

**TUMWATER TREE BOARD MEETING
MINUTES OF VIRTUAL MEETING
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CONVENE: 7:00 p.m.

PRESENT: Chair Trent Grantham and Commissioners Brent Chapman, Michael Jackson, Tanya Nozawa, Dennis Olson, and Jim Sedore.

Excused: Commissioner Sherelyn Bentley.

Staff: Planning Manager Brad Medrud, Parks and Facilities Manager Stan Osborn, Transportation and Engineering Director Brandon Hicks, and Water Resources and Sustainability Director Dan Smith.

Others: Councilmember Charlie Schneider.

**CHANGES TO
AGENDA:
APPROVAL OF
TREE BOARD
MINUTES – AUGUST
9, 2021:**

There were no changes to the agenda.

MOTION: Chair Grantham moved, seconded by Commissioner Jackson, to approve the minutes of August 9, 2021 as presented. Motion carried unanimously.

**TREE BOARD
MEMBER REPORTS:**

Commissioner Chapman reported on the removal of several old Douglas fir trees as part of a subdivision development located off Littlerock Rock north of Black Hills High School. The removal of the trees was required for development of utility infrastructure. The developer replanted the site with numerous native tree species to include vine maple and Douglas fir that should adapt well to the changing climate.

**DEPARTMENT OF
NATURAL
RESOURCES
STREET TREE
MANUAL TRAINING
IN SEPTEMBER:**

Commissioner Sedore reported the Department of Natural Resources (DNR) periodically offers Urban Forestry Program training courses. He attended a September 22, 2021 online class on manuals for standards and practice for trees. The class covered various kinds of urban forest manuals produced by cities and focused on a street tree manual targeted to citizens to provide some clarity as to the role of citizens for managing street trees. Several cities have produced street tree manuals. Although the City's Urban Forestry Management Plan is much more comprehensive than a street tree manual, the Tumwater community might benefit from a publication that is directed to homeowners and homeowner associations. DNR offers grants to municipalities to develop a street tree manual.

Commissioner Sedore added that following the training, the City completed some pruning in his subdivision. He spoke with the crew to determine the impetus for the pruning and was informed that a citizen

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had called and requested pruning of trees within a cul-de-sac. The crew removed several dying maple trees in another cul-de-sac. Following the removal of the trees, he visited a neighbor to determine who requested the removal of the tree. The neighbor responded that the crew advised of concerns surrounding several trees that appeared to be dying. He followed up with neighbors to determine who was responsible for replacing the trees and was informed that the homeowners were responsible for replacing the trees. The incident serves as an example of how it would be helpful for residents for the City to create a guide for homeowner and homeowner associations to clarify responsibility for planting, pruning, and removal of unhealthy trees. Additionally, during the removal he asked the City crew to place the tree chips within the cul-de-sac near his home. He was advised to call the City to obtain permission. The City never followed up on his voice message to request authorization for the crew to deposit the chips. He recommended the Board should consider seeking a DNR grant to develop a street tree manual to benefit the community.

Chair Grantham recalled that the City produced a street tree manual sometime ago. Manager Medrud noted that a comprehensive street tree manual was produced in 2003. The intent is to use the plan as a starting point for production of a new manual to include details for City staff, as well as a guide for homeowner associations and residents.

Manager Medrud reported information on the responsibility for trees along sidewalks and boulevards is included in the staff report. The proposed 2022 work program includes an item to develop more information to provide clarity.

Commissioner Sedore commented on the lack of clarity in terms of the responsibility of homeowner associations and residents surrounding street trees and recommended including contact information on the Tree Board page on the City's website for guidance to residents who might have questions.

**LIBERTY STREET
DEVELOPMENT:**

Commissioner Sedore reported on a recent development of a small subdivision of approximately eight homes with water permeable asphalt near his home. He was surprised that the subdivision landscape for each yard consisted of gravel with no plantings. He suggested the site serves as an opposite goal of the Urban Forestry Management Plan to develop and nurture the growth of tree canopies in new subdivisions. He questioned the approval process for authorizing gravel landscaping.

Commissioner Nozawa added that she contacted some individuals who were working on the construction of the homes. They refused to disclose any information. She was upset with the removal of three large trees as they were trees she had considered to submit to the City for recognition

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as heritage trees. When the prior family had purchased the property, she spoke with the owners about the possibility of submitting a form. As she received no indication the family was going to sell the property, she did not submit the application and was devastated to learn the trees had been removed.

Manager Medrud said he followed with permitting staff to provide some information on the approval process for that specific subdivision. The information was provided to the Board prior to the meeting. The subdivision was approved as part of a plat through a hearing examiner process as a planned unit development. The plan included a tree tract at the end of the property to retain trees along with three other trees on the property border behind the homes. The materials also included a proposal for additional tree plantings along the lane, but because of the nature of the site, a proposal was approved by the City to replace those street trees with a stormwater swale system. However, the information lacks details on the design of the swale and likely should not have been all rock because the City usually requires vegetated swales to serve as a filtering system for stormwater. He offered to follow up with staff to learn why gravel was used for landscaping and the design of the stormwater system.

Commissioner Sedore noted that one area of the subdivision includes plantings of non-native ornamentals at the lowest point of the swale. He doubts those trees could survive during heavy rains. Each lot is comprised of gravel lawns with the exception of junipers and azaleas planted in front yards. He asked about the City's ability to influence a landscape plan. Manager Medrud advised that subdivision approvals do not speak to landscaping requirements for each lot as those directives are usually addressed by the homeowner association. However, the City has some requirements on the management of stormwater on the site and any transformation of vegetated areas to gravel is counter to the City's regulations for stormwater management. He offered to conduct some additional research and follow up with the Board. He shared additional information on existing trees on the property and the number of trees required for retention.

Commissioner Nozawa noted that the large trees removed by the developer were Lombardy Poplars.

Commissioner Jackson agreed additional follow-up is warranted as he is aware of the situation. Manager Medrud confirmed he would follow up with permitting staff, as well as code enforcement as the tree report submitted as part of the development proposal identified more trees to be saved as part of the development.

Chair Grantham noted that the City's landscaping codes provide some

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guidance but are not stringent for residential properties. It is likely the developer took advantage of the vagueness of the provisions. He suggested the Board should consider a review of the codes to strengthen the requirements to avoid another similar situation in the future.

**MANAGER'S
REPORT:**

Manager Medrud reviewed the agenda items. The Street Tree Standards Update will include a conversation with the Board for input on the results of the field trip in September 2021. Staff plans to present information at the December meeting addressing street trees based on the 2003 guide.

PUBLIC COMMENT: There were no public comments.

DISCUSSION:

HERITAGE TREES: Manager Medrud referred to a heritage tree nomination submitted by Councilmember Schneider and discussion points from Mayor Kmet to review. The December meeting will include a package of information to benefit the street tree discussion.

Last summer, the City announced a program to accept nominations for the Heritage Tree Program. Two nominations were submitted. The first nomination was submitted by a couple for two western red cedars. Unfortunately, the trees were located outside the City limits. Councilmember Schneider submitted a nomination for a heritage tree.

Councilmember Schneider reported he is not representing the City. He acknowledged the Tree Board for its willingness to consider placing an offspring from the original Bush butternut tree on the heritage tree list. He acknowledged Mark and Kathleen Clark for their willingness to donate the historical tree to Isabella Bush Park and thanked Arborist Ray Gleason for his expertise, hard work, and devotion for honoring George and Isabella Bush's legacy and for donating his time and expenses to make the planting possible.

Chair Grantham asked about the size of the tree. Councilmember Schneider advised that the tree is nine years old and is approximately five feet tall. The tree was located in an area that was not maintained. He subsequently contacted the Clark's to determine whether they would be willing to donate the tree for planting in Isabella Bush Park. The tree was transplanted in February 2021 near the Tumwater FRESH Farm, which is fenced. A sign is displayed denoting the significance of the tree and Bush's role. He oversees watering of the tree and plans to monitor the tree for the next two years.

Commissioner Sedore questioned whether the City has any supporting documentation that speaks to the heritage of the tree. Councilmember Schneider said the tree was removed from the Bush property currently

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owned by the Clark family. The City maintains a record of the tree. The original butternut lived to be 175 years old and died in May 2021. Records attest that the tree was transported by the Bush family from the East Coast when the family immigrated to Tumwater.

Commissioner Sedore offered that the nomination form should be revised to include information on the history of a nominated tree.

Manager Medrud noted that the form is available on the City's webpage for the Heritage Tree Program, which could be expanded to include historical information.

Commissioner Chapman added that Capitol Campus also includes an offspring of the original Bush butternut tree. The state recently installed a monument and plaque containing information on the history of the tree.

MOTION:

Commissioner Chapman moved, seconded by Commissioner Jackson, to recommend the City Council approve the nomination of the Bush Butternut Tree located at Isabella Bush Park as a City of Tumwater Heritage Tree. Motion carried unanimously.

In response to questions about any other remaining Bush butternut trees on the Bush property, Councilmember Schneider explained four butternut trees from the Bush property have been replanted throughout the region. One tree is planted on the campus of The Evergreen State College and the second is planted at Forest Park in addition to the trees planted at Bush Isabella Park and Capitol Campus. Some butternut nuts were provided to local nurseries. Two butternut trees remain on the site and the intent is to replant those trees on the site of the George Bush Middle School. Because of the unsuccessful rate of transplanted butternut trees due to the root system, Mr. Gleason employed an air compressor to remove the tree over a period of three hours from the Bush property saving approximately 99% of the tree's root system.

Manager Medrud reported the next step is scheduling the nomination for the Council's consideration. The Board will receive a list of trees that have been nominated and approved as Heritage Trees and other trees that have been nominated but lack documentation, which may require action by the Board. Additionally, the Mayor and City Administrator recommended the Board consider placement of a plaque for Heritage Trees and establish a list of champion trees (City Heritage Trees) with details on each of the trees. The Mayor suggested the Board consider scheduling a visit to the cemetery located off Cleveland Avenue and the cemeteries off Littlerock Road to map existing trees.

Commissioner Chapman recommended adding a discussion on ways to improve the webpage by adding photos or an embedded map of heritage

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tree locations. He added that a champion tree is considered a separate classification for large species trees, which could include a heritage tree. He is unsure whether the City of Tumwater has any champion trees. Manager Medrud said Thurston County has two American chestnuts and one butternut tree listed in the registry for champion trees. Mayor Kmet believes the City may have several trees that are considered champion trees. A link is included in the staff report.

Commissioner Sedore suggested identifying the collection of Arbor Day trees planted throughout the City, as well as the 9/11 tree on City Hall property. The Board previously discussed cataloging trees planted during each Mayor's term of office to recognize as part of each year's Arbor Day celebration. Manager Medrud said he would develop a list of the various categories of trees to include memorial trees for the Board's review and discussion.

DISCUSSION:

**URBAN FORESTRY
MANAGEMENT
PLAN
IMPLEMENTATION:**

Manager Medrud referred to a section in the Urban Forestry Management Plan on the action to promote community and urban forest stewardship, education, and achievement, and a objective to improve communication and coordination regarding community urban forests by all City departments and to meet on an annual basis with the Tree Board to discuss the implementation of the Urban Forestry Management Plan. The Directors of Transportation and Engineering, Water Resources and Sustainability, and Parks and Recreation Departments have been invited to share information on what each department is working on in support of the Urban Forestry Management Plan and next steps for implementing actions in the plan. Manager Medrud introduced the Directors.

Director Dan Smith, Water Resources and Sustainability Department, reported the department is responsible for all City utility (water, storm, and sewer) operations, programs, and policies. Implementation actions within the Urban Forestry Management Plan will begin early in 2022 with the addition of a Sustainability Coordinator within the department. The position is tasked with implementing components of the Urban Forestry Management Plan. The scope of the work is under development for the position with approximately 25% of the position dedicated to urban forestry issues ranging from a number of programs and policies outlined in the plan to other tasks pertaining to habitat restoration and tasks related to the department's objectives and goals. The Department recently received funding for a Pioneer Park restoration project. A large segment of the Deschutes River shoreline is eroding and is classified as one of the top ten sediment erosion sites in Thurston County. The funding enables the City to complete some restoration and in-water work (engineered logjam) with a significant component of the work restoring vegetation along the shoreline.

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Manager Medrud reported the new position would assist the City in focusing energies on the urban forest recognizing the need for additional staff resources to assist in implementing actions in the plan. He encouraged the Board to consider other resources to support the implementation of actions to assist staff in securing the funding and resources to ensure actions are fully implemented by the third year of the plan.

Commissioner Chapman asked whether the Sustainability Coordinator would have a role in the development permit review process specific to street trees and landscape reviews. Manager Medrud said those tasks are under the purview of the Community Development Department with work items assigned to update the street tree ordinance, landscape and buffer code, and the tree protection code. As part of those processes, the department will work with other staff from other departments. The tree protection ordinance update may include the assistance of a consultant to assist staff in the update process and during discussion and review processes.

Brandon Hicks, Director, Transportation and Engineering, reported the department is responsible for development review for any projects located in City rights-of-way for both design and inspection. Department staff is responsible for the design of all City capital projects that often include landscaping. Most of the substantial landscaping is designed by consultant landscape architects. The GIS function is assigned to the department and all mapping of street trees and identification of the street canopy is completed by the GIS group. The department also includes a street operations crew to maintain all right-of-way landscaping to include street trees. The City has over 4,000 street trees. The department also oversees the sidewalk program and has recently reinitiated the program following the dedication of some funding. Some projects may be combined for tree replacement and sidewalk repair/replacement. The department also manages the implementation of the City's development guidelines. Currently, the department's major constraint is staffing with the department operating at a reduced level of staffing during the year. The lack of staffing was attributed to some frozen positions due to COVID and lack of budget, as well as the ability to attract experienced candidates due to competition with the private sector.

Director Hicks explained that the development guidelines include standards for all utilities, infrastructure, street infrastructure, and guidelines for planting in medians and irrigation.

Commissioner Chapman asked whether the guidelines include minimum requirements for trees by volume. Director Hicks said staff is currently in the process of updating some of the guidelines and he would review

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those details. The update is focusing on utility amendments in anticipation of development. A full update is scheduled in 2022.

Commissioner Sedore commented on the recent clearing for a large subdivision near Black Lake High School. The site contained hundreds of mature trees and none were retained or incorporated within the development plan. He asked whether that is standard practice by developers. Manager Medrud explained that unfortunately, today's development process is experiencing development of geographically-restrictive properties with trees and geological features often requiring removal or displacement to accommodate necessary stormwater management facilities, street and utility infrastructure, and building lots. It is extremely difficult to design some of those sites to accommodate roads, building sites, and stormwater without some degree of earth movement on the site. During that process, existing trees and vegetation are often removed. In some instances, it is possible to preserve and protect tree stands. The City is experiencing many developments where the site is fully vegetated and entirely cleared. Under the Growth Management Act, growth is focused within the cities, which results in cleared landscapes as part of that process. There are ways of preserving important stands of trees as part of the discussions next year during the review of the tree protection ordinance.

Stan Osborn, Parks and Facilities Manager, reported he is attending on behalf of Parks and Recreation Director Chuck Denney. He noted that the topic of implementation should also consider the budgetary aspect. The Parks and Recreation Department spent a significant amount of money this year to remove dangerous and hazardous trees in neighborhoods, easements, trails, parklands, and mitigated areas. The funds were paid from the department's budget that were not budgeted. He asked about the responsibility of the new urban forester position and whether the position would assume those responsibilities or respond to emergency situations.

Manager Medrud advised that the urban forester would be responsible for identifying all issues and working with the department to identify funding sources, implementation steps, and the responsible parties for completing the work. The issue is the lack of staffing and a budget to accomplish all needs at one time. Manager Osborn replied that it is one of his concerns, as staffing within the department is minimal despite the recent addition of two employees. However, his department serves as the frontline for tree issues to include emergency conditions when trees fall or are damaged from windstorms or need removal because they pose a hazard. It is important for the department to receive some funds to remove and replace trees. He urged the Board to include those issues as part of its discussion.

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Manager Medrud noted that one of the actions in the Urban Forestry Management Plan is identifying dedicated funding sources moving forward. The first action is development of a stable funding source and budget for annual maintenance and selective harvesting of trees in designated City properties, such as street trees, facilities, and parks. Manager Osborn's department is responsible for maintaining everything except for street trees. The Board will also discuss the education component of the process and responsible entities for coordination.

Commissioner Chapman inquired as to whether the department has utilized the City's Tree Fund for replanting or removal of trees. Manager Medrud said he would review the status of the Tree Fund and follow up with the Board. Commissioner Chapman recommended providing an annual report on the balance of the Tree Fund and projects completed.

Manager Medrud commented that as part of the City's annual application for Tree City USA designation, the application includes a compilation from the Transportation and Engineering Department and the Parks and Recreation Department of all tree-related activities completed over the last year and how much money was spent. Those reports can be provided to the Board for the next discussion in December. The application is due at the end of November.

Manager Osborn explained that the department tracks trees purchased and installed, commercial removal or engineering services, and staff hours for maintaining trees. Manager Medrud said last year, the department provided a tree inventory and assessment of trees located in City parks. The assessment assists the department in identifying trees that require further support or future removal. Additionally, the information includes expenditures in terms of the number of trees planted and the amount spent on street tree maintenance as part of the application process.

Chair Grantham asked whether the department's budget is entirely from the general fund or funded partially by Park Metropolitan District (MPD) funds. Manager Osborn advised that the status at this time is unclear in terms of the funding source other than he has tracked expenditures because some of the costs would be funded from the MPD.

Chair Grantham inquired as to other potential sources of funds. Manager Medrud explained that most of the funding is from the general fund for urban forestry based on decisions of funding priorities by the City Council. Staff identifies needs and implementation actions with the Tree Board to present a funding proposal to the City Council.

Commissioner Chapman suggested the option of pursuing a program whereby citizens could donate funds for replacement of trees. Manager

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Medrud said the option could be explored with the understanding that a program would need staffing resources to manage. Commissioner Chapman noted one of the goals of the Urban Forestry Management Plan is to increase community engagement and commitment to the urban forest, which could be accomplished through a program. He acknowledged the suggestion would incur costs.

Director Smith said another source of funding is through project-specific components, such as riparian restoration, habitat restoration, or ivy removal. The department relies on those sources of funding for projects that are grant funded especially when the planting has a nexus with stormwater.

Commissioner Sedore observed that City department responsibilities often overlap. He pointed to Pioneer Park and trees in the parking lot damaged by beavers and asked about the department responsible for the trees. It appears that scenario might be challenging as to the area of responsibility for trees located in beaver habitat within a City park. He asked how staff works together on those types of environmental challenges. Manager Osborn explained that his department works closely with Director Smith's department particularly when it involves drainage issues. The department received funding next year to improve the parking area at Pioneer Park. The ornamental tree located in the parking strip was not replaced pending completion of drainage repairs.

Director Smith added that a department's management program oversees a number of pest management strategies. Staff members assist the Parks and Recreation Department and local homeowner associations to research sustainable solutions for vegetation, wildlife, and people. He cited recent work completed around Barnes Lake experiencing fallen trees because of beaver activity. Removing beavers from watershed is not a solution because they eventually return. The departments work together in those situations. Additionally, the department received a grant for a restoration project at Pioneer Park. The design will be completed in 2022. Part of the process will include input from other departments.

Commissioner Chapman conveyed appreciation for the participation of the Directors as the information shared was valuable.

**URBAN FOREST
AMENDMENTS –
STREET TREE
STANDARDS
UPDATE,
ORDINANCE NO.
O2021-016:**

Manager Medrud asked for feedback on the field trip on street trees in September 2021.

Commissioner Chapman recalled a question about the responsibility of trees located between the street and sidewalk. Manager Medrud replied that some language is included in the code (but not enough) identifying how the process should work, which speaks to why the issue would be

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included in the regulatory updates (housekeeping amendments) to clarify existing provisions in the code. He added that a number of streets are private, were constructed with private funding sources, and are not maintained by the City. Those streets are addressed differently than public streets. Part of the amendments will include additional clarification of the two types of streets.

Commissioner Sedore referred to the recent DNR training on street tree manuals and the emphasis that the manuals are not developed at the higher level of policy and procedures requiring City Council approval. It might be possible for the street tree manual to be adaptable for homeowners and homeowner associations. He recommended pursuing relationship building between the City and neighborhoods/homeowner associations that might benefit from a manual as many of them face similar challenges with turnover of property owners. Historical memory is often lost in terms of previous experiences or standards for neighborhoods. The City could encourage homeowner associations to create manuals specific to the neighborhood/subdivision. Manager Medrud advised that the suggestion is an appropriate discussion topic as part of the Board's work on the street tree manual.

Chair Grantham remarked that designation of the responsible party is a major issue. He cited problems he has experienced as a member of his homeowners association for the last three years. The association has not convened during his membership because of the lack of a meeting quorum. His experience reflects that some homeowners assume full responsibility for a street tree located between the street and sidewalk often to the detriment of the neighborhood while the majority of homeowners typically ignore their trees. The issue is difficult and there is likely no easy answer.

Commissioner Sedore referred to the update during the August meeting on undeveloped property located between Tumwater Boulevard and Israel Road off Interstate 5. A September article in *The Olympian* newspaper reported that more apartments are planned for Lacey and Tumwater. The article cited representatives of Israel Investments, LLC meeting with City officials to receive feedback on Belmont Flats, a project of 700 garage parking stalls and 600 residential units at 1589 Israel Road SW. He asked whether the City is considering 600 apartments on an undeveloped property containing some of the City's tree canopy. Manager Medrud responded that the area is located south of Israel Road, north of Tumwater Boulevard, and east of Littlerock Road. With the exception of a strip along Littlerock Road, the property is designated for General Commercial development. The City has received multiple development proposals for that specific area. One proposal included a commercial development on the northern part of the property abutting Israel Road. Another proposal included a combination of first

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floor retail with apartments in the stories above the development. He is unsure of the status of the proposal. The City's has an established Development Review Committee to review project proposals. The first level is a review of a development proposal to determine the feasibility of the proposal. The next levels include preliminary and final reviews.

Commissioner Chapman commented that the issue is a good opportunity to ensure the City does not grant a waiver to tree tract requirements as part of the Tree Protection Ordinance. It is important to reverse the trend of granting waivers to save some significant trees in a tree tract. Manager Medrud said the issue surrounding tree waivers typically involve instances where some of the trees are sick or dying or other instances where the intent is to remove a limited number of trees. The code lacks flexibility to allow for those situations requiring the department to issue a waiver for any situation. The Board's review of the Tree Protection Ordinance will include the waiver provision.

**NEXT MEETING
DATE:**

The next meeting is scheduled on December 13, 2021.

ADJOURNMENT:

With there being no further business, Chair Grantham adjourned the meeting at 8:40 p.m.