

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, absolutely! I began staffing the [Urban Forestry Commission](#) right after it was first empaneled in 2010 until 2013 when my boss Councilmember Richard Conlin was defeated by Kshama Sawant. Since then, there's been little to now progress to protect our exceptional trees or meet our goal of a 30% urban tree canopy and I share your frustration that it's taken so long to update.

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?

I don't believe that protecting trees and building affordable housing, both subsidized multifamily as well as small, more affordable housing on private property, is mutually exclusive. As Seattle expands missing middle housing options like ADU's and DADU's, duplexes, triplexes and townhomes in neighborhood residential areas and as affordable housing is built in zones allowing multifamily, I will be a champion of tree preservation. We must:

- *Enforce SMC 25.11.090 requiring that exceptional trees be replaced with trees that will grow as big as those removed.*
- *Consider applying the Seattle Green Factor, a municipal code policy requiring that new developments in multifamily and commercial zones*

install features like green roofs, rain gardens, vegetated walls, trees, and shrubs, to large lots with multiple trees in neighborhood residential areas.

- *Remove all building and land use code barriers (set-back requirements, FAR limits, etc) to preserving exceptional trees on new projects and incentivizing their preservation*
- *Promote and incentivize residential design that incorporates or builds around large trees.*
- *Require the use licensed arborists to inspect and maintain exceptional trees*
- *Incentivize the use of impermeable surfaces to support tree health*
- *Consider subsidizing the maintenance of exceptional trees*
- *Create a culture of reverence for trees, like the Salmon in Schools program, funded in part by SPU*

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

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

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](#) ?

The draft Director's Rule 13-2020 should be strengthened according to the Urban Forestry Commission's recommendations as outlined in the August 12, 2020 letter to SDCI Director Nathan Torgelson. I've read UFC's recommendations in detail and I support Section B to add language on the scope and intent of the Director's Rule 13-2020 to capture current code's intent to maximize retention of existing trees 6 inches DHS and larger throughout the development process and the additional recommendations listed in Section C.

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?"

20"

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?

Yes but the devil's in the details. It is very difficult to regulate tree removal on private property so even getting a permit still allows removal. I also support promoting and incentivizing residential design that incorporates or builds around exceptional trees

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

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 but this will undoubtedly result in a takings lawsuit(s).

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?

In spirit, yes, if this strengthens environmental protections that are currently under the purview of several departments. But there's also the potential to siloize those protections if they are segregated into one department.

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

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

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

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?

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

Yes

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).