

**Nikkita Oliver**

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## **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, I commit to making an effort to prioritize updating the City's Tree Protection Ordinance by July 1, 2022. Once elected, I would like to meet in advance (preferably right in February/March 2022) to make this a priority.

## **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?**

Density, affordable housing, and trees are not disconnected, separate, nor conflicting issues. In fact, urban sprawl is the greatest threat to our urban tree canopy. Stopping it through intentional and purposeful density, tree protections and preservation, and planting new trees are our most powerful tools. Trees and forests are crucial in creating livable cities for everyone. In fact, the New York Times points out the redlining, exclusionary zoning and racist land use policies are partly to blame for this in "[Since When Have Trees Existed Only for the Rich?](#)" stating:

Communities with too few trees are feeling the consequences this week, as a heat wave has swept through much of the Pacific Northwest. The average temperature can vary up to 10 degrees between places with trees and those without. And where there is more heat, there is more death: Heat kills more people in the United States than any other kind of extreme weather. We can expect up to a tenfold increase in heat-related deaths in the eastern United States by the latter half of the 2050s and at least a 70 percent increase in the largest cities nationwide by 2050.

Trees today prevent approximately 1,200 more heat-related deaths annually in American cities.

Being in the vicinity of this living infrastructure provides many other benefits: Healthy trees trap air pollutants, which helps avoid 670,000 incidences of acute respiratory symptoms each year. Being in the presence of trees has also been found to improve youth educational performance, mental health, physical health and social connections. A well-maintained tree canopy may even reduce several types of crime and create economic opportunities, including careers that cannot be outsourced to plant and maintain those trees.

So if there is no question that trees are important, why doesn't everyone have access to them? There is an emerging body of research from the U.S. Forest Service and others that has found a direct relationship between tree canopy today and discriminatory policies of the past.

We need the private sector to be held accountable for planting and preserving trees. At the same time, we also need a commitment from the public sector, the City of Seattle. The Tree Equity score shows it will take 522 million trees to achieve an equitable balance of greenery in every neighborhood in metro areas with 50,000 people or more in the United States here on Turtle Island (the Native term for the continental U.S.).

We will require funding and community benefits agreements to plant new trees and protect the health of existing ones. We can access federal, state, and local funding for this endeavor. A part of our campaign's climate vision is to generate green, union jobs -- it is my hope that planting and preserving our trees is a part of that conversation. Moreover, teaching our children and the next generation about arborism and the importance of protecting the tree canopy is an integral aspect of continuing to combat the climate catastrophe.

In addition to planting and preservation, we must require set-backs for trees, seating and green to ensure that our children, family, and elders have a thriving tree canopy. We can leverage upzones and community benefits agreements to ensure that this is a priority.

### 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](#) ?**

It should be strengthened.

## 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?"**

Yes.

## 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 would support doing so, so long as it does not cost-burden homeowners, especially seniors on fixed incomes or low-income homeowners or homeowners at high risk of gentrification or displacement. I think it is important to consider the impacts upon communities that are suffering from a lack of tree canopy, wealth gaps (specifically, the racial wealth gap), gentrification, and displacement. I believe that the question of "how can we provide supports, subsidies, resources, and information for communities to better protect and grow the tree canopy" must be a central one in tackling this crisis.

## 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 would also support the City providing support to non-profit affordable housing developers to ensure that we both replant and protect our tree canopy **AND** reach our housing goals as the housing and homelessness crisis and the climate catastrophe are gravely impacting our public health and safety. We must do both/and! Trees and affordable housing go hand in hand as do trees and other forms of development. We cannot be a healthy city without a healthy urban tree canopy and enough social, green and affordable housing for all residents of our city.

#### **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 for those that may be dangerous or unhealthy or have another relevant and sufficient cause for concern.

#### **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?**

Yes. This simply needs to be a priority to ensure that we achieve our climate goals and fully commit ourselves to a Green New Deal.

#### **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?**

I support this, in so far as it does not preclude us or local arborists from workforce development, pre-apprenticeship and apprenticeship opportunities and does not make it harder for Native or Indigenous experts to support Seattle in our efforts to protect Duwamish lands.

Additionally, we do need to develop a complimentary system that is not simply reliant upon the complaint based system so that we are actively ensuring that preservation and protection of our urban tree canopy is in fact occurring.

#### **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?**

I support removing choking invasives that will harm the tree canopy.

**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?**

Yes, our tree canopy is one of our greatest natural tools in combating the climate catastrophe.

**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](#)**

The provided link is not working for me, unfortunately. However, I will absolutely meet with you and work with you on the matters as outlined in this questionnaire.

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