

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and urban forestry; adding a tree service provider registration procedure and requirement; adding a new Section 25.11.095 to the Seattle Municipal Code; and amending Sections 25.11.020, 25.11.050, 25.11.090, and 25.11.100 of the Seattle Municipal Code.

Summary and background of the Legislation: This legislation adds a new section 25.11.095 titled “Tree service provider registration” to Chapter 25.11 of the Seattle Municipal Code, Tree Protection. The new section requires that arborists who wish to conduct commercial tree work in Seattle be registered with the City, and establishes prerequisites for obtaining and renewing that registration, including evidence of appropriate education and training. Definitions of key terms, reporting requirements, and enforcement provisions are added by amendment. The new section includes a requirement that City-registered tree service providers’ expertise and reporting be incorporated into the land development and redevelopment process starting with implementation of existing tree conservation policies in any needed platting or short platting under Subtitle II of Title 23 Land Use Code of the Seattle Municipal Code.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes ___ X No

If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes ___ X No

If there are no changes to appropriations, revenues, or positions, please delete the table below.

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

If so, describe the nature of the impacts. This could include increased operating and maintenance costs, for example.

Depending on the extent of rulemaking by the Director of the Seattle Department of Construction and Inspections (SDCI) to implement the ordinance and unrelated workloads, and support by other departments, there may be short-term City government employee full-time equivalents (FTEs) commitments needed to implement the registration requirements. The extent of additional City government employee time needed for ongoing implementation and enforcement of this ordinance depends on the number of complaints received.

Is there financial cost or other impacts of *not* implementing the legislation?

Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs or consequences.

Without provisions requiring the registration of arborists conducting commercial tree work in the City, there will likely be a continued undue loss of trees negatively impacting communities throughout the City by reducing the provision of considerable environmental and health benefits: Trees and tree canopy provide shade for cooling during the warmer months, reduce stormwater runoff, and improve public health outcomes.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.

3.c. Positions

This legislation adds, changes, or deletes positions.

If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2021 Positions	2021 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below.

Position Notes: Not applicable

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.).

The City department with direct responsibility for implementation and enforcement of the arborist registration and enforcement provisions is the Seattle Department of Construction and Inspections (SDCI). Other departments have a supporting role, including the Office of Sustainability and Environment, and the Seattle Department of Transportation.

b. Is a public hearing required for this legislation?

If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned/required in the future?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.

No.

d. Does this legislation affect a piece of property?

If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities. If any aspect of the legislation involves communication or outreach to the public, please describe the plan for communicating with non-English speakers.

The disparate adverse impacts of tree canopy loss on low income households and communities of color are well documented. The proposed registration requirements can help to mitigate the ongoing disparate negative impacts of inequitable tree canopy conservation and replacement in neighborhoods with relatively high low-income or BIPOC residents.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Please provide a qualitative response, considering net impacts. Are there potential carbon emissions impacts of not implementing the proposed legislation. Discuss any potential intersections of carbon emissions impacts and race and social justice impacts, if not previously described in Section 4e.

A tree service provider registration requirement is likely to result in a small reduction of greenhouse gas (GHG) emissions by (a) reducing the energy needed for the cooling of buildings during heat waves, and (b) maintaining the carbon storage and sequestration provided by existing trees that would otherwise be removed.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

Describe the potential climate resiliency impacts of implementing or not implementing the proposed legislation. Discuss any potential intersections of climate resiliency and race and social justice impacts, if not previously described in Section 4e.

A tree service provider registration requirement is likely to *increase* resilience. A healthy urban forest canopy is widely studied and recognized to promote human physical and mental health, to reduce load on stormwater infrastructure, and to reduce the need for cooling infrastructure and expenses typically expended during summer months that have become hotter and dryer. A registration requirement is likely to reduce the loss of trees and support the long-term increase in the City’s forest canopy called for in City policies.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s).

This answer should highlight measurable outputs and outcomes.

The City of Seattle has a goal of increasing tree canopy “30 percent by 2037 and to 40 percent over time.” Comprehensive Plan Policy En 1.2, Seattle 2035, p. 132. This ordinance can help to achieve that measurable goal. Regardless, a tree service provider registration requirement is intended to improve the design of new real estate developments and redevelopments to reduce conflicts between increased housing and maintenance and increase of tree canopy. A registration requirement will make it less likely that new and infill developments will illegally remove trees. A registration requirement will make it more likely that data and analysis on the status and trends of Seattle’s forest canopy can be monitored and better inform policymaking as climate change increases and the need for adaptation increases with it.

List attachments/exhibits below:

- Councilmember Pedersen’s blog: <https://pedersen.seattle.gov/strengthening-seattles-tree-ordinance/>
- City Council Committee meeting (December 2019) all about trees:
 - Video: <https://www.seattlechannel.org/mayor-and-council/city-council/city-council-all-videos-index/?videoid=x109108>
 - Agenda materials: <http://seattle.legistar.com/View.ashx?M=A&ID=751404&GUID=FD3CB9CF-0626-4890-B29A-30F46920AE44>
 - UW presentation: <https://pedersen.seattle.gov/wp-content/uploads/2021/05/UW-DanielBrown-Dec182019-presentation-1.pdf>

Environmental Justice

- *KUOW*, (June 23, 2021) “Heat wave could hit Seattle area neighborhoods differently – possible 20 degrees difference”: <https://kuow.org/stories/heat-wave-could-hit-seattle-area-neighborhoods-differently-possible-20-degrees-difference-e15e>
- *Seattle Times*, (July 5, 2021) “Communities of color are the ‘first and worst’ hurt by climate change; urgent action needed to change course”:

<https://www.seattletimes.com/seattle-news/communities-of-color-are-the-first-and-worst-hurt-by-climate-change-urgent-action-needed-to-change-course/>

- *New York Times*, (Opinion, June 30, 2021) “Since When Have Trees Existed Only for Rich Americans?”:
<https://www.nytimes.com/interactive/2021/06/30/opinion/environmental-inequity-trees-critical-infrastructure.html>
- *Seattle Times* (June 23, 2021): New maps of King County, Seattle show that some communities are harder hit by heat waves: <https://www.seattletimes.com/seattle-news/new-maps-of-king-county-seattle-show-how-some-communities-are-harder-hit-by-heat-waves/>
- *National Geographic*, (June 17, 2021) “Los Angeles confronts its shady divide”:
<https://www.nationalgeographic.com/magazine/article/los-angeles-confronts-its-shady-divide-feature>
- *National Geographic*, (July 2021) “How L.A.'s urban tree canopy reveals hidden inequities”:
<https://www.nationalgeographic.com/magazine/graphics/how-los-angeles-tree-canopy-reveals-hidden-inequities-feature>
- Hoffman (January 2020): “The Effects of Historical Housing Policies on Resident Exposure to Intra-Urban Heat: A Study of 108 US Urban Areas”:
https://www.mdpi.com/2225-1154/8/1/12?type=check_update&version=1
- “Urban Trees and Human Health: A Scoping Review” (Wolf, et al., 2020):
<https://pubmed.ncbi.nlm.nih.gov/32570770/>
Powerpoint presentation (Wolf):
http://www.seattle.gov/Documents/Departments/UrbanForestryCommission/Resources/TreesNHealth_WolfPostbySiegelbaum061220.pdf
- [Benz and Burney](#) (2021), "Widespread Race and Class Disparities in Surface Urban Heat Extremes Across the United States"
[Press coverage](#), [GIS product](#)
- American Forests Tree Equity Project (June 2021), “[Ensuring tree cover in cities is equitable](#)”
[Tree Equity Score documents](#),

Climate Mitigation

- *New York Times*, (July 2, 2021) “What Technology Could Reduce Heat Deaths? Trees”:
<https://www.nytimes.com/2021/07/02/climate/trees-cities-heat-waves.html>
- *Seattle Times*, (same as above under title as published in New York Times July 2, 2021) “Trees save lives in heat, so why aren’t we saving trees?”
<https://www.seattletimes.com/nation-world/trees-save-lives-in-heat-s-so-why-arent-we-saving-trees/>
- *National Geographic*, (June 22, 2021) “Why ‘tiny forests’ are popping up in big cities”:
<https://www.nationalgeographic.com/environment/article/why-tiny-forests-are-popping-up-in-big-cities>

- *NPR* piece (2019): “Trees Are Key To Fighting Urban Heat — But Cities Keep Losing Them”: <https://www.npr.org/2019/09/04/755349748/trees-are-key-to-fighting-urban-heat-but-cities-keep-losing-them>
- EPA page: “Using Trees and Vegetation to Reduce Heat Islands”: <https://www.epa.gov/heatislands/using-trees-and-vegetation-reduce-heat-islands>
- Policy Analysis (Boston, 2020): “A tree-planting decision support tool for urban heat mitigation”: <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0224959>
- Rottle Presentation (UW, 2015): “Urban Green Infrastructure For A Changing Climate”: <http://www.seattle.gov/Documents/Departments/SPU/3RottleUrbanGreenInfrastructureforaChangingClimate.pdf>