Steve Zemke to everyone: 4:45 PM

Urge consideration of Chief Arborist position be renamed to something like City Urban Forester as that is more inclusive of what needs to be overseen

from Stuart Niven to everyone: 4:45 PM

Happy to Join Josh in 3.1, take lead on Tree Ordinance Update items (1.2) and join Weston on 1.1 items

from Stuart Niven to everyone: 4:46 PM

You are very welcome, happy to help!

from Jessica Hernandez to everyone: 4:47 PM

3.2.1, 3.3.1.

from Stuart Niven to everyone: 4:47 PM

Understood.

from Jessica Hernandez to everyone: 4:48 PM

lead\*

from Jessica Hernandez to everyone: 4:48 PM

yes

from Jessica Hernandez to everyone: 4:48 PM

I guess that one is 3.3.1.1 too

from Laura Keil to everyone: 4:49 PM

I'd like to join as support for 3.3.1.1

**Public input: (see next page and posted notes):**

**From:** SARAH WELCH <sarahwelch@comcast.net>

**Sent:** Friday, January 14, 2022 3:58 PM

**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>

**Subject:** Please Strengthen Seattle's Tree Ordinance

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

It's amazing to think back and reflect on how many such letter I've sent to the Mayor and City Council over the past decade regarding Tree Protection for Seattle. YOU have the opportunity NOW to make this a reality. You'll want to direct the Seattle Department of Construction and Inspections (SDCI) to present the Seattle City Council with an updated draft Tree and Urban Forest Protection Ordinance. History has shown the (then) Mayors and City Council members, over the last 12 years have repeatedly failed to take action. Yet the community has persisted by repeatedly asking successive Seattle Mayors and SDCI for an updated workable and effective ordinance draft for the Council to consider. It's obvious SDCI in its various iterations is not responding as requested. In its most recent 2019 Resolution 31902, t In that Resolution, he Council gave specific issues for SDCI to address.

SDCI seems incapable of responding. Please remove tree and urban forestry protection from their Department. In 2009 the Seattle City Auditor proposed transferring tree and urban forestry oversight and

authority to an independent entity that does not have a conflict of interest. The Auditor proposed oversight be moved to the Office of Sustainability and the Environment.

Much has changed since 2009 and it is time to create an independent Department with authority over environment, urban forestry, and climate issues. SDCI has a conflict of interest in tree oversight – their priority mission has been to help developers build, not protect trees. Years of inaction on effective oversight and protection of trees by SDCI demands that a separate independent entity take over the city's responsibility to protect and enhance our urban forest. We propose that an Urban Forestry Division be created within a new Department of the Environment and Climate. And further, that the related Parks and SDOT urban forestry functions be transferred there as well.

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise vital green infrastructure needed to keep our city and people healthy. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents. A robust urban forest is critical for climate resilience and tree equity.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not even replaced. It is urgent to act now to stop this continued loss of existing trees, particularly large mature trees and tree groves. It is important to promote environmental equity by retaining as many trees as possible and replacing those removed.

At a minimum (and regardless the outcome of the recommendation to consolidate Urban Forestry functions which may take a bit of time), please. NOW update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in an updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume lost – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants, purchase land and set up easements.
3. Expand current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and heritage trees and prohibit Significant Trees being removed on undeveloped lots.

4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development.
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests for 2 weeks prior to removal and all permit approvals for public viewing. Establish and maintain a city-wide database and inventory of existing trees, trees removed, and trees planted. Post on-line quarterly reports.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Require developers throughout the development process to maximize the retention of existing trees with adequate space for trees to grow and survive.
9. Require a Tree Inventory and Tree Landscaping Plan prior to any development permits being approved.
10. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Thank you for your attention to these critical issues.

Sarah Welch, Seattle voter and climate change advocate, and forest steward.

SARAH WELCH

[sarahwelch@comcast.net](mailto:sarahwelch@comcast.net)

3704 Cheasty Blvd S

Seattle, Washington 98144

**From:** Susan Helf <info@email.actionnetwork.org>

**Sent:** Friday, January 14, 2022 4:04 PM

**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>

**Subject:** Keep Seattle Livable!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

It's time to end the delay by the Seattle Department of Construction and Inspections (SDCI) on presenting the Seattle City Council with an updated draft Tree and Urban Forest Protection Ordinance. Over the last 12 years, the Seattle City Council has repeatedly asked successive Seattle Mayors and SDCI for an updated workable and effective ordinance draft to consider and it is obvious SDCI is not responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

SDCI, once again, has not responded in a timely manner with a comprehensive tree protection ordinance update. It's been delay after delay. Please remove tree and urban forestry protection from their Department. In 2009 the Seattle City Auditor proposed transferring tree and urban forestry oversight and

authority to an independent entity that does not have a conflict of interest. The Auditor proposed oversight be moved to the Office of Sustainability and the Environment.

Much has changed since 2009 and it is time to create an independent Department with authority over environment, urban forestry, and climate issues. SDCI has a conflict of interest in tree oversight – their priority mission has been to help developers build, not protect trees. Years of inaction on effective oversight and protection of trees by SDCI demands that a separate independent entity take over the city's responsibility to protect and enhance our urban forest. We propose that an Urban Forestry Division be created within a new Department of the Environment and Climate.

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise vital green infrastructure needed to keep our city and people healthy. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents. A robust urban forest is critical for climate resilience and tree equity.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not even replaced. It is urgent to act now to stop this continued loss of existing trees, particularly large mature trees and tree groves. It is important to promote environmental equity by retaining as many trees as possible and replacing those removed.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in an updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume lost – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants, purchase land and set up easements.
3. Expand current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and heritage trees and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development.

5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests for 2 weeks prior to removal and all permit approvals for public viewing. Establish and maintain a city-wide database and inventory of existing trees, trees removed, and trees planted. Post on-line quarterly reports.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Require developers throughout the development process to maximize the retention of existing trees with adequate space for trees to grow and survive.
9. Require a Tree Inventory and Tree Landscaping Plan prior to any development permits being approved.
10. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Susan Helf

[shelf30@gmail.com](mailto:shelf30@gmail.com)

8501 12th Ave. NW, Apt. 208

Seattle , Washington 98117

**From:** Siegelbaum, Heidi <heidi.siegelbaum@wsu.edu>

**Sent:** Wednesday, January 19, 2022 3:13 PM

**To:** Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; PCD\_CustomerService <OPCD@seattle.gov>

**Cc:** Emery, Chanda <Chanda.Emery@Seattle.gov>; Bakker, Patricia <Patricia.Bakker@seattle.gov>; Andrade, Charlene (COM) <charlene.andrade@commerce.wa.gov>; Engel, Jessica <jessica.engel@kingcounty.gov>; Navetski, Doug <doug.navetski@kingcounty.gov>

**Subject:** Construction videos for small projects- please share

[https://www.youtube.com/playlist?list=PLXny\\_Je3KsDzqTHgz-WFJnyeJL\\_mt1jl](https://www.youtube.com/playlist?list=PLXny_Je3KsDzqTHgz-WFJnyeJL_mt1jl)

The Washington Stormwater Center has just released its BMP training videos for construction. Please forward throughout your networks.

All the best,

Heidi Siegelbaum

Stormwater Strategic Initiative Lead

Washington Stormwater Center at Washington State University

[Heidi.Siegelbaum@wsu.edu](mailto:Heidi.Siegelbaum@wsu.edu)

(253) 445-4502

Home office: (206) 784-4265

<https://wastormwatercenter.org>

<https://pugetsoundestuary.wa.gov>

**From:** Jayn Foy <jaynfoy@gmail.com>

**Sent:** Thursday, January 20, 2022 11:10 AM

**To:** Davison, Ann <Ann.Davison@seattle.gov>

**Cc:** Harrell, Bruce <Bruce.Harrell@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; An, Noah <Noah.An@seattle.gov>; Pedersen, Alex <Alex.Pedersen@seattle.gov>; Thaler, Toby <Toby.Thaler@seattle.gov>; Sawant, Kshama <Kshama.Sawant@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; Caulfield, Michelle <Michelle.Caulfield@seattle.gov>; Bakker, Patricia <Patricia.Bakker@seattle.gov>; Lumsden, Faith <Faith.Lumsden@seattle.gov>; Vanneman, Jill <Jill.Vanneman@seattle.gov>; Mary-Carter Creech <mccreech@gmail.com>; Jayn Foy <Jaynfoy@gmail.com>

**Subject:** Leschi's Vanishing Trees Follow Up: SDCI #1052199-VI address: 916 32nd Ave S

The Honorable Ann Davison  
Seattle City Attorney  
702 Fifth Avenue, Suite 2050  
Seattle, WA 98104-7095

Date: January 20, 2022

Dear Ms. Davison,

We are writing on behalf of a group of over 80 Leschi residents. In June, 2021, we submitted a petition to the Seattle City Attorney's office requesting an investigation into the actions of the development company, Millad VII LLC, who willfully damaged and cut down a protected red cedar tree without a permit at 916 32<sup>nd</sup> Ave., South. Seattle Department of Construction and Inspection (SDCI) placed a Stop Work order on the tree on April 20, 2021. On the morning of April 26, 2021, Millad's contractor cut down the tree to its stump despite the Stop Work order.

We request Millad VII LLC face criminal charges under Seattle Municipal Code SMC 25.11, Tree Protection. Other Cities have criminally charged offenders when trees have been illegally cut. We believe it is time Seattle take such action to stop Millad from further felonious conduct and send a strong message to developers and residents to not remove a tree without a permit.

Millad VII LLC received a Notice of Violation, Case No. 1052199-VI SDCI on May 21, 2021 and is required to pay a penalty of \$90,482.00. It is our contention this is not a sufficient penalty nor a deterrent to prevent the company from continuing to ignore SDCI regulations that are in compliance with Seattle's Comprehensive Plan. A developer willing to violate City orders on a one million plus dollar residency can maximize profits by incorporating the cost of the City fine into the sales price.

Given their flagrant disregard for the City ordinances and fines, we request the City charge the company for criminal actions and Millad VII LLC not receive a Master Use Permit (MUP) to build a second dwelling on the property. We also request a new environmental study by the City be completed. The lot is on the top of an aquifer, an Environmentally Critical Area (ECA). Because the cedar and other trees were removed after the initial environmental study, a new study is necessary to evaluate the damage to the slope's stability and the potential for a land slide. Lastly if a second dwelling is permitted, we call for the City to stipulate a tree of like

size to one illegally removed first be planted in the spot where the red cedar stood before any construction begins.

Please let us know if you need further information. We greatly appreciate your attention to this issue.

Sincerely,

Jayn Foy  
3302 S Charles  
Seattle, WA 98144  
206-850-5153

Mary Carter-Creech  
827 32<sup>nd</sup> Avenue South  
Seattle, WA 98144  
206-409-9355

CC: Honorable Mayor Bruce Harrell  
Honorable Councilmember Dan Strauss  
Honorable Councilmember Alex Pedersen  
Honorable Councilmember Kshama Sawant  
Director Nathan Torgelson, Seattle Department of Construction and Inspection  
Deputy Director Michelle Caulfield, Office of Sustainability and Environment  
Interim Urban Forestry Commission Liaison Patricia Bakker  
Code Compliance Director Faith Lumsden, SDCI  
Enforcement Facilitations Supervisor Jill Vanneman, SDCI

**From:** Marta Peterson <info@email.actionnetwork.org>  
**Sent:** Sunday, January 23, 2022 6:13 AM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Please Strengthen Seattle's Tree Ordinance

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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Establish and maintain a city-wide database and inventory of existing trees, trees removed, and trees planted. Post on-line quarterly reports.

7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.

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9. Require a Tree Inventory and Tree Landscaping Plan prior to any development permits being approved.

10. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Marta Peterson

[martapeterson1@gmail.com](mailto:martapeterson1@gmail.com)

311 pocket lane

Pt Townsend, Washington 98368

**From:** Linda Clifton <lclifton1@mindspring.com>

**Sent:** Tuesday, January 25, 2022 6:06 PM

**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>

**Subject:** Please Strengthen Seattle's Tree Ordinance

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

It's 'way past time to end the delay by the Seattle Department of Construction and Inspections (SDCI) on presenting the Seattle City Council with an updated draft Tree and Urban Forest Protection Ordinance. I understand that over the last 12 years, the Seattle City Council has repeatedly asked successive Seattle mayors and SDCI for an updated workable and effective ordinance draft to consider. But SDCI does not seem to have been responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

SDCI, once again, has not responded in a timely manner with a comprehensive tree protection ordinance update. It's been delay after delay. Please remove tree and urban forestry protection from their Department. In 2009 the Seattle City Auditor proposed transferring tree and urban forestry oversight and authority to an independent entity that does not have a conflict of interest. The auditor proposed that oversight be moved to the Office of Sustainability and the Environment.

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Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not even replaced. It is urgent to act now to stop this continued loss of existing trees, particularly large mature trees and tree groves. It is important to promote environmental equity by retaining as many trees as possible and replacing those removed.

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  10. Provide adequate funding in the budget to implement and enforce the updated ordinance.
- Please act quickly before more our canopy is lost forever.

Linda Clifton  
[lclifton1@mindspring.com](mailto:lclifton1@mindspring.com)  
4462 Whitman Ave N- Upper  
Seattle , Washington 98103

**From:** Montesino Susan <info@email.actionnetwork.org>  
**Sent:** Tuesday, January 25, 2022 6:16 PM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Keep Seattle Livable!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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Montesino Susan  
[soozietrav@aol.com](mailto:soozietrav@aol.com)  
3505 Troll Ave N  
Seattle, Washington 98103

**From:** John OBrien <info@email.actionnetwork.org>  
**Sent:** Tuesday, January 25, 2022 6:17 PM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Please Protect Seattle's Trees

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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John OBrien  
[john\\_obrien1@hotmail.com](mailto:john_obrien1@hotmail.com)

2340 NE 86th St  
SEATTLE, Washington 98115

**From:** Amelia Merrick <info@email.actionnetwork.org>  
**Sent:** Tuesday, January 25, 2022 6:46 PM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Keep Seattle Livable!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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Amelia Merrick  
[amelia.merrick@gmail.com](mailto:amelia.merrick@gmail.com)  
6929 Carleton ave S  
Seattle, Washington 98108

**From:** Judy Cash <info@email.actionnetwork.org>  
**Sent:** Tuesday, January 25, 2022 8:06 PM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Save our Trees!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

Your help is needed!!

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Judy Cash

[judydcash@yahoo.com](mailto:judydcash@yahoo.com)

6500 18th SW

Seattle, Washington 98106

**From:** Meranda Tuttle <info@email.actionnetwork.org>

**Sent:** Wednesday, January 26, 2022 12:22 AM

**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>

**Subject:** Save our Trees!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

It's time to end the delay by the Seattle Department of Construction and Inspections (SDCI) on presenting the Seattle City Council with an updated draft Tree and Urban Forest Protection Ordinance. Over the last 12 years, the Seattle City Council has repeatedly asked successive Seattle Mayors and SDCI for an updated workable and effective ordinance draft to consider and it is obvious SDCI is not responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

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Meranda Tuttle  
[meranda1012@hotmail.com](mailto:meranda1012@hotmail.com)  
13741 15TH AVE NE UNIT C8  
SEATTLE, Washington 98125

**From:** Jonathan Pasley <info@email.actionnetwork.org>  
**Sent:** Wednesday, January 26, 2022 9:18 AM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Save our Trees!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

I have read and support this letter, Jonathan C. Pasley, Seattle, WA 98125

SDCI must not be the overseer of tree management.

It's time to end the delay by the Seattle Department of Construction and Inspections (SDCI) on presenting the Seattle City Council with an updated draft Tree and Urban Forest Protection Ordinance. Over the last 12 years, the Seattle City Council has repeatedly asked successive Seattle Mayors and SDCI for an updated workable and effective ordinance draft to consider and it is obvious SDCI is not responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

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Jonathan Pasley  
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**From:** Consuelo Echeverria <CONECH710@GMAIL.COM>  
**Sent:** Thursday, January 27, 2022 8:12 PM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Save Our Trees!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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12 years, the Seattle City Council has repeatedly asked successive Seattle Mayors and SDCI for an updated workable and effective ordinance draft to consider and it is obvious SDCI is not responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

SDCI, once again, has not responded in a timely manner with a comprehensive tree protection ordinance update. It's been delay after delay. Please remove tree and urban forestry protection from their Department. In 2009 the Seattle City Auditor proposed transferring tree and urban forestry oversight and authority to an independent entity that does not have a conflict of interest. The Auditor proposed oversight be moved to the Office of Sustainability and the Environment.

Much has changed since 2009 and it is time to create an independent Department with authority over environment, urban forestry, and climate issues. SDCI has a conflict of interest in tree oversight – their priority mission has been to help developers build, not protect trees. Years of inaction on effective oversight and protection of trees by SDCI demands that a separate independent entity take over the city's responsibility to protect and enhance our urban forest. We propose that an Urban Forestry Division be created within a new Department of the Environment and Climate.

Seattle's trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise vital green infrastructure needed to keep our city and people healthy. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents. A robust urban forest is critical for climate resilience and tree equity.

Seattle's rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not even replaced. It is urgent to act now to stop this continued loss of existing trees, particularly large mature trees and tree groves. It is important to promote environmental equity by retaining as many trees as possible and replacing those removed.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in an updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6" and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach

equivalent canopy volume lost – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants, purchase land and set up easements.

3. Expand current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24" DBH, protect tree groves and heritage trees and prohibit Significant Trees being removed on undeveloped lots.
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7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Require developers throughout the development process to maximize the retention of existing trees with adequate space for trees to grow and survive.
9. Require a Tree Inventory and Tree Landscaping Plan prior to any development permits being approved.
10. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Consuelo Echeverria  
[CONECH710@GMAIL.COM](mailto:CONECH710@GMAIL.COM)  
3403 NW 68TH ST.  
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**From:** Susan Fried <info@email.actionnetwork.org>  
**Sent:** Friday, January 28, 2022 11:07 AM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Save our Trees!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

After last summer's heatwave it should be apparent to everyone that Seattle needs trees and the shade they create. Studies show that in cities where there are a lot of trees, people are healthier and live longer. Please protect existing trees and plant more.

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updated workable and effective ordinance draft to consider and it is obvious SDCI is not responding as requested. In its most recent 2019 Resolution 31902, the Council gave specific issues for SDCI to address.

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Susan Fried  
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3020 Ne 113th St  
Seattle, Washington 98125

**From:** Steve Zemke <stevezemke@msn.com>  
**Sent:** Monday, January 31, 2022 1:13 AM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** End the delay! Adopt, with amendments, SDCI's Director's Rule 13-2020

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

As recent record temperatures have demonstrated, the climate crisis is real. Trees are a buffer to help reduce extreme temperature impacts in urban areas.

Please adopt, with the amendments recommended by the Seattle Urban Forestry Commission, SDCI's Director's Rule 13-2020 (Designation of Exceptional and Significant Trees, Tree Protection, Retention, and Tree Removal during land division, including tree service provider requirements).

Seattle must move forward now, without the delay urged by some, in adopting this updated Director's Rule with the amendments proposed below. This process of increasing protection for our urban forest was first proposed by the Seattle City Council 12 years ago and is long overdue.

The following updates as proposed in the draft Director's Rule are great steps forward:

- Reducing the upper threshold on exceptional trees to 24 inches in diameter at standard height (DSH) from 30 inches
- Designating trees 6 inches DSH and larger as protected trees, starting in the platting and short platting process
- Requiring Tree Care Providers to register with the City as the Seattle Dept. of Transportation already requires
- Continuing protection of tree groves as exceptional trees, even if a tree is removed from the grove
- Making clear that all exceptional trees removed during development must be replaced per SMC 25.11.090
- Tightening tree removal requirements for exceptional trees as hazard trees

The following changes to the draft Director's Rule are needed:

- Change Subject Title to remove words "land division" and replace with "Development"
- PURPOSE AND BACKGROUND. add "SMC 23 requires that all trees 6 inches DSH and larger must be indicated on all site plans throughout the platting and sub-platting process, and that projects must be designed to maximize the retention of existing trees. This requirement continues throughout any subsequent development on all lots in all zones in the city."
- SECTION 1. Reduce the number of trees and sizes required to be a tree grove. Kirkland, Woodinville, and Duvall all define a tree grove as "a group of 3 or more significant trees with overlapping or touching crowns." Include street trees in groves.
- Add "Significant trees may become exceptional as they grow in size. They are future replacements in the urban forest for exceptional trees when they die. Development projects must be designed to maximize the retention of both exceptional and significant trees to maintain a diversity of tree species and ages."
- Add "All replacement trees regardless of size are protected trees and can't be removed."
- SECTION 2. Change the heading to "TREE PROTECTION". Remove references to "Exceptional Trees" only and change to "Trees". e.g., change "Exceptional Tree Protection Areas" to "Tree Protection Areas".
- SECTION 4. Add "The Director shall have the authority to allow replacement trees on both public and private property to meet the goals and objectives of race and social justice under Seattle's Equity and Environment Initiative."
- Under SMC 25.11.090 the Director has the authority to require "one or more trees" to be planted as replacement trees for removed exceptional trees during development. The number of trees required should increase with the size of the tree removed, with a goal to achieve equivalent canopy area and volume in 25 years. Any in-lieu fee must also rise as the size of the removed tree increases. The city can not wait 80 years to replace an 80-year-old western red cedar tree and expect to maintain its canopy goals as large exceptional trees are removed during development.
- SECTION 5. SEPA requirements under SMC 25.05.675 N are for protecting special habitats and need to be considered at the beginning of the development process. The language of this SEPA code section

should be included in the Director's Rule to be certain that the code is complied with.

- SECTION 6. SDCI should adopt SDOT's registration process and requirements to assist Tree Care Providers in complying with city code and regulations. Reduce the number of citations that will remove a Tree Care Provider from being registered with the city to no more than 2 per year. Require annual registration same as Seattle business licenses require. Require that Tree Care Provider companies have a WA State contractor's license to ensure they have workers' compensation. Require they have a certificate of insurance that lists the city as an additional insured so the city cannot be sued. Require that all jobs either have a certified arborist on the work site or that they have visited the site and officially sign off on the specific work being done.

Thank you for protecting our urban forest.

Steve Zemke  
[stevezemke@msn.com](mailto:stevezemke@msn.com)  
2131 N 132nd St  
Seattle, Washington 98133

**From:** Siegelbaum, Heidi <heidi.siegelbaum@wsu.edu>  
**Sent:** Monday, January 31, 2022 2:10 PM  
**To:** Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; Emery, Chanda <Chanda.Emery@Seattle.gov>  
**Cc:** Bakker, Patricia <Patricia.Bakker@seattle.gov>; David Moehring <dmoehring@consultant.com>  
**Subject:** BMP series on Construction- Stormwater

[https://www.youtube.com/watch?v=dt-uWi2pV64&list=PLXny\\_Je3KsDzqTHhgZ-WFJnyeJL\\_mt1jI](https://www.youtube.com/watch?v=dt-uWi2pV64&list=PLXny_Je3KsDzqTHhgZ-WFJnyeJL_mt1jI)

Please share widely. The Stormwater Center just released its construction BMPs for stormwater.

All the best,  
Heidi Siegelbaum  
Stormwater Strategic Initiative Lead  
Washington Stormwater Center at Washington State University  
[Heidi.Siegelbaum@wsu.edu](mailto:Heidi.Siegelbaum@wsu.edu)  
(253) 445-4502  
Home office: (206) 784-4265  
<https://wastormwatercenter.org>  
<https://pugetsoundestuary.wa.gov>

**From:** Sharon LeVine <info@email.actionnetwork.org>  
**Sent:** Wednesday, February 2, 2022 10:00 AM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Please Strengthen Seattle's Tree Ordinance

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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Sharon LeVine  
[sweetumsseattle@yahoo.com](mailto:sweetumsseattle@yahoo.com)  
2819 4th Ave. West  
Seattle, Washington 98119

**From:** Rachel LaRoche <info@email.actionnetwork.org>  
**Sent:** Wednesday, February 2, 2022 7:31 PM  
**To:** Bakker, Patricia <Patricia.Bakker@seattle.gov>  
**Subject:** Please Protect Seattle’s Trees - My trees, your trees, and Seattle's future air quality!

Urban Forestry Commission Coordinator Urban Forestry Commission c/o Patti Bakker,

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Rachel LaRoche

[rachel.laroche@gmail.com](mailto:rachel.laroche@gmail.com)

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Seattle, Washington 98125