

2021 TreePAC Seattle Council Candidate Tree and Urban Forest Questionnaire

1. CLIMATE IMPACT MITIGATION. As recent record temperatures of 108 F in Seattle have shown, Seattle needs to improve its climate resiliency to protect the health of its people and neighborhoods. For 12 years the city has delayed updating its Tree Protection Ordinance to increase protection for trees and urban forests, which are critical to reducing heat island impacts and increasing climate resiliency. SDCI claims they will be producing a draft by the end of the year but there will not be time to review, do a SEPA analysis and Council consideration until next year.

If elected, will you commit to prioritizing updating Seattle's Tree Protection Ordinance by July 1, 2022 including maximizing the retention of existing trees, especially large ones, and planting more trees, as part of a climate resiliency plan for low income and economic justice communities to respond to environmental inequities? Yes, this is my goal and a critical priority for me. It feels like we are continually studying without action. Many research papers document the importance and value provided by our existing large trees in the capture of carbon, reduction of heat, and rainwater runoff, as well as provide understanding of trees benefits for our community health and neighborhoods. We also see and feel the problems in neighborhoods that were overly impacted by development tree removals, causing added urban heat islands that require tree replanting and future mitigation. Instead of inaction, I welcome the chance to initiate common sense action based upon current understanding in advance of more studies. We should act now and make adjustments to our ordinances, if necessary, after the added documents are finalized.

2. AFFORDABLE HOUSING PROJECTS.

As Seattle's population increases, so does the pressure for increased affordable housing. Significant tree loss occurs in Seattle when lots are clearcut for development. Advocates for more tree protection believe with better planning and regulations, we can both increase affordable housing and save more existing trees. Trees create healthy communities.

How do you think Seattle can succeed at maximizing the retention of its exceptional and significant trees while building new needed affordable housing? Living in Wallingford I have witness firsthand the complete clearcut of all trees in our HALA upzoned lots for redevelopment. These trees may create some inconvenience to construction, but are often eliminated unnecessarily. We can protect trees and increase affordable housing. The majority of our urban tree canopy is located in the neighborhoods that can be protected by focusing our major developments on adjacent arterials. Upzoning entire neighborhoods has proven to be very detrimental to existing older tree canopy. Whereas focusing necessary and

planned increased density along arterials protects the majority of trees. This creates more healthy walkable neighborhoods with the arterial areas benefitting from greater volumes of protected trees and open spaces to walk, while the neighborhood area also benefits from ready access to transportation and small businesses at the arterials. The quantity of housing is increased, majority of existing tree canopy is protected, and the opportunity is provided for increased healthy affordable living and comes with enhanced benefits of the connected functioning areas within neighborhoods for all.

3. **PROTECT TREE GROVES.**

Seattle's interim tree ordinance protects existing groves of trees (group of 8 or more trees 12" in diameter). [SDCI's Draft Director's Rule 13-2020](#) has proposed keeping a grove as exceptional even if a tree is removed during development. The Seattle Urban Forestry urged SDCI to include street trees in a grove if they are part of a continuous canopy.

Do you support adding these two changes to protect tree groves to conserve habitat and canopy cover? Yes, these cases in particular are valuable to our community and the healthy function of the trees within groves. Urban trees do not live forever and will need to be replenished/replaced, such that development or necessary removal of dying trees within a valuable grove should not impact the groves' protection from the City. The idea of spaced trees to form a continuous canopy is also extremely valuable in protecting against heat islands and has added benefits to the walkability and health of the community they are in. Once removed, these areas are extremely difficult to recover and should be retained and protected.

4. **REQUIRE MAXIMUM RETENTION OF EXISTING TREES BY SITE PLANNING.**

Seattle requires developers to identify all trees on site 6 inches DBH and "maximize the retention of existing trees" as they subdivide a property for development. However, once building plans are drawn up and building starts, there is no longer a requirement for developers to maximize the retention of existing trees. Minimal efforts are frequently made as a result to save trees outside the building footprint. Lots are frequently clearcut without this protection.

Do you support requiring developers to maximize the retention of existing trees throughout the entire development project, as Austin, Texas does, not just at the beginning as Seattle does? Yes, I do. There are means to protect trees, even with shoring boxes or others solutions, that can and should be employed by the Contractors/Developers during their important work. There is often necessary tree trimming that is significant to allow the Contractor/Developer's activities, but tree protection throughout the project is possible and should be a requirement.

5. DIRECTORS RULE UPDATE REQUIREMENT.

Over a year ago, SDCI issued a draft Directors Rule to update protection of Exceptional trees, but it is currently stalled in being adopted. The Seattle Urban Forestry Commission made a number of recommendations for increased protections.

Do you support the implementation of the [draft Director's Rule 13-2020](#) as written that would update the outdated 16-2008 Director's Rule on Exceptional Trees or should it be strengthened based on the [Urban Forestry Commission's recommendations](#) ? Yes, I do accept and recommend their items for standardized reporting and believe the items recommended are the foundation of a good and consistent reporting system. Furthermore, the reporting and consistency will be valuable for necessary tracking, and are not onerous when combined with the recommended triggers. I also believe the stated triggers for implementation are acceptable (permitted construction work, tree work involving significant trees, exceptional trees, or groves). I do however, think that there must be an exception to allow property owner's to care for, including major pruning/removal of their own trees, without a professional tree care provider. It should be left to the owner to decide their individual capabilities and knowledge, research, as well as schedule, and budget. For instance the property owner may not be able to afford the proposed work bids from several professional tree care providers, but if allowed to extend the schedule over several seasons the owner may be able to complete the same work with less cost.

6. EXCEPTIONAL TREE DEFINITION.

The Urban Forestry Commission has recommended reducing the upper limit threshold for large exceptional trees to 24" DBH (Diameter at Breast Height) from 30" DBH. About half of Seattle's exceptional trees are less than 24 inches DBH but Douglas fir, western red cedar and big leaf maple trees currently are exceptional at 30" DBH. Portland recently reduced their upper threshold for exceptional trees to 20" DBH.

Do you support 24" DBH or 20" DBH for the upper limit for protection as Exceptional trees?" I am undecided on a specific DBH reduction, but would welcome input, and realize I need to understand better the original limitation parameters and compare them to our goals and directives. There are and should be many other criteria that make up the determination for an exceptional tree as some trees are more valuable to the community for their rare and historical occurrence and also could benefit the general health and resiliency of the various other community trees. 30" DBH is quite amazing. At first glance the change to 24" DBH even on a percentage basis is dramatic with a 56% increase in cylindrical tree area going from 24" to 30" DBH.

7. TREE REMOVAL AND REPLACEMENT PERMIT

Issaquah, Kirkland, Lake Forest Park, Medina, Redmond, and Woodinville all require permits for tree removal of 6 inches and greater DBH on private property. However, Seattle's DCI, which oversees protection of trees on private property, does not require permits to remove trees, but only has a complaint system that is not stopping illegal tree removal. SDOT requires permits to remove street trees 6" DBH or larger and requires a replacement tree be planted. Permits would allow tracking of trees removed from private property outside development.

Do you support DCI requiring tree removal and replacement permits for private property owners and developers as SDOT currently requires to remove any tree 6" DBH and larger and that the trees be replaced on site or elsewhere in the city?

I strongly support the control of all trees 6" DBH on public property, by SDOT and/or any other local agency. I also support the regulation of any tree 6" DBH that is subjected to permitted construction work, tree work involving significant trees, exceptional trees, or groves. I also would require that all removed trees 6" DBH and greater must be replaced if removed. It is my feeling though, that 6" DBH is a small lower bound for private property regulation. If implemented as a permit control, it will unnecessary penalize or challenge property owners into the early elimination of trees that would have been valuable to our community in order for an owner to prevent trigger of City controlled permitting and what appears to be intrusive regulation to the enjoyment of their property. Instead, it is my wish to find a means to help property owners to be incentivized to ADD more trees and to MAINTAIN existing valuable trees on their properties, rather than give cause for feelings that the trees create a negative control. Most individuals understand the excellent benefits of their mature trees and would typically (if not influenced), not impact the trees or their benefits to the community, except for threat of onerous or uncertain City regulation. Therefore, we need to add actual ways to benefit property owners that are retaining these great and valuable trees. Also to prevent perceived negatives that they might feel as damaging their use and enjoyment of their property and trees, accidentally incentivizing the removal of smaller trees. Such benefits to property owners might come in the form of more flexibility in the use/creation of Accessory Dwelling Units on properties that are working to retain (and add) valuable mature tree canopy, etc.

8. REPLACEMENT FEES.

Portland Oregon requires developers to replace all trees over 12 inches in diameter removed during development, either on site or pay a replacement fee. For trees 20 inches DBH and larger, if trees are not replanted on site they must pay an in-lieu fee of \$450/ inch in tree diameter removed to help plant new trees elsewhere in the city. This helps Portland to maintain and grow their tree canopy. In 2020 Portland had over \$4 million in their [Tree Planting and Preservation Fund Budget](#). Seattle has no such in lieu replacement fee or fund, even though there is a legal requirement ([SMC 25.11.090](#)) for replacement of all exceptional trees and trees over ≥ 24 " DBH

removed by developers. It has seldom been enforced by SDCI and there is no record of where any off site trees were planted or any fees collected by the city to plant them.

Do you support Seattle requiring developers to replant trees they remove or pay a replacement and maintenance fee, to fund replanting trees in Seattle, so as to help maintain and grow Seattle's tree canopy to compensate for the many benefits and ecosystem services lost to the city and its inhabitants?

Yes, I do and would. It is a legal requirement and I would recommend enforcing the law. I also consider Portland's model for fee in-lieu of trees as an acceptable requirement for our 24" DBH and larger, which are not correctly replaced as required and approved.

9. TREE CUTTING MORATORIUM.

According to [Seattle's 2016 Tree Canopy Assessment](#), just over 6000 exceptional large trees still exist in Seattle. A 2018 internal Seattle study ([Tree Regulations Research Project](#)) reveal that with tree removal "Conifers and large tree species are coming out with deciduous and dwarf species are coming in". Seattle has not updated its Tree Protection Ordinance since 2009, despite repeated Seattle City Council Resolutions to do so.

Do you support a 6 month or longer moratorium on cutting down large exceptional trees, while the City works to update its Tree Protection Ordinance?

Yes, thank you! All of us know we need something important to occur for our critical urban tree canopy and it will. We do not need to make a mistake in NOT retaining our critical tree canopy for this short duration while we initiate meaningful regulation. Furthermore, this can help prevent temporary over reaction of property owners sent into a rushed removal because regulations have mistakenly not been updated or uniformly enforced since 2009.

10. CREATE A NEW DEPARTMENT OF ENVIRONMENT AND CLIMATE .

The Seattle Department of Construction and Inspections currently oversees tree protection on private property. They have been repeatedly asked since 2009 to submit an updated Tree Protection Ordinance to the Seattle City Council to consider but 12 years later the city still has no new ordinance. SDCI is subsidized by money from development permits but gets no money for tree protection. This creates a conflict of interest. SDCI has no urban forestry division. Trees and our urban forest need a city department to represent them that does not have conflicting priorities. San Francisco has a Department of the Environment with responsibilities for a diversity of issues including the urban forest and climate.

Would you support moving tree and urban forest protection and oversight to a new independent Department of the Environment and Climate that includes an Urban Forestry Division to specifically coordinate and prioritize tree and urban

forest protection? I understand the possibility for conflicts of interest and conflicting priorities as well as the fundamental importance to our City of the existing tree canopy. As previously identified above, it is required that the Seattle Department of Transportation act to protect, control, and preserve all trees 6" DBH and greater. Also that this agency must prepare, and has in the past, completed standardized arborist reporting prepared by qualified professionals that could also be valuable for necessary tracking within the City. I have reviewed this type and level of reporting completed even for my recent Northgate Bridge project, and recommend that a department be created, funded, and staffed under the SDOT's roads department and director to assist with creation of reports and tracking for this "natural" Seattle infrastructure. Many building permits interact with the roads division and this added step for tree protection will create independence from the building department and continue the work the department of roads already oversees for their own projects. It will also simultaneously add technical capability and uniformity to reporting and tracking of our City's future tree canopy.

11. TREE CARE COMPANY REGISTRATION FOR COMPLIANCE.

The Seattle Department of Transportation requires Tree Care Providers to register with the City and sign off on acknowledging they understand and will comply with City regulations to protect trees. Because the current Tree Protection Ordinance only has a complaint-based system for trees on private property, trees continue to be removed illegally.

Do you support requiring the Seattle Department of Construction and Inspections, which oversees trees on private property including during development, to require Tree Care Providers to register with the city, get a yearly city business license, have insurance that also covers the city, file with State Labor and Industries and acknowledge they understand and will comply with all city tree regulations? Yes, I would support yearly City of Seattle business licensing for Tree Care Providers and Professionals.

12. CHOKING INVASIVE VEGETATION.

Many trees in Seattle die as the result of invasive species like English ivy, killing them with their climbing vines. On steep slopes this greatly threatens slope stability and increases the risk of landslides. A good time to remove invasives is during development.

Do you support requiring developers as part of their landscape plan to remove all invasives on a lot, not just those on the "development site" or within 10 feet of a planted area as the current landscaping Director's Rule states? Yes within the City of Seattle I absolutely support the removal and treatment of all invasive species on a lot as part of the building permit provisions.

13. TREE SURVEY AND TREE PLAN AT BEGINNING OF DEVELOPMENT.

Portland, Oregon requires that a comprehensive [Tree Inventory and Tree Plan](#) be done at the beginning of their development permit process. Developers enter the inventory into an Excel spreadsheet which can easily be added to a city database. This will help Seattle more quickly track tree loss and replacement during development. The current tracking is requiring SDCI staff to remove data from a site plan which is both time consuming and frequently incomplete because all the information is not on the site plan. It also eats up employee time and SDCI budget.

Do you support and will you push to include this provision in an updated tree protection ordinance? Yes, I will support the inclusion of this inventory for updated tree protection at both the beginning and ending “as-built” at completion of the construction. The inventories will be prepared by the developer’s team and verified by the SDCI staff and input into a City database.

14. SPEED UP TREE CANOPY GOAL TO ADDRESS CLIMATE CRISIS

Seattle has had a 30 - year goal in its Comprehensive Plan to reach a tree canopy of 30% by 2037. Yet there has been no specific plan developed by the city detailing how we can reach this goal. The recent record temperatures in Seattle and the Northwest confirmed the deadly impacts of urban heat island effects on human life, especially in areas where there is low tree canopy. Mapping has shown these areas to be mostly previously redlined areas and low-income areas. Seattle needs a detailed plan in place to plant in areas needing more trees to address environmental equity.

Will you support developing a tree planting plan and prioritize moving the 30% canopy goal to 2030 as is being done with other climate mitigation timeline goals in Seattle? Yes, I will support and create a tree planting plan, especially targeting areas that are most impacted and lacking critical tree canopy, which is lower income areas such as Rainier Valley, South Park, Genesee, Central District, etc. I will not support moving the target, but appreciate the opportunity to demonstrate accountably in achieving significantly greater than expected new tree plantings and preservation of existing Seattle tree canopy.

15. DRAFT SEATTLE URBAN FORESTRY COMMISSION TREE AND URBAN FOREST PROTECTION ORDINANCE

At the request of several members of the Seattle City Council, the Seattle Urban Forestry Commission produced a draft [Tree and Urban Forest Protection Ordinance](#). Despite requests to discuss it with the Mayor’s Office and SDCI, no meetings were

ever held to jointly review the draft or consider its recommendations on what was needed to have a stronger tree ordinance in Seattle.

Will you, if elected, consider this draft for adoption as an alternative substitute bill, especially if SDCI does not produce in a timely matter a draft which significantly addresses the recommendations in [Council's Resolution 31902](#)

Yes.

Return completed questionnaires to [stevezemke@Tree PAC.org](mailto:stevezemke@TreePAC.org).