



# MEDINA, WASHINGTON

## HEARING EXAMINER

Remote Public Hearing

Friday, January 12, 2024 – 9:00 AM

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### AGENDA

#### Virtual Meeting Participation

The scheduled variance hearing will be held using remote meeting technology. Please either log in or call in a few minutes prior to the start of the meeting to participate. Written comments may still be submitted prior to the hearing by emailing Stephanie Keyser, Planning Manager at [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov). These comments are given the same weight as public testimony. Join Zoom Meeting

<https://medina-wa.zoom.us/j/84032810992?pwd=aOgSeSHfTzfxZEB09KoMzuBF5Vwa8q.1>

Meeting ID: 840 3281 0992

Passcode: 129604

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One tap mobile

+12532050468,,84032810992#,,,,\*129604# US

+12532158782,,84032810992#,,,,\*129604# US (Tacoma)

#### Public Hearings:

***NOTE:** The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits in order to ensure an equal opportunity is available for people to testify.*

#### PRE-DECISION HEARING:

**File No.:** TREE-23-043

**Proposal:** Non-administrative Tree Activity Permit to authorize the removal of one "Landmark" 50.2-inch DSH Coast Redwood (*Sequoia sempervirens*).

**Location:** 116 Overlake Dr. E

**Time:** 9:00am

[TREE-23-043](#) Staff Packet



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | www.medina-wa.gov

## STAFF ANALYSIS AND RECOMMENDATION BURNSTEAD NON-ADMINISTRATIVE TREE ACTIVITY PERMIT

Prepared by Andy Crossett, Medina Tree Consultant

Date: January 2, 2024

### Part 1 – General Information:

CASE NUMBER: TREE-23-043

LOCATION: 116 OVERLAKE DR E, Medina 98039

TAX PARCEL NUMBER: 938970-0015

PROPERTY OWNER: Steve Burnstead

APPLICANT: Thomas Burnstead

LEGAL DESCRIPTION: WIGHTS M F REPLAT POR KENWOOD PK & POR VAC ST

PROPOSAL: Non-administrative Tree Activity Permit to authorize the removal of one “Landmark” 50.2-inch DSH Coast Redwood (*Sequoia sempervirens*).

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential.

ZONING DESIGNATION: R-20

CRITICAL AREAS: Approximately half of the site is within the Shoreline Jurisdiction and Fish and Wildlife Habitat Conservation Area (Lake Washington); the tree that has been requested to be removed is not within this critical area.

ENVIRONMENTAL REVIEW (SEPA): Exempt pursuant to WAC 197-11-800(6).

EXHIBITS:

1. Staff Report
2. Application, received August 24, 2023
3. Site Plan, received August 24, 2023
4. Tree Replacement Plan, received August 24, 2023
5. Affidavits declaration of mailing and posting and proof of publishing
6. Public Comments
7. Photographic documentation of the Subject tree
8. City of Medina – List of Significant Trees
9. WAC 197-11-800
10. Photographs from Ms. Tong
11. TREE-19-046 Approved Permit

12. International Society of Arboriculture’s Tree Risk Assessment form for the subject redwood.
13. TREE-23-018 Application.
14. Tree permit history summary.
15. Applicants report for hearing examiner
16. Applicant additional report for TREE-23-043
17. Professional survey of the subject property

**Part 2 – Site Characteristics:**

EXISTING CONDITIONS: No existing structures on the property. The subject tree sits along the north property border amongst a small grove of trees. It is currently in good condition with no visible defects or disease.

SURROUNDING ZONING:

Direction	Zoning	Present Use
North	R-20 District	Residential
South	R-20 District	Residential
East	N/A	Lake Washington
West	R-16 District	Residential

ACCESS: Ingress and egress are from Overlake Drive East

**Part 3 – Comprehensive Plan:**

The Medina Comprehensive Plan identifies the setting and character of Medina as enriched with valued natural features that enhance the quality of life for the community. One of the primary goals is: “To maintain Medina’s high-quality residential setting and character” (Goal LU-G1).

**Chapter 3: Community Design Element**

Trees and vegetation help reduce the impact of development, by providing significant aesthetic and environmental benefits. Trees and other forms of landscaping improve air quality, water quality, and soil stability. They provide limited wildlife habitat and reduce stress associated with urban life by providing visual and noise barriers between the City’s streets and private property and between neighboring properties. They also have great aesthetic value and significant landscaping, including mature trees, is always associated with well-designed communities.

It is important that citizens be sensitive to the impact that altering or placing trees may have on neighboring properties. Trees can disrupt existing and potential views and access to sun. Residents are urged to consult with the City and with their neighbors on both removal and replacement of trees and tree groupings. This will help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence). Clear cutting should not be permitted on a property prior to development.

Policy CD-P5: Residents are urged to consult with the City and with their neighbors on both removal and replacement of trees and tree groupings to help protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence).

Policy CD-P6: Clear cutting should not be permitted on property prior to development.

**Part 4 – Agency Review/ Public Comment:**

NOTICES: (See Exhibit 3.)

Application Received: August 24, 2023  
Determination of Completeness: November 27, 2003  
Notice of Application and Hearing: December 7, 2023

The application was received on August 24, 2023. The application was determined to be completed on November 27, 2023. A combined Notice of Application and Hearing was issued on December 7, 2023. A 15-day public comment period was utilized, consistent with MMC 16.80.120. The notice was mailed to property owners pursuant to MMC 16.80.140(B)(2), published in *The Seattle Times* newspaper, and posted on the site and other public notices locations (City Hall, Medina Post Office, Medina Park Posting Board, and City of Medina website).

GENERAL PUBLIC COMMENTS:

Betty Tong  
122 Overlake Dr. East, Medina

Ms. Tong has requested the removal of a tree due to its ongoing damage to their garage door for the past two years and its impact on a newly planted evergreen hedge. She's also worried about potential damage the tree's roots could cause to their recently constructed driveway. Additionally, Ms. Tong is concerned about the potential risks to the safety of her friends and family posed by the tree or its debris.

AGENCY COMMENTS: Not applicable.

**Part 5 – Staff Analysis/ Findings of Fact:**

GENERAL:

1. The applicant applied for a non-administrative tree activity permit for the removal of one landmark sized tree located on 116 OVERLAKE DR E.
2. MMC 2.78.070 authorizes the hearing examiner to conduct public hearings and make decisions or recommendations when authorized to do so under the Medina Municipal Code. MMC 16.72.090 establishes non-administrative tree activity permits as a Type 3 decision processed pursuant to the review procedures set forth in Chapter 16.80 MMC. Table 16.80.060(C) establishes the procedures for Type 3 decisions and authorizes the hearing examiner as the decision authority for non-administrative tree activity permit.

ANALYSIS OF THE NON-ADMINISTRATIVE TREE ACTIVITY PERMIT:

3. MMC 16.52.160(E) requires a non-administrative tree activity permit for removing a significant tree, excluding hazard trees, that is 50 inches or larger diameter breast height, located on private property, and located outside of the footprint of a building containing the principal use of the property. The Burnstead's proposal to remove the subject landmark tree meets these criteria.
4. MMC 16.52.080 (B) requires Legacy and Landmark trees to be preserved and retained unless replacement trees are planted in accordance with either the Legacy or Landmark requirements. For Landmark Trees, the quantity of replacement inches is calculated by multiplying the diameter breast height of each subject landmark tree by 100 percent to establish the minimum number of replacement inches, with all fractions being rounded up to the next whole number (MMC 16.52.080(B)(2)).
5. In lieu of planting the replacement trees, the Director or Designee may authorize an applicant to satisfy the tree replacement requirements by paying a fee-in-lieu of supplemental plantings provided: 1) There is insufficient area on the lot or adjacent right-of-way to meet the number of replacement inches prescribed by MMC 16.52.090; or 2) Tree replacement provided within public right-of-way or a city park in the vicinity will be of greater benefit to the community 3) Fees shall be provided in lieu of on-site tree replacement based upon the following: a. The expected tree replacement cost including labor, materials, and maintenance for each replacement tree; and b. The most current council of tree and landscape appraisers guide for plant appraisal. 4. The applicant executes a written agreement with the city demonstrating compliance with this section.
6. Public outreach began with the notice of application on December 7, 2023. As of December 24, 2023, the city received one comment from a concerned resident.

STATE ENVIRONMENTAL POLICY ACT:

7. The Responsible Official concluded that the proposal is exempt from environmental (SEPA) review and threshold determination pursuant to WAC 197-11-800(6).

**Part 6 - Conclusions:**

- A. Pursuant to MMC 2.78.070 and MMC 16.80.050(C), the hearing examiner has the authority to hold a hearing and decide non-administrative tree activity permits. Adequate public notice for the public hearing has been provided. Notice was posted at nineteen locations around the City including the City website, mailed to affected property owners, and published in the *Seattle Times* newspaper, at least 15 days prior to the date of the hearing.
- B. Pursuant to MMC 16.72.090(E), the Hearing Examiner may approve a Non-administrative Tree Activity Permit only if the following criteria are satisfied:
  1. ***The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;***

STAFF CONCLUSION: Chapter 3. Community Design Element of the Comprehensive Plan (2015) states the following: "Trees and vegetation help reduce the impact of development, by providing significant aesthetic and environmental benefits. Trees and other forms of landscaping improve air quality, water quality, and soil stability. They provide limited wildlife habitat and reduce stress associated with urban life by providing

visual and noise barriers between the City's streets and private property and between neighboring properties. They also have great aesthetic value and significant landscaping, including mature trees, is always associated with well-designed communities.

It is important that citizens be sensitive to the impact that altering or placing trees may have on neighboring properties. Trees can disrupt existing and potential views and access to sun. Residents are urged to consult with the city and with their neighbors on both removal and replacement of trees and tree groupings. This will help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence). Clear cutting should not be permitted on a property prior to development.”

In 2019 twenty-four (24) out of thirty-nine (39) significant trees at 116 Overlake Dr E were permitted for removal under TREE-19-046. According to the permit application, this left fifteen (15) significant trees on the property. In August 2023 an administrative tree activity permit application was submitted indicating there were nineteen (19) significant trees on the property. The application proposed the removal of fourteen (14) significant trees, including the subject coast redwood. This would Leave five (5) significant trees on the property and a required tree unit deficit of 4.25 TU. I believe this proposal is antithetic to the Comp Plan as the lot has essentially been clear cut and the comprehensive plan states that “Clear cutting should not be permitted on a property prior to development.” Additionally, the subject tree is aesthetically pleasing and offers some level of a “visual” barrier between properties. It will take many years for the proposed replacement trees to offer a similar benefit. Therefore, I do not believe the proposal meets this requirement.

**2. *The proposal is consistent with the public interest in maintaining an attractive and safe environment;***

STAFF CONCLUSION: The subject coastal redwood is healthy with a good structural condition. It is still relatively young with an estimated age in the 65 – 80-year range, however, this is a species that can live well over 2,000 years. It would be considered an excellent example of species and positively “contributes to the residential character of the city”. Therefore, the removal of this tree is not in the public interest in maintaining an attractive environment.

In terms of ensuring the safety of the local community, there are no apparent significant defects that could contribute to catastrophic tree or tree part failure under normal weather conditions and based on the risk assessment methodology outlined by the International Society of Arboriculture (ISA), would fall within the "low" risk category. The low-risk category applies when consequences are negligible, and likelihood is unlikely; or consequences are minor, and likelihood is somewhat likely. It is important to remember that it is impossible to maintain trees completely free of risk – some level of risk must be accepted to experience the benefits that trees provide. Additionally, removal of this tree may have detrimental effects on surrounding trees, as it is dominant in the landscape, and likely provides significant dampening of wind forces to nearby trees. If it were to be removed, trees that were formally protected would now be fully exposed to wind forces they are not adapted to. Which in turn would increase risk to surrounding properties. As a result, removal of this tree is not in the public interest in maintaining a safe environment.

**3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;**

STAFF CONCLUSION: The proposed landmark tree removal will likely not be materially detrimental to nearby properties. It may be materially beneficial to 8847 Overlake Dr E, as it could potentially open up a view to the lake.

**4. The tree has not been granted special protection pursuant to MMC 16.52.080:**

STAFF CONCLUSION: 16.52.080. – Legacy and Landmark tree protection measures (B)(2) does allow removal of Landmark trees, provided that replacement trees are planted. “B. Legacy and landmark trees shall be preserved and retained unless replacement trees are planted in accordance with the following: 2. Landmark tree: a. The quantity of replacement inches is calculated by multiplying the diameter breast height of each subject landmark tree by 100 percent to establish the minimum number of replacement inches; and b. All fractions of this section shall be rounded up to the next whole number.” 16.52.080 (C) also states the following: “In lieu of planting the replacement trees prescribed in subsection (B) of this section, an applicant may satisfy the tree replacement requirements by meeting the criteria set forth in MMC 16.52.180. – Fee-in-lieu of supplemental plantings.”

**5. All requirements set forth in Chapter 16.52 MMC are satisfied;**

STAFF CONCLUSION: The removed tree is proposed to be mitigated with a replacement tree selected from list 5 of the Suitable Tree Species Lists. The tree removal mitigation will also include a contribution to the Medina Tree Fund for lost public benefit between the larger tree being removed and smaller trees being planted. The proposal meets this requirement.

**6. All other ordinances, regulations, and policies applicable to tree removal are followed.**

STAFF CONCLUSION: The subject landmark tree removal meets the requirements set forth in MMC 16.52 but is antithesis to its purpose and intent. Examples include the following:

(A) **The purpose of the tree management code is to preserve the existing sylvan appearance through long-term preservation** and planting of trees that contribute to the community's distinct features including proximity to the lakeshore, views, heavily landscaped streetscapes, and large tracts of public and private open spaces. The city recognizes that trees: 1. Contribute to the residential character of the city; 2. Provide a public health benefit; 3. Provide wind protection, ecological benefits to wetlands and watercourses, and aid in the stabilization of geologically hazardous areas; 4. Improve surface water quality and control and benefit Lake Washington; and 5. Reduce noise and air pollution.

(B) The intent of this chapter is to establish regulations and standards that: **1. Protect and preserve the existing tree canopy;** 2. Provide homeowners flexible standards that encourage the preservation of trees while recognizing the importance of having access to sunlight and views; 3. Recognize through the standards in this chapter that certain factors may require the removal or pruning of certain trees due to circumstances such as disease,

danger of falling, proximity to structures and improvements, interference with utility services, protection of view and sunlight, and the reasonable enjoyment of property; 4. Encourage best practices for the planting and managing of trees appropriately to minimize hazards, nuisances, and maintenance costs while allowing access to sunlight and views; **5. Prevent the indiscriminate removal or destruction of trees except as provided for in accordance with this chapter;** 6. Promote building and site planning practices consistent with the purpose and intent of this chapter; 7. Ensure prompt development, restoration, replanting and effective erosion control of property after tree removal with landscape plans and other reasonable controls; and 8. Foster public education on the local urban forestry program and encourage good tree management consistent with this chapter.

**7. All other requirements set forth in MMC 16.52.200 are satisfied;**

STAFF CONCLUSION: MMC 16.52.200. – City tree removals is not applicable as this tree is located on a private property and the city right-of-way will not be utilized for removal.

Pursuant to MMC 16.72.080(F), the Hearing Examiner may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

**Part 7 – Staff Recommendation:**

While removal of this tree may be antithetical to the purpose and intent of MMC 16.52, the code itself does allow removal of landmark trees if remediation is provided. Therefore, staff recommends approval of the administrative tree activity permit for the removal of one Landmark” 50.2-inch DSH Coast Redwood (*Sequoia sempervirens*), subject to the following conditions:

1. The applicant shall plant at least twelve (12) replacement trees selected from list 5 of the City of Medina Lists of Suitable Trees within 18-months of permit issuance under this non-administrative tree activity permit. The replacement trees shall meet all of the standards set forth in MMC 16.52.200(E)(2). The applicant shall coordinate selection and the planting location of the replacement trees with the City Tree Consultant.
2. A contribution of \$10,800 shall be made to the Medina Tree Fund prior to removal of the Giant Sequoia tree. If additional trees are proposed, the contribution will be reduced consistent with MMC 16.52.200(F)(4). If additional trees are removed, contributions to the Medina Tree Fund consistent with MMC 16.52.200(E)(3) shall be made prior to completing the work authorized under this non-administrative tree activity permit.
3. The applicant shall be responsible for all costs associated with the planting and maintenance of replacement trees for five years. The applicant shall take necessary measures to ensure that supplemental trees remain healthy and viable for at least five years after inspection by the city and the owner shall be responsible for replacing any supplemental trees that do not remain healthy and viable for the five years after inspection by the city.



Report prepared by:



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Andy Crossett  
Medina Tree Consultant

January 2, 2024

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Date



**DEVELOPMENT SERVICES**

**NON-ADMINISTRATIVE TREE ACTIVITY PERMIT T-04**

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

**Instructions:** Complete this form for the following:

- Removal of any tree, excluding hazard trees, on private property having a 50-inch Diameter Breast Height and larger size that is located outside of the footprint of a building containing a principle use of the property

<input checked="" type="checkbox"/> <b>New Application</b> <input type="checkbox"/> <b>Supplemental</b>	<b>Staff Only</b>	Date Received: _____	By: _____	<b>Permit No.</b>
		Fee: _____	Receipt No: _____	
		Tech Fee: _____	Advanced deposit: _____	

**Property Information**

<b>Property Address:</b> 116 Overlake Dr E, Medina WA 98039 <b>Tax Parcel No.</b> 9389700015	<b>Check if tree is located:</b> <input checked="" type="checkbox"/> Within 200 feet of shoreline <input type="checkbox"/> Within a critical area (Ch. 18.12 MMC)
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**Applicant Information**

<b>Name:</b> Steve Burnstead Construction LLC <b>Mailing Address:</b> 11980 NE 24th St. Ste 200, Bellevue, WA 98005 <b>City:</b> _____ <b>State:</b> _____ <b>Zip:</b> _____	<b>Email:</b> thomas@burnstead.com <b>Phone:</b> 425-753-2527
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**Contact/ Agent Information**

<b>Name:</b> Thomas Burnstead & Leo Suver <b>Address:</b> Same as above	<b>Email:</b> Same as above <b>Phone:</b> _____
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<b>Contractor Information</b> <b>STEVEBC914RH</b>	<b>Email &amp; Phone:</b> _____
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**Project Information**

<b>Is the property under development?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Check if a Legacy Tree (attach form T-08)	<b>Check One:</b> <input checked="" type="checkbox"/> Application is for tree performance standards (attach form T-01a) <input type="checkbox"/> Application is for tree restoration standards (attach form T-01b)
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**Application Submittal Checklist**

The following materials are required for a complete application:

Copies	Material to be submitted	Applicant	N/A	City
3	This form completed.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Form T-01a (performance standards) or T-01b (restoration standards).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Form T-08 if legacy trees are included.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Proof of ownership by adjoining property owner.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1	Declaration of Agency (A-05).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Tree removal and planting plan (T-06).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Set of mailing labels (A-06).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Additional information, as required by the City to evaluate the proposal.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Critical Areas Report (if applicable).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Approval Criteria**

Please respond in detail how your request meets the approval criteria in MMC 20.71.050(E). Demonstrating meeting the approval criteria is necessary if your application is to be approved. Attach additional pages if necessary.

**How is the proposal compatible with Chapter 3, Community Design Element, of the comprehensive plan?**

The site is zoned R-16 and the proposed building will disturb much less surface area of the site than what is permitted. A significant area of the middle of the property is dedicated to a park-like landscape plan, as well as supplemental tree plantings, that will help reduce the impact of the development of the single family residence and lake pavilion. New plantings and existing remaining trees will screen the development from City streets and neighboring properties, and provide a diversity of plant species. Remaining trees along the frontage of the property will provide significant canopy.

**How is the proposal consistent with the public interest in maintaining an attractive and safe environment?**

Supplemental plantings and the proposed landscape plan are consistent with an attractive environment. In addition, it is likely that the root system of this tree would be damaged by any permitted development of the site, possibly causing an unsafe condition. Removal of this tree and mitigation is the safer option. The existing tree has significant root structure that is impacting the existing public sewer main located directly north (same sewer that was recently re-lined by Bellevue Utilities).

**How will the tree removal have no materially detrimental effects on nearby properties?**

Supplemental plantings will mitigate any detrimental effects on nearby properties by creating a lush, park-like landscape plan and achieving the goals compatible with Chapter 3 of the comprehensive plan. Removal of this tree is supported by all three adjacent properties owners.

**Was the tree granted special protection pursuant to MMC 20.52.120 (is it a legacy tree)?**

Pursuant to MMC 16.52.080 the tree is granted special protection as a Landmark Tree.

**Are all other requirements set forth in MMC 20.52.400 satisfied?**

Requirements set forth in MMC 16.52.080 shall be satisfied by planting of replacement trees as indicated in the Tree Removal and Planting Plan (T-06). The quantity of replacement inches required for a 50.2" tree is 51". We propose planting (12) 2" replacement trees, meeting the standards prescribed in MMC 16.52.090, and mitigating 28" of replacement trees with fee-in-lieu of supplemental plantings, due to insufficient area on the lot, as set forth in MMC 16.52.180, for a total of 52" of mitigation.

**Explain how all of the other ordinances, regulations and policies applicable to the tree removal have been followed.**

This application and it's corresponding documentation satisfy all requirements laid out in the MMC 16.52.080

I declare under penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) and that all applicable information furnished in support of this application is true, correct and complete.

Print Name: Thomas Burnstead

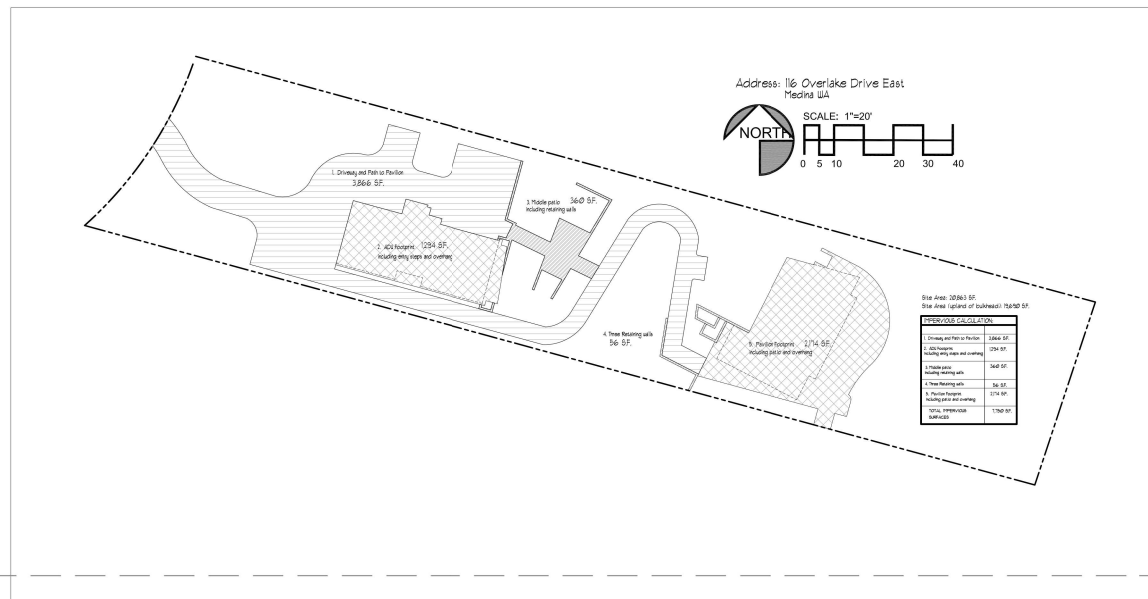
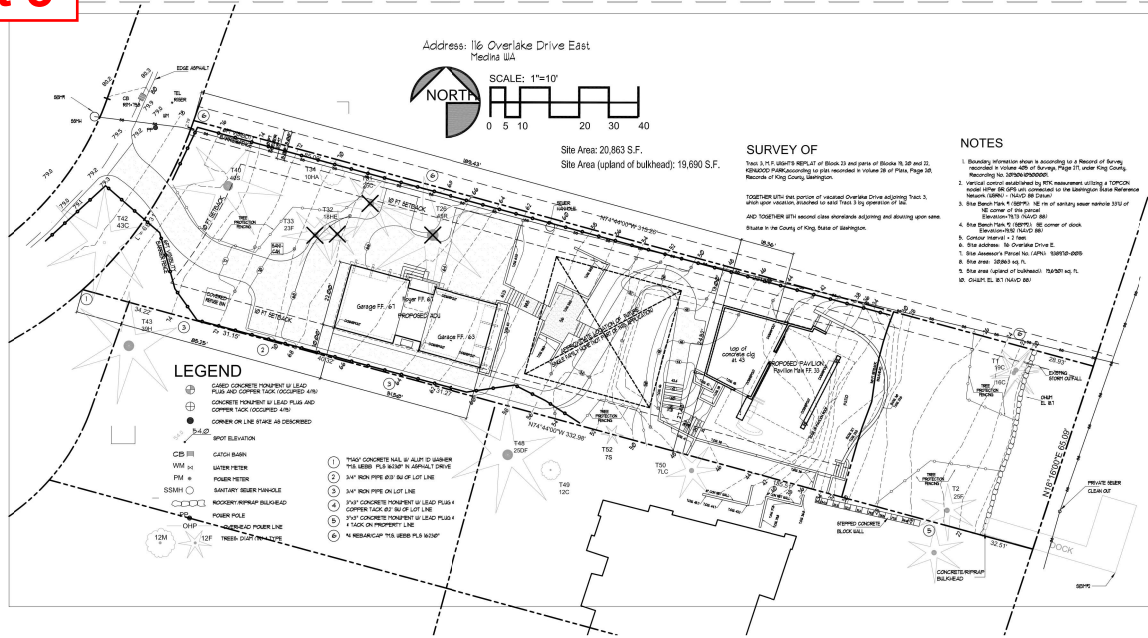
Owner  Agent (check one)

Signature: 

Date: 8/22/2023

# Exhibit 3

## CONSTRUCTION ACTIVITY PERMIT



### PERMIT CONDITIONS

- WORK HOURS:**
  - WEEKDAYS 7:00 AM TO 7:00 PM
  - SATURDAY 8:00 AM TO 5:00 PM
  - NO WORK ALLOWED ON SUNDAYS OR HOLIDAYS
- CONSTRUCTION VEHICLE PARKING:**
  - CONSTRUCTION PARKING IS PROHIBITED OUTSIDE OF THE PROJECT'S PROPERTY BOUNDARY, UNLESS SPECIFICALLY PERMITTED INCLUDING BUT NOT LIMITED TO WHERE SIGNED ALONG NE 12TH STREET.
  - CONSTRUCTION ENTRANCE TO PROPERTY AND ON-SITE CONSTRUCTION PARKING AREAS SHALL BE STABILIZED.
- SITE MAINTENANCE:**
  - A VISUAL BARRIER SHALL BE MAINTAINED ALONG THE PROJECT'S PROPERTY BOUNDARY ADJACENT TO OTHER PROPERTIES.
  - PROJECT SITE SHALL CONTAIN AN APPROPRIATELY SIZED COVERED TRASH CONTAINER.
  - PROJECT SITE SHALL BE KEPT CLEAN OF TRASH INCLUDING BUT NOT LIMITED TO CONSTRUCTION DEBRIS AND FOOD WRAPPERS.
  - CONSTRUCTION MATERIALS SHALL BE STORED IN A SAFE, SECURE, AND ORDERLY MANNER.
- NOISE:**
  - NOISE SHALL NOT EXCEED THE PERMITTED LIMITS IDENTIFIED IN CHAPTER 8.06 OF THE MEDINA MUNICIPAL CODE.
  - SITE WORKERS SHALL ENDEAVOR TO LIMIT THE SOUND OF RADIOS AND VOICES FROM TRAVELING ACROSS PROPERTY BOUNDARIES.
  - IDLE VEHICLES ARE PROHIBITED.
- UTILITY DISRUPTION:**
  - FOR ANY UTILITY DISRUPTIONS TO NEIGHBORING PROPERTIES, THE CONTRACTOR SHALL PROVIDE AT LEAST SEVEN (7) DAYS WRITTEN NOTICE TO ALL AFFECTED NEIGHBORS BY DELIVERING A CITY-ISSUED DOOR-HANGING FLYER AT EACH AFFECTED HOME THAT INCLUDES THE FOLLOWING INFORMATION:
    - CONTACT INFORMATION OF THE OWNER OR AGENT FOR THE PERMITTED PROJECT WHICH IS CAUSING THE DISRUPTION;
    - THE EMERGENCY CONTACT INFORMATION INCLUDING THE NAME, PHONE NUMBER AND EMAIL ADDRESS FOR THE UTILITY CONTRACTOR DOING THE WORK;
    - THE DATE AND DURATION THAT THE SERVICE WILL BE AFFECTED.
- ROAD CLOSURE:**
  - COMPLETE CLOSURE OF ROADS IS PROHIBITED EXCEPT IN AN EMERGENCY.
- ROAD OBSTRUCTION:**
  - OBSTRUCTION OF ROADS IS PROHIBITED UNLESS ALLOWED PURSUANT TO A RIGHT-OF-WAY USE PERMIT PER MMC 10.72.040.
- ADDITIONAL CONDITIONS:**
  - THE CITY OF MEDINA DEVELOPMENT SERVICE DIRECTOR MAY MODIFY THE CONSTRUCTION PERMIT CONDITIONS KEEPING THE REQUIREMENTS OF CHAPTER 15.20 MMC AT ANY TIME IF ADDITIONAL IMPACTS ARE IDENTIFIED OR CONDITIONS CHANGE.

**CITY OF MEDINA PERMIT#** \_\_\_\_\_

THIS CONSTRUCTION ACTIVITY PERMIT IS APPROVED FOR CONFORMANCE WITH THE CITY OF MEDINA MUNICIPAL CODE CHAPTER 15.20.

DEVELOPMENT SERVICES DIRECTOR OR DESIGNEE: \_\_\_\_\_ DATE: \_\_\_\_\_

**PROJECT INFORMATION**

OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

**CITY OF MEDINA WASHINGTON**

MEDINA CITY HALL:  
501 EVERGREEN POINT ROAD  
MEDINA, WASHINGTON 98039  
425-233-6409

# Exhibit 4



DEVELOPMENT SERVICES

## LEGACY TREE MITIGATION

T-08

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

**Instructions:** Complete this form to calculate replacement requirements for removing a legacy tree.

- What is a Legacy Tree?**
- A tree having a 50-inch DBH or larger size;
  - A tree that is healthy and will survive the next 10 years if properly cared for;
  - A tree not designated a hazard or nuisance tree per the municipal code;
  - The tree is of one of the following species:
 

<i>Western Red Cedar</i>	<i>Alaska Yellow Cedar</i>
<i>Douglas Fir</i>	<i>Grand Fir</i>
<i>Mountain Hemlock</i>	<i>Western Hemlock</i>
<i>Pacific Madrone</i>	<i>Lawson Cypress</i>
<i>Shore Pine</i>	<i>Western White Pine</i>
<i>Sitka Spruce</i>	

**Location Information**

**Permit No.** Ref-23-0399

**Describe location of the tree:**  
The tree is located on the upper portion of the lot (see site plan)

- Check if tree is located:**
- Within 200 feet of shoreline  
 Within a critical area (Ch. 18.12 MMC)

**Project Information**

**List the scientific and common name of the legacy tree**  
Coast Redwood

- Check selected option for tree replacement:**
- Planting all replacement trees  
 Planting replacement trees and contributing to the Medina Tree Fund

**Tree Replacement Requirements**

**Calculate Replacement Inches:**

List the DBH size of the Legacy Tree Being Removed: 50.2" (Landmark)

Multiply by: 1.0

This is the required total replacement inches: 51"

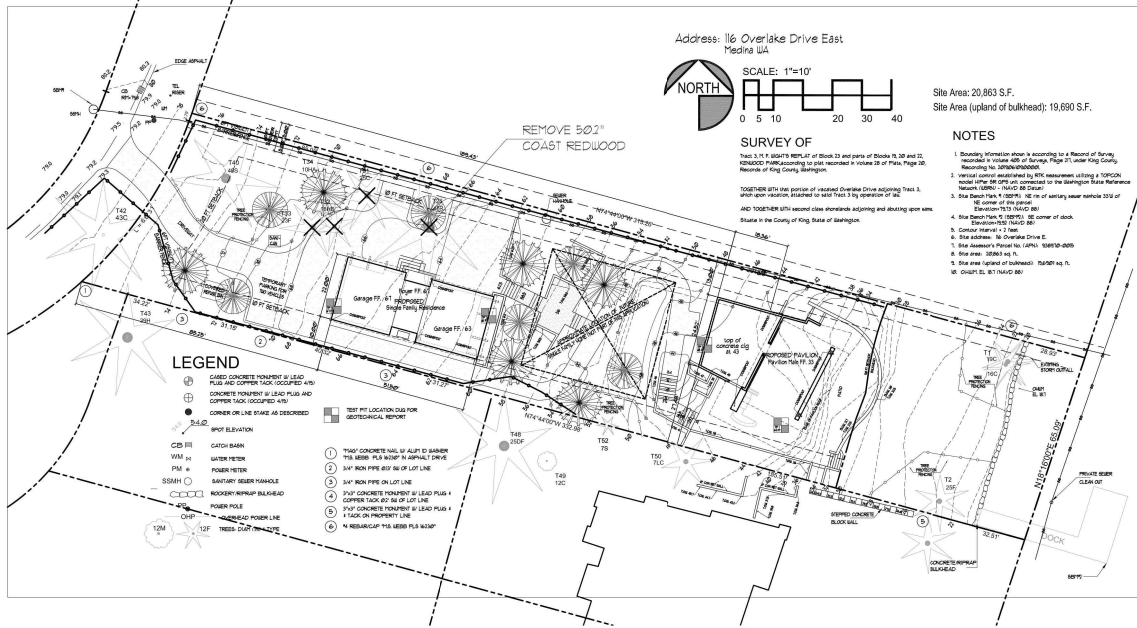
**List the Number of Replacement Trees to be Planted and the Total Caliper Inches** (A minimum of three replacement trees must be planted)

<span style="border: 2px solid black; padding: 5px;">12</span>	<span style="border: 2px solid black; padding: 5px;">24</span> Inches
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**Contribution to Medina Tree Fund**

Required Total Replacement Inches	51"
Subtract total caliper inches of trees to be planted	24"
<b>Difference</b>	27"
Multiply by \$400	
This is your contribution to the Medina Tree Fund	<b>\$10,800</b>

# CONSTRUCTION ACTIVITY PERMIT



## LANDMARK TREE REMOVAL/REPLACEMENT SITE PLAN



### PERMIT CONDITIONS

1. WORK HOURS:
  - a. WEEKDAYS 7:00 AM TO 7:00 PM
  - b. SATURDAY 8:00 AM TO 6:00 PM
  - c. NO WORK ALLOWED ON SUNDAYS OR HOLIDAYS
2. CONSTRUCTION VEHICLE PARKING:
  - a. CONSTRUCTION PARKING IS PROHIBITED OUTSIDE OF THE PROJECT'S PROPERTY BOUNDARY UNLESS SPECIFICALLY PERMITTED INCLUDING BUT NOT LIMITED TO WHERE SIGNED ALONG NE 12TH STREET.
  - b. CONSTRUCTION ENTRANCE TO PROPERTY AND ON-SITE CONSTRUCTION PARKING AREAS SHALL BE STABILIZED.
3. SITE MAINTENANCE:
  - a. A VISUAL BARRIER SHALL BE MAINTAINED ALONG THE PROJECT'S PROPERTY BOUNDARY ADJACENT TO OTHER PROPERTIES.
  - b. PROJECT SITE SHALL CONTAIN AN APPROPRIATELY SIZED COVERED TRASH CONTAINER.
  - c. PROJECT SITE SHALL BE KEPT CLEAN OF TRASH INCLUDING BUT NOT LIMITED TO CONSTRUCTION DEBRIS, AND FOOD WRAPPERS.
  - d. CONSTRUCTION MATERIALS SHALL BE STORED IN A SAFE, SECURE, AND ORDERLY MANNER.
4. NOISE:
  - a. NOISE SHALL NOT EXCEED THE PERMITTED LIMITS IDENTIFIED IN CHAPTER 8.08 OF THE MEDINA MUNICIPAL CODE.
  - b. SITE WORKERS SHALL ENDEAVOR TO LIMIT THE SOUND OF RADIOS AND VOICES FROM TRAVELING ACROSS PROPERTY BOUNDARIES.
  - c. IDLING VEHICLES ARE PROHIBITED.
5. UTILITY DISRUPTION:
  - a. FOR ANY UTILITY DISRUPTIONS TO NEIGHBORING PROPERTIES, THE CONTRACTOR SHALL PROVIDE AT LEAST SEVEN (7) DAYS' WRITTEN NOTICE TO ALL AFFECTED NEIGHBORS BY DELIVERING A CITY-ISSUED DOOR-HANGING FLYER AT EACH AFFECTED HOME THAT INCLUDES THE FOLLOWING INFORMATION:
    - i. CONTACT INFORMATION OF THE OWNER OR AGENT FOR THE PERMITTED PROJECT WHICH IS CAUSING THE DISRUPTION;
    - ii. THE EMERGENCY CONTACT INFORMATION INCLUDING THE NAME, PHONE NUMBER AND EMAIL ADDRESS FOR THE UTILITY CONTRACTOR DOING THE WORK;
    - iii. THE DATE AND DURATION THAT THE SERVICE WILL BE AFFECTED.
6. ROAD CLOSURE:
  - a. COMPLETE CLOSURE OF ROADS IS PROHIBITED EXCEPT IN AN EMERGENCY.
7. ROAD OBSTRUCTION:
  - a. OBSTRUCTION OF ROADS IS PROHIBITED UNLESS ALLOWED PURSUANT TO A RIGHT-OF-WAY USE PERMIT PER MMC 10.72.040.
8. ADDITIONAL CONDITIONS:
  - a. THE CITY OF MEDINA DEVELOPMENT SERVICE DIRECTOR MAY MODIFY THE CONSTRUCTION PERMIT CONDITIONS MEETING THE REQUIREMENTS OF CHAPTERS 15.20 MMC AT ANY TIME IF ADDITIONAL IMPACTS ARE IDENTIFIED OR CONDITIONS CHANGE.

### TREE REPLACEMENT

EXISTING TREE:  $\frac{502'}{2} = 26$  TREES

### PROPOSED REPLACEMENT TREES:

-  6 EACH WESTERN RED CEDAR 6 FEET
-  6 EACH DOUGLAS FIR 6 FEET
- 14 EACH FEE IN LIEU OF REPLACEMENT

TOTAL: 26 REPLACEMENT TREES

CITY OF MEDINA PERMIT # \_\_\_\_\_

THIS CONSTRUCTION ACTIVITY PERMIT IS APPROVED FOR CONFORMANCE WITH THE CITY OF MEDINA MUNICIPAL CODE CHAPTER 15.20.

DEVELOPMENT SERVICES DIRECTOR OR DESIGNEE \_\_\_\_\_ DATE \_\_\_\_\_

PROJECT INFORMATION

OWNER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_



MEDINA CITY HALL:  
501 EVERGREEN POINT ROAD  
MEDINA, WASHINGTON 98039  
425-233-6409

CITY OF MEDINA  
DECLARATION OF MAILING

Rebecca Bennett does declare as follows:

That s/he is the Development Services Coordinator of the city of Medina and that on the 7 day of December 2023 s/he caused a true and correct legible copy of the following described documents to be mailed to all residences which are within 300 feet of the property in question described by its street address as:

116 Overlake Dr E  
\_\_\_\_\_  
\_\_\_\_\_

Description of document:  
Notice of Application  
\_\_\_\_\_  
\_\_\_\_\_

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

11 day of December 2023

  
\_\_\_\_\_  
Signature of posting employee



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

---

## NOTICE OF APPLICATION

**Proposal:** Non-administrative Tree Activity Permit for the removal of a 50.2" diameter Coast Redwood within the Shoreline setback.

**File No.** TREE-23-043

**Applicant:** Suver & Burnstead Custom Homes c/o Thomas Burnstead, Steve Burnstead Construction, LLC

**Site Address:** 116 OVERLAKE DR E, Medina, WA, 98039

**Required Permits/Studies:** Non-administrative Tree Activity Permit

Application Received:	August 24 <sup>th</sup> , 2023
Determination of Completeness:	November 27 <sup>th</sup> , 2023
Notice of Application:	December 11 <sup>th</sup> , 2023

**PUBLIC COMMENTS:** Pursuant to MMC 16.80.110(B)(7), this application has a public comment period. Please submit public comments no less than 14 days and no more than 30 days from the date of issuance of the Notice of Application.

**STATE ENVIRONMENTAL POLICY ACT:** The proposal is exempt from environmental (SEPA) review pursuant to WAC 197-11-800(2)(e).

**DETERMINATION OF CONSISTENCY:** Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal Code.

**PUBLIC HEARING:** The Non-administrative Tree Activity Permit will have a hearing before the Medina Hearing Examiner. **A SEPARATE MAILING** will be sent with the date and time of the hearing once the public comment period has expired.

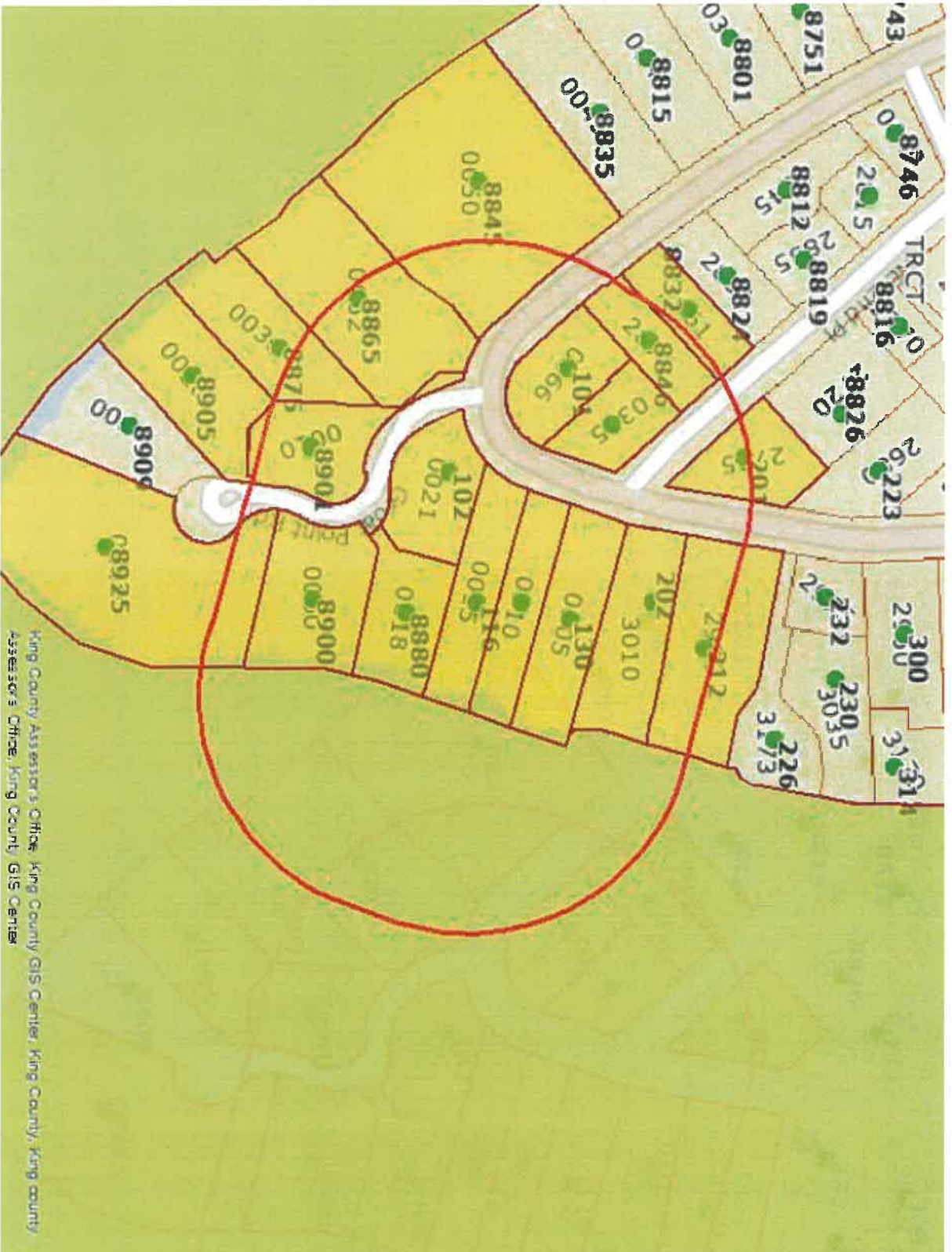
**QUESTIONS:** Please email the staff contact below to review the complete application electronically, or if you have any questions.

**STAFF CONTACT:** Andy Crossett, Medina Tree Consultant, at (206) 310-8254 or [andycrossett@hotmail.com](mailto:andycrossett@hotmail.com)





*50.2" diameter Coast Redwood*



GRIFFITH MICHAEL V -TRUSTEE  
PO BOX 848  
MEDINA WA 98039

BURNSTEAD JOAN K  
919 109TH NE #1600  
BELLEVUE WA 98004

YEOH TIONG KEAT  
719 99TH AVE NE  
BELLEVUE WA 98004

KREKEL C ALAN & BARBARA E  
8832 OVERLAKE DR W  
MEDINA WA 98039

KOURTIS SPYRO+JILL  
8846 OVERLAKE DR W  
MEDINA WA 98039

MEDINA PLACE L L C  
212 OVERLAKE DR E  
MEDINA WA 98039

DAYANG REAL ESTATE INVESTME  
6513 132ND AVE NE # 38  
KIRKLAND WA 98033

GOODRICH ANDREW R-TTEES  
601 UNION ST #2600  
SEATTLE WA 98101

HUGHES LAWRENCE & MARY  
8865 OVERLAKE DRIVE W  
MEDINA WA 98039

YANG BIN+YUN LI  
8847 NE 2ND PL  
MEDINA WA 98039

HUTSON REVOCABLE LIVING TRU  
101 OVERLAKE DR E  
MEDIAN WA 98039

PARK MICHAEL S+HWA C  
8901 GROAT PT DR  
MEDINA WA 98039

TDNRE LLC  
601 UNION ST #2600  
SEATTLE WA 98101

CHAFFEE MIKE & JILL  
130 OVERLAKE DR E  
MEDINA WA 98039

ATM LLC  
PO BOX 609  
MEDINA WA 98039

STEVE BURNSTEAD CONSTRUCTIO  
11980 NE 24TH ST STE #200  
BELLEVUE WA 98005

BURNSTEAD DONNA+STEVE  
8880 GROAT POINT DR  
MEDINA WA 98039

HUGHES LAWRENCE & MARY  
8865 OVERLAKE DR W  
MEDINA WA 98039

RIVERSEDGE PROPERTIES LLC  
3527 121ST ST SW  
LYNNWOOD WA 98037

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\_\_\_\_\_  
\_\_\_\_\_

Description of document:  
Notice of Hearing  
\_\_\_\_\_  
\_\_\_\_\_

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

11 day of December 2023

  
\_\_\_\_\_  
Signature of posting employee



## CITY OF MEDINA NOTICE OF VIRTUAL HEARING

**NOTICE IS HEREBY GIVEN** that the Medina Hearing Examiner will conduct a virtual public hearing on **Tuesday, January 9, 2023, at 10:00 AM** or as called as soon thereafter via Zoom. The purpose of this hearing is to consider testimony for and against the following:

**Proposal:** Request for a non-administrative tree activity permit to remove a tree greater than 50 inches

**File No.** Non-administrative Tree Activity Permit (TREE-23-043)

**Applicant:** Thomas Burnstead (Owner/Agent)

**Site Address:** 116 Overlake Dr E

**YOU ARE INVITED to attend the remote hearing and make oral and written comments. The Hearing Examiner has the discretion to limit testimony to relevant, non-repetitive comments and to set time limits. If you are unable to attend, written comments, photographs, or other exhibits on the application may be submitted to the staff contact or address below before the hearing date. The Hearing Examiner gives equal weight to testimony submitted in person at a hearing and written comments that are submitted.**

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**STATE ENVIRONMENTAL POLICY ACT:** The proposal is exempt from environmental (SEPA) review pursuant to WAC 197-11-800(2)(e).

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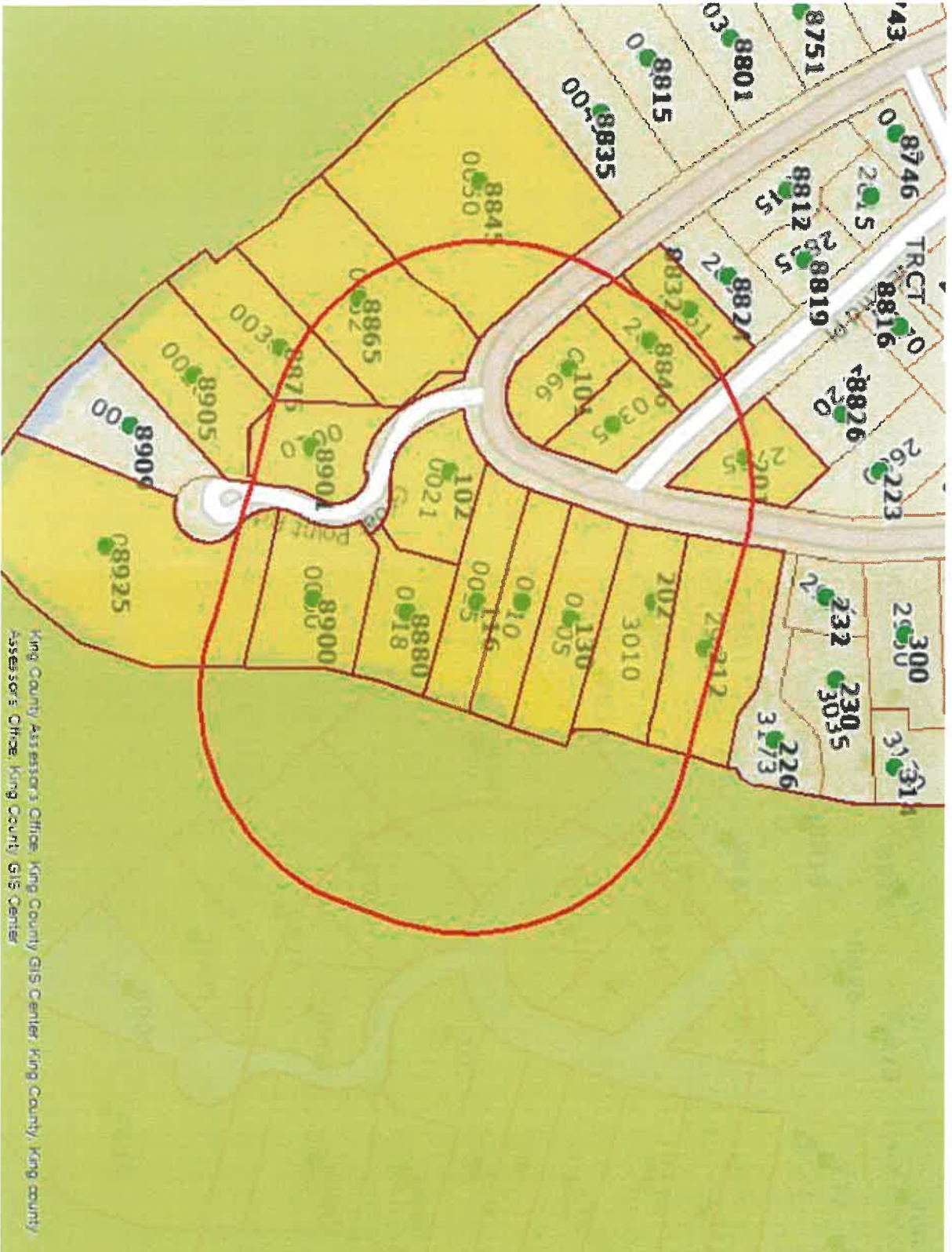
**STAFF CONTACT:** Andy Crossett, Medina Tree Consultant, at (206) 310-8254 or [andycrossett@hotmail.com](mailto:andycrossett@hotmail.com)

Andy Crossett, Medina Tree Consultant

12/11/2023  
Notice Issued

**WARNING!**

*Posted notice is not to be removed, mutilated or concealed in any way.*



King County Assessor's Office, King County GIS Center, King County, King County Assessor's Office, King County GIS Center

GRIFFITH MICHAEL V -TRUSTEE  
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MEDINA WA 98039

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MEDINA WA 98039

RIVERSEDGE PROPERTIES LLC  
3527 121ST ST SW  
LYNNWOOD WA 98037

# CITY OF MEDINA DECLARATION OF POSTING

Rebecca Bennett does declare as follows:

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11 day of December 20 23

s/he caused a true and correct legible copy of the following described documents to be posted at each of the following indicated locations:

PC Medina City Hall, 501 Evergreen Point Road, Medina

PC City Website

PC Medina Post Office, 816 Evergreen Point Road, Medina

PC Public notice boards at Medina Park Northeast 12<sup>th</sup> Street parking lot.

PC At ~~two~~<sup>one</sup> locations within 300 feet of the property in question described by its street address as follows:

116 Overlake Dr E

Description of document:  
Notice of Application

A copy of the posted item is attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

11 day of December 20 23

  
Signature of posting employee





# CITY OF MEDINA NOTICE OF APPLICATION

**Proposal:** Non-administrative Tree Activity Permit for the removal of a 50.2" diameter Coast Redwood within the Shoreline setback.

**File No.** TREE-23-043

**Applicant:** Suver & Burnstead Custom Homes c/o Thomas Burnstead, Steve Burnstead Construction, LLC

**Site Address:** 116 OVERLAKE DR E, Medina, WA, 98039

**Other Permits:** TREE-23-018, B-23-031, ENG-GD-23-010, CAP-23-017, P-23-035

Application Received:	August 24th, 2023
Determination of Completeness:	November 27th, 2023
Notice of Application:	December 11th, 2023

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Above: 50.2" DSH Coast Redwood (*Sequoia sempervirens*)

Andy Crossett, Medina Tree Consultant

12/11/2023  
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Signature of posting employee



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**File No.** Non-administrative Tree Activity Permit (TREE-23-043)

**Applicant:** Thomas Burnstead (Owner/Agent)

**Site Address:** 116 Overlake Dr E

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**STAFF CONTACT:** Andy Crossett, Medina Tree Consultant, at (206) 310-8254 or [andycrossett@hotmail.com](mailto:andycrossett@hotmail.com)

Andy Crossett, Medina Tree Consultant

12/11/2023  
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NOTICE OF PUBLIC HEARING**

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Proposal: Request for a non-administrative tree activity permit to remove a tree greater than 50 inches

File No: Non-administrative Tree Activity Permit (TREE-23-043)

Applicant: Thomas Burnstead  
(Owner/Agent)

Address: 116 Overlake Dr E

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STATE ENVIRONMENTAL POLICY ACT (SEPA): This project is exempt from environmental (SEPA) review pursuant to WAC 197-11-800(2)(e)

APPEAL RIGHTS: Appeal of the Non-administrative Tree Activity Permit is to King County Superior Court pursuant to MMC 16.80.220(B).

QUESTIONS: The complete application may be reviewed by emailing the staff contact below. Requests for information and/or written comments may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

STAFF CONTACT: Andy Crossett, Medina Tree Consultant, at (206) 310-8254 or andycrossett@hotmail.com

# Exhibit 6

Tree removal



BT

Betty Tong <bettyt@isomedia.com>  
To: You

← ↶ ↷ → ...  
Sun 12/24/2023 9:01 PM

Hi Mr. Crossett,

This is Betty Tong, my kids and myself reside next door to Burnstead's property. Located at 116 Overlake Drive East, Medina.

We moved in the spring of 2021, and did some renovation, new driveway and painted the entire house and garage. Since we moved in, we had experienced some severe windstorm and power outage. This particular tree has damaged my garage door 2 years in a row, and took out my newly planted evergreen hedge! I'm worried that the evasive root system is going to damage my new driveway. Non native rapidly growing trees impact increase every year. Emotional feeling of large tree in close proximity to my house with dominate southeast storm winds causing roof damage from branches and catastrophic when tree falls. I was almost hit by the branches on my head a few month ago! It was pretty scary and I'm really concerned about my kids, my friends and delivery people safety. And we have an under 5lbs dog.

Please take into the consideration for everyone's safety. It'd be wise to remove the tree.

Have a wonderful holiday season!

Best,

Betty Tong  
122 Overlake Dr. East. Medina  
Cell: 206-228-3709

← Reply   ↷ Forward





# Lists of Suitable Trees

**PURPOSE:** The suitable tree species listed under each section are for the purpose of establishing significant trees under the Medina Tree Code (Chapter 20.52 Medina Municipal Code). This list includes tree species eligible towards planting requirements.\*

## **LIST 1: SIGNIFICANT TREE SPECIES ON PRIVATE PROPERTY\*\***

The following trees are designated as significant tree species pursuant to MMC 20.52.050. List 1 is used in conjunction with the definition of “significant tree” set forth in MMC 20.12.200 to denote the application of the term “significant tree” in the Medina Tree Code (Chapter 20.52 MMC). Please note that not all trees in this list are eligible for credit as supplemental or restoration trees. See List 4 for tree species eligible for supplemental tree or restoration tree credit.

### A. EVERGREENS (CONIFERS):

1. All, except the following:
  - a. Leyland Cypress – *Cupressocyparis leylandii*
  - b. Arborvitae – *Thuja occidentalis*
  - c. Italian Cypress - *Cupressus sempervirens*
  - d. Blue Surprise Port Orford Cedar – *Chamaecyparis lawsoniana* ‘Blue Surprise’
  - e. Wissel’s Saguaro False Cypress – *Chamaecyparis lawsoniana* ‘Wissels Saquaro’
  - f. Other species not listed that typically have a crown diameter of less than 10 feet at maturity
  - g. Trees planted, clipped or sheared into use as a hedge regardless of species

### B. DECIDUOUS

1. All that coincide with United States Department of Agriculture hardiness zones 8b and 9a, except the following:
  - a. Swedish Aspen – *Populus tremula* “Erecta’
  - b. Skyward Bald Cypress – *Taxodium distichum* ‘Skyward’
  - c. Other species not listed that typically have a crown diameter of less than 10 feet at maturity
  - d. Trees planted, clipped or sheared into use as a hedge regardless of species

---

\* *The list of native trees are those that are naturally occurring and propagating in the Puget Sound lowlands in the last 100 years and coincide with the USDA hardiness zone 8b.*

\*\* *Private property includes state highway right-of-way.*

**Note:** *The USDA Plant Hardiness Zones helps determine which plants are most likely to thrive at a location. The zones are based on the average annual minimum winter temperature, divided into 10-degree F zones.*

**LIST 2: SIGNIFICANT TREE SPECIES ON CITY RIGHTS-OF-WAY**

This list shall apply only where a tree is removed from city rights-of-way. It is used to distinguish significant and non-significant trees. Tree species eligible for replacement credit in the city right-of-way are set forth in List 6 and 7.

**A. EVERGREENS (CONIFERS) - NATIVE:**

1. Lawson Cypress – *Chamaecyparis lawsoniana*
2. Alaska Yellow Cedar – *Chamaecyparis nootkatensis*
3. Western Red Cedar – *Thuja plicata*
4. Douglas Fir – *Pseudotsuga menziesii*
5. Engelmann Spruce – *Picea engelmannii*
6. Grand Fir – *Abies grandis*
7. Pacific Silver Fir – *Abies amabilis*
8. Rocky Mountain Juniper – *Juniperus scopulorum*
9. Mountain Hemlock – *Tsuga mertensiana*
10. Western Hemlock – *Tsuga heterophylla*
11. Shore Pine – *Pinus contorta* var. *contorta*
12. Sitka Spruce – *Picea sitchensis*
13. Western White Pine – *Pinus monticola*

**B. EVERGREENS (CONIFERS) – NON-NATIVE:**

1. None

**C. DECIDUOUS - NATIVE:**

1. Pacific or Western Flowering Dogwood -- *Cornus nuttallii*
2. Vine Maple -- *Acer circinatum*
3. Red Alder -- *Alnus rubra*
4. Western Hazelnut -- *Corylus cornuta*
5. Oregon Ash -- *Fraxinus latifolia*
6. Narrow-leaved Cherry – *Prunus emarginata* var. *mollis*
7. Western Serviceberry - *Amelanchier alnifolia*
8. Black Hawthorn - *Crataegus douglasii*
9. Cascara - *Rhamnus purshiana*
10. Oregon White Oak - *Quercus garryana*
11. Pacific Crabapple - *Malus fusca*
12. Pacific Willow - *Salix lasiandra*

**D. DECIDUOUS – NON-NATIVE:**

1. None



**LIST 3: LEGACY TREE SPECIES LIST**

The following trees are Legacy Tree species that if the criteria in MMC 20.52.120 are present are subject to the replacement requirements for a Legacy Tree.

**A. EVERGREENS (CONIFERS):**

1. Lawson Cypress – *Chamaecyparis lawsoniana*
2. Alaska Yellow Cedar – *Chamaecyparis nootkatensis*
3. Western Red Cedar – *Thuja plicata*
4. Douglas Fir – *Pseudotsuga menziesii*
5. Grand Fir – *Abies grandis*
6. Mountain Hemlock – *Tsuga mertensiana*
7. Western Hemlock – *Tsuga heterophylla*
8. Pacific Madrone – *Arbutus menziesii*
9. Shore Pine – *Pinus contorta* var. *contorta*
10. Western White Pine – *Pinus monticola*
11. Sitka Spruce – *Picea sitchensis*

**B. DECIDUOUS:**

1. None

**LIST 4: TREE SPECIES ELIGIBLE FOR CREDIT ON PRIVATE PROPERTY**

This list establishes eligibility requirements for receiving supplemental tree unit or restoration credits under MMC 20.52.130 and MMC 20.52.150 respectively. This list is used for determining existing trees that may be included as credit; and new tree plantings on private property that are eligible for credit. The list of native species in Sub-list 4A and 4C apply to determining tree retention requirements in MMC 20.52.110.

**A. EVERGREENS (CONIFEROUS) - NATIVE:**

1. Lawson Cypress – *Chamaecyparis lawsoniana*
2. Alaska Yellow Cedar – *Chamaecyparis nootkatensis*
3. Western Red Cedar – *Thuja plicata*
4. Douglas Fir – *Pseudotsuga menziesii*
5. Engelmann Spruce – *Picea engelmannii*
6. Grand Fir – *Abies grandis*
7. Pacific Silver Fir – *Abies amabilis*
8. Rocky Mountain Juniper – *Juniperus scopulorum*
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10. Western Hemlock – *Tsuga heterophylla*
11. Shore Pine – *Pinus contorta* var. *contorta*
12. Sitka Spruce – *Picea sitchensis*
13. Western White Pine – *Pinus monticola*

**B. EVERGREENS (CONIFEROUS) – NON-NATIVE:**

1. Korean Fir – *Abies koreana*
2. Spanish Fir – *Abies pinsapo*
3. White Fir – *Abies concolor*
4. Incense Cedar – *Calocedrus decurrens*
5. Deodar Cedar – *Cedrus deodara*
6. Atlas Cedar – *Cedrus atlantica*
7. Cedar of Lebanon – *Cedrus libani*
8. Moss Cypress – *Chamaecyparis pisifera*
9. Dwarf Hinoki Cypress – *Chamaecyparis obtusa*
10. Smooth-barked Arizona Cypress – *Cupressus glabra*
11. Dawn Redwood – *Metasequoia glyptostroboides*
12. Swiss Stone Pine – *Pinus cembra*
13. Austrian Black Pine – *Pinus nigra*
14. Japanese Black Pine – *Pinus thunbergii*
15. Japanese Red Pine – *Pinus densiflora*
16. Japanese Cryptomeria – *Cryptomeria japonica*
17. Serbian Spruce – *Picea omorika*
18. Umbrella Pine – *Sciadopitys verticillata*
19. Bald Cypress – *Taxodium distichum*
20. Hiba Cedar – *Thujopsis dolobrata*
21. Canadian Hemlock – *Tsuga canadensis*

**C. DECIDUOUS - NATIVE:**

1. Pacific or Western Flowering Dogwood -- *Cornus nuttallii*
2. Vine Maple -- *Acer circinatum*
3. Red Alder -- *Alnus rubra*
4. Western Hazelnut -- *Corylus cornuta*
5. Oregon Ash -- *Fraxinus latifolia*
6. Narrow-leaved Cherry – *Prunus emarginata* var. *mollis*
7. Western Serviceberry - *Amelanchier alnifolia*
8. Black Hawthorn - *Crataegus douglasii*
9. Cascara - *Rhamnus purshiana*
10. Oregon White Oak - *Quercus garryana*
11. Pacific Crabapple - *Malus fusca*
12. Pacific Willow - *Salix lasiandra*

**D. DECIDUOUS – NON-NATIVE:**

1. None

**LIST 5: REPLACEMENT TREE SPECIES FOR CREDIT ON CITY RIGHTS-OF-WAY**

The following trees are designated as eligible for receiving replacement credit on the city right-of-way. Trees planted in the rights-of-way shall ensure that sight-distance requirements are maintained and utilities will not become encumbered. If overhead power distribution or transmission lines are within 20 horizontal feet of the planting location, the replacement tree species shall be selected from List 6.

**A. EVERGREENS (CONIFERS) - NATIVE:**

1. Lawson Cypress – *Chamaecyparis lawsoniana*
2. Alaska Yellow Cedar – *Chamaecyparis nootkatensis*
3. Western Red Cedar – *Thuja plicata*
4. Douglas Fir – *Pseudotsuga menziesii*
5. Engelmann Spruce – *Picea engelmannii*
6. Grand Fir – *Abies grandis*
7. Pacific Silver Fir – *Abies amabilis*
8. Rocky Mountain Juniper – *Juniperus scopulorum*
9. Mountain Hemlock – *Tsuga mertensiana*
10. Western Hemlock – *Tsuga heterophylla*
11. Shore Pine – *Pinus contorta* var. *contorta*
12. Sitka Spruce – *Picea sitchensis*
13. Western White Pine – *Pinus monticola*

**B. EVERGREENS (CONIFERS) – NON-NATIVE:**

1. Korean Fir – *Abies koreana*
2. Spanish Fir – *Abies pinsapo*
3. White Fir – *Abies concolor*
4. Incense Cedar – *Calocedrus decurrens*
5. Deodar Cedar – *Cedrus deodara*
6. Atlas Cedar – *Cedrus atlantica*
7. Cedar of Lebanon – *Cedrus libani*
8. Moss Cypress – *Chamaecyparis pisifera*
9. Dwarf Hinoki Cypress – *Chamaecyparis obtusa*
10. Smooth-barked Arizona Cypress – *Cupressus glabra*
11. Dawn Redwood – *Metasequoia glyptostroboides*
12. Swiss Stone Pine – *Pinus cembra*
13. Austrian Black Pine – *Pinus nigra*
14. Japanese Black Pine – *Pinus thunbergii*
15. Japanese Red Pine – *Pinus densiflora*
16. Japanese Cryptomeria – *Cryptomeria japonica*
17. Serbian Spruce – *Picea omorika*
18. Umbrella Pine – *Sciadopitys verticillata*
19. Bald Cypress – *Taxodium distichum*
20. Hiba Cedar – *Thujopsis dolabrata*
21. Canadian Hemlock – *Tsuga canadensis*

**C. DECIDUOUS - NATIVE:**

1. Pacific or Western Flowering Dogwood -- *Cornus nuttallii*
2. Vine Maple -- *Acer circinatum*
3. Red Alder -- *Alnus rubra*
4. Western Hazelnut -- *Corylus cornuta*
5. Oregon Ash -- *Fraxinus latifolia*
6. Narrow-leaved Cherry – *Prunus emarginata* var. *mollis*
7. Western Serviceberry - *Amelanchier alnifolia*
8. Black Hawthorn - *Crataegus douglasii*
9. Cascara - *Rhamnus purshiana*
10. Oregon White Oak - *Quercus garryana*
11. Pacific Crabapple - *Malus fusca*
12. Pacific Willow - *Salix lasiandra*

**D. DECIDUOUS – NON-NATIVE:**

1. None

**LIST 6: TREE SPECIES FOR CREDIT IN RESTRICTED CITY RIGHT-OF-WAY**

The tree species in List 7 shall be used for replacement credit in those locations identified as “Restricted R.O.W” in the Medina Landscape Plan set forth in Figure 3 of the Community Design Element of the Medina Comprehensive Plan. The city may accept other tree species not on the list for replacement credit provided the tree is an appropriate species to be planted where overhead utility lines or view corridors necessitate lower tree heights.

**LIST 7: LOW-GROWING TREE SPECIES SUITABLE NEAR POWER LINES**

The tree species in this list may be used for replacement credit when replacement trees are planted under or within 20 horizontal feet of overhead power distribution and transmission lines. The city may accept non-native tree species in this list and other non-native tree species not on the list for replacement credit provided the tree is an appropriate species to be planted near power lines.

**A. EVERGREENS:**

1. Mugo Pine – *Pinus mugo*
2. Tanyosho Pine – *Pinus densiflora* ‘*Umbraculifera*’
3. Dwarf Hinoki Cypress – *Chamaecyparis obtusa* ‘*Nana gracilis*’
4. Chinese Juniper – *Juniperus chinensis*
5. Swiss Stone Pine – *Pinus cembra*
6. Japanese Umbrella Pine – *Sciadopitys verticillata*
7. Bristlecone Pine – *Pinus aristata*
8. Dwarf Japanese Red Pine – *Pinus densiflora* sp

**B. DECIDUOUS:**

1. Vine Maple – *Acer circinatum*
2. Amur Maple – *Acer ginnala*
3. Rocky Mountain Maple – *Acer grandidentatum*
4. Paperbark Maple – *Acer griseum*
5. Japanese Maple – *Acer palmatum*
6. Pacific Serviceberry – *Amelanchier alnifolia*
7. Western Serviceberry – *Amelanchier grandiflora*
8. Japanese Hornbeam – *Carpinus japonica*
9. Eastern Redbud – *Cercis canadensis*
10. Corneliancherry Dogwood – *Cornus mas*
11. Japanese Dogwood – *Cornus officinalis*
12. European Filbert – *Corylus avellana*
13. Smoketree – *Cotinus sp.*
14. Hawthorn – *Crataegus sp.*
15. Goldenrain Tree – *Koelreuteria paniculata*
16. Galaxy Magnolia – *Magnolia 'Galaxy'*
17. Star Magnolia – *Magnolia stellata*
18. Lily Magnolia – *Magnolia liliiflora*
19. Victoria Southern Magnolia – *Magnolia grandiflora 'Victoria'*
20. Carmine Crabapple -- *Malus x atrosanguinea*
21. Sargent Crabapple – *Malus sargentii*
22. Pink Perfection Crabapple – *Malus 'Pink Perfection'*
23. Radiant Crabapple – *Malus 'Radiant'*
24. Strathmore Crabapple – *Malus 'Strathmore'*
25. Persian Parrotia – *Parrotia persica*
26. Flowering Cherry/Plum – *Prunus sp.*
27. Amur Chokecherry – *Prunus maackii*
28. Mt. Fuji Flowering Cherry – *Prunus serrulata 'Shirotae'*
29. Staghorn Sumac – *Rhus typhina*
30. Red Cascade Mountain Ash – *Sorbus americana 'Dwarf-crown'*
31. Japanese Stewartia – *Stewartia pseuocamellia*
32. Japanese Snowbell – *Styrax japonicus*
33. Japanese Tree Lilac – *Syringa reticulata*

**SOURCE FOR IDENTIFYING NATIVE SPECIES:**

- Kruckerberg, Arthur R. *Gardening with Native Plants of the Pacific Northwest – an illustrated guide*. Seattle: University of Washington Press, 1982. Print.
- Arno, Stephen F. and Hammerly, Ramona P. *Northwest Trees – identifying and understanding the regions native trees*. Seattle: The Mountaineers, 1977. Print.
- Hitchcock, C. Leo and Cronquist, Arthur. *Flora of the Pacific Northwest – an illustrated manual*. Seattle: University of Washington Press, 1973. Print.
- Breen, Patrick. *Oregon State University Department of Horticulture Landscape Plants – Images, identification and information* (<http://oregonstate.edu/dept/ldplants/>, September 12, 2013). Corvallis, OR 97331-4501, USA.
- USDA, NRCS. 2013. *The PLANTS Database* (<http://plants.usda.gov>, 19 September 2013). National Plant Data Team, Greensboro, NC 27401-4901 USA.
- USDA Plant Hardiness Zone Map, 2012. Agricultural Research Service, U.S. Department of Agriculture. Accessed from <http://planthardiness.ars.usda.gov>.

**Exhibit 9**

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PDF **WAC 197-11-800****Categorical exemptions.**

The proposed actions contained in Part Nine are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in WAC **197-11-305**.

Note: The statutory exemptions contained in chapter **43.21C** RCW are not included in Part Nine. Chapter **43.21C** RCW should be reviewed in determining whether a proposed action not listed as categorically exempt in Part Nine is exempt by statute from threshold determination and EIS requirements.

**(1) Minor new construction - Flexible thresholds.**

(a) The exemptions in this subsection apply to all licenses required to undertake the construction in question. To be exempt under this subsection, the project must be equal to or smaller than the exempt level. For a specific proposal, the exempt level in (b) of this subsection shall control, unless the city/county in which the project is located establishes an exempt level under (c) of this subsection. If the proposal is located in more than one city/county, the lower of the agencies' adopted levels shall control, regardless of which agency is the lead agency. The exemptions in this subsection apply except when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW

**43.21C.0383;**

(iii) Requires a license governing emissions to air that is not exempt under RCW **43.21C.0381** or WAC 197-11-800 (7) or (8); or

(iv) Requires a land use decision that is not exempt under WAC 197-11-800(6).

(b) The following types of construction shall be exempt:

- (i) The construction or location of four attached or detached single family residential units.
- (ii) The construction or location of four multifamily residential units.

(iii) The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots.

(iv) The construction of an office, school, commercial, recreational, service or storage building with 4,000 square feet of gross floor area, and with associated parking facilities designed for 20 automobiles. This exemption includes parking lots for 20 or fewer automobiles not associated with a structure.

(v) Any fill or excavation of 100 cubic yards throughout the total lifetime of the fill or excavation and any excavation, fill or grading necessary for an exempt project in (i), (ii), (iii), or (iv) of this subsection shall be exempt.

(c) Cities, towns or counties may raise the exempt levels up to the maximum specified in (d) of this subsection by implementing ordinance or resolution. Such levels shall be specified in the agency's SEPA procedures (WAC **197-11-904**). Separate maximum optional thresholds are established in (d) of this subsection applying to both incorporated areas and unincorporated urban growth areas in fully planning jurisdictions under RCW **36.70A.040**; other unincorporated areas in fully planning counties; and jurisdictions in all other counties. Agencies may adopt the maximum level or a level between the minimum and maximum level. An agency may adopt a system of several exempt levels, such as different levels for different geographic areas, and mixed use projects.

At a minimum, the following process shall be met in order to raise the exempt levels.

(i) Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC **197-11-444**) have been adequately

addressed for the development exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations. The city, town, or county must document the result of its outreach with the department of transportation on impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary for impacts to state-owned transportation facilities.

(ii) Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.

(iii) Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of 60 days notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.

(iv) The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(i) and (ii) of this subsection and the requirements for protection and mitigation in (c)(i) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following:

- Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington department of archaeology and historic preservation, other agencies, and tribal governments.
- Planning and permitting processes that ensure compliance with applicable laws including chapters **27.44**, 27.53, 68.50, and **68.60** RCW.
- Local development regulations that include at minimum preproject cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.

(d) The maximum exemption levels applicable to (c) of this subsection are:

Project types	Fully planning GMA counties			All other counties
	Incorporated UGA	Unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Single family residential	30 units	30 units	20 units	20 units
Single family residential with the total square footage less than 1,500 square feet	100 units	30 units	20 units	20 units
Multifamily residential	200 units	60 units	25 units	25 units
Barn, loafing shed, farm equipment storage, produce storage or packing structure	40,000 square feet	40,000 square feet	40,000 square feet	40,000 square feet
Office, school, commercial, recreational, service, storage building, parking facilities	30,000 square feet and 90 parking spaces	30,000 square feet and 90 parking spaces	12,000 square feet and 40 parking spaces	12,000 square feet and 40 parking spaces

Fill or excavation	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards
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(2) **Other minor new construction.**

(a) The exemptions in this subsection apply to all licenses required to undertake the following types of proposals except when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW

**43.21C.0383;**

(iii) Requires a license governing emissions to air that is not exempt under RCW **43.21C.0381** or WAC 197-11-800 (7) or (8); or

(iv) Requires a land use decision that is not exempt under WAC 197-11-800(6).

(b) The construction or designation of bus stops, loading zones, shelters, access facilities, pull-out lanes for taxicabs, transit and school vehicles, and designation of transit only lanes.

(c) The construction or installation of commercial on-premise signs, and public signs and signals, including those for traffic control and wayfinding.

(d) The construction or installation of minor road and street improvements by any agency or private party that include the following:

(i) Safety structures and equipment: Such as pavement marking, adding or removing turn restrictions, speed limit designation, physical measures to reduce motor vehicle traffic speed or volume, freeway surveillance and control systems, railroad protective devices (not including grade-separated crossings), grooving, glare screen, safety barriers, energy attenuators;

(ii) Transportation corridor landscaping (including the application of state of Washington approved herbicides by licensed personnel for right of way weed control as long as this is not within watersheds controlled for the purpose of drinking water quality;

(iii) Temporary traffic controls and detours;

(iv) Correction of substandard curves and intersections within existing rights of way, widening of a highway by less than a single lane width where capacity is not significantly increased and no new right of way is required;

(v) Adding auxiliary lanes for localized purposes, (weaving, climbing, speed change, etc.), where capacity is not significantly increased and no new right of way is required;

(vi) Channelization, rechannelization, elimination of sight restrictions at intersections, street lighting, guard rails and barricade installation;

(vii) Installation of catch basins and culverts for the purposes of road and street improvements;

(viii) Reconstruction of existing roadbed (existing curb-to-curb in urban locations), including adding or widening of shoulders where capacity is not increased and no new right of way is required;

(ix) Addition of bicycle lanes, paths and facilities, and pedestrian walks and paths including sidewalk extensions, but not including additional automobile lanes.

(e) Grading, excavating, filling, septic tank installations, and landscaping necessary for any building or facility exempted by subsections (1) and (2) of this section, as well as fencing and the construction of small structures and minor facilities accessory thereto.

(f) Additions or modifications to or replacement of any building or facility exempted by subsections (1) and (2) of this section when such addition, modification or replacement will not change the character of the building or facility in a way that would remove it from an exempt class.

(g) The demolition of any structure or facility, the construction of which would be exempted by subsections (1) and (2) of this section, except for structures or facilities with recognized historical significance such as listing in a historic register.

(h) The installation or removal of impervious underground or above-ground tanks, having a total capacity of 10,000 gallons or less except on agricultural and industrial lands. On agricultural and industrial lands, the installation or removal of impervious underground or above-ground tanks, having a total capacity of 60,000 gallons or less.

(i) The vacation of streets or roads, converting public right of way, and other changes in motor



vehicle access.

(j) The installation of hydrological measuring devices, regardless of whether or not on lands covered by water.

(k) The installation of any property, boundary or survey marker, other than fences, regardless of whether or not on lands covered by water.

(l) The installation of accessory solar energy generation equipment on or attached to existing structures and facilities whereby the existing footprint and size of the building is not increased.

(3) **Repair, remodeling and maintenance activities.** The following activities shall be categorically exempt: The repair, remodeling, maintenance, or minor alteration of existing private or public structures, facilities or equipment, including utilities, recreation, and transportation facilities involving no material expansions or changes in use beyond that previously existing; except that, where undertaken wholly or in part on lands covered by water, only minor repair or replacement of structures may be exempt (examples include repair or replacement of piling, ramps, floats, or mooring buoys, or minor repair, alteration, or maintenance of docks). The following maintenance activities shall not be considered exempt under this subsection:

(a) Dredging of over 50 cubic yards of material;

(b) Reconstruction or maintenance of groins and similar shoreline protection structures;

(c) Replacement of utility cables that must be buried under the surface of the bedlands; or

(d) Repair/rebuilding of major dams, dikes, and reservoirs shall also not be considered exempt under this subsection.

(4) **Water rights.** Appropriations of one cubic foot per second or less of surface water, or of 2,250 gallons per minute or less of groundwater, for any purpose. The exemption covering not only the permit to appropriate water, but also any hydraulics permit, shoreline permit or building permit required for a normal diversion or intake structure, well and pumphouse reasonably necessary to accomplish the exempted appropriation, and including any activities relating to construction of a distribution system solely for any exempted appropriation.

(5) **Purchase or sale of real property.** The following real property transactions by an agency shall be exempt:

(a) The purchase or acquisition of any right to real property.

(b) The sale, transfer or exchange of any publicly owned real property, but only if the property is not subject to a specifically designated and authorized public use established by the public landowner and used by the public for that purpose.

(c) Leasing, granting an easement for, or otherwise authorizing the use of real property when the property use will remain essentially the same as the existing use for the term of the agreement, or when the use under the lease, easement or other authorization is otherwise exempted by this chapter.

(6) **Land use decisions.** The following land use decisions shall be exempt:

(a) Land use decisions for exempt projects, except that rezones must comply with (c) of this subsection.

(b) Other land use decisions not qualified for exemption under subsection (a) (such as a home occupation or change of use) are exempt provided:

(i) The authorized activities will be conducted within an existing building or facility qualifying for exemption under WAC 197-11-800 (1) and (2); and

(ii) The activities will not change the character of the building or facility in a way that would remove it from an exempt class.

(c) Where an exempt project requires a rezone, the rezone is exempt only if:

(i) The project is in an urban growth area in a city or county planning under RCW **36.70A.040**;

(ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and

(iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS

adequately addressed the environmental impacts of the rezone.

(d) Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by RCW **58.17.060**, and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under RCW **58.17.020**. This exemption includes binding site plans authorized by RCW **58.17.035** up to the same number of lots allowed by the jurisdiction as a short subdivision.

(e) Granting of variance based on special circumstances, not including economic hardship, applicable to the subject property, such as size, shape, topography, location or surroundings and not resulting in any change in land use or density.

(f) Alteration of property lines as authorized by RCW **58.17.040**(6).

(7) **Open burning.** Opening burning and the issuance of any license for open burning shall be exempt. The adoption of plans, programs, objectives or regulations by any agency incorporating general standards respecting open burning shall not be exempt.

(8) **Clean Air Act.** The granting of variances under RCW **70.94.181** extending applicable air pollution control requirements for one year or less shall be exempt.

(9) **Water quality certifications.** The granting or denial of water quality certifications under the Federal Clean Water Act (Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1341) shall be exempt.

(10) **Activities of the state legislature.** All actions of the state legislature are exempted.

(11) **Judicial activity.** The following shall be exempt:

(a) All adjudicatory actions of the judicial branch.

(b) Any quasi-judicial action of any agency if such action consists of the review of a prior administrative or legislative decision. Decisions resulting from contested cases or other hearing processes conducted prior to the first decision on a proposal or upon any application for a rezone, conditional use permit or other similar permit not otherwise exempted by this chapter, are not exempted by this subsection.

(12) **Enforcement and inspections.** The following enforcement and inspection activities shall be exempt:

(a) All actions, including administrative orders and penalties, undertaken to enforce a statute, regulation, ordinance, resolution or prior decision. No license shall be considered exempt by virtue of this subsection; nor shall the adoption of any ordinance, regulation or resolution be considered exempt by virtue of this subsection.

(b) All inspections conducted by an agency of either private or public property for any purpose.

(c) All activities of fire departments and law enforcement agencies except physical construction activity.

(d) Any action undertaken by an agency to abate a nuisance or to abate, remove or otherwise cure any hazard to public health or safety. The application of pesticides and chemicals is not exempted by this subsection but may be exempted elsewhere in these guidelines. No license or adoption of any ordinance, regulation or resolution shall be considered exempt by virtue of this subsection.

(e) Any suspension or revocation of a license for any purpose.

(13) **Business and other regulatory licenses.** The following business and other regulatory licenses are exempt:

(a) All licenses to undertake an occupation, trade or profession.

(b) All licenses required under electrical, fire, plumbing, heating, mechanical, and safety codes and regulations, but not including building permits.

(c) All licenses to operate or engage in amusement devices and rides and entertainment activities including, but not limited to, cabarets, carnivals, circuses and other traveling shows, dances, music machines, golf courses, and theaters, including approval of the use of public facilities for temporary civic celebrations, but not including licenses or permits required for permanent construction

of any of the above.

(d) All licenses to operate or engage in charitable or retail sales and service activities including, but not limited to, peddlers, solicitors, second hand shops, pawnbrokers, vehicle and housing rental agencies, tobacco sellers, close out and special sales, fireworks, massage parlors, public garages and parking lots, and used automobile dealers.

(e) All licenses for private security services including, but not limited to, detective agencies, merchant and/or residential patrol agencies, burglar and/or fire alarm dealers, guard dogs, locksmiths, and bail bond services.

(f) All licenses for vehicles for-hire and other vehicle related activities including, but not limited to, taxicabs, ambulances, and tow trucks: Provided, That regulation of common carriers by the utilities and transportation commission shall not be considered exempt under this subsection.

(g) All licenses for food or drink services, sales, and distribution including, but not limited to, restaurants, liquor, and meat.

(h) All animal control licenses including, but not limited to, pets, kennels, and pet shops. Establishment or construction of such a facility shall not be considered exempt by this subsection.

(i) The renewal or reissuance of a license regulating any present activity or structure so long as no material changes are involved.

(14) **Activities of agencies.** The following administrative, fiscal and personnel activities of agencies shall be exempt:

(a) The procurement and distribution of general supplies, equipment and services authorized or necessitated by previously approved functions or programs.

(b) The assessment and collection of taxes.

(c) The adoption of all budgets and agency requests for appropriation: Provided, That if such adoption includes a final agency decision to undertake a major action, that portion of the budget is not exempted by this subsection.

(d) The borrowing of funds, issuance of bonds, or applying for a grant and related financing agreements and approvals.

(e) The review and payment of vouchers and claims.

(f) The establishment and collection of liens and service billings.

(g) All personnel actions, including hiring, terminations, appointments, promotions, allocations of positions, and expansions or reductions in force.

(h) All agency organization, reorganization, internal operational planning or coordination of plans or functions.

(i) Adoptions or approvals of utility, transportation and solid waste disposal rates.

(j) The activities of school districts pursuant to desegregation plans or programs; however, construction of real property transactions or the adoption of any policy, plan or program for such construction of real property transaction shall not be considered exempt under this subsection.

(k) Classification of land for current use taxation under chapter **84.34** RCW, and classification and grading of forest land under chapter **84.33** RCW.

(15) **Financial assistance grants.** The approval of grants or loans by one agency to another shall be exempt, although an agency may at its option require compliance with SEPA prior to making a grant or loan for design or construction of a project. This exemption includes agencies taking nonproject actions that are necessary to apply for federal or other financial assistance.

(16) **Local improvement districts and special purpose districts.** The formation of local improvement districts and special purpose districts, unless such formation constitutes a final agency decision to undertake construction of a structure or facility not exempted under WAC 197-11-800 and **197-11-880**. A special district or special purpose district is a local government entity designated by the Revised Code of Washington (RCW) and is not a city, town, township, or county.

(17) **Information collection and research.** Basic data collection, research, resource evaluation, requests for proposals (RFPs), and the conceptual planning of proposals shall be exempt.

These may be strictly for information-gathering, or as part of a study leading to a proposal that has not yet been approved, adopted or funded; this exemption does not include any agency action that commits the agency to proceed with such a proposal. (Also see WAC **197-11-070**.)

(18) **Acceptance of filings.** The acceptance by an agency of any document or thing required or authorized by law to be filed with the agency and for which the agency has no discretionary power to refuse acceptance shall be exempt. No license shall be considered exempt by virtue of this subsection.

(19) **Procedural actions.** The proposal, amendment or adoption of legislation, rules, regulations, resolutions or ordinances, or of any plan or program shall be exempt if they are:

(a) Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

(b) Text amendments resulting in no substantive changes respecting use or modification of the environment.

(c) Agency SEPA procedures.

(20) **Reserved.**

(21) **Adoption of noise ordinances.** The adoption by counties/cities of resolutions, ordinances, rules or regulations concerned with the control of noise which do not differ from regulations adopted by the department of ecology under chapter **70.107** RCW. When a county/city proposes a noise resolution, ordinance, rule or regulation, a portion of which differs from the applicable state regulations, SEPA compliance may be limited to those items which differ from state regulations.

(22) **Review and comment actions.** Any activity where one agency reviews or comments upon the actions of another agency or another department within an agency shall be exempt.

(23) **Utilities.** The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.

(a) All communications lines, including cable TV, but not including communication towers or relay stations.

(b) All stormwater, water and sewer facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines 12 inches or less in diameter.

(c) All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less; the overbuilding of existing distribution lines (55,000 volts or less) with transmission lines (up to and including 115,000 volts); within existing rights of way or developed utility corridors, all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 115,000 volts or less; and the undergrounding of all electric facilities, lines, equipment or appurtenances.

(d) All natural gas distribution (as opposed to transmission) lines and necessary appurtenant facilities and hookups.

(e) All developments within the confines of any existing electric substation, reservoir, pump station vault, pipe, or well: Additional appropriations of water are not exempted by this subsection.

(f) Periodic use of chemical or mechanical means to maintain a utility or transportation right of way in its design condition: Provided, the chemicals used are approved by Washington state and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.

(g) All grants of rights of way by agencies to utilities for use for distribution (as opposed to transmission) purposes.

(h) All grants of franchises by agencies to utilities.

(i) All disposals of rights of way by utilities.

(24) **Natural resources management.** In addition to the other exemptions contained in this

section, the following natural resources management activities shall be exempt:

- (a) Issuance of new grazing leases covering a section of land or less; and issuance of all grazing leases for land that has been subject to a grazing lease within the previous 10 years.
- (b) Licenses or approvals to remove firewood.
- (c) Issuance of agricultural leases covering 160 contiguous acres or less.
- (d) Issuance of leases for Christmas tree harvesting or brush picking.
- (e) Issuance of leases for school sites.
- (f) Issuance of leases for, and placement of, mooring buoys designed to serve pleasure craft.
- (g) Development of recreational sites not specifically designed for all-terrain vehicles and not including more than 12 campsites.
- (h) Periodic use of chemical or mechanical means to maintain public park and recreational land: Provided, That chemicals used are approved by the Washington state department of agriculture and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.
- (i) Issuance of rights of way, easements and use permits to use existing roads in nonresidential areas.
- (j) Establishment of natural area preserves to be used for scientific research and education and for the protection of rare flora and fauna, under the procedures of chapter **79.70** RCW.

**(25) Wireless service facilities.**

- (a) The siting of wireless service facilities are exempt if:
  - (i) The collocation of new equipment, removal of equipment, or replacement of existing equipment on existing or replacement structures that does not substantially change the physical dimensions of such structures; or
  - (ii) The siting project involves constructing a wireless service tower less than 60 feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone.
- (b) For the purposes of this subsection:
  - (i) "Wireless services" means wireless data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.
  - (ii) "Wireless service facilities" means facilities for the provision of wireless services.
  - (iii) "Collocation" means the mounting or installation of equipment on an existing tower, building, structure for the purposes of either transmitting or receiving, or both, radio frequency signals for communication purposes.
  - (iv) "Existing structure" means any existing tower, pole, building, or other structure capable of supporting wireless service facilities.
  - (v) "Substantially change the physical dimensions" means:
    - (A) The mounting of equipment on a structure that would increase the height of the structure by more than 10 percent, or 20 feet, whichever is greater; or
    - (B) The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than 20 feet, or more than the width of the structure at the level of the appurtenance, whichever is greater.
- (c) This exemption does not apply to projects within a critical area designated under GMA (RCW **36.70A.060**).

**(26) State transportation projects.** The following Washington department of transportation projects and activities shall be exempt: The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation, as long as the action:

- (a) Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards

or environmental permit requirements; and

(b) The action does not result in addition of automobile lanes, a change in capacity, or a change in functional use of the facility.

(27) **Structurally deficient city, town and county bridges.** The repair, reconstruction, restoration, retrofitting, or replacement of a structurally deficient city, town or county bridge shall be exempt as long as the action:

(a) Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements; and

(b) The action does not result in addition of automobile lanes, a change in capacity, or a change in functional use of the facility.

"Structurally deficient" means a bridge that is classified as in poor condition under the state bridge condition rating system and is reported by the state to the national bridge inventory as having a deck, superstructure, or substructure rating of four or below. Structurally deficient bridges are characterized by deteriorated conditions of significant bridge elements and potentially reduced load-carrying capacity. Bridges deemed structurally deficient typically require significant maintenance and repair to remain in service, and require major rehabilitation or replacement to address the underlying deficiency.

[Statutory Authority: RCW **43.21C.110** and 2022 c 246. WSR 23-01-119 (Order 22-08), § 197-11-800, filed 12/20/22, effective 1/20/23. Statutory Authority: RCW **43.21C.110**. WSR 16-13-012 (Order 15-09), § 197-11-800, filed 6/2/16, effective 7/3/16. Statutory Authority: RCW **43.21C.110** and **43.21C.100** [43.21C.170]. WSR 14-09-026 (Order 13-01), § 197-11-800, filed 4/9/14, effective 5/10/14. Statutory Authority: RCW **43.21C.110**. WSR 13-02-065 (Order 12-01), § 197-11-800, filed 12/28/12, effective 1/28/13. Statutory Authority: RCW **43.21A.090**, chapter **43.21C** RCW, RCW **43.21C.035**, **43.21C.037**, **43.21C.038**, **43.21C.0381**, **43.21C.0382**, **43.21C.0383**, **43.21C.110**, **43.21C.222**. WSR 03-16-067 (Order 02-12), § 197-11-800, filed 8/1/03, effective 9/1/03. Statutory Authority: 1995 c 347 (ESHB 1724) and RCW **43.21C.110**. WSR 97-21-030 (Order 95-16), § 197-11-800, filed 10/10/97, effective 11/10/97. Statutory Authority: RCW **43.21C.110**. WSR 84-05-020 (Order DE 83-39), § 197-11-800, filed 2/10/84, effective 4/4/84.]

**Exhibit 10**













**CITY OF MEDINA**  
**DEVELOPMENT SERVICES**  
 425-233-6414  
 425-233-6400

**Administrative Tree  
 Activity Permit**

**T-01**

**Instructions:** Complete this form for the following:

- The property is designated as under development (MMC 20.52.100)
- Removal of any significant tree on private property having a 6-inch DBH and larger size that is not a legacy tree
- Removal of any non-significant tree on private property within 200 feet of the shoreline having a 6-inch DBH and larger size that is not a legacy tree
- Removal of a hazard tree from the city right-of-way

<input checked="" type="checkbox"/> New Application <input type="checkbox"/> Supplemental	Staff Only	Date Received: <u>7-9-19</u>	By: <u>[Signature]</u>	Permit No. <u>T-19-046</u>
--	------------	------------------------------	------------------------	----------------------------

Property Address: <u>116 OVERLAKE DR. EAST</u>		Check if tree is:
Tax Parcel No. <u>#9389700015</u>		<input checked="" type="checkbox"/> Within 200 feet of shoreline <input type="checkbox"/> Within a critical area (Ch. 18.12 MMC)

Legal Property Owner Information			
Name: <u>STEVE BURNSTEAD CONST. LLC</u>	Email: <u>STEVE@BURNSTEAD.COM</u>		
Mailing Address: <u>11980 NE 24<sup>th</sup> ST. BELLEVUE WA 98005</u>	City	State	Zip
	Phone: <u>206-369-6869</u>		

Contact/ Agent Information	
Name: <u>STEVE BURNSTEAD</u>	Email: <u>STEVE@BURNSTEAD.COM</u>
Address:	Phone: <u>206-369-6869</u>

Contractor Information	Email & Phone:
------------------------	----------------

Project Information	
Is the property under development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check One: <input checked="" type="checkbox"/> Application is for tree performance standards (attach form T-01a) <input type="checkbox"/> Application is for tree restoration standards (attach form T-01b)

**Application Submittal Checklist**

The following materials are required for a complete application:

Copies	Material to be submitted	Applicant	N/A	City
2	This form completed.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Proof of ownership.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Declaration of Agency.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Completed T-01a form if performance standards apply (See MMC 20.52.130).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Completed T-01b form if restoration standards apply (See MMC 20.52.150).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Tree removal and planting plan (required for tree performance standards).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Tree protection measures (required for properties under development).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Critical Areas Report (if applicable).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1	City Hazard Tree Assessment (if applicable).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I declare under penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) and that all applicable information furnished in support of this application is true, correct and complete.

Print Name: STEVE BURNSTEAD  Owner  Agent (check one)  
 Signature: [Signature] Date: 4/15/19

City Use Only		
Application Fee: <u>500.00</u>	Receipt # <u>19-0481</u>	Planning Review: <u>1 1</u>
Tech Fee: <u>19.75</u>	Date paid: <u>7-9-19</u>	Tree Consultant Review: <u>1 1</u>
Advanced Deposit: <u>NA</u>	<input type="checkbox"/> Check if issued same day as submittal	Final inspection: <u>1 1</u>

Rev. 07.31.2015



CITY OF MEDINA  
 DEVELOPMENT SERVICES  
 425-233-6414  
 425-233-6400

# OWNER'S DECLARATION OF AGENT

# A-05

Project Address 116 OVERLAKE DR. EAST Parcel No. # 938970015

I/We STEVE BURNSTEAD do hereby declare and affirm that I/we are:

- the owners or contract purchasers of the above property
- an officer or representative of \_\_\_\_\_, a Washington corporation or trust which is the owner of the above property. I am duly authorized by this entity to represent the above property in matters of ownership, land use, and construction. Attached, please find a copy of the Power of Attorney or other document by which I have been appointed.

### AGENCY

I/We are applying for one or more permits for development of the above property. I/We understand that the proposed work may also include additional permits for land use approvals.

For the purposes of applying for the applicable permits and managing the owner's responsibility for compliance with the approved plans and any land use permits associated with this project, I/we

- will act as my own agent
- do hereby appoint \_\_\_\_\_ to act as my agent in dealing with the City of Medina in all acts and decisions related to processing the application for permit, review and approval of the application, authorization of revisions, and coordination of required inspections and project approvals.

### AGREEMENT TO CONDITIONS

I/We agree as a condition of this permit:


- To comply with all applicable codes, ordinances, laws and conditions of approval in effect at time of permit issue.
- To ensure that all work shall be done in accord with the approved plans and specifications, which shall not be modified without the prior approval of the Building Official. I/We will provide all data and details of revisions to the approved plans to the City prior to undertaking any work that differs from the approved plans. The official approved plans for the project shall be those plans that are stamped and dated as approved by the City of Medina.
- To inform all contractors, subcontractors and workers of these conditions and any project mitigation requirements agreed to, and I/we will enforce compliance thereto.
- To maintain the approved plans, all correction notices, all inspection reports, and all permit documents on the project site and readily available to the inspectors.
- To ensure that requests are made to the City for the required inspections. Failure to notify the Development Services Department that the work is ready for inspection may necessitate the removal of some of the construction materials at the owner's expense in order to perform required inspections.
- To cause all certifications required by the City to be completed and to reconcile the permit fees upon completion of the work. I/We understand that the City will not issue a Certificate of Completion or a Certificate of Occupancy until these documents are completed.
- I/We acknowledge that consultant fees may be incurred as a result of the review and inspection of the proposed work. I/We agree to be responsible for the payment of these fees and understand that the payment of these fees is required prior to issuance of a Certificate of Occupancy.

### SALES TAX

All contractors and vendors must report sales taxes for transactions in the City of Medina on quarterly combined excise tax returns. The 4-digit location code for the City of Medina is 1718.

### OWNER OR OFFICER/REPRESENTATIVE NAME AND SIGNATURES

I HAVE READ, UNDERSTOOD AND AGREE TO THE ABOVE REQUIREMENTS.

Signature  Date 4/15/17  
 Name STEVE A. BURNSTEAD



**Instructions:** Complete and attach this form to T-01 for the following:

- The property is designated as under development pursuant to MMC 20.52.100
- The applicant is using the tree performance standards in MMC 20.52.130

File No.

- New**  
 **Revision**

**STEP 1: Inventory existing tree units** Conduct an inventory of all significant trees within the boundaries of the lot.

No.	Tree	DBH	No.	Tree	DBH
1	See attached docs.		7		
2			8		
3			9		
4			10		
5			11		
6			12		

**STEP 2: Calculate Existing Tree Units** From Table 20.52.130(C): add together the number of significant trees in each range below and multiply by the corresponding value to produce Existing Tree Units.

A.	Total number of trees at least 6 inches, but less than 10 inches DBH	7	X 0.75 =	5.25	D. TOTAL EXISTING TREE UNITS (A + B + C)  37.25
B.	Total number of trees 10 inches DBH and larger	32	X 1.00 =	32	
C.	Total number of conifer trees 50 inches DBH and larger	0	X 1.25 =	0	

**STEP 3: Inventory removed trees** List the significant trees that are proposed for removal. This information will be used in Step 4 and 7 (if applicable).

No.	Tree	DBH	No.	Tree	DBH
	See attached docs.				

**STEP 4: Calculate Net Existing Tree Units** To calculate Net Existing Tree Units, add together the number of significant trees in each range below that are proposed for removal and multiply by the corresponding value. Then follow H and I.

E.	Total number of trees removed at least 6 inches, but less than 10 inches DBH	4	X 0.75 =	3	H. TOTAL TREE UNITS TO BE REMOVED (E + F + G)	23
F.	Total number of trees removed 10 inches DBH and larger	20	X 1.00 =	20		
G.	Total number of conifer trees 50 inches DBH and larger	0	X 1.25 =	0	I. Net Existing Tree Units (subtract H from D)	14.25

**STEP 5: Calculate Required Tree Units** To calculate Required Tree Units, perform the calculations in J through M.

J. Lot Area (sq. ft.)		K. Divide J by 1,000	L. Tree Density Ratio (check one)		M. REQUIRED TREE UNITS (Multiply K x L)	(round up) 7
J.	19,988	K.	19.98	L. <input checked="" type="checkbox"/> 0.35 (residential) <input type="checkbox"/> Table 20.52.130.B		

**STEP 6: Determine if Supplemental Trees are required** Subtract the Tree Units in M from the Tree Units in I.  
 • If the difference is zero or a positive number - stop. No supplemental trees are required.  
 • If the difference is a negative number then go to Step 7.

N.  
 + 7.25

See Page 2 for Step 7 and for additional inventory tables

**SCHEDULE A**

Name and Address of Title Insurance Company: Unit 4 / Seattle Residential  
Chicago Title Company of Washington  
701 5th Avenue, Suite 2700  
Seattle, WA 98104

Address Reference: 116 Overlake Drive East, Medina, WA 98039

Date of Policy	Amount of Insurance	Premium
July 12, 2018 at 12:36 PM	\$3,800,000.00	\$5,293.00

1. Name of Insured:

Steve Burnstead Construction, LLC, a Washington limited liability company

2. The estate or interest in the Land that is insured by this policy is:

FEE SIMPLE

3. Title is vested in:

Steve Burnstead Construction, LLC, a Washington limited liability company

4. The Land referred to in this policy is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED**

**END OF SCHEDULE A**

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ALTA Owner's Policy (06/17/2006)



Printed: 07.30.18 @ 10:42 AM

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 938970-0015-00**

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TRACT 3, M.F. WIGHT'S REPLAT OF BLOCK 23 AND PARTS OF BLOCKS 19, 20 & 22, KENWOOD PARK, ACCORDING TO PLAT RECORDED IN VOLUME 28 OF PLATS, PAGE 20, RECORDS OF KING COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF VACATED OVERLAKE DRIVE ADJOINING TRACT 3, WHICH UPON VACATION ATTACHED TO SAID TRACT 3 BY OPERATION OF LAW.

AND TOGETHER WITH SECOND CLASS SHORELANDS ADJOINING AND ABUTTING UPON SAME.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

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RECEIVED  
JUL 09 2019  
CITY OF MEDINA

Lonnonson Arbor Care  
2616 169<sup>th</sup> Street SE  
Bothell, WA 98012  
425-891-1741  
lonnonson@juno.com

May 4, 2019

Steve Burnstead  
116 Overlake Dr. E  
Medina, WA 98039

Re: **Tree Report & Inventory** for the address above.

Dear Steve,

On April 25, 2019, using a tree diameter tape, I inspected and tagged 43 significant trees on and adjacent to the above-mentioned property. This report documents the location, identification, size and viability of each significant tree, detailed in the following survey table. A site map of the property and the tagged trees is included on the last page.

The City of Medina defines “significant” trees as having a minimum of 6-inch trunk Diameter at Standard Height (DSH = 54 inches from ground). A percentage of significant trees will need to be retained, which will be described in further detail later in this report.

In the following tree inventory table, the number within the brackets is the total DSH for multiple trunks derived from the total area in square inches;  $DSH = [\sqrt{(Area / \pi)}] \times 2$ . The Limit of Disturbance (LOD) is the general radius around the trunk that should not be disturbed during grading and construction in order to preserve the root zone. The LOD is determined by the tree species, its dripline, DSH, surrounding conditions, and slope. A tree’s viability for retention depends on its likelihood for survival (> 10 years), and the various hazards or defects that would be detrimental to tree health, people, or property in the future.

Hazard assessment is categorized into four types of risk within a five-year period: *improbable*, *possible*, *probable*, and *imminent*. *Improbable* risk means the tree is stable, void of defects, and unlikely to fail under normal or severe weather conditions. *Possible* risk means failure could occur but is unlikely under normal weather conditions. *Probable* risk means the tree or part of the tree is very likely to fail within a given time. Trees with *imminent* risk should be worked on as soon as possible.

Some of the trees have a large root zone which may impede certain development. Scenarios where the root zone may be disturbed, or is disturbed (i.e. compacted gravel driveway) will be described in further detail. In any case, no development will be allowed beyond the threshold for root disturbance.



### Tree Inventory Table:

Tag#	Species	DSH	LOD	Viable	Condition
T1	Alaskan cedar <i>Chamaecyparis nootkatensis</i>	19.0" 16.0" [24.8"]	19.0'	Yes	Open wound at the base of one trunk. The trunks lean at 10 and 20 degrees to the east. Tree is <i>possible</i> for whole tree failure into the water due to its lean.
T2	Douglas fir <i>Pseudotsuga menziesii</i>	24.5"	19.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T3	Austrian pine <i>Pinus nigra</i>	29.0"	22.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T5	Holly <i>Ilex aquifolium</i>	13.2"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T6	Shore pine <i>Pinus contorta</i>	6.2"	5.0'	Yes	Tree has no signs of decay or disease. The trunk leans at 15 degrees to the east.
T7	Yellow poplar <i>Liriodendron tulipifera</i>	20.2"	15.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. Lower canopy pruned with proper cuts. <i>Improbable</i> risks for failure.
T8	Holly	13.1"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T50	Apple <i>Malus sp.</i>	11.5"	9.0'	Yes	Neighboring tree that has a dripline over the property. Sturdy tree with no signs of structural defects. <i>Improbable</i> risks for failure.
T9	Portugal laurel <i>Prunus lusitanica</i>	12.8"	10.0'	Yes	Sturdy tree with no signs of structural defects. A spot of bleeding phytophthora exuding from the main trunk. <i>Possible</i> whole tree failure.
T10	Portugal laurel	12.2"	9.0'	Yes	Tree has a 17 degree lean to the east, but no signs of decay or disease. <i>Improbable</i> risk of failure.
T11	Portugal laurel	13.5"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T12	Douglas fir	23.2"	17.0'	No	Tree stands on the edge of a vertical dirt wall. No signs of decay or disease. <i>Possible</i> whole tree failure. Not viable due to surrounding condition.
T13	Pine <i>Pinus sp.</i>	9.6"	7.0'	No	Tree stands on the edge of a vertical dirt wall with a >20 degree lean to the east. No signs of decay or disease. <i>Probable</i> whole tree failure. Not viable due to surrounding condition.
T51	English laurel <i>Prunus laurocerasus</i>	9.2"	7.0'	No	Tree has a contorted trunk and grows through decking material. Grows from sloped earth under building structure. Not viable due to surrounding conditions.

Tag#	Species	DSH	LOD	Viable	Condition
T52	Coastal redwood <i>Sequoia sempervirens</i>	7.4"	6.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T14	Southern magnolia <i>Magnolia grandiflora</i>	5.3"	5.0'	No	Foliage is very thin from excessive shade. Top canopy is dead, most likely from drought stress. Not viable due to poor health. <i>Probable</i> risks for failure.
T15	Cork-bark oak <i>Quercus suber</i>	12.0"	9.0'	Yes	Sturdy tree with an asymmetric canopy. No signs of decay or disease. <i>Improbable</i> risks for failure.
T16	Coulter pine <i>Pinus coulteri</i>	29.7"	23.0'	No	Tree has a 15 degree lean with the very top canopy corrected. Tree's lean is evidence of movement/failure. <i>Probable</i> risk for failure. Not viable due to leaning condition.
T41	Douglas fir	12.5"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T17	Douglas fir	18.5"	14.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T18	Douglas fir	18.9"	14.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T19	Southern magnolia	14.3"	11.0'	Yes	Sturdy tree with no signs of disease. Decay pocket in the trunk filled with concrete. <i>Improbable</i> risks for failure.
T20	Shore pine	9.8"	7.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T22	Portugal laurel	12.9" 8.6" [15.6"]	12.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T23	Portugal laurel	13.5"	10.0'	Yes	Sturdy tree with no signs of decay and disease along the main trunk. Top canopy broke resulting with poor connection of stem growth. <i>Possible</i> large part breaking. <i>Improbable</i> whole tree failure.
T24	Portugal laurel	9.5"	-	No	Tree has uprooted and leaning on another tree. <i>Imminent</i> failure.
T25	Lawson cypress <i>Chamaecyparis lawsoniana</i>	-	-	No	Dead.
T26	Coastal redwood	45.0"	30.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T27	Boulevard cypress <i>Chamaecyparis pisifera</i>	11.5"	8.0'	No	Tree is thin and etiolated from excessive shade. <i>Probable</i> risk of whole tree failure due to windthrow if exposed. Not viable due to susceptibility to windthrow.

Tag#	Species	DSH	LOD	Viable	Condition
T28	Douglas fir	12.5"	9.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T29	Douglas fir	17.8"	13.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T30	Pear <i>Pyrus sp.</i>	8.2"	6.0'	Yes	Tree leans with a poor root system. No signs of decay. <i>Improbable</i> risk of failure.
T31	Red cedar <i>Thuja plicata</i>	24.5"	18.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T32	Western hemlock <i>Tsuga heterophylla</i>	18.1"	14.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T33	Douglas fir	22.9"	17.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T34	Hawthorn <i>Crataegus monogyna</i>	9.9"	7.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T35	Holly	11.5" 6.8" 5.7" 6.0" [15.8"]	12.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T36	Cherry <i>Prunus sp.</i>	10.5"	8.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. Foliage and branching structure thin from excessive shade. <i>Improbable</i> risks for failure.
T37	Douglas fir	15.2"	11.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T38	Douglas fir	17.3"	13.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T39	Douglas fir	12.6"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T40	Sequoia <i>Sequoiadendron giganteum</i>	39.0"	30.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T42	Red cedar	42.5"	32.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.

The total DSH of viable trees within this property (excludes trees T50 and T42) is 561.3 inches. There is a total of 453.2 diameter inches of viable trees proposed to keep. This is 81% retention of all viable significant trees within the property.

**Retention Plan:**

The priority in tree retention should be to preserve trees that have connecting canopies. The grouping of these trees, or known as a grove, will limit the dangers of isolated trees blowing down in strong winds.

The total diameter of retained trees exceeds the minimum number of diameter inches set forth by the City of Medina per municipal code chapter 20.52.110. 81% of the trees, greater than 6 inches DSH, can be retained.

Retention Table:

Tag #	Species	DSH
T1	Alaskan cedar	24.8"
T2	Douglas fir	24.5"
T3	Austrian pine	29.0"
T5	Holly	13.2"
T6	Shore pine	6.2"
T7	Yellow poplar	20.2"
T8	Holly	13.1"
T9	Portugal laurel	12.8"
T10	Portugal laurel	12.2"
T11	Portugal laurel	13.5"
T17	Douglas fir	18.5"
T18	Douglas fir	18.9"
T19	S. magnolia	14.3"

Tag #	Species	DSH
T20	Shore pine	9.8"
T22	Portugal laurel	15.6"
T23	Portugal laurel	13.5"
T26	Redwood	45.0"
T31	Red cedar	24.5"
T32	Hemlock	18.1"
T33	Douglas fir	22.9"
T34	Hawthorn	9.9"
T35	Holly	15.8"
T36	Cherry	10.5"
T40	Sequoia	39.0"
T52	Redwood	7.4"

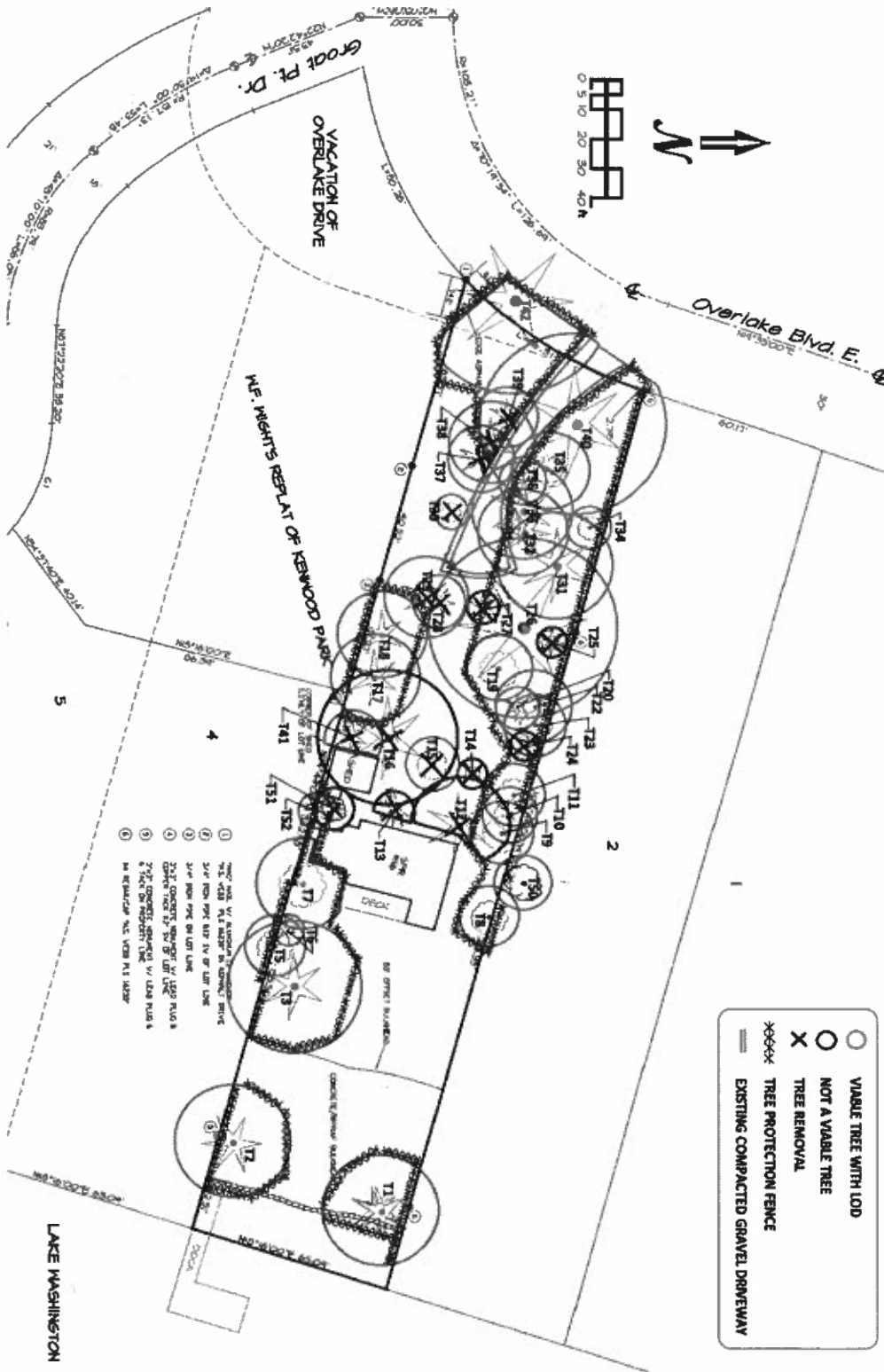
Total retained DSH = 453.2 inches.

**Tree Protection Plan:**

Protective fencing is encouraged around the perimeters of the LOD for each retained tree, or grove of trees during grading and construction. Chain-link fencing is recommended for tree protection to preserve the trees from soil disturbance due to machines, foot traffic, and materials. Grading and construction should not be allowed within the protected area of retained trees unless approved by a Certified Arborist.

In order to maximize space for driveway and housing, with proper site conditions, development can encroach within the trees' LODs. 30% disturbance of the outer root zones can be allowed. The outer root zone is the area around the tree from the LOD line and half the distance to the trunk. For example, T26 can withstand the root disturbance on the outside of the protective fencing, displayed on the site map, last page. The resulting root disturbance for T26 is less than 30% of the root zone and not within the inner root zone.

**Property Map: 116 Overlake Dr. E, Medina 98039.**



Lot Size 19,988  
Tree Units Required 7

Tree Units Retained 6.5 If positive, no supplemental trees required

Tree Species	Tree #	DBH	stem sizes	within footprint and <36" DBH	Remove = 0/ Retain = 1	Tree Units	List 1 = 1/ not list 1 = 0	10" DBH+	24" +	notes
Alaskan cedar	1	24.8			1	1	1	1	1	
Douglas fir	2	24.5			1	1	1	1	1	
Austrian pine	3	29			0					
Holly	4	13.2			0					
Shore pine	5	6.2			0					
Yellow poplar	6	20.2			0					
Holly	7	13.1			1	1	1	1	1	
Portugal laurel	8	12.8			1	1	1	1	1	
Portugal laurel	9	12.2			1	1	1	1	1	
Portugal laurel	10	13.5			1	1	1	1	1	
Douglas fir	11	23.2			0					
Pine	12	9.6			0					
Cork bark oak	14	12			0					
Coulter pine	15	29.7			1	1	1	1	1	
Douglas fir	16	18.5			0					
Douglas fir	17	18.9			0					
Southern laurel	18	14.3			0					
Shore pine	19	9.8			0					
Portugal laurel	20	15.6			0					
Portugal laurel	22	13.5			0					
Portugal laurel	23	19.5			0					
Coastal redwood	26	45			1	1	1	1	1	
Boulevard cypress	27	11.5			0					
Douglas fir	28	12.5			0					
Douglas fir	29	17.8			0					
Pear	30	8.2			0					
Red cedar	31	24.5			1	1	1	1	1	
Western hemlock	32	18.1			1	1	1	1	1	
Douglas fir	33	22.9			1	1	1	1	1	
Hawthorn	34	9.9			1	0.75	1			
Holly	35	15.8			0					
Cherry	36	10.5			0					
Douglas fir	37	15.2			0					
Douglas fir	38	15.2			0					
Douglas fir	39	12.6			0					
Sequoia	40	39			1	1	1	1	1	
Douglas fir	41	12.5			0					
English laurel	51	9.2			0					
Coastal redwood	52	7.4			1	0.75	1			
	39			0	34	13.5	14	12	6	

Tree Preservation Percentage 36% Tree Preservation Approach Qualified:

36%	X	86%	43%	Preserve 50%+ of existing trees, 6" DBH+ & on List 1
				Preserve 40%+ of existing trees, 6" DBH+ with 1/2 being 10" DBH+ & appear on list 1
				Preserve 35%+ of existing trees, 50% 10" DBH+ and 40% 24" DBH+ & appear on List 1
				Preserve 25%+ of existing trees, 75% 24" DBH+ & appear on List 1

**SURVEY OF**

Block 23 and parts of Blocks 14, 20 and 22, Lots 2, 3 and 4 of the Subdivision of the M.F.E. Wright's REPLAT of Kenwood Park, as recorded in Volume 20 of Maps, Page 20, Records of King County, Washington.  
 TOGETHER WITH that portion of vacated Overlake Drive adjoining Tract 3, which upon vacation, attached to said Tract 3 by operation of law,  
 AND TOGETHER WITH second class shorelands adjoining and abutting upon same, Situate in the County of King, State of Washington.

**NOTES**

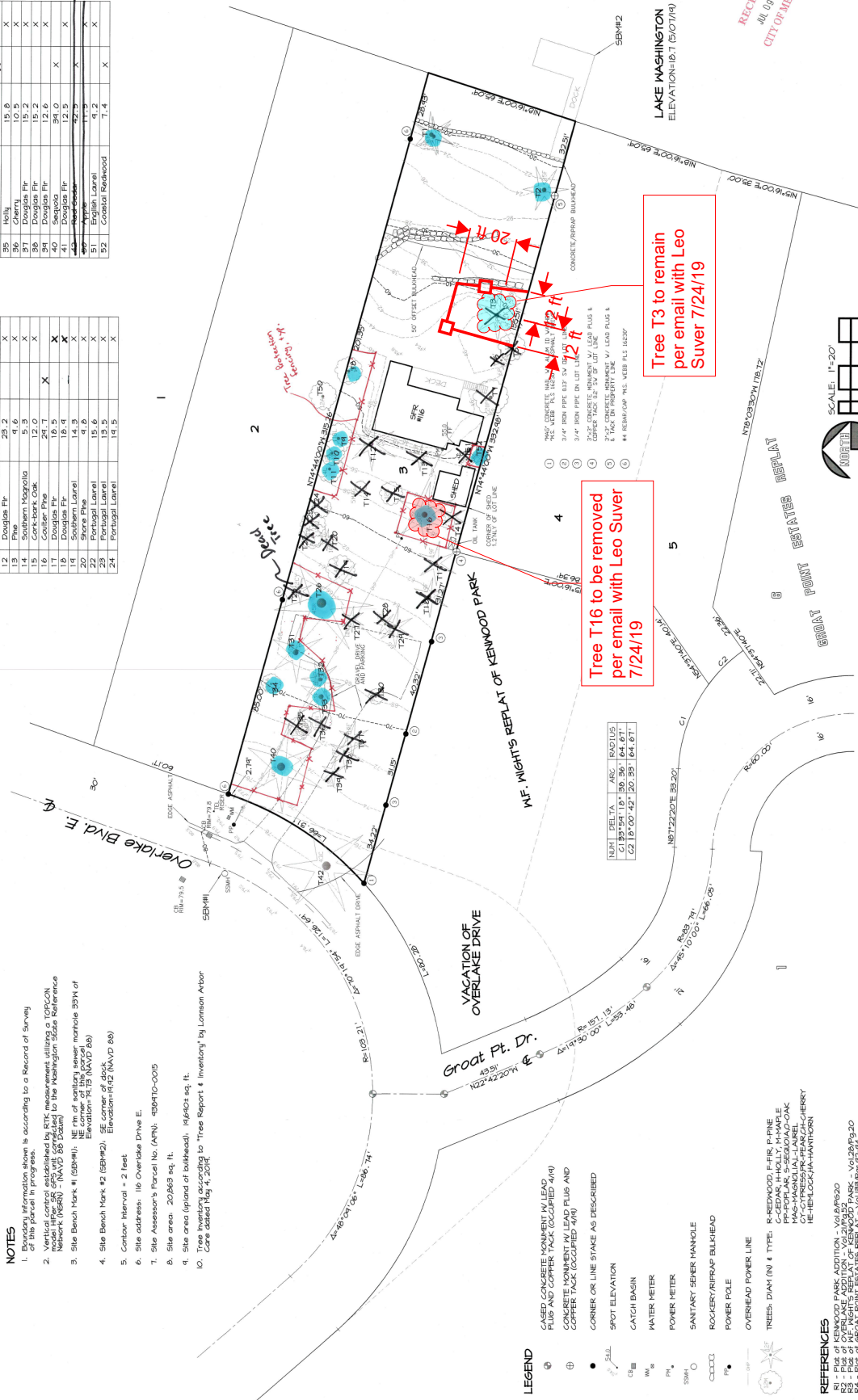
1. This plan in part is according to a Record of Survey of this parcel in part.
2. Vertical control established by RTK measurements utilizing a CORSION model JIFR-500 GPS unit compared to the Washington State Reference Marker (WSRM) - NAD83 50 datum.
3. Site Bench Mark #1 (SBM#1) NE corner of the parcel. Elevation= 141.19 (NAVD 83)
4. Site Bench Mark #2 (SBM#2) SE corner of block. Elevation= 141.19 (NAVD 83)
5. Contour Interval = 2 feet
6. Site address: 116 Overlake Drive E.
7. Site Assessor's Parcel No. (APN): 438470-005
8. Site area: 20,969 sq. ft.
9. Site area (total of all parcels): 19,803 sq. ft.
10. Tree Inventory according to "Tree Report # Inventory" by Lorenson Arbor Care dated May 4, 2019.

STEVE BURNSTEAD CONSTRUCTION  
 for  
**TOPOGRAPHIC SURVEY**

**TREE TABLE**

NO.	SPECIES	DIAM. (inches)	RETAIN	REMOVE
1	Albion Pear	24.5	X	
2	Douglas Fir	24.0	X	
3	Austron Pine	19.2	X	
4	Holly	13.2	X	
5	Red Pine	20.2	X	
6	White Fir	13.1	X	
7	Portugal Laurel	12.8	X	
8	Portugal Laurel	12.2	X	
9	Portugal Laurel	11.2	X	
10	Portugal Laurel	11.2	X	
11	Portugal Laurel	11.2	X	
12	Douglas Fir	23.2	X	
13	Pine	9.6	X	
14	Southern Magnolia	15.3	X	
15	Black Alder	15.3	X	
16	Coastal Redwood	24.7	X	
17	Douglas Fir	18.5	X	
18	Douglas Fir	19.4	X	
19	Douglas Fir	19.4	X	
20	Shore Pine	4.1	X	
21	Portugal Laurel	15.6	X	
22	Portugal Laurel	13.5	X	
23	Portugal Laurel	13.5	X	
24	Portugal Laurel	14.5	X	
25	Coastal Redwood	11.5	X	
26	Coastal Redwood	11.5	X	
27	Bolander Cypress	11.5	X	
28	Douglas Fir	12.5	X	
29	Douglas Fir	11.5	X	
30	Douglas Fir	11.5	X	
31	Road Cedar	24.5	X	
32	Western Hemlock	18.1	X	
33	Douglas Fir	22.4	X	
34	Western Hemlock	12.5	X	
35	Holly	15.8	X	
36	Cherry	10.5	X	
37	Douglas Fir	15.2	X	
38	Douglas Fir	12.6	X	
39	Douglas Fir	12.6	X	
40	Sageoak	24.0	X	
41	Douglas Fir	12.5	X	
42	Portugal Laurel	12.5	X	
43	Portugal Laurel	12.5	X	
44	Portugal Laurel	12.5	X	
45	Portugal Laurel	12.5	X	
46	Portugal Laurel	12.5	X	
47	Portugal Laurel	12.5	X	
48	Portugal Laurel	12.5	X	
49	Portugal Laurel	12.5	X	
50	Portugal Laurel	12.5	X	
51	English Laurel	9.2	X	
52	Coastal Redwood	11.4	X	

NO.	SPECIES	DIAM. (inches)	RETAIN	REMOVE
1	Albion Pear	24.5	X	
2	Douglas Fir	24.0	X	
3	Austron Pine	19.2	X	
4	Holly	13.2	X	
5	Red Pine	20.2	X	
6	White Fir	13.1	X	
7	Portugal Laurel	12.8	X	
8	Portugal Laurel	12.2	X	
9	Portugal Laurel	11.2	X	
10	Portugal Laurel	11.2	X	
11	Portugal Laurel	11.2	X	
12	Douglas Fir	23.2	X	
13	Pine	9.6	X	
14	Southern Magnolia	15.3	X	
15	Black Alder	15.3	X	
16	Coastal Redwood	24.7	X	
17	Douglas Fir	18.5	X	
18	Douglas Fir	19.4	X	
19	Douglas Fir	19.4	X	
20	Shore Pine	4.1	X	
21	Portugal Laurel	15.6	X	
22	Portugal Laurel	13.5	X	
23	Portugal Laurel	13.5	X	
24	Portugal Laurel	14.5	X	
25	Coastal Redwood	11.5	X	
26	Coastal Redwood	11.5	X	
27	Bolander Cypress	11.5	X	
28	Douglas Fir	12.5	X	
29	Douglas Fir	11.5	X	
30	Douglas Fir	11.5	X	
31	Road Cedar	24.5	X	
32	Western Hemlock	18.1	X	
33	Douglas Fir	22.4	X	
34	Western Hemlock	12.5	X	
35	Holly	15.8	X	
36	Cherry	10.5	X	
37	Douglas Fir	15.2	X	
38	Douglas Fir	12.6	X	
39	Douglas Fir	12.6	X	
40	Sageoak	24.0	X	
41	Douglas Fir	12.5	X	
42	Portugal Laurel	12.5	X	
43	Portugal Laurel	12.5	X	
44	Portugal Laurel	12.5	X	
45	Portugal Laurel	12.5	X	
46	Portugal Laurel	12.5	X	
47	Portugal Laurel	12.5	X	
48	Portugal Laurel	12.5	X	
49	Portugal Laurel	12.5	X	
50	Portugal Laurel	12.5	X	
51	English Laurel	9.2	X	
52	Coastal Redwood	11.4	X	



- LEGEND**
- ① CASED CONCRETE MONUMENT IN LEAG AND CORNER PLAK (OCCUPIED 4/19)
  - ② CASED CONCRETE MONUMENT IN LEAG CORNER PLAK (OCCUPIED 4/19)
  - CORNER OR LINE STAKE AS DESCRIBED
  - SPOT ELEVATION
  - CATCH BASIN
  - WATER METER
  - POWER METER
  - SANITARY SEWER MANHOLE
  - ROCKERY/RRR/RRAP BILLHEAD
  - POWER POLE
  - OVERHEAD POWER LINE
  - TREES: DIAM (IN) & TYPE: R-REDWOOD, F-FIR, P-PINE, C-CEDAR, H-HOLLY, M-MAPLE, MA-MANZANILLA-LABEL, O-OAK, CR-CYPRESS/R-PEARCH-CHERRY, H-HEMLOCK/JAN-HARTIGN
- REFERENCES**
- 1 - Record of Survey - Vol 18/18/20
  - 2 - Record of Survey - Vol 18/18/20
  - 3 - Record of Survey - Vol 18/18/20
  - 4 - Record of Survey - Vol 18/18/20
  - 5 - Record of Survey - Vol 18/18/20
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  - 46 - Record of Survey - Vol 18/18/20
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  - 48 - Record of Survey - Vol 18/18/20
  - 49 - Record of Survey - Vol 18/18/20
  - 50 - Record of Survey - Vol 18/18/20
  - 51 - Record of Survey - Vol 18/18/20
  - 52 - Record of Survey - Vol 18/18/20

RECEIVED  
 JUL 09 2019  
 CITY OF MEDINA



NW1/4SW1/4 SEC. 31, T. 25N, R. 5E, N.M.

**SURVEY OF**

Tract 3, M.F. Wright's REPLAT of Block 23 and parts of Blocks 18, 20 and 22, Replat of Kenwood Park, King County, Washington.

TOGETHER WITH THE REPLAT OF THE VACATION OF OVERLAKE DRIVE ADJOINING TRACT 3, WHICH UPON VACATION, ADJOINS TO SAID OVERLAKE DRIVE ADJOINING TRACT 3, BY OPERATION OF LAW.

AND TOGETHER WITH SECOND CLASS SHORELANDS ADJOINING AND ADJUTING UPON SOME SHORES IN THE COUNTY OF KING, STATE OF WASHINGTON.

**NOTES**

1. Boundary information shown is according to a Record of Survey.
2. Site parcel in progress.
3. Measurements were obtained by RTK measurement utilizing a TOPCON made in prior to this survey and adjusted to the Washington State Reference Network (NAD 83 Datum) - (NAVD 88 Datum).
4. Site area (spread of billboard), 18,421 sq. ft.
5. Tree inventory according to Tree Report & Inventory by Lomson Aron, Core dated May 4, 2012.
6. Contour Interval = 2 feet.
7. Site address: 116 Overlake Drive E.
8. Site Assessor's Parcel No. (APN): 180810-005
9. Site area: 20,863 sq. ft.
10. Tree inventory according to Tree Report & Inventory by Lomson Aron, Core dated May 4, 2012.

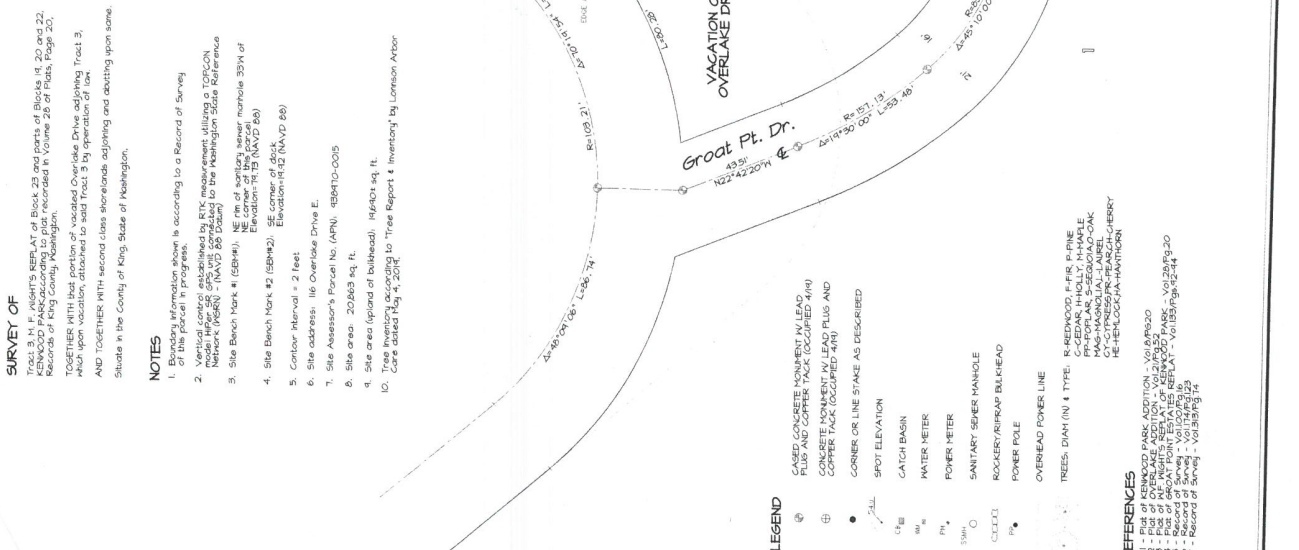
**TREE TABLE**

NO.	SPECIES	DIAM (INCHES)	RETAIN	REMOVE
1	Alaskan Cedar	24.6	X	
2	Douglas Fir	24.5	X	
3	Yellow Pine	24.0		X
4	Shore Pine	4.2		X
5	Yellow Poplar	20.2		X
6	Willow	19.1		X
7	Portugal Laurel	12.6	X	
8	Portugal Laurel	19.5	X	
9	Douglas Fir	29.2		X
10	Southern Magnolia	5.6		X
11	Conk-bark Oak	12.0		X
12	Collier Pine	24.7	X	
13	Douglas Fir	14.3		X
14	Southern Laurel	9.8		X
15	Shore Pine	15.6		X
16	Portugal Laurel	15.6		X
17	Portugal Laurel	18.5		X
18	Portugal Laurel	18.5		X
19	Portugal Laurel	18.5		X
20	Portugal Laurel	18.5		X
21	Portugal Laurel	18.5		X
22	Portugal Laurel	18.5		X
23	Portugal Laurel	18.5		X
24	Portugal Laurel	18.5		X
25	Portugal Laurel	18.5		X
26	Portugal Laurel	18.5		X
27	Portugal Laurel	18.5		X
28	Portugal Laurel	18.5		X
29	Portugal Laurel	18.5		X
30	Portugal Laurel	18.5		X
31	Portugal Laurel	18.5		X
32	Portugal Laurel	18.5		X
33	Portugal Laurel	18.5		X
34	Portugal Laurel	18.5		X
35	Portugal Laurel	18.5		X
36	Portugal Laurel	18.5		X
37	Portugal Laurel	18.5		X
38	Portugal Laurel	18.5		X
39	Portugal Laurel	18.5		X
40	Portugal Laurel	18.5		X
41	Portugal Laurel	18.5		X
42	Portugal Laurel	18.5		X
43	Portugal Laurel	18.5		X
44	Portugal Laurel	18.5		X
45	Portugal Laurel	18.5		X
46	Portugal Laurel	18.5		X
47	Portugal Laurel	18.5		X
48	Portugal Laurel	18.5		X
49	Portugal Laurel	18.5		X
50	Portugal Laurel	18.5		X
51	Portugal Laurel	18.5		X
52	Portugal Laurel	18.5		X

NO.	SPECIES	DIAM (INCHES)	RETAIN	REMOVE
1	Alaskan Cedar	24.6	X	
2	Douglas Fir	24.5	X	
3	Yellow Pine	24.0		X
4	Shore Pine	4.2		X
5	Yellow Poplar	20.2		X
6	Willow	19.1		X
7	Portugal Laurel	12.6	X	
8	Portugal Laurel	19.5	X	
9	Douglas Fir	29.2		X
10	Southern Magnolia	5.6		X
11	Conk-bark Oak	12.0		X
12	Collier Pine	24.7	X	
13	Douglas Fir	14.3		X
14	Southern Laurel	9.8		X
15	Shore Pine	15.6		X
16	Portugal Laurel	15.6		X
17	Portugal Laurel	18.5		X
18	Portugal Laurel	18.5		X
19	Portugal Laurel	18.5		X
20	Portugal Laurel	18.5		X
21	Portugal Laurel	18.5		X
22	Portugal Laurel	18.5		X
23	Portugal Laurel	18.5		X
24	Portugal Laurel	18.5		X
25	Portugal Laurel	18.5		X
26	Portugal Laurel	18.5		X
27	Portugal Laurel	18.5		X
28	Portugal Laurel	18.5		X
29	Portugal Laurel	18.5		X
30	Portugal Laurel	18.5		X
31	Portugal Laurel	18.5		X
32	Portugal Laurel	18.5		X
33	Portugal Laurel	18.5		X
34	Portugal Laurel	18.5		X
35	Portugal Laurel	18.5		X
36	Portugal Laurel	18.5		X
37	Portugal Laurel	18.5		X
38	Portugal Laurel	18.5		X
39	Portugal Laurel	18.5		X
40	Portugal Laurel	18.5		X
41	Portugal Laurel	18.5		X
42	Portugal Laurel	18.5		X
43	Portugal Laurel	18.5		X
44	Portugal Laurel	18.5		X
45	Portugal Laurel	18.5		X
46	Portugal Laurel	18.5		X
47	Portugal Laurel	18.5		X
48	Portugal Laurel	18.5		X
49	Portugal Laurel	18.5		X
50	Portugal Laurel	18.5		X
51	Portugal Laurel	18.5		X
52	Portugal Laurel	18.5		X

STEVE BURNESTAD CONSTRUCTION  
TOPOGRAPHIC SURVEY  
for

MSM MAY 14, 2014  
MSM MAY 14, 2014  
MSM MAY 14, 2014







# Basic Tree Risk Assessment Form

Client City of Medina Date 1/9/24 Time 6:00p  
 Address/Tree location 116 Overlake Dr E, Medina WA 98039 Tree no. T26 Sheet 1 of 2  
 Tree species Coast Redwood (Sequoia sempervirens) dbh 50.2" Height ~100' Crown spread dia. 40'  
 Assessor(s) Andrew Crossett - PN7375A Time frame 3 year Tools used Camera, probe, diameter tape

### Target Assessment

Target number	Target description	Target zone			Occupancy rate 1 – rare 2 – occasional 3 – frequent 4 – constant	Practical to move target?	Restriction practical?
		Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1	SFR on 122 (tree is 60' from east, south-east corner of home.)		<input checked="" type="checkbox"/>		4	N	N
2	Garage on 122 (tree is 42' south of garage)		<input checked="" type="checkbox"/>		3	N	N
3							
4							

### Site Factors

History of failures Normal minor branch failures associated with wind events. Topography Flat  Slope  \_\_\_\_\_ % Aspect \_\_\_\_\_  
 Site changes None  Grade change  Site clearing  Changed soil hydrology  Root cuts  Describe Small SFR Demo  
 Soil conditions Limited volume  Saturated  Shallow  Compacted  Pavement over roots  \_\_\_\_\_ % Describe Neighbors driveway  
 Prevailing wind direction S Common weather Strong winds  Ice  Snow  Heavy rain  Describe Normal PNW weather

### Tree Health and Species Profile

Vigor Low  Normal  High  Foliage None (seasonal)  None (dead)  Normal \_\_\_\_\_ % Chlorotic \_\_\_\_\_ % Necrotic \_\_\_\_\_ %  
 Pests N/A Abiotic N/A  
 Species failure profile Branches  Trunk  Roots  Describe Unlikely to fail without significant structural defects.

### Load Factors

Wind exposure Protected  Partial  Full  Wind funneling  \_\_\_\_\_ Relative crown size Small  Medium  Large   
 Crown density Sparse  Normal  Dense  Interior branches Few  Normal  Dense  Vines/Mistletoe/Moss  \_\_\_\_\_  
 Recent or planned change in load factors Development of 116.

### Tree Defects and Conditions Affecting the Likelihood of Failure

#### — Crown and Branches —

Unbalanced crown  LCR \_\_\_\_\_ % Cracks  \_\_\_\_\_ Lightning damage   
 Dead twigs/branches  \_\_\_\_\_ % overall Max. dia. \_\_\_\_\_ Codominant  \_\_\_\_\_ Included bark   
 Broken/Hangers Number \_\_\_\_\_ Max. dia. \_\_\_\_\_ Weak attachments  \_\_\_\_\_ Cavity/Nest hole \_\_\_\_\_ % circ.  
 Over-extended branches  Previous branch failures  \_\_\_\_\_ Similar branches present   
**Pruning history**  
 Crown cleaned  Thinned  Raised  Dead/Missing bark  Cankers/Galls/Burls  Sapwood damage/decay   
 Reduced  Topped  Lion-tailed  Conks  Heartwood decay  \_\_\_\_\_  
 Flush cuts  Other \_\_\_\_\_ Response growth \_\_\_\_\_  
 Main concern(s) Crown is healthy with no observable significant defects.

Load on defect N/A  Minor  Moderate  Significant  \_\_\_\_\_  
 Likelihood of failure Improbable  Possible  Probable  Imminent  \_\_\_\_\_

#### — Trunk —

Dead/Missing bark  Abnormal bark texture/color   
 Codominant stems  Included bark  Cracks   
 Sapwood damage/decay  Cankers/Galls/Burls  Sap ooze   
 Lightning damage  Heartwood decay  Conks/Mushrooms   
 Cavity/Nest hole \_\_\_\_\_ % circ. Depth \_\_\_\_\_ Poor taper   
 Lean \_\_\_\_\_ ° Corrected? \_\_\_\_\_  
 Response growth \_\_\_\_\_  
 Main concern(s) No defects observed.

Load on defect N/A  Minor  Moderate  Significant   
 Likelihood of failure Improbable  Possible  Probable  Imminent

#### — Roots and Root Collar —

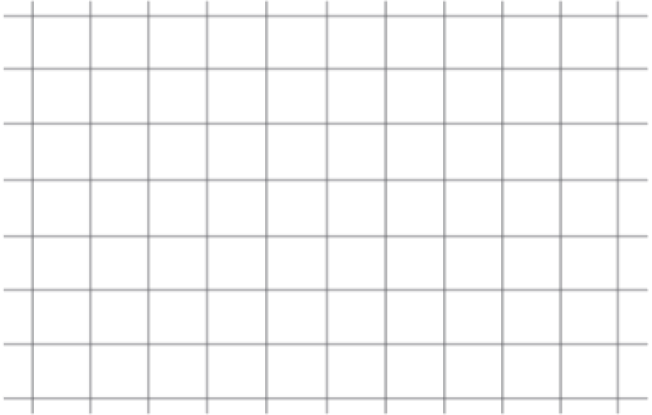
Collar buried/Not visible  Depth \_\_\_\_\_ Stem girdling   
 Dead  Decay  Conks/Mushrooms   
 Ooze  Cavity  \_\_\_\_\_ % circ.  
 Cracks  Cut/Damaged roots  Distance from trunk \_\_\_\_\_  
 Root plate lifting  Soil weakness   
 Response growth \_\_\_\_\_  
 Main concern(s) No defects observed.

Load on defect N/A  Minor  Moderate  Significant   
 Likelihood of failure Improbable  Possible  Probable  Imminent

Risk Categorization																							
Condition number	Tree part	Conditions of concern	Part size	Fall distance	Target number	Target protection	Likelihood												Consequences				Risk rating of part (from Matrix 2)
							Failure				Impact				Failure & Impact (from Matrix 1)				Negligible	Minor	Significant	Severe	
							Improbable	Possible	Probable	Imminent	Very low	Low	Medium	High	Unlikely	Somewhat	Likely	Very likely					
1	Entire tree.	N/A	~100'	~100'	1	None	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Low
					2	None	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Low
2							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
3							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
4							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

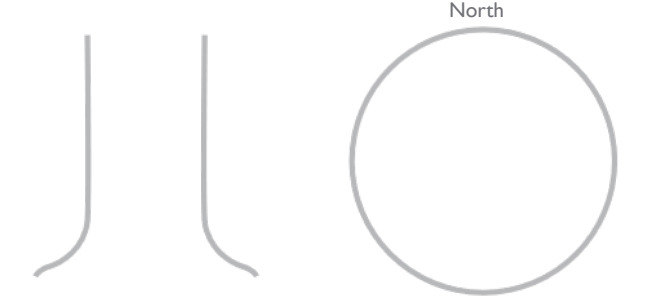
Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely



Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low



Notes, explanations, descriptions Healthy tree. Good example of speci Sewer was relined due to root impact. Driveway at 122 was recently reb owner is concerned the subject tree roots will damage it.

Mitigation options No mitigation recommended. Residual risk Low  
 Residual risk \_\_\_\_\_  
 Residual risk \_\_\_\_\_  
 Residual risk \_\_\_\_\_

Overall tree risk rating Low  Moderate  High  Extreme   
 Overall residual risk Low  Moderate  High  Extreme   
 Work priority 1  2  3  4   
 Recommended inspection interval \_\_\_\_\_

Data  Final  Preliminary Advanced assessment needed  No  Yes-Type/Reason \_\_\_\_\_  
 Inspection limitations  None  Visibility  Access  Vines  Root collar buried Describe \_\_\_\_\_



August 7, 2023

Steve Burnstead  
116 Overlake Dr. E  
Medina, WA 98039

Re: **Tree Report** for the address above (Parcel #9389700015).

To Whom It May Concern,

The purpose of this report is to identify and locate significant trees and determine their condition for construction on the property mentioned above. The enclosed survey table documents the identification, measurements, credits, and condition of each significant tree. This report also includes tree protection measures during development, mitigation for tree hazards in the shoreline setback, a site map of the property with tree locations, and the Tree Activity/Performance Worksheets. The Tree Activity Worksheet reflects the tree credits prior to a 2019 Tree Removal Permit (TREE-19-046).

On November 23, 2022, I provided a basic inspection of trees within and adjacent to the parcel mentioned above. The trees were measured (diameter tape) and tagged with a number engraved metal strip. The tag numbers correspond with the data in the following tree inventory table. Tree trunks were measured 4 ½ feet from the ground which is known as the Diameter at Standard Height (DSH). In the inventory table, the number in brackets is the total DSH for multiple trunks derived from the square root of the total diameter of all trunks;  $DSH = \sqrt{[(DSH1)^2 + (DSH2)^2 + (DSH3)^2 + \dots]}$ . The City of Medina considers a significant tree to have a 6-inch DSH or greater.

The Tree Protection Zone (TPZ) is the radius around the trunk where construction activities and access are limited to protect the tree(s) and soil from damage, and to sustain tree health and stability. The TPZ is determined by species, branch length from trunk (dripline), DSH, surrounding conditions, and slope.

All trees have some level of risk associated with tree defects, or hazards. Hazards are categorized into four types of risk assessed for a five-year period: *Improbable*, *possible*, *probable*, and *imminent*. *Improbable* risk means the tree is stable, void of defects, and unlikely to fail under normal, and may not in extreme, weather conditions. *Possible* risk means that failure is unlikely to occur in normal weather conditions but may be expected in extreme weather conditions. *Probable* risk means failure may be expected under normal weather conditions. Trees with *imminent* risk are in the act of failing and should be worked on as soon as possible.

The health of the trees is defined as good, fair, and poor. Sturdy tree with no signs of decay, disease, or structural defect has good health. Fair health describes a tree as having vigor but has defects such as disease, included bark, wood decay, weak structure, or root zone issues (i.e., impervious surfaces, compacted soil, etc.) that may not be feasible for mitigation. Poor health describes a tree that is dead, a state of decline, severely diseased, injured, or a hazard to surrounding property with no chance of recovery.

Tree Inventory Table:

Tag #	Species	DSH	Drip -line	TPZ	Health	Tree Unit	Condition
T42*	Red cedar <i>Thuja plicata</i>	42.5"	17.0'	25.0'	Good	N/A	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T52	Coast redwood <i>Sequoia sempervirens</i>	13.4"	9.0'	12.0'	Good	.75	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T26	Coast redwood	50.2"	18.0'	20.0'	Good	1.0	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T31	Red cedar	25.6"	14.0'	20.0'	Good	.75	Bark damage (9"x12") with exposed sapwood near base. No signs of decay or disease. <i>Improbable</i> risk of tree failure.
T32	W. hemlock <i>Tsuga heterophyllum</i>	19.0"	15.0'	18.0'	Good	.75	Some dead branching. No signs of decay or disease. <i>Improbable</i> risk of tree failure.
T33	Douglas fir <i>Pseudotsuga menziesii</i>	24.9"	18.0'	20.0'	Good	.75	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T34	Hawthorn <i>Crataegus monogyna</i>	9.9"	10.0'	10.0'	Good	.5	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T40	Sequoia <i>Sequoiadendron giganteum</i>	41.5	16.0'	20.0'	Good	1.0	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T43	W. hemlock	29.9" 26.3" [39.8"]	20.0'	25.0'	Good	N/A	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.

Tag #	Species	DSH	Drip -line	TPZ	Health	Tree Unit	Condition
T48	Douglas fir	25.5"	15.0'	20.0'	Good	N/A	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T49	Cherry <i>Prunus sp.</i>	12.0"	15.0'	12.0'	Good	N/A	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T50	Leyland cypress <i>Chamaecyparis leylandii</i>	7.2"	6.0'	6.0'	Good	N/A	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T51**	Douglas fir	22.0"	15.0'	20.0'	Good	N/A	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T2**	Douglas fir	24.5"	18.0'	20.0'	Good	.75	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risk of whole tree or large part failure.
T1**	Alaskan cedar <i>Chamaecyparis nootkatensis</i>	19.0" 16.0" [24.8"]	15.0'	20.0'	Fair	.75	Tree has excessive lean at 30 and 35 degrees to the east. Bark damage (16"x24") with exposed sapwood. Included bark between trunks. Root uplifting on the west side. <i>Probable</i> risk of tree failure.

\* Tree in the Right-of-Way.

\*\* Trees in the Shoreline setback.

  Trees off-site.

### Tree Units After Removal Permit TREE-19-046:

Tree Units for each tree are found under MMC 16.52.090.C.

Required Tree Units for the lot is 8 [(20,526 ft<sup>2</sup> / 1000) x .4 = 8.2].

The total number of Tree Units within the property boundaries is 7.

Pre-existing Tree Unit gap is 1 (8 – 7 = 1).

The removal of trees T26, T31, T32, and T33 is 3.25 Tree Units equal to 3.0 net existing trees (8.0 required Tree Units – 5.0 supplemental trees = 3.0).

Supplemental tree requirement is 5 Tree Units (8 – 3.25 = 4.75).

### Required Supplement Trees:

2 to replace 50.2" DSH tree = 1.0 Tree Unit

2 to replace 25.6" DSH tree = 1.0 Tree Unit

2 to replace 24.9" DSH tree = 1.0 Tree Unit

1 to replace 19.0" DSH tree = 1.0 Tree Unit

1 to fill pre-existing gap = 1.0 Tree Unit

Net existing Tree Units = 3.0 Tree Units

Total = 8.0 Tree Units, or 8 supplemental trees (1 additional tree for the lot size and 7 tree replacements for the removals).

## Tree Protection Plan:

Protective fencing is required around the perimeters of the TPZ for each retained or group of trees during grading and construction. Chain-link fencing is recommended to preserve the trees from soil disturbance due to machines, foot traffic, and materials. Grading and construction should not be allowed within the TPZ of retained trees, unless described in this report.

The placement for tree protection fencing is shown on the site map (page 8). Trees T26, T32, T33, and T40 have irregular root zones because of the existing gravel driveway as the ingress and egress. These trees have adapted to the current conditions and tree protection over the gravel driveway is not necessary when the driveway surface is not to be graded or disturbed.

## New Tree Plan & Recommendations:

Native, conifer trees are preferred with the new tree planting requirements. Some of the larger native evergreen (conifer) trees include Douglas fir (*Pseudotsuga menziesii*), Red cedar (*Thuja plicata*), Western hemlock (*Tsuga heterophylla*), Grand fir (*Abies grandis*), and Engelmann spruce (*Picea Engelmannii*). New tree plantings recommended for this site includes Douglas fir, Red cedar, and Alaskan weeping cedar (*Chamaecyparis nootkatensis*) is a recommendation for tree replacements. Proposed but not definite locations for the new tree plantings are shown on the site map (page 8).

Ornamental native trees and near native trees more suited for landscape design may include Mountain hemlock (*Tsuga mertensiana*), Shore pine (*Pinus contorta*), Excelsior cedar (*Thuja plicata* 'Excelsior'), and Pacific yew (*Taxus brevifolia*) for evergreen conifers. Deciduous trees include Serviceberry (*Amelanchier alnifolia*), Dogwood (*Cornus nutellii* or *Cornus* 'Eddie's White Wonder'), White oak (*Quercus garryana*), Pacific crabapple (*Malus fusca*), and Vine maple (*Acer circinatum*).

The fall and winter seasons are the best time to plant new trees. The root systems will grow during the fall and winter months in this region and be better established for the oncoming dry season. New trees will need to be watered during their first couple of dry seasons. Soaker hoses, drip systems, and water bags are the best and most efficient way to keep the new trees watered during the dry months.

## Shoreline Tree Hazard & Mitigation:

Alaskan cedar T1 is within the shoreline setback and poses a hazard to neighboring property and may cause bulkhead damage. Cedar T1 has increased its severe lean with little canopy correction for the past few years under my routine inspections. The tree is experiencing active root failure. Other health factors put the tree at high risk. Pictures and ISA Hazard Assessment Form describes the tree's condition on the following pages.

I question the viability of Cedar T1 and how to mitigate its risk without total removal to reduce impacts to the shoreline area. So, removing the lower trunk or at least topping the lower trunk to reduce the leverage load on the root system is a suggested treatment, even though topping is not an acceptable ANSI Tree Maintenance guideline. However, the tree will most likely recover from a topping cut. The Cedar leans too much to be guided with stakes and cables.

In addition to the pruning to alleviate leverage load, new tree plantings are recommended near the subject tree to ensure future canopy coverage. For example, three new Alaskan weeping cedars (*Chamaecyparis nootkatensis*) of minimum height for replacement should Cedar T1 eventually fail.

Cedar T1 will require removal if topping the lower trunk cannot be accepted. A tall portion of the trunk will need to remain to act as a “wildlife snag” if removal is the preference. New Alaskan weeping cedars continue to be the preferred replacement trees.

Please reply if you have questions.

Thank you,



Lonnie Olson, Owner

ISA Certified Arborist (PN-5427A) exp. 12/31/2023

Qualified Tree Risk Assessor (#697) exp. 7/23/2024



The Alaskan Cedar T1 is pictured on the left, taken at time of inspection July of 2022. The cedar leans to the neighboring property at 30-35 degrees. It targets the neighboring shoreline and dock. Tree failure at the root crown may damage the bulkhead.

The bottom picture is a close-up of the tree's trunk. The red arrow shows the large open wound and dead wood that extends into the root collar. Live wood around the wound has low vigor. The root plate has signs of upheaval on the opposite side of the lean.

Removal of the lower, southeast trunk (yellow arrow) will reduce the risk of whole tree failure.





# ISA Basic Tree Risk Assessment Form

Client: **Steve Burnstead** Date: **July 25, 2022** Time: **9:00 am**  
 Address/Tree location: **116 Overlake Dr. E. Medina 98039** Tree no.: **T1** Sheet: **1** of **1**  
 Tree species: **Chamaecyparis nootkatensis** dbh: **16.0" 19.0"** Height: **80'** Crown spread dia.: **30'**  
 Assessor(s): **Lionie Olson PH-5427A** Tools used: **Basic Inspection tools** Time frame: **1 year**

Target number	Target description	Target protection	Target zone			Occupancy 1 - rare 2 - occasional 3 - frequent 4 - constant	Restriction practical? Practical to move target?
			Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.		
1	Shoreline (North)	None	X	X	3	no	Yes
2	Dock	None	X	X	3	no	Yes
3							
4							

Site factors: **None** Topography Flat  Slope **20** % Aspect **E**  
 History of failures: **None** Site clearing  Changed soil hydrology  Root cuts  Describe: **Land Use, Development**  
 Site changes: **None** Grade change  Shallow  Compacted  Pavement over roots  % Describe: **Fair**  
 Soil conditions: **None** Limited volume  Saturated  Ice  Snow  Heavy rain  Describe: **Fair**  
 Prevailing wind direction: **NE** Common weather: **Strong winds** Tree Health and Species Profile  
 Vigor: **Low**  Normal  High  Foliage: **None** (seasonal)  Abiotic: **None**  Chlorotic: **0** % Necrotic: **0** %  
 Species failure profile: **Wood decay (Fungal)** Describe: **Root rot disease** Load Factors: **None**  
 Wind exposure: **Protected**  Partial  Full  Wind funneling  Relative crown size: **Small**  Medium  Large   
 Crown density: **Sparse**  Normal  Dense  Interior branches: **Few**  Normal  Dense  Vines/Mistletoe/Moss  Ivy (minor)   
 Recent or expected change in load factors: **Seasonal winds**

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —  
 Unbranched crown  LCR: **90** % Max. dia. **19.0"** overall  
 Dead twigs/branches  Number: **0** Max. dia. **0"**  
 Broken/battered branches  Over-exposed branches  Similar branches present   
 Pruning history: Crown cleaned  Thinned  Raised   
 Reduced  Topped  Lion-tailed   
 Flush cuts  Other: **None**  
 Minor crown correction from lean: **None** Condition(s) of concern: **No concerns**

Part Size: **19.0" dia.** Fall Distance: **50'**  
 Load on defect: **N/A** Minor  Moderate  Significant   
 Likelihood of failure: **Improbable**  Possible  Probable  Imminent

— Trunk —  
 Dead/Missing bark  Abnormal bark texture/color   
 Codominant stems  Included bark  Cracks   
 Sapwood damage/decay  Cankers/Galls/Burls  Sap ooze   
 Lightning damage  Heartwood decay  Conks/Mushrooms   
 Cavity/Nest hole: **0** % circ. Depth: **0"** Poor taper   
 Lean: **35** ° Corrected? **Yes, minor**  
 Response growth: **Poor** Condition(s) of concern: **Dead heartwood into root collar.**  
 Part Size: **19.0" dia.** Fall Distance: **50'**  
 Load on defect: **N/A** Minor  Moderate  Significant   
 Likelihood of failure: **Improbable**  Possible  Probable  Imminent

Part Size: **19.0" dia.** Fall Distance: **25'**  
 Load on defect: **N/A** Minor  Moderate  Significant   
 Likelihood of failure: **Improbable**  Possible  Probable  Imminent

— Roots and Root Collar —  
 Collar buried/Not visible  Depth: **0"** Stem girdling   
 Dead  Decay  Conks/Mushrooms   
 Cracks  Cavity: **0** % circ.  
 Root plate lifting  Distance from trunk: **0"** Soil weakness   
 Response growth: **Poor**  
 Condition(s) of concern: **Dead heartwood into root collar.**  
 Part Size: **19.0" dia.** Fall Distance: **25'**  
 Load on defect: **N/A** Minor  Moderate  Significant   
 Likelihood of failure: **Improbable**  Possible  Probable  Imminent

## Risk Categorization

Target (Target number or description)	Tree part	Condition(s) of concern	Likelihood					Risk rating (from Matrix 2)		
			Failure	Impact	Failure & Impact (from Matrix 1)	Consequences	Risk rating (from Matrix 2)			
1	canopy/trunk	whole tree failure	Improbable							
2	canopy	whole tree failure	X	X	X	X	X	X	High	Mod

Matrix 1. Likelihood matrix.

Likelihood of Failure	Low	Medium	High
Very low	Low	Medium	High
Imminent	Somewhat likely	Likely	Very likely
Probable	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

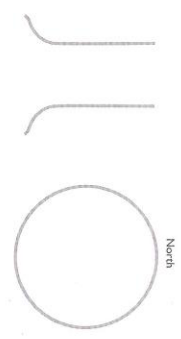
Notes, explanations, descriptions

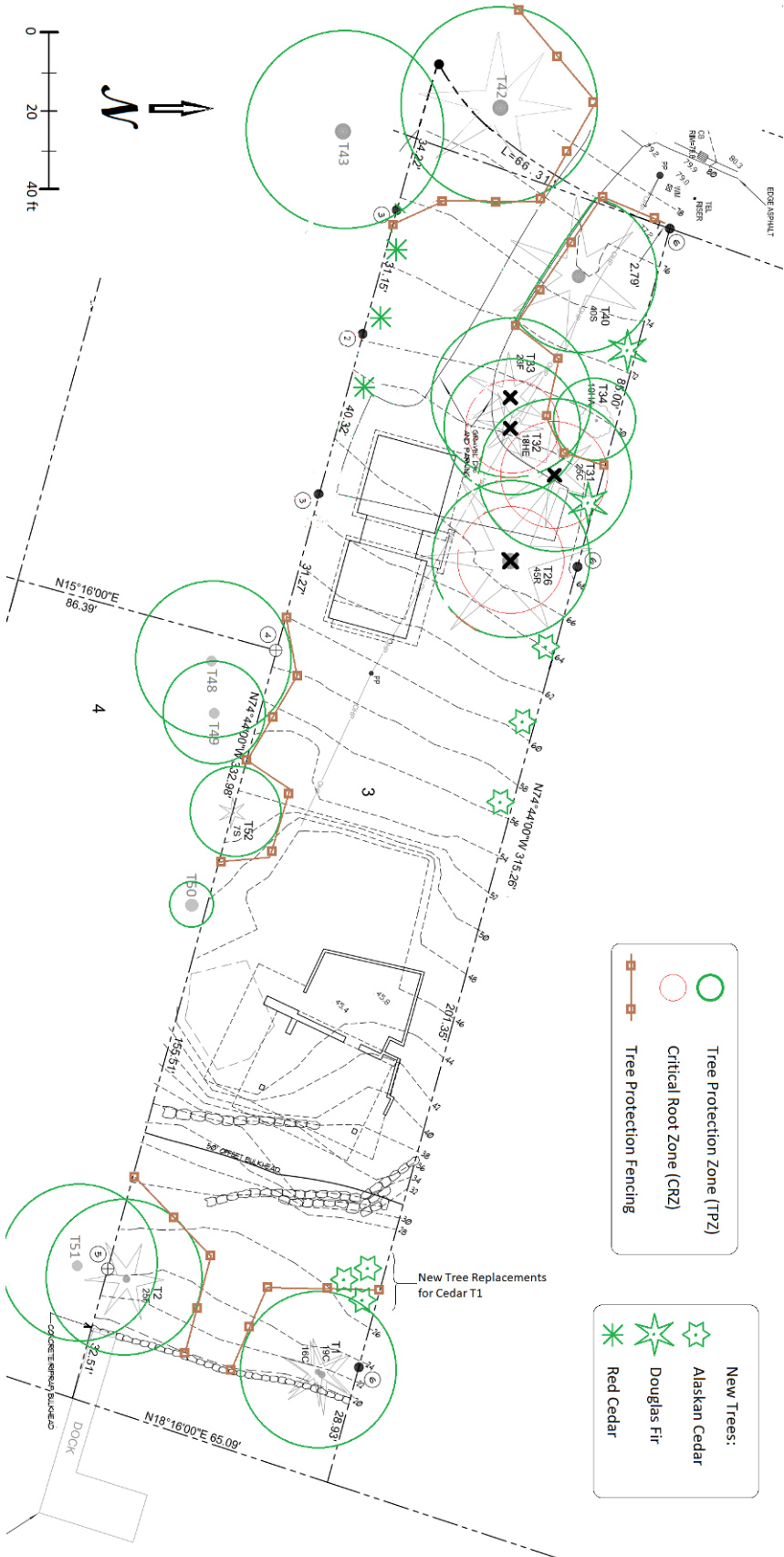
Tree has a severe lean with a lifted root plate. The base of the tree has included bark between trunks and a large wound with dead wood leading into the root collar. Defects indicate root rot problems.

Mitigation options

1. Remove.
2. Remove the lower, southeast trunk.
- 3.
- 4.

Overall tree risk rating: **Low**  Moderate  High  Extreme   
 Overall residual risk: **None**  Low  Moderate  High  Extreme   
 Data:  Final  Preliminary Advanced assessment needed  No  Yes  Reason: **None**  
 Inspection limitations:  None  Visibility  Access  Vines  Root collar buried Describe: **None**





- Tree Protection Zone (TPZ)
- Critical Root Zone (CRZ)
- Tree Protection Fencing

**New Trees:**

- ★ Alaskan Cedar
- ★ Douglas Fir
- ★ Red Cedar

New Tree Replacements  
for Cedar T1



DEVELOPMENT SERVICES

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

# ADMINISTRATIVE TREE ACTIVITY WORKSHEET

# T-01

**Complete this form for the following:**

- The property is designated as under development regardless of whether a tree is removed (MMC 16.52.060)
- Removal of any significant tree on private property having a 6-inch DBH and larger size, but less than 36 inches DBH
- Removal of any non-significant tree on private property within 200 feet of the shoreline having a 6-inch DBH and larger size
- Removal of a hazard tree from a city right-of-way

<input checked="" type="checkbox"/> New Application	<input type="checkbox"/> Supplemental	Staff Only	Date Received:	By:	Permit No.
---	---------------------------------------	------------	----------------	-----	------------

<b>Property Information</b>	
Property Address: 116 Overlake Dr E, Medina	Check if tree is located: <input checked="" type="checkbox"/> Within 200 feet of shoreline <input type="checkbox"/> Within a critical area (Ch. 16.50 / 16.67 MMC)
Tax Parcel No. 9389700015	

<b>Legal Property Owner Information</b>					
Name: Steve Burnstead	City		State	Zip	Email: steve@burnstead.com
Mailing Address: 8880 Groat Point Dr, Medina, WA 98039	City		State	Zip	Phone:

<b>Contact/ Agent Information</b>	
Name: Lonnsen Arbor Care	Email: lonnsen@juno.com
Address: 2616 169th St SE	Phone: 425-891-1741

<b>Contractor Information</b> LONNSAC942NG	Email & Phone:
---	----------------

<b>Project Information</b>	
Is the lot under development? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Check One: <input checked="" type="checkbox"/> Application is for tree performance standards (attach form T-01a) <input type="checkbox"/> Application is for tree restoration standards (attach form T-01b)
Does the lot meet the tree retention requirements of MMC 16.52.090? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

**Application Submittal Checklist**

The following materials are required for a complete application:

Copies	Material to be submitted	Applicant	N/A	City
2	This form completed.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Proof of ownership.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Declaration of Agency.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Completed T-01a form if performance standards apply (See MMC 16.52.090).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Completed T-01b form if restoration standards apply (See MMC 16.52.110).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Tree removal and planting plan (required for tree performance standards).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Tree protection measures (required for properties under development).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Critical Areas Report (if applicable).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1	City Hazard Tree Assessment (if applicable).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I declare under penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) and that all applicable information furnished in support of this application is true, correct and complete.

Print Name: Lonnie Olson  Owner  Agent (check one)

Signature: Lonnie Olson Date: 8/7/2023

<b>City Use Only</b>		
Application Fee:	<input type="checkbox"/> Check if issued same day as submittal	Planning Approval: / /
Tech Fee:		Tree Approval: / /
Advanced Deposit:		Final Inspection: / /



**DEVELOPMENT SERVICES**

# TREE PERFORMANCE T-01a WORKSHEET

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

**Instructions:** Complete and attach this form to T-01 for the following:

- The property is designated as under development pursuant to MMC 16.52.060
- The applicant is using the tree performance standards in MMC 16.52.090

File No.

- New**  
 **Revision**

**STEP 1: Inventory existing tree units** Conduct an inventory of all significant trees within the boundaries of the lot.

No.	Tree	DBH	No.	Tree	DBH
1	Coast Redwood T52	13.4"	7	Sequoia T40	41.5"
2	Coast Redwood T26	50.2"	8	Alaskan Cedar T1	24.8"
3	Red Cedar T31	25.6"	9	Douglas Fir T2	24.5"
4	Western Hemlock T32	19.0"	10	Douglas Fir T37	15.2"
5	Douglas Fir T33	24.9"	11	Douglas Fir T38	17.3"
6	Hawthorn T34	9.9"	12	Douglas Fir T39	12.6"

**STEP 2: Calculate Existing Tree Units** From Table 16.52.090(C): add together the number of significant trees in each range below and multiply by the corresponding value to produce Existing Tree Units.

A.	Total number of trees at least 6 inches, but less than 10 inches DBH	3	X 0.50 =	1.5	D. TOTAL EXISTING TREE UNITS (A + B + C) <b>14</b>
B.	Total number of trees 10 inches DBH and larger	14	X 0.75 =	10.5	
C.	Total number of conifer trees 36 inches DBH and larger	2	X 1.00 =	2.0	

**STEP 3: Inventory removed trees** List the significant trees that are proposed for removal. This information will be used in Step 4 and 7 (if applicable).

No.	Tree	DBH	No.	Tree	DBH
T31	Red Cedar	25.6"	T28	Douglas Fir	12.5"
T32	Western Hemlock	19.0"	T29	Douglas Fir	17.8"
T33	Douglas Fir	24.9"	T30	Pear	8.2"
T26	Coast Redwood	50.2"	T19	S. Magnolia	14.3"

**STEP 4: Calculate Net Existing Tree Units** To calculate Net Existing Tree Units, add together the number of significant trees in each range below that are proposed for removal and multiply by the corresponding value. Then follow H and I.

E.	Total number of trees removed at least 6 inches, but less than 10 inches DBH	2	X 0.50 =	1.0	H. TOTAL TREE UNITS TO BE REMOVED (E + F + G) <b>10.25</b>
F.	Total number of trees removed 10 inches DBH and larger	11	X 0.75 =	8.25	
G.	Total number of conifer trees 36 inches DBH and larger	1	X 1.00 =	1.0	I. Net Existing Tree Units (subtract H from D) <b>3.75</b>

**STEP 5: Calculate Required Tree Units** To calculate Required Tree Units, perform the calculations in J through M.

Lot Area (sq. ft.)		Divide J by 1,000		Tree Density Ratio (check one)		M. REQUIRED TREE UNITS (Multiply K x L) <b>8</b> (round up)
J.	20,526	K.	20.5	L.	<input checked="" type="checkbox"/> 0.40 (residential) <input type="checkbox"/> Table 16.52.090(B)	

**STEP 6: Determine if Supplemental Trees are required** Subtract the Tree Units in M from the Tree Units in I.  
 • If the difference is zero or a positive number - stop. No supplemental trees are required.  
 • If the difference is a negative number then go to Step 7.

N.  
**-4.25**

See Page 2 for Step 7 and for additional inventory tables

**Tree Performance Worksheet** Page 2

**STEP 7:** Calculate Supplemental Trees

- Each replacement of a 24-inch DBH and larger tree requires two supplemental trees with each supplemental tree having a Tree Unit value = 0.5.
- Each replacement of a less than 24-inch DBH tree & each tree that fills a gap requires one supplemental tree with each supplemental tree having a Tree Unit value = 1.0
- Each replacement of a Legacy or Landmark tree requires mitigation pursuant to MMC 16.52.080. The total mitigation for each Legacy or Landmark tree has a Tree Unit value = 1.0
- The total Tree Units of the supplemental trees must equal or be greater than the absolute value of N.
- Tree Units are assigned first to those supplement trees replacing removed trees and in order of largest to smallest tree.

For replacement of 24-inch DBH and larger tree					For replacement of less than 24-inch DBH/ Fill Existing Gap trees					
No.	Check if Applied	# of Supp. Trees	Proposed # Supp. Trees	Tree Unit	No.	Check if Applied	# of Supp. Trees	Proposed # Supp. Trees	Tree Unit	
T31	<input checked="" type="checkbox"/>	2	2	1.0	T32	<input checked="" type="checkbox"/>	1	1	1.0	
T33	<input checked="" type="checkbox"/>	2	2	1.0	T28	<input checked="" type="checkbox"/>	1	1	1.0	
T26	<input checked="" type="checkbox"/>	2	2	1.0	T29	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	2			T20	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	2			T19	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	2			T22	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	2			T23	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	2			T37	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	2			T38	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	Legacy or Landmark Tree			T39	<input checked="" type="checkbox"/>	1	1	1.0	
	<input type="checkbox"/>	Legacy or Landmark Tree			T30	<input checked="" type="checkbox"/>	1	1	1.0	
O.	<b>Total</b>		6	3.0	P.	<b>Total</b>		11	11.0	
								<b>Total from O</b>	6	3.0
								<b>Grand Totals</b>	Q. 17	R. 14.0

**STEP 1: Inventory existing tree units**

No.	Tree	DBH	No.	Tree	DBH
13	Douglas Fir T28	12.5"	21		
14	Douglas Fir T29	17.8"	22		
15	Pear T30	8.2"	23		
16	S Magnolia T19	14.3"	24		
17	Shore Pine T20	9.8"	25		
18	Por. Laurel T22	15.6"	26		
19	Por. Laurel T23	13.5"	27		
20			28		

**STEP 3: Inventory removed trees**

No.	Tree	DBH	No.	Tree	DBH
T20	Shore Pine	9.8"	T38	Douglas Fir	17.3"
T22	Por. Laurel	15.6"	T39	Douglas Fir	12.6"
T23	Por. Laurel	13.8"			
T37	Douglas Fir	15.2"			

Attach additional sheets if needed.

## **Assumptions & Limiting Conditions**

1. Any legal description provided to the consultant is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. All data has been verified insofar as possible; however, I can neither guarantee nor be responsible for the accuracy of information provided by others.
3. I shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee.
4. Loss or alteration of any part of this report invalidates the entire report.
5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant.
6. Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, news, sales, or other media, without the prior expressed written or verbal consent of the consultant particularly as to value conclusions, identity of the consultant, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant as stated in my qualification.
7. This report and values expressed herein represent the opinion of the consultant, and the consultant's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, diagrams, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.
9. Unless expressed otherwise: (1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

## Certification of Performance & Appraisal

I, Lonnie Olson, certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and that they are made in good faith.

- ❑ I have personally inspected the trees and the property referred to in this report and have stated my findings accurately. The extent of the evaluation or appraisal is stated in the attached report and the terms of assignment.
- ❑ The analysis, opinions, and conclusions stated herein are my own and are based on current scientific procedures and facts.
- ❑ No one provided significant professional assistance to me, except as indicated within the report.
- ❑ My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing with the International Society of Arboriculture. I have been involved in the field of arboriculture in a full-time capacity for more than 26 years.

*Lonnie Olson*

Signed: \_\_\_\_\_

**Summary of Burnstead Tree Permits as submitted.****TREE-19-046** – Initial Tree Activity Permit

Permit Type: TREE-PERFORMANCE

Parent Permit: D-19-013 (Demo Permit)

Reviewing Arborist – Tom Early

Submitted: 7/19/2019

- 39 trees documented on-site in ATAP application totaling 37.25TU.
- 24 trees proposed for removal totaling 23TU removed.
- 14.25TU remained on-site.
- **\*Required Tree Units** =  $19,988\text{sqft}/1,000 = 19.98 \times .35 = 7\text{TU}$

**TREE-23-018** – Second tree permit. (Includes subject Coast Redwood)

Permit Type: TREE-WITH BUILDING/DEVELOPMENT

Parent Permit: DEP00229

Reviewing Arborist: Sean Dugan (initial) Andy Crossett (current)

Submitted: 4/7/2023

- 19 trees documented on-site in ATAP application totaling 14TU.
- 14 trees proposed for removal totaling 10.25TU to be removed.
- 3.75TU remaining.
- **\*Required Tree Units** =  $20,526\text{sqft}/1,000 = 20.526 \times .35 = 7.18$  (rounded up to 8).
- $3.75\text{TU} - 8.0(\text{required}) = -4.25\text{TU}$  deficit.
- 17 supplemental trees proposed for replacement totaling 14.0TU
- Sean reviewed and then sent a correction letter (provided on page 2) on 8/2/23.
- The letter requested a separate permit application for the subject Coast Redwood.
- I also sent a request for an updated ATAP application, excluding the Redwood, so it could be handled under the non admin tree activity permit.

**TREE-23-043** – Third tree permit for the removal of the Landmark Coast Redwood.

Permit Type: TREE-NON-ADMIN TREE ACTIVITY PERMIT

Parent Permit: DEP00229

Reviewing Arborist: Andy Crossett

Submitted: 8/24/2023

- 1 50.2" coast redwood proposed for removal.
- Requires 12 supplemental trees and \$10,800 contribution to Medina tree fund.

**\*Mr. Suver later informed me that the actual surveyed square footage of the site should be 19,960 (per licensed survey), which would make the actual tree unit minimum for the site 7.0TU.**



August 2, 2023

Thomas Burnstead  
11980 NE 24th St  
Bellevue, WA 98005

**Re: Revision to Correction#1 - Administrative Tree Activity Permit  
116 Overlake Dr. E.; TREE-23-018**

Dear Mr. Burnstead,

I have reviewed the submission for the above project. The following items are required for me to continue the review:

1. The Administrative Tree Activity Permit (ATAP) form and the CAP Site Plan Pavilion and ADU are inconsistent. The ATAP indicates in Step 3 that no trees will be removed; however, the site plan indicates that 4 trees are proposed for removal. Update both the ATAP and Site Plan to indicate the proposed activities.
2. Update the ATAP calculations to include the following:
  - a. Tree T2 is not shown in the inventory of trees and should be included on the ATAP as existing tree units.
  - b. Tree T52 appears to be on the property line and a co-owned tree. This tree is only available for ½ of the existing tree unit credit.
  - c. Step 2. B. should only include trees greater than 10 inches and less than 36 inches. It does not include the trees 36 inches and greater.
3. Submit a separate tree planting plan as indicated in MMC 16.52.170.3.
4. Tree protection measures shall be implemented as outlined in MMC 16.52.190 and shown on grading and drainage, tree protection, and construction mitigation plans.
5. Minimum tree preservation standards shall be met in accord with MMC 16.52.090. If supplemental trees are required, they shall meet the standards identified in MMC 16.52.100. The size, species, and location of supplemental trees shall be shown on the tree-planting plan.
6. Tree 26 is greater than 50 inches in DSH. The MMC 16.52.160.E states that a non-administrative tree activity permit meeting the requirements set forth in MMC 16.72.100 is required.
7. The MMC 16.52.020.5 states "Multiple applications of the tree preservation requirements in this chapter over a ten-year period shall not cause the number and size of trees required to be retained to be reduced below the number and size of trees required to be retained with the first application." Twenty-four trees were removed in 2019. Please provide a narrative that identifies how the new application is compliant with this condition.

The processing of your application is placed on hold pending submittal of the requested updates. Please provide the submission through the city's portal.

If you have any questions or concerns, please contact us at [sean@treesolutions.net](mailto:sean@treesolutions.net) or 206-528-4670.

Sincerely,  
Tree Solutions Inc.



Sean Dugan, Medina Tree Code Consultant

# Exhibit 15

**City of Medina**  
**Non-Administrative Tree Activity Permit**  
**Tree-23-043**

1. Letter of justification for removal of the tree from Leo Suver, President, Steve Burnstead Construction LLC.
2. Letter of support, Lonnie Olson, ISA Certified Arborist, Lonson Arbor Care
3. Site Plan for Proposed Development
4. Bellevue Sewer Utility records – 116 Overlake Dr
5. 2019 Arborist Report

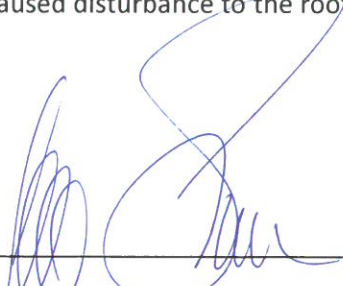
City of Medina  
Non-Administrative Tree Activity Permit  
Tree-23-043

January 2<sup>nd</sup>, 2024

Justification for removal of Legace Tree located at 116 Overlake Drive, Medina, WA

The following is a summary of Justifications in support for removal of an existing 50.2" diameter Coastal Redwood Legacy tree at the above-referenced property located in Medina, WA:

- The subject tree is a non-native species. It has been estimated to be about 50 years old and was most likely planted by the original homeowner. The tree has grown from a diameter of 46" in 2019 (per the arborist report prepared by Lonson Arbor Care dated May 4<sup>th</sup>, 2019) to its current diameter of 50.2" in just over 4 years. The tree will continue to grow aggressively at a rate faster than native species.
- The tree root zone is impacting an adjacent City of Bellevue public sewer main located immediately north of the tree. The main was installed at a time when the tree was insignificant in size. Utility crews re-lined the existing sewer main this past fall (2023), because tree roots had grown into the existing pipe and affected its performance. The sewer main has a documented history of maintenance requirements (Maintenance records attached). Eventually, this main will require replacement, and will require removal of the tree or re-routing of the sewer main to a new location.
- The lot itself provides unique challenges for building. It is narrow (55ft wide) and requires special design considerations due to side yard setbacks, topography and location of existing trees within the lot. The location of the subject tree within the lot greatly impacts the position of the proposed garage and driveway, with the Critical Root Zone already contributing to half the width of the lot.
- The proposed garage and lake pavilion represent the first phase of development for this property. The future primary residence will be located between these structures. The future building location is dictated by the topography and required lot setbacks of the lot.
- The tree is currently impacting the adjoining property to the north and will continue to cause property damage due to its proximity. The neighboring property recently replaced their driveway due to damage caused by the aggressive root structure of the tree, which has also caused disturbance to the root zone. This will continue to be an ongoing issue.

  
\_\_\_\_\_  
Leo Suver, President, Steve Burnstead Construction

1 / 2 / 2024  
\_\_\_\_\_  
Date



December 26, 2023

Tree Activity Permit  
TREE-23-043

Re: Planned removal of a legacy tree on 116 Overlake Dr, Medina WA.

To The City of Medina,

This letter addresses the justification of removing a Redwood tree (*Sequoia sempervirens*) over 50 inches in diameter from the property mentioned above.

Primarily, Redwood T26 is not suitable for preservation because of its location on the property. The tree stands on the front part of the skinny property where its critical root zone already takes up half of the lot width. Therefore, this young Redwood will rapidly impact the ingress and create constant mitigation to structures and utilities.

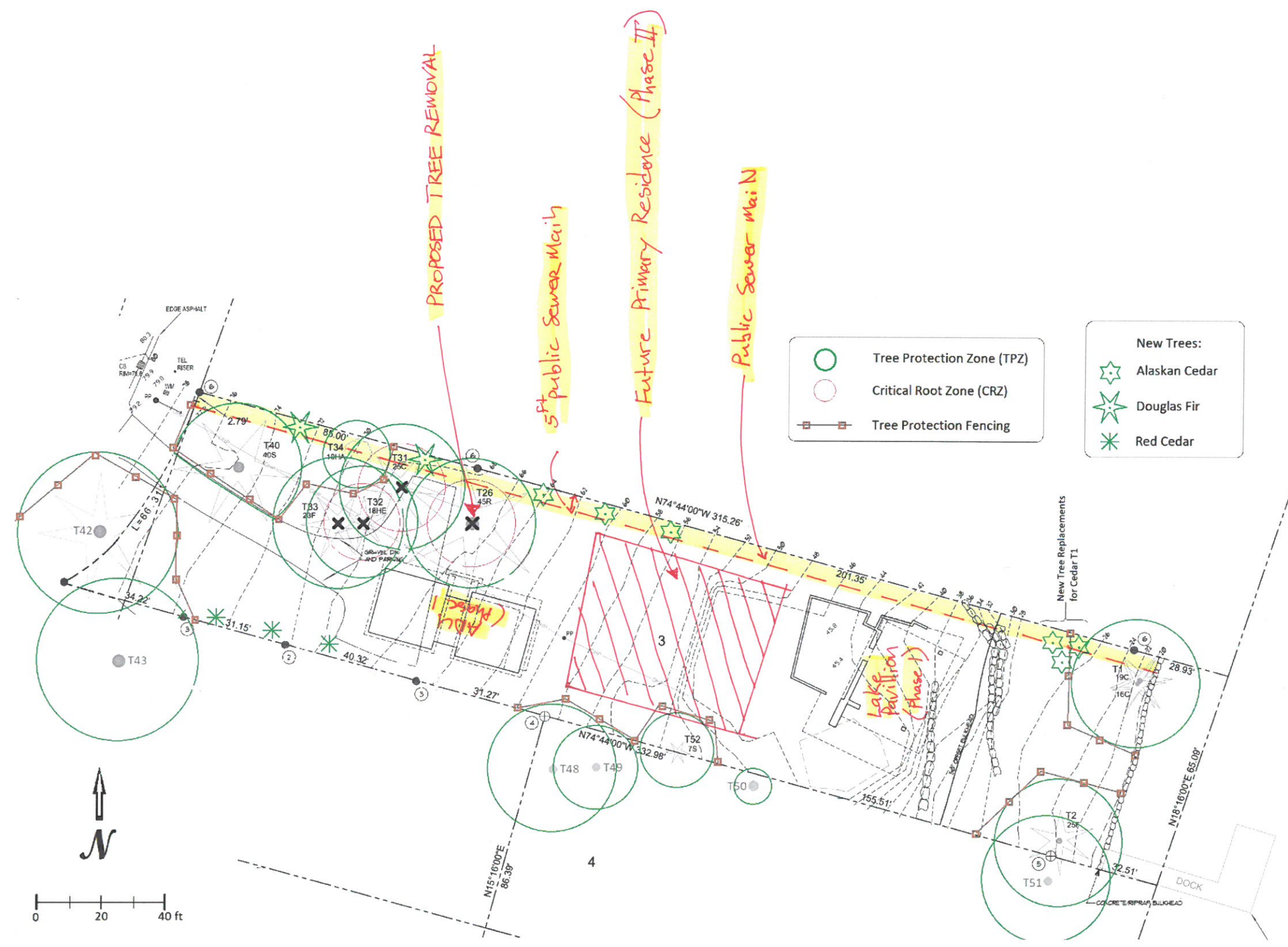
In addition, the tree disrupts the neighboring property to the north and a public utility. The root zone has been disturbed along the adjacent property because of driveway renovation. Continued root zone disturbance on both sides of the tree is unavoidable. The sewer line under the tree is also a concern for the tree's preservation.

In conclusion, the species and placement of this tree does not allow the sustainability of the properties around it because of its robust and expanding trunk and root system. Sustain

Please reply if you have questions.

Thank you,

Lonnie Olson, Owner  
ISA Certified Arborist (PN-5427A) exp. 12/31/2026  
Qualified Tree Risk Assessor (#697) exp. 7/23/2024



HOUSE NO. 116 Overlake Dr. E

OWNER C. Sumption

CONTRACTOR \_\_\_\_\_

DATE PERMIT ISSUED \_\_\_\_\_

DATE JOB COMPLETED AND ACCEPTED \_\_\_\_\_

By \_\_\_\_\_

*No information*

*No permit on file 8/24/08*

*LAKE LINE*

<u>COMMERCIAL OR DOMESTIC</u>	<u>JOINT</u>
<u>MIN. GRADE FROM MAIN TO PROP. LINE</u>	
<u>MIN. GRADE FROM PROP. LINE</u>	
<u>DIST. OF M.H. NO.</u>	<u>TO WYE</u>
<u>DEPTH OF SEWER MAIN AT WYE</u>	
<u>DEPTH OF SIDE SEWER AT PROPERTY LINE</u>	
<u>BASEMENT</u>	<u>BASEMENT CONNECTION</u>
<u>DEPTH OF PIPE AT HOUSE CONNECTION</u>	
<u>TYPE OF PIPE</u>	
<u>SIZE OF PIPE</u>	

REMARKS:  
THIS SKETCH MUST BE AVAILABLE DURING CONSTRUCTION AND RETURNED  
TO INSPECTOR WHEN JOB IS COMPLETE.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

BELLEVUE SEWER DISTRICT

SERVICE REQUEST

C. Sumption

(NAME)

116 Overlake Dr.

(ADDRESS)

4/5/62

(DATE)

(TELEPHONE NO.)

REQUEST: Check overflow Pipe on No. Prop line

ACTION TAKEN: 4/6/62 Checked & found to be OK.

2 lengths concrete pipe in place under water as should be. Work to be levelled down B.S.D.

COMPLETED BY:

APPROVED BY:

Will install permanent line further into lake  
Out Jackson

CITY OF BELLEVUE  
DEPARTMENT OF UTILITIES  
OPERATING BELLEVUE SEWER DISTRICT

SERVICE REQUEST

Oleson

(NAME)

9 25 AM

(Time)

1-23-73

(Date)

116 OVERLAKE DRIVE

(ADDRESS)

62-4-2579

(TELEPHONE NO.)

REQUEST: CHECK SEWAGE DISCHARGE

ACTION TAKEN: Check for overflow, but surge of  
a little from overflow ft. overlake east end West  
under heavy rain.

COMPLETED BY: Sengman

APPROVED BY: Len Clever

(Use Reverse Side for Additional Information, if Required).

WORK ORDER ACTION REPORT

Section: S    Work Order: 01-09087    Task #: SO3510    Work Type: ES

Equipment:  
Location: 116 OVERLAKE DR E    Grid: C08    District: 1  
Problem: BUP SEWER BACKUP    Source: I    WO Priority: 3

Requestor: WATER DEPT.    Address/Dept:  
City:    State:    Zip:

Work Phone:    Cell Phone:    Home Phone:    Pager:

Reported By: MBURBRIDGE    Reported By Date: 14-NOV-2001  
Assigned To: 0406 VANDECAR, TERRY    Start Date: 14-NOV-2001  
Status: COMP    Status Date: 15-NOV-2001  
Completion Date: 15-NOV-2001

Request: OVERFLOWING MANHOLE

Action: Manhole 05-163 was overflowing due to a backup in Mikes overflow critical line. We jetted from manhole 05-168 downstream approximately 75' and ran into an obstruction, then ran into another obstruction right before manhole 05-169 and pushed it downstream. We ended up jetting both lines multiple times to clear the blockage. Lake line clean out covers were pulled and found to be full and overflowing. Both pipe lengths a fore mentioned need to be videoed to find cause of backup.





May 4, 2019

Steve Burnstead  
116 Overlake Dr. E  
Medina, WA 98039

Re: **Tree Report & Inventory** for the address above.

Dear Steve,

On April 25, 2019, using a tree diameter tape, I inspected and tagged 43 significant trees on and adjacent to the above-mentioned property. This report documents the location, identification, size and viability of each significant tree, detailed in the following survey table. A site map of the property and the tagged trees is included on the last page.

The City of Medina defines “significant” trees as having a minimum of 6-inch trunk Diameter at Standard Height (DSH = 54 inches from ground). A percentage of significant trees will need to be retained, which will be described in further detail later in this report.

In the following tree inventory table, the number within the brackets is the total DSH for multiple trunks derived from the total area in square inches;  $DSH = [\sqrt{(Area / \pi)}] \times 2$ . The Limit of Disturbance (LOD) is the general radius around the trunk that should not be disturbed during grading and construction in order to preserve the root zone. The LOD is determined by the tree species, its dripline, DSH, surrounding conditions, and slope. A tree’s viability for retention depends on its likelihood for survival (> 10 years), and the various hazards or defects that would be detrimental to tree health, people, or property in the future.

Hazard assessment is categorized into four types of risk within a five-year period: *improbable*, *possible*, *probable*, and *imminent*. *Improbable* risk means the tree is stable, void of defects, and unlikely to fail under normal or severe weather conditions. *Possible* risk means failure could occur but is unlikely under normal weather conditions. *Probable* risk means the tree or part of the tree is very likely to fail within a given time. Trees with *imminent* risk should be worked on as soon as possible.

Some of the trees have a large root zone which may impede certain development. Scenarios where the root zone may be disturbed, or is disturbed (i.e. compacted gravel driveway) will be described in further detail. In any case, no development will be allowed beyond the threshold for root disturbance.

## Tree Inventory Table:

Tag#	Species	DSH	LOD	Viable	Condition
T1	Alaskan cedar <i>Chamaecyparis nootkatensis</i>	19.0" 16.0" [24.8"]	19.0'	Yes	Open wound at the base of one trunk. The trunks lean at 10 and 20 degrees to the east. Tree is <i>possible</i> for whole tree failure into the water due to its lean.
T2	Douglas fir <i>Pseudotsuga menziesii</i>	24.5"	19.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T3	Austrian pine <i>Pinus nigra</i>	29.0"	22.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T5	Holly <i>Ilex aquifolium</i>	13.2"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T6	Shore pine <i>Pinus contorta</i>	6.2"	5.0'	Yes	Tree has no signs of decay or disease. The trunk leans at 15 degrees to the east.
T7	Yellow poplar <i>Liriodendron tulipifera</i>	20.2"	15.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. Lower canopy pruned with proper cuts. <i>Improbable</i> risks for failure.
T8	Holly	13.1"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T50	Apple <i>Malus sp.</i>	11.5"	9.0'	Yes	Neighboring tree that has a dripline over the property. Sturdy tree with no signs of structural defects. <i>Improbable</i> risks for failure.
T9	Portugal laurel <i>Prunus lusitanica</i>	12.8"	10.0'	Yes	Sturdy tree with no signs of structural defects. A spot of bleeding phytophthora exuding from the main trunk. <i>Possible</i> whole tree failure.
T10	Portugal laurel	12.2"	9.0'	Yes	Tree has a 17 degree lean to the east, but no signs of decay or disease. <i>Improbable</i> risk of failure.
T11	Portugal laurel	13.5"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T12	Douglas fir	23.2"	17.0'	No	Tree stands on the edge of a vertical dirt wall. No signs of decay or disease. <i>Possible</i> whole tree failure. Not viable due to surrounding condition.
T13	Pine <i>Pinus sp.</i>	9.6"	7.0'	No	Tree stands on the edge of a vertical dirt wall with a >20 degree lean to the east. No signs of decay or disease. <i>Probable</i> whole tree failure. Not viable due to surrounding condition.
T51	English laurel <i>Prunus laurocerasus</i>	9.2"	7.0'	No	Tree has a contorted trunk and grows through decking material. Grows from sloped earth under building structure. Not viable due to surrounding conditions.

Tag#	Species	DSH	LOD	Viable	Condition
T52	Coastal redwood <i>Sequoia sempervirens</i>	7.4"	6.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T14	Southern magnolia <i>Magnolia grandiflora</i>	5.3"	5.0'	No	Foliage is very thin from excessive shade. Top canopy is dead, most likely from drought stress. Not viable due to poor health. <i>Probable</i> risks for failure.
T15	Cork-bark oak <i>Quercus suber</i>	12.0"	9.0'	Yes	Sturdy tree with an asymmetric canopy. No signs of decay or disease. <i>Improbable</i> risks for failure.
T16	Coulter pine <i>Pinus coulteri</i>	29.7"	23.0'	No	Tree has a 15 degree lean with the very top canopy corrected. Tree's lean is evidence of movement/failure. <i>Probable</i> risk for failure. Not viable due to leaning condition.
T41	Douglas fir	12.5"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T17	Douglas fir	18.5"	14.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T18	Douglas fir	18.9"	14.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T19	Southern magnolia	14.3"	11.0'	Yes	Sturdy tree with no signs of disease. Decay pocket in the trunk filled with concrete. <i>Improbable</i> risks for failure.
T20	Shore pine	9.8"	7.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T22	Portugal laurel	12.9" 8.6" [15.6"]	12.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T23	Portugal laurel	13.5"	10.0'	Yes	Sturdy tree with no signs of decay and disease along the main trunk. Top canopy broke resulting with poor connection of stem growth. <i>Possible</i> large part breaking. <i>Improbable</i> whole tree failure.
T24	Portugal laurel	9.5"	-	No	Tree has uprooted and leaning on another tree. <b>Imminent</b> failure.
T25	Lawson cypress <i>Chamaecyparis lawsoniana</i>	-	-	No	Dead.
T26	Coastal redwood	45.0"	30.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T27	Boulevard cypress <i>Chamaecyparis pisifera</i>	11.5"	8.0'	No	Tree is thin and etiolated from excessive shade. <i>Probable</i> risk of whole tree failure due to windthrow if exposed. Not viable due to susceptibility to windthrow.

Tag#	Species	DSH	LOD	Viable	Condition
T28	Douglas fir	12.5"	9.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T29	Douglas fir	17.8"	13.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T30	Pear <i>Pyrus sp.</i>	8.2"	6.0'	Yes	Tree leans with a poor root system. No signs of decay. <i>Improbable</i> risk of failure.
T31	Red cedar <i>Thuja plicata</i>	24.5"	18.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T32	Western hemlock <i>Tsuga heterophylla</i>	18.1"	14.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T33	Douglas fir	22.9"	17.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T34	Hawthorn <i>Crataegus monogyna</i>	9.9"	7.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T35	Holly	11.5" 6.8" 5.7" 6.0" [15.8"]	12.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T36	Cherry <i>Prunus sp.</i>	10.5"	8.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. Foliage and branching structure thin from excessive shade. <i>Improbable</i> risks for failure.
T37	Douglas fir	15.2"	11.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T38	Douglas fir	17.3"	13.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T39	Douglas fir	12.6"	10.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T40	Sequoia <i>Sequoiadendron giganteum</i>	39.0"	30.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.
T42	Red cedar	42.5"	32.0'	Yes	Sturdy tree with no signs of decay, disease, or structural defects. <i>Improbable</i> risks for failure.

The total DSH of viable trees within this property (excludes trees T50 and T42) is 561.3 inches. There is a total of 453.2 diameter inches of viable trees proposed to keep. This is 81% retention of all viable significant trees within the property.

**Retention Plan:**

The priority in tree retention should be to preserve trees that have connecting canopies. The grouping of these trees, or known as a grove, will limit the dangers of isolated trees blowing down in strong winds.

The total diameter of retained trees exceeds the minimum number of diameter inches set forth by the City of Medina per municipal code chapter 20.52.110. 81% of the trees, greater than 6 inches DSH, can be retained.

**Retention Table:**

Tag #	Species	DSH
T1	Alaskan cedar	24.8"
T2	Douglas fir	24.5"
T3	Austrian pine	29.0"
T5	Holly	13.2"
T6	Shore pine	6.2"
T7	Yellow poplar	20.2"
T8	Holly	13.1"
T9	Portugal laurel	12.8"
T10	Portugal laurel	12.2"
T11	Portugal laurel	13.5"
T17	Douglas fir	18.5"
T18	Douglas fir	18.9"
T19	S. magnolia	14.3"

Tag #	Species	DSH
T20	Shore pine	9.8"
T22	Portugal laurel	15.6"
T23	Portugal laurel	13.5"
T26	Redwood	45.0"
T31	Red cedar	24.5"
T32	Hemlock	18.1"
T33	Douglas fir	22.9"
T34	Hawthorn	9.9"
T35	Holly	15.8"
T36	Cherry	10.5"
T40	Sequoia	39.0"
T52	Redwood	7.4"

Total retained DSH = 453.2 inches.

**Tree Protection Plan:**

Protective fencing is encouraged around the perimeters of the LOD for each retained tree, or grove of trees during grading and construction. Chain-link fencing is recommended for tree protection to preserve the trees from soil disturbance due to machines, foot traffic, and materials. Grading and construction should not be allowed within the protected area of retained trees unless approved by a Certified Arborist.

In order to maximize space for driveway and housing, with proper site conditions, development can encroach within the trees' LODs. 30% disturbance of the outer root zones can be allowed. The outer root zone is the area around the tree from the LOD line and half the distance to the trunk. For example, T26 can withstand the root disturbance on the outside of the protective fencing, displayed on the site map, last page. The resulting root disturbance for T26 is less than 30% of the root zone and not within the inner root zone.

I recommend the following if new trees are added to the landscaping plan. Adding ornamental species of native trees may include Excelsior cedar (*Thuja plicata* 'Excelsior'), Yew (*Taxus sp.*), and Mountain hemlock (*Tsuga mertensiana*) for evergreen conifer types. Additional deciduous native species appropriate for the site include Serviceberry tree (*Amelanchier alnifolia*), Pacific dogwood (*Cornus nutellii*), Cascara buckthorn (*Rhamnus purshiana*), and Vine maple (*Acer circinatum*).

Please reply if you have questions.

Thank you,

A handwritten signature in cursive script that reads "Lonnie Olson".

Lonnie Olson, Owner  
ISA Certified Arborist (PN-5427A)  
Qualified Tree Risk Assessor (#697)

# Property Map: 116 Overlake Dr. E, Medina 98039.



# THE BURNSTEADS

January 9<sup>th</sup>, 2024

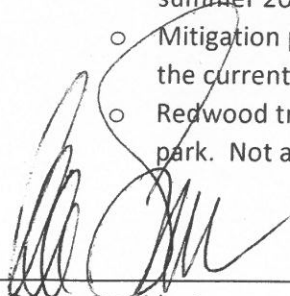
City of Medina

Case # TREE-23-043

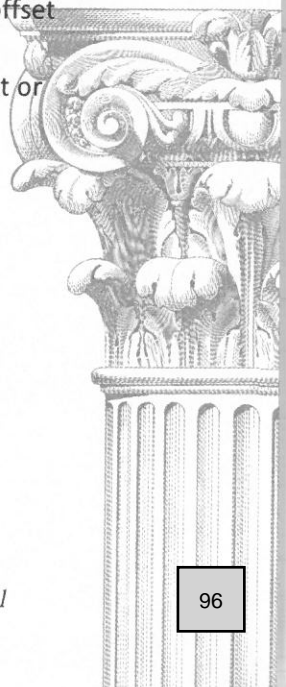
RE: 116 Overlake Drive East / Non-administrative Tree Activity Permit

The following is additional information for consideration by the Hearing Examiner regarding the Non-Administrative Tree Activity permit to remove an existing 50.2" Coast Redwood tree.

- We wish to correct our prior testimony that the approved Administrative Tree Activity Permit from 2019 was in fact issued for a property designated as under development per MMC 20.52.100
- Our proposal includes mitigation to achieve the minimum required tree units for this lot, as permitted by Medina Municipal Code.
- The minimum tree unit requirement has not changed between the 2019 tree permit and the current application. A computational error in lot size was made in the current application that included property within Lake Washington. Actual lot size is 19,960 (per licensed survey), which requires a minimum of 7.0 tree units be retained (or mitigation to achieve 7 units).
- Removal and Mitigation of the non-native coast redwood tree is in the interest of the Public because:
  - The tree species as an aggressive growing tree not native to the northwest
  - The root system of this tree has and will continue to affect the performance of an adjacent public sewer main. (This sewer main was just re-lined by Bellevue utilities in summer 2023 because of maintenance issues with tree roots impacting its performance.
  - Mitigation proposed by the applicant will establish a health tree canopy that will offset the current Redwood which will outgrow its surroundings.
  - Redwood trees belong in a setting that allows for its aggressive growth like a forest or park. Not a densely populated neighborhood of homes.



Leo Suver, President





**SURVEY OF**

Tract 3, M. F. WIGHT'S REPLAT of Block 23 and parts of Blocks 19, 20 and 22, KENWOOD PARK, according to plat recorded in Volume 28 of Plats, Page 20, Records of King County, Washington.

TOGETHER WITH that portion of vacated Overlake Drive adjoining Tract 3, which upon vacation, attached to said Tract 3 by operation of law.

AND TOGETHER WITH second class shorelands adjoining and abutting upon same, Situate in the County of King, State of Washington.

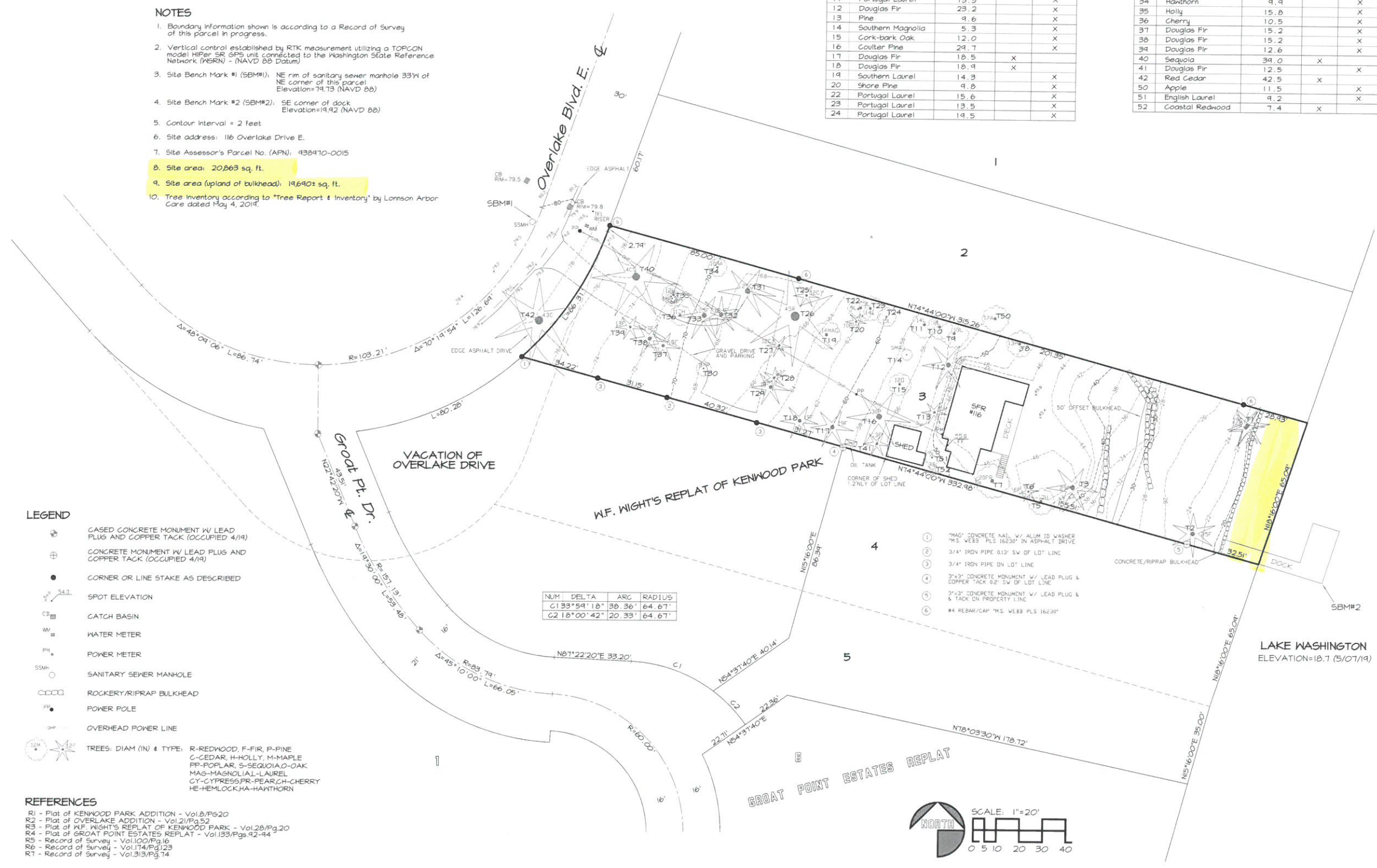
**NOTES**

- Boundary information shown is according to a Record of Survey of this parcel in progress.
- Vertical control established by RTK measurement utilizing a TOPCON model HiPer SR GPS unit connected to the Washington State Reference Network (WERN) - (NAVD 88 Datum)
- Site Bench Mark #1 (SBM#1): NE rim of sanitary sewer manhole 33'W of NE corner of this parcel. Elevation=19.73 (NAVD 88)
- Site Bench Mark #2 (SBM#2): SE corner of dock. Elevation=19.42 (NAVD 88)
- Contour interval = 2 feet
- Site address: 116 Overlake Drive E.
- Site Assessor's Parcel No. (APN): 438470-0015
- Site area: 20,863 sq. ft.
- Site area (upland of bulkhead): 19,690± sq. ft.
- Tree inventory according to "Tree Report & Inventory" by Lonson Arbor Care dated May 4, 2019.

**TREE TABLE**

NO.	SPECIES	DIAM (Inches)	RETAIN	REMOVE
1	Alaskan Cedar	24.8	X	
2	Douglas Fir	24.5	X	
3	Austrian Pine	24.0		X
5	Holly	13.2		X
6	Shore Pine	6.2		X
7	Yellow Poplar	20.2		X
8	Holly	13.1	X	
9	Portugal Laurel	12.8		X
10	Portugal Laurel	12.2		X
11	Portugal Laurel	13.5		X
12	Douglas Fir	23.2		X
13	Pine	9.6		X
14	Southern Magnolia	5.3		X
15	Cork-bark Oak	12.0		X
16	Coulter Pine	24.7		X
17	Douglas Fir	18.5	X	
18	Douglas Fir	18.4	X	
19	Southern Laurel	14.3		X
20	Shore Pine	9.8		X
22	Portugal Laurel	15.6		X
23	Portugal Laurel	13.5		X
24	Portugal Laurel	14.5		X

NO.	SPECIES	DIAM (Inches)	RETAIN	REMOVE
25	Lawson Cypress	9.5		X
26	Coastal Redwood	45.0	X	
27	Boulevard Cypress	11.5		X
28	Douglas Fir	12.5		X
29	Douglas Fir	17.8		X
30	Pear	8.2		X
31	Red Cedar	24.5	X	
32	Western Hemlock	18.1		X
33	Douglas Fir	22.4		X
34	Hawthorn	4.4		X
35	Holly	15.8		X
36	Cherry	10.5		X
37	Douglas Fir	15.2		X
38	Douglas Fir	15.2		X
39	Douglas Fir	12.6		X
40	Sequoia	39.0	X	
41	Douglas Fir	12.5		X
42	Red Cedar	42.5	X	
50	Apple	11.5		X
51	English Laurel	9.2		X
52	Coastal Redwood	7.4	X	



- LEGEND**
- CASED CONCRETE MONUMENT W/ LEAD PLUG AND COPPER TACK (OCCUPIED 4/19)
  - CONCRETE MONUMENT W/ LEAD PLUG AND COPPER TACK (OCCUPIED 4/19)
  - CORNER OR LINE STAKE AS DESCRIBED
  - SPOT ELEVATION
  - CATCH BASIN
  - WATER METER
  - POWER METER
  - SANITARY SEWER MANHOLE
  - ROCKERY/RIPRAP BULKHEAD
  - POWER POLE
  - OVERHEAD POWER LINE
  - TREES: DIAM (IN) & TYPE: R-REDWOOD, F-FIR, P-PINE, C-CEDAR, H-HOLLY, M-MAPLE, PP-POPLAR, S-SEQUOIA/OAK, MAG-MAGNOLIAL-LAUREL, CY-CYPRESS, PR-PEAR, CH-CHERRY, HE-HEMLOCK, HA-HAWTHORN

- REFERENCES**
- R1 - Plat of KENWOOD PARK ADDITION - Vol.8/Pg.20
  - R2 - Plat of OVERLAKE ADDITION - Vol.21/Pg.52
  - R3 - Plat of W.F. WIGHT'S REPLAT OF KENWOOD PARK - Vol.28/Pg.20
  - R4 - Plat of GREAT POINT ESTATES REPLAT - Vol.135/Pgs.42-44
  - R5 - Record of Survey - Vol.1100/Pg.16
  - R6 - Record of Survey - Vol.1174/Pg.123
  - R7 - Record of Survey - Vol.313/Pg.14

**mswebb SURVEYING LLC**  
 862 Buck Loop Road  
 Sequim, Washington 98582  
 Phone: (509) 681-4856

DATE: MAY 14, 2019  
 JOB NO: 2019-007  
 SCALE: 1"=20'  
 PAGE: 1 of 1

**TOPOGRAPHIC SURVEY**  
 for  
**STEVE BURNSTEAD CONSTRUCTION**

NO.	DATE	REV. BY	COMMENTS

REVISIONS