MEMORANDUM

Date: October 27, 2026
To: City Council
From: Kelly Adams, Assistant City Administrator

Background

The Davis Meeker Garry Oak stands on City right-of-way near 7525 Old Highway 99, beside the Washington State Patrol hangar at the Olympia Airport. It is an Oregon White Oak (*Quercus garryana*), about 66 inches diameter at standard height[1] and approximately 400 years old. The tree is listed on the Tumwater Register of Historic Places. The tree was recently damaged on September 25, 2026, during a severe windstorm.



Two Thurston County Superior Court orders (No. 24-2-01895-34) set out the approvals required before any work:

- **December 26, 2025:** The City is permanently enjoined from altering or destroying the tree unless it first obtains approval from the Historic Preservation Commission.
- **July 10, 2026 (agreed order):** The City may not alter or destroy the tree without first obtaining approval from the Washington State Department of Archaeology and Historic Preservation (DAHP) under RCW 27.53.060.

The Historic Preservation Commission therefore approves what work is done, and Washington State Department of Archeological and Historic Preservation permits it. City Council's role is to consider and decide on funding for that work.

Background

The purpose of this memorandum is to summarize the recent history of efforts and events related to preservation of the Davis Meeker Garry Oak, including recent judgements, discussions, Historic Preservation Commission actions, and Council actions.

[1] Diameter at standard height is measured at approximately 4.5 feet from the ground. This term is synonymous with diameter at chest height.

Table 1. Timeline of Efforts and Events

Date	Event
January 2012	25” branch fall from 26 feet above ground level associated with severe weather event
March 2017	10” branch fall from 33 feet above ground level associated with severe weather event
July 2022	12” branch fall from 55 feet above ground level *not* associated with a weather event
May 2023	25” branch fall from 44 feet above ground level associated with a severe weather event
October 2023	Level 3 Advanced Tree Risk Assessment issued by Sound Urban Forestry recommending removal
April 2024	In response to a recommendation to delist, the Historical Commission votes to keep the Davis Meeker Garry Oak on the Historical Register
August 2024	City hires Todd Prager and Associates for a second-opinion risk assessment as a consulting arborist
February 2025	Level 3 Advanced Tree Risk Assessment issued; tree rated moderate risk, with four management options based on risk assumption by City
April 2025	Council selects Option B (retain, manage and monitor) by resolution R2025-009, allocates up to $55,000, and directs staff to return with budget amendments and long-term funding recommendations
November 2025	Treatment Plan issued: Phase 1 root zone work through July 2026; Phase 2 pruning August 2026 to June 2028
December 2025	DAHP approves Year 1 permit (root zone work), valid through Dec. 31, 2026
December 2025	Superior Court order requires Historic Preservation Commission approval before the tree is altered or destroyed
March 2026	Historic Preservation Commission approves the work plan
Spring 2026	Work bid and contractor selected; root zone work scheduled for May
April–May 2026	Unseasonably dry conditions; on Todd Praeger recommendation, root zone work postponed to November 2026
July 2026	City Council approves Budget Amendment No. 1 (2026-003) which includes $50,000 additional funding sufficient to complete the Garry Oak tree root mitigation work

July 2026	Superior Court agreed order requires DAHP approval before the tree is altered or destroyed (RCW 27.53.060); remaining claims dismissed
September 2026	Windstorm branch failure
September 2026	Todd Prager and Associates conducts a Level 2 post-failure risk assessment site visit
October 2026	City receives Level 2 risk assessment report
October 2026	Historic Preservation Commission selects Option 1, Tree Retention

September 25 Windstorm Damage and Risk Assessment Summary

The storm changed the tree's structure and exposure. During south-southwest winds gusting to 54 mph, a 24-inch-diameter limb failed at its attachment and struck a 20-inch limb below it. The same storm brought down 6 other mature trees across the city, including one on the grounds of City Hall that struck nearby vehicles.

Damage observed

- Two large wounds on the southwest stem, each about 5 feet long and 1 to 2 feet wide.
- An estimated 32% of the live crown lost; only a small portion of the southwest stem remains.
- The tree's center of gravity has shifted from the southwest (toward the hangar) toward the south.
- Interior branches on the east and north sides are now newly exposed to prevailing southwest winds subjecting them to new loads.
- No pests or decay were found at the upper limb's attachment. Samples from the lower limb were sent to a plant clinic; results are pending. The potential of a pathogen is not suspected to have been the cause of the failure.

Risk assessment findings

The consulting arborist evaluated 10 defects using a three-year timeframe. Five defects (labeled C2, C3, D1, D2 and D3) were rated high risk. All five are on the east side of the tree, over Old Highway 99, and all carry severe consequences of failure. They involve co-dominant stems with bark that is trapped between adjoining stems or branches at a junction, preventing the normal interlocking of wood and potentially weakening the union, or long horizontal limbs with heavy end weight.

The report also documents a pattern of limb failures from 10 to 24 inches in diameter over the past 15 years, almost all during storms or extreme heat. Nearby targets include the highway, traffic, parked vehicles, the hangar and the adjacent overhead power lines.

Treatment Options Presented

There is an intentional division of labor between the assessor and manager in assessing the risk of trees as a best management practice[2]. The Tree Risk Assessor provides an objective assessment and describes options. The Tree Owner or Manager makes the decision about the tree based on the information provided and the Tree Owner/Manager's risk tolerance. In this case, given Court orders, Todd Prager and Associates is the Tree Risk Assessor and the City is the Tree Owner/Manager.

The October 2026 Level 2 assessment presents three options. Each option provided by Todd Prager and Associates aims to lower the high-risk ratings to moderate, and where possible to low. Option 1 includes ongoing costs, whereas options 2 and 3 represent approaches with a one-time cost.

Table 2. Options provided by Todd Prager and Associates, October 2026

Option	What it involves	Effect on the tree	Estimated cost
1. Tree Retention (selected)	Target management (traffic restrictions during severe weather, fencing at the drip line, removing nearby parking spaces, relocating a power pole and lines); expanded reduction pruning; supplemental support (cabling/bracing) for four limbs; root zone management; ongoing monitoring	Tree remains alive with a reduced crown; requires sustained maintenance	More than $100,000 at the high end; some costs depend on contractor bids
2. Wildlife Snag	Heavy crown and height reduction, especially over the highway, while trying to keep the kestrel nest cavity about 50 feet up	Tree would likely decline and die over time; retained mainly as habitat	$6,000–$12,000
3. Removal	Full removal of the tree	Eliminates risk and the historic resource	$20,000–$35,000

[2] Assessing Trees for Risk and TRAQ Qualified Arborists – Urban and Community Forestry in Washington State

Under Option 1, pruning would go further than prescribed in the March 2026 plan, addressing both the horizontal structure and the end weight of the high-risk limbs. A cavity in the central stem limits where support hardware can be installed. More than half the root zone lies under asphalt, which is why soil improvement remains part of the plan.

Historic Preservation Commission Action

On October 15, 2026, the Historic Preservation Commission unanimously approved a motion that is consistent with Option 1:

1. Secure a new or revised DAHP permit for treatment of the tree, given its changed structure,

2. Maximize structural pruning, and

3. Act with urgency.

Commissioners spoke strongly in favor of preserving the tree as a living historic resource, while acknowledging the safety concern. Several asked that the pruning be expedited. Staff noted they will request an emergency declaration from the Mayor and follow up with City Council.

Next Steps

Staff are moving quickly to complete pruning as soon as possible.

1. **Revised treatment plan.** Todd Prager and Associates revised the treatment plan to document the specific pruning work, expected within a few weeks.

2. **Emergency declaration.** The Mayor issued an emergency declaration to expedite procurement and will report back to Council.

3. **DAHP permit.** A permit amendment to allow the emergency pruning is in progress, with a 15 day review period underway. The preexisting permit expires December 31, 2026 and allows root zone work only; pruning was planned and scheduled for Phase 2 (November 2026). The pruning described in the March 2026 work plan was minimal, so the expanded pruning now recommended requires an amended or new permit. The City's Urban Forester has monitored the tree regularly throughout this period.

4. **Procurement and contracting.** Staff will obtain a quote for the work outlined in the revised treatment plan and will get a contract executed to complete the work. For expediency, contracting for the pruning may happen before the rest of the revised treatment plan.

5. **Root zone work.** The root zone treatment remains scheduled for November 2026 under the existing permit.

6. **Interim traffic management.** Until the high-risk limbs are addressed, staff will plan for full closures and detour routes of Old Highway 99 during severe weather.

7. **Budget request.** Staff will return to City Council at a future meeting with a budget request for City Council approval.