



SEATTLE URBAN FORESTRY COMMISSION

Becca Neumann (Position 4 – Hydrologist), Co-chair

Joshua Morris (Position 7 – NGO), Co-Chair

Hao Liang (Position 6 – Landscape Architect – ISA), Co-Chair

Alicia Kellogg (Position 2 – Urban Ecologist) • **David Baker** (Position 8 – Development)

Nathan Collins (Position 9 – Financial Analyst) • **Logan Woodyard** (Position 10 – Get Engaged)

Jessica Jones (Position 12 – Public Health) • **Lia Hall** (Position 13 – Community/Neighborhood)

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

July 10, 2024, 3:00 p.m. – 5:00 p.m.

Via Webex call and in-person at the
Seattle Municipal Tower, Room 1872 (18th floor)
700 5th Avenue, Seattle

(206) 207-1700

Meeting number: 2495 000 2825

Meeting password: 1234

Attending

Commissioners

Becca Neumann – Co-Chair

Hao Liang, Co-Chair

Alicia Kellogg

Nathan Collins

Logan Woodyard

Lia Hall

Staff

Patti Bakker – OSE

Guests

Absent- Excused

Josh Morris – Co-Chair

David Baker

Jessica Jones

Public

Steve Zemke

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

Call to order: Hao called the meeting to order, offered a land acknowledgement and reviewed the agenda.

Public comment:

Steve Zemke urged the UFC to review SDCI's Omnibus legislation, particularly in relation to the tree protection area definitions. There is a conflict in the ordinance between Chapter 25.11.060 and 25.11.070, on whether or not the tree protection area can be modified in order to protect trees.

Chair, Committees, and Coordinator report:

Patti discussed the bike rack process initiated at the last UFC meeting. In that meeting, two bike rack items were noted, related to the SDCI updates briefing: revisiting the tree protection area definitions and uses in order to better understand how they work and how they play into tree protection or tree removals, and following up on the suggestions Commissioners have for the tree tracking map that SDCI has developed, and more fully understanding how the map works. OSE staff will follow up with SDCI to bring information on these topics back to the UFC, hopefully at the August meeting.

Regarding recruitment, Patti noted there has been a Mayor's Office staff person assigned as the new point of contact for Boards and Commissions, and OSE is now taking steps to convene the recruitment team to get the process going.

Adoption of June 12 meeting notes

Action: a motion to adopt the June 12 meeting notes as written was made, seconded and approved.

Trees for Seattle tree nursery research and planning – Jessica Farmer, SPU

Patti introduced this topic, noting that there is funding allocated in this year's city budget to start developing plans and looking into what it will take to start a nursery that can supply trees for the Trees for Neighborhoods program. This program has been looked to in the past to potentially increase the number of trees that the team works with residents to get planted, as a way of increasing tree canopy in the city. The number that's currently planted through that program is 1,000 trees annually. One of the challenges in expanding beyond that has been the difficulty of sourcing that many trees. This funding is being used by the Trees for Neighborhoods program to explore what will take to develop a nursery to provide trees for the program.

Jessica provided background on the Trees for Neighborhoods (T4N) program. The program has helped to plant 14,400 trees since it began. There is an equity focus in the program; they prioritize high heat and low canopy areas of the city. Along with the trees, recipients receive mulch, water bags, and education/training.

Jessica described what a tree holding nursery is and the benefits of them. She described the challenges that the T4N program faces in sourcing trees each year. The work the program is currently doing is a feasibility study and includes: assessing tree supply needs, conducting research on case studies, determining site criteria, identifying career pathways, outlining operational policies, and identifying potential funding to develop a nursery. Opportunities provided by a holding nursery include stabilizing tree supply, diversifying tree species, supporting green jobs programs, and increasing the program's equity focus.

Jessica described the status of the work, noting that they understand the tree supply needs, have conducted site visits/info gathering, and identified site criteria, and are continuing to work on exploring potential locations, identifying job training partnerships and operational policies, and gathering community feedback.

Questions and comments from Commissioners included:

- What are the funding plans for a nursery in the future?
- Regarding location, is there a plan to acquire the land? Is there expected to be one location, or multiple?
- Do factors of equity play into the sourcing of trees from other nurseries?
- Where is the team getting info on how trees will perform under future climate conditions, and how will that play into deciding what species to focus on?

- How does the program incorporate extra maintenance considerations as high heat neighborhoods are prioritized, since those trees are going into a harsher environment?
- Is the team considering future scalability, given staffing and capacity challenges nurseries are facing?
- How is survivability tracked? Is there a map publicly available to see where trees have been planted?
- Does the team have plans to partner with any community groups?
- Is there a similar program for commercial property owners?

Presentation debrief and chat comments/public comment

Commissioner comments included:

- The UFC should invite the team back later in the year to update on this work.
- The UFC is interested in how data is collected and used and whether the trees planted are mapped. Is data collected on where applications are coming from – where people are and what tree species they are requesting?

Chat comments:

- How does this relate to Parks and SDOT tree planting programs and nursery efforts?
- What about under the transmission lines on the Chief Seattle Trail, between Columbia Dr S and Beacon Ave S. SCL property?
- Are Trees for Seattle street tree plantings separate or counted in SDOT tree planting numbers?

Public comments:

Michael Oxman noted that he received an email from Councilmember Rivera that stated "the city has a goal of planting 1300 trees across Seattle in 2024, and you can help." He stated that the city needs 80,000 trees and he worries that Councilmembers may not act if they don't understand the canopy needs and goals. He encouraged the UFC to advise Councilmembers about the consequences of not allowing space for enough trees to be planted.

Steve Zemke noted there are many city departments that have arborists and tree planting efforts, and the City shouldn't consider setting up separate nurseries for them.

Washington Department of Transportation bark beetle pine infestation – Joe Sutton-Holcomb, WSDOT

Joe noted his role within WSDOT, introduced his team, and provided an overview of the project. There has been a lot of pine mortality along the I-5 corridor. Since the infestation was noted, there have been project phases and levels of assessment conducted. They assessed the corridor for infestations, then assessed the infestations that were identified – determined species they're dealing with, determined what treatment approach should be. Their response is aimed at containing the infestation as best as they can by removing infested trees. They presented their findings to other WSDOT teams and leadership, and developed a contract for removal that is being executed this spring and summer. The first phase is almost done; there will be additional removals in the fall after bird/nesting window closes. This is not a great time for removal due to the risk to healthy trees, but they need to balance the various needs.

They did additional field work last month, and seven more infested trees were detected and added to the list. They anticipate additional removals will be needed. Beetles don't pay attention to property lines; there are trees on private property, and they are working with SDOT on trees in their ROW. Over 130 trees have been lost so far; many between 6 and 15" and some in the 20-25" range, so this is not an insignificant loss of canopy. They are working on finalizing their replacement plan. There is a suite of native species and introduced species that do well and provide good services that they will select from. The plan will include a variety of species and genera, since they are planning for future pests, climate issues and conditions. It is important to establish lines of communication between agencies and groups and coordinate an informed response, since this area will be dealing with this problem for a while.

Joe described the removal protocol. DNR experts are involved in identification and development of the response plan. Trees are prioritized for removal based on characteristics: green (infested but still alive) and

red (recently dead) trees are prioritized. Gray trees (dead for 1-2 years) are priority 2. Bark beetles don't cause a lot of decay; don't structurally damage the tree. Joe described the challenges of the project, as well as the project successes and opportunities.

Questions and comments from Commissioners included:

- Can you elaborate on what types of species are selected for restoration and how they are expected to be more resilient and diverse in adapting to new climate conditions?
- What is the timeline for finalizing the replacement tree list and for conducting the planting? Late this year, early next year for planting for first phase; then additional planting in future planting seasons.
- Will it be a 1:1 replacement? Prioritizing these areas to avoid weeds filling in. Replacement requirements differ based on type of project (hazards, project removals). Focusing on replacing the canopy.
- Is there a plan for adding understory? Looking at doing pollinator seed mixes, but safety is a concern, need to allow for visibility between vegetation.
- How does the project deal with cuttings; can snags be left? Run everything through a chipper or take somewhere to make sure there's no survival of the beetles. There are other options for treating the wood that are available; choose the most feasible best practice.

Presentation debrief and chat comments/public comment

Commissioner comments:

- The different policies of different landowners across right of way area have an impact on canopy.
- The UFC is interested in learning more about the tree replacement plan when that is finalized.

Potential next steps

- Schedule another session later in the year on this topic:
 - o Invite WSDOT team when they have confirmed replanting plan
 - o City UF staff/SCIP briefing on City work

Chat comments:

- Does WASHDOT need permits for removing trees?
- It's my understanding that ips can survive in removed trees and even if the tree is put through a chipper. What is your protocol for the removal of the infested wood/wood chips? In an ideal world and a realistic world, how should we handle the removal of the invested wood?
- What about the role of foliar fungus in pines such as Dothistroma needle blight? It's been diagnosed in homeowner mature pines

Public comments:

Michael Oxman noted interest in the relationship between WSDOT and the City, in permits and also in capital projects.

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 thanked Hao for his service on the UFC, noting that he has been very helpful and informative. He noted the whole Commission deserves appreciation for all of the work they do; it is appreciated in the city.

Adjourn: The meeting was adjourned at 5:01 PM.

Meeting chat:

from Nathan Collins to everyone: 3:00 PM
Sorry I am having some audio problems

from steve zemke to everyone: 3:32 PM

How does this relate to Parks and SDOT tree planting programs and nursery efforts?

from Lia Hall to everyone: 3:43 PM

Is survivability tracked? Or is there a publicly available map available where trees have been distributed?

from Mark Malone to everyone: 3:43 PM

What about under the transmission lines on the Cheif Seattle Trail, between Columbia Dr S and Beacon Ave S. SCL property?

from steve zemke to everyone: 3:50 PM

Are Trees for Seattle street tree planting separtate or counted in SDOT tree planting numbers?

from Michael Oxman to everyone: 3:54 PM

Maritza Rivera sent this out in her city council email:

"The city has a goal of planting 1300 trees across Seattle in 2024, and you can help."

She was discussing the SPU Trees For Neighborhoods giveaway. She must not realize there are other departments involved in planting trees.

She needs a briefing.

from Hao Liang to everyone: 4:02 PM

The second half of the meeting will start at 4:06 pm

from Hao Liang to everyone: 4:02 PM

Thank you again Jessica and Jana for the great work!

from Hailey Mak Mackay to everyone: 4:17 PM

I can add info on the replacement strategy during QA if folks want to know more.

from Hao Liang to everyone: 4:18 PM

Thank you Hailey.

from Michael Oxman to everyone: 4:28 PM

Does WASHDOT need permits for removing trees?

from Hailey Mak Mackay to everyone: 4:31 PM

It depends on the situation.

from Logan Woodyard to everyone: 4:32 PM

From Logan- Thanks Joseph! Can you elaborate on what types of species are selected for restoration and how they are expected to be more resilient and diverse in adapting to new climate conditions?

from Perdue, Joe to everyone: 4:36 PM

It's my understanding that ips can survive in removed trees and even if the tree is put through a chipper.

What is your protocol for the removal of the infested wood/wood chips? In an ideal world and a realistic world, how should we handle the removal of the invested wood?

from Hailey Mak Mackay to everyone: 4:46 PM

I have to sign off, thanks for the great discussion everyone.

from Hao Liang to everyone: 4:46 PM

Thank you!

from Joseph Sutton-Holcomb to everyone: 4:51 PM

<https://wsdotblog.blogspot.com/2024/05/maintenance-arborists-tackle-bark-beetle.html>

from Tina Cohen to everyone: 4:52 PM

What about the role of foliar fungus in pines such as Dothistroma needle blight? It's been diagnosed in homeowner mature pines

from Lia Hall UFC13 to everyone: 4:55 PM

Thank you for this presentation!

rom Tina Cohen to everyone: 4:52 PM

What about the role of foliar fungus in pines such as Dothistroma needle blight? It's been diagnosed in homeowner mature pines

from Lia Hall UFC13 to everyone: 4:55 PM

Thank you for this presentation!

from Kathy to everyone: 5:00 PM

Thank you!

Public input (additional comments received):

From: dmoehring@consultant.com <dmoehring@consultant.com>

Sent: Thursday, June 13, 2024 6:02 PM

To: ufclandscape@gmail.com; Josh Morris <joshm@birdsconnectsea.org>; Becca Neumann <ufc.pos4@gmail.com>; Bakker, Patricia <Patricia.Bakker@seattle.gov>

Cc: Steve Zemke <stevezemke@msn.com>; Sandy Shettler <sshettler@msn.com>

Subject: Attached report on King County tree codes

CAUTION: External Email

Please share with the Seattle Urban Forestry Commission:

King County has an impressive document. Their recommendation of tree points (explicitly about trees compared to Green Credits) by lot size; and meeting canopy cover requirements by type of lot are good. I've clipped these pages here for emphasis.

The report is about King county tree codes, and a brief comparison to other parts of the country.

It's far easier to embrace compared to the current Seattle Code that enforces different regulations depending on existing trees without development and trees with development.

Burien also requires trees on all lots regardless of development.

<https://your.kingcounty.gov/dnrp/library/2024/kcr3648/kcr3648.pdf>

-----Original Message-----

From: kevinorme <kevinorme@protonmail.com>

Sent: Monday, June 17, 2024 9:28 PM

To: LEG_CouncilMembers <council@seattle.gov>; Harrell, Bruce <Bruce.Harrell@seattle.gov>; PCD_OneSeattleCompPlan <OneSeattleCompPlan@seattle.gov>

Cc: Emery, Adiam <Adiam.Emery@seattle.gov>; Burgess, Tim <Tim.Burgess@seattle.gov>; Farrell, Jessyn <Jessyn.Farrell@seattle.gov>; Caulfield, Michelle <Michelle.Caulfield@seattle.gov>; Bakker, Patricia <Patricia.Bakker@seattle.gov>; DOT_SeattleTrees <Seattle.Trees@seattle.gov>; Wong, Greg <Greg.Wong@seattle.gov>; Nelson, Sara <Sara.Nelson@seattle.gov>; Um, Taemin <Taemin.Um@seattle.gov>; Ellis, Steven <Steven.Ellis@seattle.gov>; Hollingsworth, Joy <Joy.Hollingsworth@seattle.gov>; Kettle, Robert <Robert.Kettle@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Rivera, Maritza <Maritza.Rivera@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Moore, Cathy <Cathy.Moore@seattle.gov>; Eder, Dan <Dan.Eder@seattle.gov>; Ko, Elaine <Elaine.Ko@seattle.gov>; Marx, Heather <Heather.Marx@seattle.gov>; Gheisar, Leyla <Leyla.Gheisar@seattle.gov>; Turla, Alexis <Alexis.Turla@seattle.gov>; Carey, Imani <imani.carey@seattle.gov>; Chow, Evelyn <Evelyn.Chow@seattle.gov>; Bowers, Logan <Logan.Bowers@seattle.gov>; Altshuler, Alex <Alex.Altshuler@seattle.gov>; Sykes, Wendy <Wendy.Sykes@seattle.gov>; Maxwell, Sasha <Sasha.Maxwell@seattle.gov>; Thoreson, Hannah <Hannah.Thoreson@seattle.gov>; Aldrich, Newell <Newell.Aldrich2@seattle.gov>; Enbysk, Amy <Amy.Enbysk@seattle.gov>; Hoffman, Kate <Kate.Hoffman@seattle.gov>; Rodriguez, Anthony <Anthony.Rodriguez@seattle.gov>; Smith, Steven (LEG) <Steven.Smith@seattle.gov>; Duran, Rebecca <Rebecca.Duran@seattle.gov>; Lo, Brent <Brent.Lo@seattle.gov>; Mohn, Jeremy <Jeremy.Mohn@seattle.gov>; Silvernail, Devin <Devin.Silvernail@seattle.gov>; Beckerman, Melisa <Melisa.Beckerman@seattle.gov>; Lewis, Naomi <Naomi.Lewis@seattle.gov>; Spotts, Greg <Greg.Spotts@seattle.gov>; Rundquist, Nolan <Nolan.Rundquist@seattle.gov>; Bean, Katey <Katey.BEAN@seattle.gov>

Subject: Arbor Day Foundation - How America Sees Trees: Urban Tree Canopy report 2024

CAUTION: External Email

the PDF is 23mb so too big to attach it here, but article is here:

<https://protect2.fireeye.com/v1/url?k=31323334-50bba2bf-31321b84-4544474f5631-59180ce3299df9e3&q=1&e=9a422377-5f2b-400e-98cc-5ab8eaab87e5&u=https%3A%2F%2Fwww.arborday.org%2Fcanopyreport%2F>

and direct link to report is here: <https://protect2.fireeye.com/v1/url?k=31323334-50bba2bf-31321b84-4544474f5631-136c5534578db12e&q=1&e=9a422377-5f2b-400e-98cc-5ab8eaab87e5&u=https%3A%2F%2Fembedded-links.us-1.lytho.us%2Flinks%2F00989d52-f590-478f-97b0-aca7fdebe78f>

some key findings:

- 90% of Americans say trees and green spaces contribute to their mental well-being, with top impacts being reducing stress, improving mood, and clearing the mind.
- Nine in 10 Americans (91%) believe that trees help make neighborhoods more livable, and nearly four in 10 (38%) say they chose their home location based on access to green spaces.
- 88% of Americans are aware of how trees can have a global impact for their role in slowing climate change, and 89% of Americans agree that “trees are not just a nice-to-have, they’re a necessity.”
- up to 70% of Americans consider trees a public health tool, providing fresh air, shade and beauty.

also review slides 39-41 as to climate change impacts on communities of color and the government's key role in addressing climate change through providing trees and healthy greenspaces.

kevin orme
Seattle

From: David Moehring <dmoehring@consultant.com>

Sent: Sunday, June 23, 2024 2:46 PM

To: SCI_DRulesComments <SCI_DRulesComments@seattle.gov>

Cc: Carr, Christy <Christy.Carr@seattle.gov>; Bakker, Patricia <Patricia.Bakker@seattle.gov>;
ufclandscape@gmail.com; Becca Neumann <ufc.pos4@gmail.com>; info@aiaseattle.org; SDOT_LA Seattle
<SDOT_LA@seattle.gov>; Josh Morris <joshm@birdsconnectsea.org>; Mitchell, Daniel B
<Daniel.Mitchell@seattle.gov>; nathan.togelson@seattle.gov

Subject: Director's Rule 7-2004 bypasses architects in considering Exceptional Tier II Trees to Be Protected...
why?

Importance: High

CAUTION: External Email

Dear SDCI,

Remove or replace the "*Risk Assessment*" paragraph within the **proposed Director's Rule 7-2024** which gives a developer/owner-paid arborist - **without architect consultation and collaboration** - the sole responsibility for the assessment documenting when a "*tree has little or no likelihood of survival after construction*" (reference cut and pasted paragraph below.)

Why remove this proposed provision or instead include independent assessment from an architect and arborist?

1) Most arborists are consulted only for a tree inventory and **arborists are almost never provided proposed development plans with their inventories**. Proof: SDCI to look and document at the number of arborist assessments over the past three to five years where their tree assessments included development plans. Results of SDCI's records are likely to be less than 5%.

2) Prior to this Director's Rule, the 'construction' had to consider proposed structure site design location to retain Exceptional or Tier 2 trees. This proposed risk assessment Director's Rule assumes the opposite. In other words, it **assumes that construction has the priority over Tier 2 Exceptional tree retention**. Why the change?

3) Prior to this Director's Rule, there are numerous multifamily examples where new construction retained one or more Exceptional trees (see Note 'B' list below). Even more examples were possible had the City Reviewers and Inspectors followed the Code.

4) What does the Code say according to the Seattle City Attorney?

*"The City's position continues to be, as clearly detailed in SDCI TIP 242A, that "[A] tier 2 tree may be removed if necessary to construct proposed structures (such as a needed retaining wall or access for utilities) or to provide vehicular access to a site when parking is required by code. **Tree removal under this scenario will not be authorized if viable alternatives exist that would allow adequate protection of the tree during construction according to SMC 25.11.060.**" (see Note 'A' below)*

Therefore --- Please remove all of the references to "the likelihood of a Tier 2 tree's survival after construction" as justification for recommending removal.

Sincerely,
David Moehring AIA NCARB
former Seattle Urban Forestry Commissioner

REVISE Director's Rule section on 'RISK ASSESSMENT' as follows:

"Trees that meet **[Add this ...>>>] Tier 1 and [<<<] Tier 2** tree designation are not regulated as such as part of a development permit application when SDCI finds that the tree should be removed based on a risk assessment produced by **[Add this ...>>>] a State of Washington registered architect and [<<<] a registered tree service provider** who is currently credentialed with an ISA Tree Risk Assessment Qualification. The risk assessment must document that the tree is considered a High Risk hazard **[Remove this...>>>]** or that the tree has little or no likelihood of survival after construction **[<<<]** . In making this determination, the registered tree service provider must consider crown size, structure, disease, and past maintenance practice. **[Add this ...>>>] An arborist and architect are not responsible for construction means and methods. However, in considering viable site alternatives per SMC 25.11.060, independent collaborating architect and arborist will evaluate and define [<<<] potential damage to existing or future targets, risk mitigation options, proposed demolition and construction methods, and the likelihood of survival after construction."**

=====

**NOTE 'A' -
From Seattle City Attorney April 25, 2024:**

9 | above. The City’s position continues to be, as clearly detailed in SDCI TIP 242A, that “[A] tier 2 tree
10 | may be removed if necessary to construct proposed structures (such as a needed retaining wall or
11 | access for utilities) or to provide vehicular access to a site when parking is required by code. Tree
12 | removal under this scenario **will not be authorized if viable alternatives exist** that would allow
13 | adequate protection of the tree during construction according to SMC 25.11.060.” RIN 521.

Clipped from Page 8 line 9-13, dated April 25, 2024

=====

NOTE 'B' -

MULTIFAMILY EXAMPLES WHERE ARCHITECTS WERE RESPONSIBLE TO RETAIN EXCEPTIONAL TREES WITH GOOD SITE DESIGN

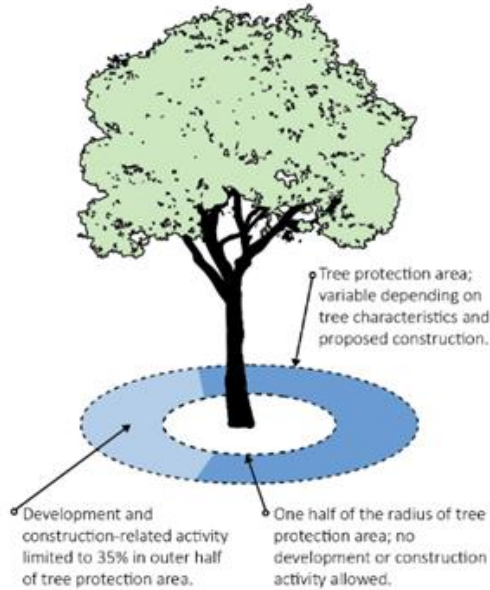
In the submission of these multifamily permit applications, one or more large Exceptional (Tier 2) trees were retained without compromise to the allowed building floor area:

- - 827 NE 98th St (SDCI Project #6925519-CN)
 - 625 and 629 W Emerson St (6881354-CN, 6929068-CN, 6997077-CN)
 - 1211 NE 104th St (3040070-LU)
 - 2038 and 2042 NW 62nd St (6337999-CN, 6383000-CN)
 - 2028 NW 62nd St (3015332-LU)
 - 3509 W Thurman St (6724738-CN)
 - 6406 14th Ave NW (6669315-CN)
 - 2002 NW 60th St (3027830-LU)
 - 2000 NW 61st St (3020564-LU)
 - 3601 12th Ave W (6805407-CN)
 - 12051 20th Ave NE (6621570-CN)
 - 848 NW 53rd St (6742710-CN)
 - 2630 Shoreland Dr S (3037981-LU)
 - 9017 13th AVE NW (3040998-LU within LR2 zone)

The new ordinance covers this in SMC 25.11.070 for ‘Tree protection on sites undergoing development in Neighborhood Residential Lowrise, Midrise, commercial, and Seattle Mixed zone’.

And SMC 25.11.060.A - only considers removing Exceptional trees if the *“maximum lot coverage permitted on the site according to Title 23 cannot be achieved without extending into the tree protection area or into a required front and/or rear yard to an extent greater than provided for in SMC subsection 25.11.060.A.2; or avoiding development in the tree protection area would result in a portion of the house being less than 15 feet in width”*

Examples may be looked up online at <https://web.seattle.gov/dpd/edms/>



=====

NOTE 'C'-

NOTICE OF PROPOSED ADOPTION OF DIRECTOR’S RULE(S)

Notice is hereby given that the Director of the Department of Construction and Inspections (SDCI) proposes to adopt the following Rule(s):

Director's Rule 7-2024 Designation of Tier 2 Trees Authority for promulgation of such rule(s) is found in Section 3.06.040 of the Seattle

Municipal Code (SMC). Rules are processed according to the Administrative Procedures contained in Section 3.02.030 of the Seattle Municipal Code.

INFORMATION AVAILABLE:

Christy Carr

christy.carr@seattle.gov

206-615-1393

HOW TO COMMENT:

Written comments on the proposed adoption may be submitted through June 24, 2024 to:

SCI_DRulesComments@seattle.gov

Or Director, Department of Construction and Inspections

700 5th Avenue, Suite 2000

P.O. Box 34019

Seattle, Washington 98124-4

From: Steve Zemke <stevezemke@msn.com>

Sent: Monday, June 24, 2024 11:28 PM

To: Harrell, Bruce <Bruce.Harrell@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Moore, Cathy <Cathy.Moore@seattle.gov>; Hollingsworth, Joy <Joy.Hollingsworth@seattle.gov>; Rivera, Maritza <Maritza.Rivera@seattle.gov>; Kettle, Robert <Robert.Kettle@seattle.gov>; Woo, Tanya <Tanya.Woo@seattle.gov>; Nelson, Sara <Sara.Nelson@seattle.gov>; Saka, Rob <Rob.Saka@seattle.gov>; SCI_DRulesComments <SCI_DRulesComments@seattle.gov>

Cc: Carr, Christy <Christy.Carr@seattle.gov>; lauren.urgelson@seattle.gov; Bakker, Patricia <Patricia.Bakker@seattle.gov>; Joshua Morris <joshm@birdsconnectsea.org>; Becca Neumann

<ufc.pos4@gmail.com>; Farrell, Jessyn <Jessyn.Farrell@seattle.gov>

Subject: Comments on draft Director's Rule 7-2024 Designation of Tier 2 Trees

CAUTION: External Email

Below are my comments on [draft SDCI Director's Rule DR 7-2024](#) - Designation of Tier 2 Trees

Thanks for the opportunity to respond to this draft.

The areas in the paragraph below that I've bolded from the draft DR 7-2024 text are ones I have concern with. This paragraph was not in the previous Tier 2 Director's Rule adopted last year after the Tree Protection Ordinance update.

"Trees that meet Tier 2 tree designation are not regulated as such as part of a development permit application when SDCI finds that the tree should be removed based on a risk assessment produced by a registered tree service provider who is currently credentialed with an ISA Tree Risk Assessment Qualification. The risk assessment must document that the tree is considered a High Risk hazard or that the tree has little or no likelihood of survival after construction. In making this determination, the registered tree service provider must consider crown size, structure, disease, past maintenance practice, **potential damage to existing or future targets, risk mitigation options, proposed demolition and construction methods,** and the **likelihood of survival after construction.** Tree service providers conducting commercial tree work on these trees must comply with the tree service provider registry requirements of SMC Chapter 25.11 Subsection 25.11.100. The replacement requirements of SMC Chapter 25 Subsection 25.11.090 apply."

DR 7-2024 gives a multitude of reasons Tier 2 trees can be removed but does not detail risk mitigation options that can be considered so that the trees can be saved like an alternative site design to move a building from possible risk or alternative building methods. Yet proposed demolition and construction methods are mentioned and may be getting outside the expertise of a tree risk assessor. Some of the reasons given for removal seem very broad based and open ended.

Tier 2 trees already are at extreme risk for being cut down because of the wording in SMC 25.11.070 from last year that says "the basic tree protection area cannot be modified" overriding SMC 25.11.060 that gives the Director the authority to allow intrusion into 35 % of the outer root zone area if necessary to save trees. SMC 25.11.070 overrides SMC 25.11.060 for all the zones the ordinance covers - Neighborhood Residential, Lowrise, Midrise, Commercial and Seattle Mixed. The [2024 draft SDCI Omnibus bill](#), on page 136 in Table A states that all other city land use zones not mentioned in SMC 25.11 , Tree Protection Ordinance, can remove all trees during development. "In all other zones, all trees may be removed when development is proposed."

The draft Director's Rule adds to the above problems. Of the conflicts inherent in SMC 25.11, one reason for this is that developers ultimately hire arborists that give them the results they want. If they don't, they won't be hired again. Developers will keep searching until they find an arborist that gives them the results they need to be able to remove more trees.

Because of this, Washington DC, as one example hires its own city arborists to evaluate trees considered for removal, not relying on risk reports paid for by the development company or working independently or employed by tree service providers. It does not accept reports submitted by the arborists paid by developers who have a financial interest in preparing risk assessments and who in many cases, could also then make additional money removing the trees they determined were a risk.

The issue is several fold. There is the possible profit motive of risk assessors writing reports to get repeat work. Also, there is nothing in this Director's Rule saying the arborist or the company they work for cannot be hired to cut down any trees they said should be removed due to their risk assessment. This creates a possible

conflict of interest and an additional possible profit motive for tree risk analysis to conclude that more Tier 2 trees and other trees than necessary need to be removed.

There is also nothing in the Director's rule requiring a process for SDCI to separately review all risk assessments by a qualified SDCI arborist with the needed credentials. There is no identified process listed as to city review before a tree risk analysis is accepted. In the past many tree removals have been approved by SDCI planners assigned to each project rather than a qualified tree risk assessor employed by the city to review the assessment and do on site analysis. Considering how much replacement time and money and loss of ecosystem benefits occurs when large trees are removed, it would make good economic and environmental sense to put in place an internal review process for all risk assessment analysis submitted to the city for tree removal before they are approved.

Watch short video here with Legacy Capital executive <https://multimedia.nwprogressive.org/video/cascadia-advocate/AUG23-Scott-Rerucha-Blags-About-His-A-Team.mp4> that raises concerns about how decisions are made in SDCI regarding saving trees during development. This Director's Rule does not address these concerns but adds to those raised above.

Thanks for considering these comments.

Steve Zemke
Chair - TreePAC and Friends of Seattle's Urban Forest
Former member Seattle Urban Forestry Commission for 6.5 years
2131 N 132nd St
Seattle, WA 98133

From: Judy Pickens <judy_pickens@msn.com>
Sent: Monday, July 1, 2024 9:12 AM
To: Bakker, Patricia <Patricia.Bakker@seattle.gov>
Subject: Urban Forestry Commission

CAUTION: External Email

On behalf of the Seattle Watershed Alliance, I call your attention to the attached letter commenting on the city's tree ordinance and supporting the Urban Forestry Commission.

Judy E. Pickens
4539 SW Director Place
Seattle, WA 98136-2614
206-938-4203

SEATTLE WATERSHED ALLIANCE
P.O. Box 25690
Seattle, WA 98165-1190

July 1, 2024

Seattle City Council President Sara Nelson
District 1 Councilmember Rob Saka
District 2 Councilmember Tammy Morales
District 3 Councilmember Joy Hollingsworth
District 4 Councilmember Maritza Rivera
District 5 Councilmember Cathy Moore
District 6 Councilmember Dan Strauss

District 7 Councilmember Robert Kettle
Position 8 Councilmember Tanya Woo
Urban Forestry Commission Coordinator Patricia Bakker

Re: Tree ordinance/Urban Forestry Commission

As a nonprofit coalition of community watershed interests, the Seattle Watershed Alliance is concerned about loss of tree canopy across the city. Every day we see the significant role that trees play in healthy ecosystems as well as in human health.

Despite widespread scientific agreement and growing public support for retaining and enlarging a healthy tree canopy across Seattle, the City Council needs to do more. Now a year into the city's updated tree protection ordinance, we have witnessed serious shortcomings in the watersheds we represent. While it purports to balance housing production and tree protection, the current ordinance instead encourages the former by giving short shrift to the latter.

We ask you to take the lead in rebalancing its provisions by introducing the following actions:

- Fund ongoing monitoring of the tree canopy, with status reports to the public at least every five years.
- Enforce protection of trees and their root zones as far as the drip line during construction activity.
- Establish a minimum percentage tree cover on residential small lots with multiple housing units.
- Reflect provisions of this ordinance in permit requirements to develop or redevelop private property and inspect for adherence.

Seattle's Urban Forestry Commission is an essential tool for overseeing implementation of an ordinance and other tree-related rules that strike a responsible balance. We also ask that you give priority to filling vacancies and direct that the coordinator resume posting agendas and minutes.

Sincerely,
Judy E. Pickens, convenor

-----Original Message-----

From: kevinorme <kevinorme@protonmail.com>

Sent: Monday, July 1, 2024 3:05 PM

To: LEG_CouncilMembers <council@seattle.gov>; Harrell, Bruce <Bruce.Harrell@seattle.gov>;
PCD_OneSeattleCompPlan <OneSeattleCompPlan@seattle.gov>

Cc: Emery, Adiam <Adiam.Emery@seattle.gov>; Burgess, Tim <Tim.Burgess@seattle.gov>; Farrell, Jessyn <Jessyn.Farrell@seattle.gov>; Caulfield, Michelle <Michelle.Caulfield@seattle.gov>; Bakker, Patricia <Patricia.Bakker@seattle.gov>; DOT_SeattleTrees <Seattle.Trees@seattle.gov>; Wong, Greg <Greg.Wong@seattle.gov>; Nelson, Sara <Sara.Nelson@seattle.gov>; Um, Taemin <Taemin.Um@seattle.gov>; Ellis, Steven <Steven.Ellis@seattle.gov>; Hollingsworth, Joy <Joy.Hollingsworth@seattle.gov>; Kettle, Robert <Robert.Kettle@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Rivera, Maritza <Maritza.Rivera@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Moore, Cathy <Cathy.Moore@seattle.gov>; Eder, Dan <Dan.Eder@seattle.gov>; Ko, Elaine <Elaine.Ko@seattle.gov>; Marx, Heather <Heather.Marx@seattle.gov>; Gheisar, Leyla <Leyla.Gheisar@seattle.gov>; Turla, Alexis <Alexis.Turla@seattle.gov>; Carey, Imani <imani.carey@seattle.gov>; Chow, Evelyn <Evelyn.Chow@seattle.gov>; Bowers, Logan <Logan.Bowers@seattle.gov>; Altshuler, Alex <Alex.Altshuler@seattle.gov>; Sykes, Wendy <Wendy.Sykes@seattle.gov>; Maxwell, Sasha <Sasha.Maxwell@seattle.gov>; Thoreson, Hannah <Hannah.Thoreson@seattle.gov>; Aldrich, Newell <Newell.Aldrich2@seattle.gov>; Enbysk, Amy <Amy.Enbysk@seattle.gov>; Hoffman, Kate <Kate.Hoffman@seattle.gov>; Rodriguez, Anthony <Anthony.Rodriguez@seattle.gov>; Smith, Steven (LEG) <Steven.Smith@seattle.gov>; Duran, Rebecca

<Rebecca.Duran@seattle.gov>; Lo, Brent <Brent.Lo@seattle.gov>; Mohn, Jeremy <Jeremy.Mohn@seattle.gov>; Silvernail, Devin <Devin.Silvernail@seattle.gov>; Beckerman, Melisa <Melisa.Beckerman@seattle.gov>; Lewis, Naomi <Naomi.Lewis@seattle.gov>; Spotts, Greg <Greg.Spotts@seattle.gov>; Rundquist, Nolan <Nolan.Rundquist@seattle.gov>; Bean, Katey <Katey.BEAN@seattle.gov>

Subject: Change In Tree Law Means A Greener Baltimore

CAUTION: External Email

all around us, cities are recognizing the importance of trees and taking action - besides this article - Bellevue has taken official notice that it already has 40% canopy - and taking steps to keep it that way.

By contrast, Seattle has already received volumes of feedback (directly, from the Urban Forestry Commission and via the Comp Plan input) about how the current Tree Ordinance that created even bigger loopholes for developers since last May will do the exact opposite of protecting trees.

Do we really want to continue to wipe out our trees when we have so many to lose? at least three citywide polls say otherwise.

<https://protect2.fireeye.com/v1/url?k=31323334-50bba2bf-31321b84-4544474f5631-bef579018e56ee10&q=1&e=1bb103f8-7e1e-481f-a787-da6585d7d393&u=https%3A%2F%2Fbluewaterbaltimore.org%2Fblog%2Fchange-in-tree-law-means-a-greener-baltimore%2F>

kevin orme
Seattle

From: David Moehring <dmoehring@consultant.com>
Sent: Thursday, July 4, 2024 1:14 PM
To: Seattle Department of Construction and Inspections <PRC@seattle.gov>
Cc: Bakker, Patricia <Patricia.Bakker@seattle.gov>; Josh Morris <joshm@birdsconnectsea.org>; Becca Neumann <ufc.pos4@gmail.com>; ufclandscape@gmail.com
Subject: Need a design for 1604 AURORA AVE N in east Queen Anne

CAUTION: External Email

Happy Independence Day!

This project at **1604 Aurora Ave N** perhaps spent about 80% of the time on submission materials leaving very little apparent effort on the design and how the preferred design meets the Seattle Design Criteria.

Since there is no real design offered other than massing diagrams that follow small unit layouts, the Design Review Board has there work cut out for them. Perhaps a reason why these submissions, when not well thought through, require subsequent submissions.

Is this project attempting to provide an assessment of trees that will be removed ... including an inventory of what is there ... and what may be required to contribute to the impacts to the environment and natural habitats?

Thank you for allowing comment.
David Moehring AIA NCARB
Seattle

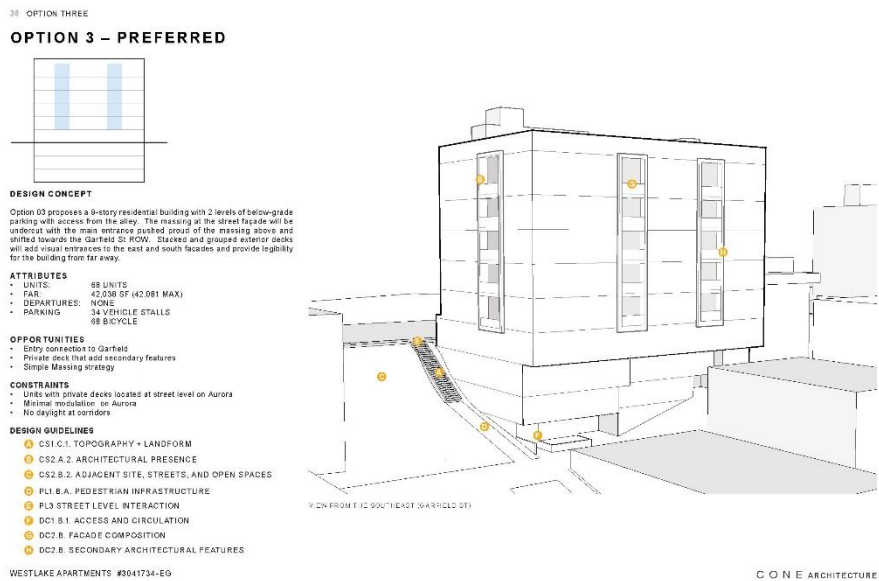


Newly Posted Projects

July 17, 2024: 1604 AURORA AVE N
West Design Review Board

Design Review Early Design Guidance for a 9-story, 68-unit apartment building.
Parking for 34 vehicles proposed.

[View full design proposal:](#)



From: David Moehring <dmoehring@consultant.com>

Sent: Sunday, July 7, 2024 2:20 PM

To: Bakker, Patricia <Patricia.Bakker@seattle.gov>; Farrell, Jessyn <Jessyn.Farrell@seattle.gov>; Torgelson, Nathan <Nathan.Torgelson@seattle.gov>

Cc: LEG_CouncilMembers <council@seattle.gov>; Harrell, Bruce <Bruce.Harrell@seattle.gov>; Emery, Adiam <Adiam.Emery@seattle.gov>; Burgess, Tim <Tim.Burgess@seattle.gov>; Caulfield, Michelle <Michelle.Caulfield@seattle.gov>; Wong, Greg <Greg.Wong@seattle.gov>; Eder, Dan <Dan.Eder@seattle.gov>; Nelson, Sara <Sara.Nelson@seattle.gov>; Um, Taemin <Taemin.Um@seattle.gov>; Ellis, Steven <Steven.Ellis@seattle.gov>; Hollingsworth, Joy <Joy.Hollingsworth@seattle.gov>; Kettle, Robert <Robert.Kettle@seattle.gov>; Morales, Tammy <Tammy.Morales@seattle.gov>; Turla, Alexis <Alexis.Turla@seattle.gov>; Silvernail, Devin <Devin.Silvernail@seattle.gov>; Carey, Imani <imani.carey@seattle.gov>; Chow, Evelyn <Evelyn.Chow@seattle.gov>; Rivera, Maritza

<Maritza.Rivera@seattle.gov>; Ko, Elaine <Elaine.Ko@seattle.gov>; Strauss, Dan <Dan.Strauss@seattle.gov>; Enbysk, Amy <Amy.Enbysk@seattle.gov>; Hoffman, Kate <Kate.Hoffman@seattle.gov>; Moore, Cathy <Cathy.Moore@seattle.gov>; Thoreson, Hannah <Hannah.Thoreson@seattle.gov>; Smith, Steven (LEG) <Steven.Smith@seattle.gov>; Lo, Brent <Brent.Lo@seattle.gov>; Duran, Rebecca <Rebecca.Duran@seattle.gov>; Woo, Tanya <Tanya.Woo@seattle.gov>; Becca Neumann <ufc.pos4@gmail.com>; Saunders, Travis <Travis.Saunders@seattle.gov>; Lofstedt, Emily <Emily.Lofstedt@seattle.gov>; Isleib, Brandon <Brandon.Isleib@seattle.gov>

Subject: Seattle's RSL Neighborhood Residential Small Lot zones are NOT the same as Neighborhood Residential Zones

Importance: High

CAUTION: External Email

Retaining trees matter especially within Seattle's **Residential Small Lot (RSL) Zones!**

The Seattle residents living within Residential Small Lot (RSL) Zones - already seeing up to six dwellings on a 5000 sq ft lot - have been mistakenly identified as being no different than other Neighborhood Residential zones (NR1, NR2, NR3) in required tree protection. Reference the SDCI representative response to a Commissioner's question during the June 2024 Urban Forestry Commission meeting (meeting recordings are available online).

The oversight is the proposed Omnibus (link [here](#)) specifically identifies tree protection for all residential zones **BUT EXCLUDES RSL zones**. (see clip of page 135 attached).

The resulting consequence is all trees being removed from RSL zones during development.

To clarify the impacts of **excluding Race and Social Justice** zone tree protections, the attached map identifies the RSJ communities of lower tree canopy that will have high tree-loss risk within RSL zones due to the proposed Omnibus. South Park, Beacon Hill, South Seattle to mention a few.

Please, give trees an equitable chance within RSL zones and **include the term "RSL" with other residential zones** listed in the omnibus, such as page 135 line 8 and 9.

135 of 151 Automatic Zoom

4 1. When no development is proposed, Tier 1, Tier 2, Tier 3, and Tier 4 trees on
5 undeveloped lots in all zones;

6 2. When no development is proposed, Tier 1, Tier 2, Tier 3, and Tier 4 trees on
7 developed lots in all zones, except as allowed in subsection 25.11.050.B;

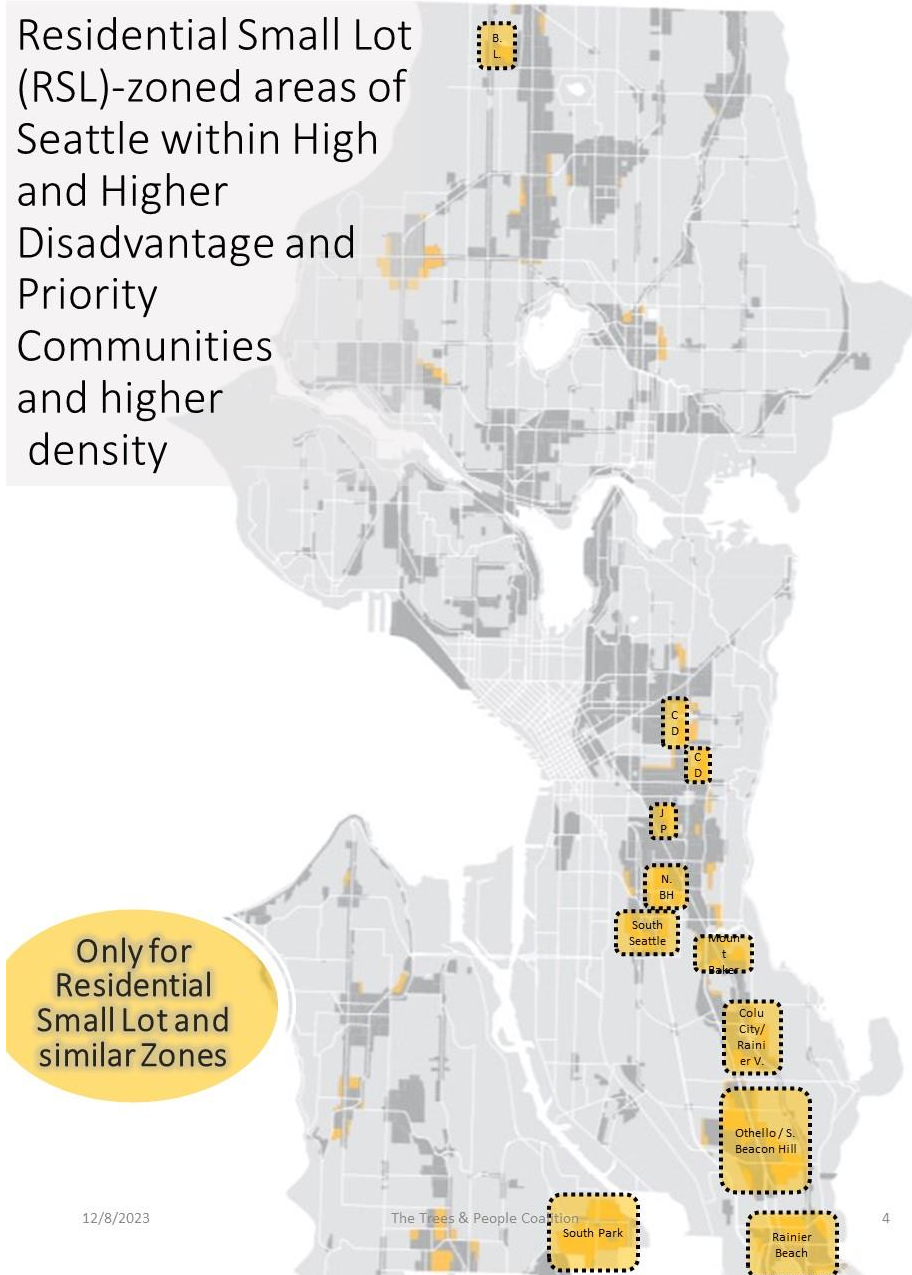
8 3. When development is proposed, in Neighborhood Residential, Lowrise,
9 Midrise, commercial, and Seattle Mixed zones: ? RSL ?

10 a. Tier 1 trees may not be removed unless in emergency situations or
11 unless they are hazardous as provided in Sections 25.11.030 and 25.11.040;

12 b. Tier 2 trees may not be removed except as permitted under Sections
13 25.11.070 and 25.11.080; and

14 c. Tier 3 and Tier 4 trees may be removed as part of a development permit.

Residential Small Lot (RSL)-zoned areas of Seattle within High and Higher Disadvantage and Priority Communities and higher density



Zoning map link [here](#). Image below...

Zones	Abbreviated
Residential, Neighborhood 1	NR1
Residential, Neighborhood 2	NR2
Residential, Neighborhood 3	NR3
Residential Small Lot	RSL
Residential, Multifamily, Lowrise 1	LR1
Residential, Multifamily, Lowrise 2	LR2
Residential, Multifamily, Lowrise 3	LR3
Residential, Multifamily, Midrise	MR

David Moehring
312-965-0634

IN ORDER TO ACHIEVE OUR CITY'S CANOPY COVER GOAL OF 30% WITHIN 30 YEARS AS SET BACK IN 2007, SEATTLE NEEDS TO ADD BETWEEN 80,000 TO 100,000 MEDIUM TO LARGE TREES ABOVE THE EXISTING 2% RATE OF TREE LOSS.