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BEFORE THE HEARING EXAMINER FOR THE CITY OF REDMOND

IN RE: APPEAL OF MONICA
CATUNDA, ET AL. OF THE MARCH
2, 2018 CLEAR AND GRADE PERMIT
CGP-2018-01368

NO. LAND-2018-00317

CATUNDA’S OPPOSITION TO
CITY’S MOTION TO DISMISS
APPEAL

I. INTRODUCTION

The City of Redmond’s motion to dismiss should be denied. The City contends that Ms. Catunda has missed the deadline for appealing the March 2, 2018 clear and grade permit. But Ms. Catunda is not appealing the City’s decision to issue the March 2 clear and grade permit. On the contrary, Ms. Catunda agrees that obtaining the clear and grade permit was a required step in the City’s process for approving the removal of the Idylwood Park cottonwoods. However, the clear and grade permit, while necessary, was not sufficient. Under the Redmond Municipal Code (RMC) and Redmond Zoning Code (RZC), the City was also required to obtain a tree removal permit and a shoreline conditional use permit. The City’s decision to cut the trees without these required permits is the actual subject of Ms. Catunda’s appeal.

1 Ms. Catunda has obtained documents through the Public Records Act indicating the City
2 knew, at a minimum, that a tree removal permit was required. The City actually applied for a tree
3 removal permit, but a tree removal permit was never issued. The City began cutting cottonwoods on
4 March 19 without a tree removal permit. That date — not the date of the clear and grade permit —
5 marked the date of the City’s final permit decision. Ms. Catunda’s March 27 appeal is therefore timely.
6

7 **II. FACTS**

8 The City’s timeline of events in its motion to dismiss omits several key events that show that
9 a tree removal permit — not just a clear and grade permit — was necessary to remove the cottonwoods.

10 In an email dated September 7, 2017, Steven Fisher, a manager at the Department of Planning
11 and Community, emailed Karen Haluza, director of the department, regarding the Idylwood Park trees.
12 The title of the email was “Tree Removal Permits – Exceptions.” In his email, Mr. Fisher, cited RZC
13 21.72.090 (the tree protection code) and talked about the procedures for obtaining one of the
14 exceptions to the usual tree removal permit requirement. Decl. of Alex Sidles, ¶ 10, Ex. A.
15

16 An email chain from December 21, 2017 through January 24, 2018 between assistant city
17 planner Sabrina Gassaway and parks employee Chris Tolonen (a certified arborist) discussed the
18 Idylwood Park trees. Mr. Tolonen asked Ms. Gassaway what format he should submit a “Tree
19 Removal Permit Application” for the trees; Ms. Gassaway replied a month later asking if Mr. Tolonen
20 had completed a “tree removal application” for the cottonwoods; Mr. Tolonen replied that he had not
21 and asked if he needed to write out each tree to be removed on the “Application for Removal Permit.”
22 Sidles Decl., ¶ 11, Ex. B.
23

24 On January 18, 2018, Mr. Tolonen sent an email to Sandi Hain of Bartlett Tree Experts,
25 discussing the removal of the cottonwoods. In the January 18 email, Mr. Tolonen told Ms. Hain that
26

1 “Tree removal permits will be handled by myself [meaning by Mr. Tolonen].” Sidles Decl., ¶ 12, Ex.
2 C.

3 An email chain from February 6 to 7, 2018 between park operations manager David Tuchek,
4 Ms. Gassaway, and Mr. Tolonen further discussed the tree removal permit. The subject line of this
5 chain was “Idylwood Park Tree Removals – Tree Removal Permit.” Mr. Tuchek asked whether Ms.
6 Gassaway had generated a tree removal permit; Ms. Gassaway replied that she had not yet received
7 the permit application from Mr. Tolonen; Mr. Tuchek instructed Mr. Tolonen to “work with Sabrina
8 to secure a tree removal permit for this work;” Mr. Tolonen replied that he had sent out a permit
9 application by inter-office mail but would submit a new permit application that afternoon. Sidles Decl.,
10 ¶ 13, Ex. D.

11
12 On February 8, 2018, Mr. Tolonen submitted an application for a tree removal permit. Sidles
13 Decl., ¶ 14, Ex. E, E-1.

14
15 At no time during these exchanges was there any discussion of the need for a clear and grade
16 permit, or any indication that a clear and grade permit could substitute for a tree removal permit. The
17 permit application Mr. Tolonen submitted on February 8 was a tree removal permit application, not a
18 clear and grade permit application.

19 The first mention of a clear and grade permit appears in an email chain from February 23 to
20 26, 2018, between Mr. Tuchek and Jeff Dendy, an engineer in the City’s public works department. In
21 this email chain, Mr. Dendy requested a site plan showing which trees would be cut down and an
22 arborist report justifying the cutting decision; Mr. Tuchek promised to supply the information. Sidles
23 Decl., ¶ 15, Ex. F. This email appears to be a reference to a clear and grade permit application dated
24 February 21, 2018. Sidles Decl., ¶ 16, Ex. G.

1 The clear and grade permit was issued March 2, 2018. Mot. at 3.

2 It is unknown what ever became of Mr. Tolonen’s February 8 tree removal permit application.
3 It appears never to have been granted or denied. Thus, rather than obtain a tree removal permit from
4 the Department of Planning and Community issued by Ms. Gassaway, the City only ever obtained a
5 clear and grade permit from the Department of Public Works issued by Mr. Dendy.
6

7 **III. ARGUMENT**

8 **A. Ms. Catunda Needs Additional Discovery to Oppose the City’s Motion.**

9 The hearing examiner’s prehearing order of April 24, 2018 says, “It is understood that in
10 response to the City’s motion, the Appellants may argue that they need completed public records
11 disclosure to effectively respond. Should such an argument prevail, the schedule agreed to herein
12 would be adjusted.” Ms. Catunda requires the completed public records to respond and asks the
13 hearing examiner to adjust the schedule for that reason.
14

15 Ms. Catunda received her first batch of records, consisting of 126 files, on May 11. Sidles
16 Decl., ¶ 4. Nine hundred more files were provided late in the day on May 17, after the City had already
17 filed its motion to dismiss. Sidles Decl., ¶ 5. However, there is not enough time to review 900 files
18 before the May 21 deadline for this opposition. Sidles Decl., ¶ 8. In addition, more documents have
19 yet to be produced; the next batch will not come until May 22. Sidles Decl., ¶ 7. The final batch is not
20 expected until mid-June at the earliest. Sidles Decl., ¶ 3. As a result of this slow process, Ms. Catunda
21 and her attorney have only been able to review a small fraction of the documents relevant to this
22 appeal. However, what little review Ms. Catunda has been able to conduct casts doubt on the factual
23 claims the City makes in its motion to dismiss.
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1 In its motion to dismiss, the City relies heavily on Mr. Tucheck's description of the City's
2 decision-making process, especially regarding the all-important questions of what permits were
3 required and when the permits were applied for and granted. Mot. at 2. However, as demonstrated in
4 our recital of the facts, the few public records Ms. Catunda has so far received paint a very different
5 picture than Mr. Tucheck's declaration.

6
7 In his declaration, Mr. Tucheck did not say a word about the stalled tree removal permit
8 application, even though he had been personally involved with that permit application since at least
9 February and had, in fact, been prodding Mr. Tolonen to hurry up with the processing of the tree
10 removal permit. Mr. Tucheck's declaration did not identify the date when he decided the trees could be
11 cut without the tree removal permit he had previously believed necessary, yet that decision is precisely
12 the one Ms. Catunda is appealing. This is a self-serving omission. Ms. Catunda's only chance to
13 overcome such omissions is to examine the public records in their entirety.

14
15 In a superior court case, Ms. Catunda would have the opportunity to submit interrogatories,
16 requests for production, to staffers like Mr. Tucheck, asking him what other permit applications and
17 when the decision was made that the tree removal permit application would be denied. Here, however,
18 Ms. Catunda must depend on the City's public disclosure process to learn the facts regarding the City's
19 permitting decisions. Ms. Catunda must be given time to review all the public records before she can
20 adequately respond to the City's motion to dismiss. It is unfair to allow the City to rely on a self-
21 serving omission by its staff (who already possess all the facts) while Ms. Catunda must grope in the
22 darkness to determine what decisions the staff made and when.

23
24 The City's motion to dismiss relies on an incomplete, misleading statement of the facts. This
25 illustrates the importance for Ms. Catunda to be able to contest the City's account of the permitting
26

1 process on an equal footing. The hearing examiner should delay ruling on the motion to dismiss until
2 the public record disclosures are complete and Ms. Catunda has had an opportunity to learn the same
3 facts the City has had all along.

4 **B. A Tree Removal Permit Was Required, Not Just a Clear and Grade Permit.**

5 The City's motion to dismiss erroneously treats a tree removal permit as replaceable by a clear
6 and grade permit when eleven or more trees are proposed to be cut. Mot. at 4. The plain language of
7 RZC 21.72, the tree protection code, indicates this is incorrect.

8 The tree protection code's section on permits begins with an unequivocal requirement that
9 cutting an exceptional tree or stand of trees requires a tree removal permit:
10

11 Except as provided in RCZ 21.72.030, Exemptions, any person who desires to cut
12 down or remove any significant tree or any stand of trees, or who desires to conduct
13 grading activities on a site that will result in the removal of trees, must first obtain a
14 permit to do so from the Administrator **as provided in this section.**
RZC 21.72.020.A (emphasis supplied).

15 Other than the exemptions in RZC 21.72.030 (which the City has not sought to invoke in this
16 case), there are no other exceptions to the requirement that any person must obtain a tree removal
17 permit prior to cutting any significant tree or trees. RZC 21.72.020.A does not set a cap on the
18 maximum number of trees that trigger the requirement — it says *any* trees trigger the requirement.

19 The tree protection code goes on to provide the following:

20 The owners of undeveloped lots for which no land use application is pending must
21 obtain a permit prior to removing any significant tree(s) or stands of trees on the lot.
22 Removal of 11 or more significant trees requires clearing and grading approval, in
23 accordance with RMC Chapter 15.24, Clearing, Grading and Stormwater
Management.

24 RZC 21.72.020.C.

1 Nowhere in RZC 21.72.020.C does it say that a clear and grade permit takes the place of the
2 required tree removal permit. Instead, it says that all landowners must obtain tree removal permits to
3 remove *any* significant trees or stand of trees, and those landowners who own undeveloped lots and
4 are cutting eleven or more significant trees must also obtain a clear and grade permit.
5

6 It makes sense that the code would impose two different permit requirements that must both
7 be met, because tree removal permits are very different from clear and grade permits. Tree removal
8 permits may only be granted if the applicant follows the strict “tree protection standards” of RZC
9 21.72.060 and the “tree replacement” rules of RZC 21.72.080. RZC 21.72.050.A. These standards and
10 rules, in turn, require protection for landmark trees; minimum canopy retention requirements;
11 preservation of trees in critical areas and native growth protection areas buffers; and detailed
12 vegetation replacement and mitigation plans. RZC 21.72.060, 070. The purpose of all this, as the tree
13 protection code states, is to “avoid the removal of stands of trees and significant trees in order to
14 maintain the quality of Redmond’s urban environment” and “preserve the aesthetic, ecological, and
15 economic benefits of forests and tree-covered areas.” RZC 21.72.010.
16

17 By contrast, a clear and grade permit imposes none of these protections for trees. Instead, the
18 focus of the stormwater code (the source of the clear and grade permit requirement) is to “safeguard
19 life, property, public health, and general welfare; minimize water quality degradation; prevent
20 excessive sedimentation of or erosion by surface waters; and prevent the creation of public nuisances
21 such as fouling of surface or groundwater.” RMC 15.24.010. The stormwater code does list
22 “preserving trees” as one of its additional goals, but it lacks the comprehensive, tree-by-tree protection
23 requirements of the tree protection code. The focus of the stormwater code is on trees as guardians of
24 water quality, whereas the focus of the tree protection code is on trees as valuable in their own right.
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1 This reading of the law is consistent with the City’s reading evinced by the numerous emails
2 cited in our recital of facts: Half a dozen City staffers were all convinced that a tree removal permit
3 was necessary, with some staffers even citing to the tree protection code.

4 Now, however, the City advances a new reading of the tree protection code, in which a tree
5 removal permit is only required until more than eleven significant trees are being removed, in which
6 case no tree removal permit is required. This new reading would mean the more significant trees get
7 cut, the less tree protection is required. The City’s new reading of the tree protection code is not entitled
8 to deference, because it is not a matter of established City policy. On the contrary, the record
9 establishes that all of the City’s staffers believed a tree removal permit *was* necessary. *See Cowiche*
10 *Canyon Conservancy v. Bosley*, 118 Wn.2d 801, 814-815, 828 P.2d 549 (1992) (no deference afforded
11 to an agency interpretation advanced for the first time during litigation).¹

12 The City’s new reading makes a mockery of the tree protection code and should be rejected,
13 because it considers the stormwater code to be a replacement for the tree protection code, when in fact,
14 the stormwater code is actually a complement to the tree protection code. *See Lake v. Woodcreek*
15 *Homeowners Ass’n.*, 169 Wn.2d 516, 243 P.3d 1283 (“Plain meaning is to be discerned from the
16 ordinary meaning of the language at issue, the context of the statute in which that provision is found,
17 related provisions, **and the statutory scheme as a whole**”) (emphasis added).

18 The tree protection code and the stormwater code are not interchangeable, as the City proposes.
19 They impose different requirements, are issued by different departments, and serve different policy
20 purposes. The correct reading of the law is that all significant trees require a tree removal permit (to
21 minimize impact to Redmond’s tree canopy and aesthetics), and in addition, when eleven or more
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26 ¹ If the City argues that it *does* have an established policy of requiring only clear and grade permits, Ms. Catunda would need additional time to obtain public records to evaluate this claim.

1 significant trees are being removed, a clear and grade permit is also required (to minimize impact to
2 Redmond's water quality).

3 **C. The Clear and Grade Permit Decision Did Not Start the Appeal Clock on the**
4 **Tree Removal Permit Decision.**

5 Because the tree removal permit was a separate requirement from the clear and grade permit,
6 the decision to issue the clear and grade permit did not start the appeal clock on the still-pending
7 decision regarding the tree removal permit.

8 In *Samuel's Furniture, Inc. v. Dep't of Ecology*, 147 Wn.2d 440, 54 P.3d 1194 (2002), the
9 Supreme Court held that when the issuance of one permit is a pre-condition for the issuance of a
10 second permit, the decision to issue the second permit but not issue the first permit starts the appeal
11 clock on both the issued permit and the non-issued permit. Because the two permits in *Samuel's*
12 *Furniture* were required to be issued sequentially, the decision to issue only the second permit
13 constituted a *de facto* decision not to issue the first permit.

14 Here, by contrast, the two permits are not sequentially linked. Although a clear and grade
15 permit and a tree removal permit are both required, there is nothing in the RZC or RMC requiring one
16 to be issued before the other. The City could have issued the tree removal permit first and then issued
17 the clear and grade permit—and, in fact, the City submitted its tree removal permit application weeks
18 before it submitted its clear and grade permit application. But the City was also free to issue the clear
19 and grade permit first and then issue the tree removal permit. Neither permit decision by itself
20 constituted a *de facto* decision regarding the other permit.

21 As will be discussed below, the appeal clock on the clear and grade permit started March 2,
22 the date the permit decision was published. But the tree removal permit decision was never published.
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1 The decision not to issue the tree removal permit only became final on March 19, when the trees began
2 to be cut.

3 **D. A Shoreline Conditional Use Permit Was Also Required.**

4 A shoreline permit is required for “development” along the lake. RZC 21.68.0200.C.2. As the
5 City admits, part of the definition of development under the Shoreline Management Act is “any project
6 of a permanent or temporary nature which interferes with the normal public use of the surface of the
7 waters...at any state of water level.” Mot. at 6; RCW 90.58.030(3).

8
9 In an email dated March 8, 2018, City recreation program manager Jeff Hagen emailed Mr.
10 Tuchek and Ms. Kluver saying that the City of Redmond’s Sammamish rowing program classes might
11 have to be delayed or canceled due to the tree removal project. Sidles Decl., ¶ 17, Ex. H.

12
13 In a City of Redmond video depicting a previous cottonwood tree felling in Idylwood Park,
14 dated August 11, 2017, a cottonwood close to shore is shown dramatically crashing into Lake
15 Sammamish after being cut with a chainsaw. Sidles Decl., ¶ 18, Ex. I.



1 The email regarding the delayed or canceled rowing classes and the video showing the lakeside
2 cottonwood toppling into the water indicate that the City’s tree removal program is indeed a “project
3 of a permanent **or temporary nature** which interferes with the normal public use of the surface of the
4 waters.” It therefore constitutes development under the City’s own definition of the term.

5
6 Under RZC 21.68.200.C.2, development within the shoreline jurisdiction (which the City does
7 not dispute includes the site of these cottonwoods) requires a Shoreline Substantial Development
8 Permit, Shoreline Conditional Use Permit, or Shoreline Variance Permit unless specifically exempted
9 from obtaining such a permit. No such permit has been issued, nor has any letter of exemption been
10 issued. The cutting of the cottonwoods constitutes unpermitted, unlawful shoreline development.

11 **E. Ms. Catunda’s Appeal Is Timely, Because the Required Permit Decisions Were**
12 **Still Pending When the Trees Began to Be Cut.**

13 Although the Redmond Code does not define a “land use decision,” the Land Use Petition Act
14 (LUPA) does. Under LUPA, a land use decision is “a final determination by a local jurisdiction's body
15 or officer with the highest level of authority to make the determination, including those with authority
16 to hear appeals, on: **An application for a project permit** or other governmental approval required by
17 law...” RCW 36.70C.020(2)(a) (emphasis added).

18
19 The date of a land use decision is “three days after a written decision is mailed by the local
20 jurisdiction, or, if not mailed, the date of which the location jurisdiction provides notice that a written
21 decision is publicly available.” RCW 36.70C.040(4).

22 As demonstrated in our recital of facts above, there is still a pending permit application for a
23 tree removal permit. The City has never issued a written decision regarding that application, nor
24 published any written notice regarding that application. Properly speaking, under LUPA, no land use
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1 decision about the tree removal permit application has been made. Likewise, there has never been a
2 shoreline permit decision.

3 However, beginning on March 19, the cottonwoods that were the subject of the pending tree
4 removal permit application began to be cut. On that date, the City’s “decision” regarding the tree
5 removal permit application — though still not a written decision — became final as a matter of
6 practical effect. The same is true of the shoreline permit decision — no written decision or letter of
7 exemption was issued, so the decision only became final on March 19 with the first cutting of the
8 trees. Prior to that date, the City could still have decided to issue the required permits and comply with
9 the relevant tree protection and shoreline critical areas regulations. After that date, the City committed
10 irrevocably to proceed without the permits in violation of the law.

11 The decision to issue or deny a tree removal permit is a type I decision. RZC 21.76.050.C. The
12 decision to issue or deny a shoreline substantial development permit is a type II decision. *Id.* The
13 decision to issue or deny a shoreline conditional use permit is a type III decision. *Id.* All of these
14 decisions were made, for all practical purposes, on March 19.

15 Type I and II decisions have a 14-day appeal deadline. RZC 21.76.060.I.2.c. Type III decisions
16 must be made in the first instance by the hearing examiner. RZC 21.68.200.c.6.c. The appeal deadline
17 for the tree removal permit and shoreline permit decisions was, therefore, April 2.

18 Because there is still a pending tree removal permit application and a failure to submit a
19 shoreline permit application, the City’s final decision on permitting did not occur on March 2, the date
20 of the clear and grade permit; nor on March 8, the date of the SEPA exemption finding. Instead, the
21 City’s final decision on permitting occurred on March 19, when it actually began cutting the trees.

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1 Ms. Catunda could not have appealed the tree removal permit and shoreline permit earlier than
2 she did, because the City itself had not made a decision about the permits until March 19. Ms.
3 Catunda's March 27 appeal is well within the 14-day appeal window for type I and II decisions, and
4 the hearing examiner has the authority to make type III decisions in the first instance without an appeal
5 deadline. Therefore, this appeal is timely.
6

7 **IV. CONCLUSION**

8 This is not an appeal of a clear and grade permit decision. It is an appeal of a tree removal
9 permit decision and a shoreline permit decision. The tree removal and shoreline permits were required
10 in addition to the clear and grade permit. Because no written decision was made regarding the required
11 permits, the City's decisions on the permits only became final when the trees began to be cut. Ms.
12 Catunda's appeal was filed within the 14-day appeal deadline for the tree removal and shoreline permit
13 decisions. The City's motion to dismiss should, therefore, be denied.
14

15
16 Dated this 21st day of May, 2018.

17 Respectfully submitted,

18 BRICKLIN & NEWMAN, LLP

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21 By: 
22 Alex Sidles, WSBA No. 52832
23 Attorney for Monica Catunda
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BEFORE THE HEARING EXAMINER
FOR THE CITY OF REDMOND

In the Matter of the Appeal of

Monica Catunda, et al.

Of the March 2, 2018 Clear and Grade
Permit CGD-2018-01368 Allowing the
Removal of 30 Cottonwood Trees from
Idylwood Beach Park in Redmond

NO. LAND-2018-00317

**Idylwood Beach Park Tree Removal
Appeal**

DECLARATION OF ALEX SIDLES
IN SUPPORT OF CATUNDA’S
OPPOSITION TO CITY’S MOTION
TO DISMISS APPEAL

I, ALEX SIDLES, declare as follows:

1. I am the attorney for Monica Catunda, et al., in this appeal. I make this declaration based on my personal knowledge.
2. On April 3, 2018, I submitted a public records request to the City of Redmond for documents relating to the cutting of cottonwoods at Idylwood Park. My purpose in submitting this request was to obtain “discovery” for Ms. Catunda’s appeal, which she had filed pro se on March 27.
3. The City assigned my request number W006339-040318. On April 20, City staffer Alli (no last name given) emailed me with an estimate that my records request would be completed by mid-June, although Alli emphasized this was only a tentative estimate.

1 4. On May 4, 2018, City staffer Sara Smith emailed to tell me that the first batch of
2 records was ready. However, she required payment either in-person or by mailed-in check. My office
3 mailed the check on May 8, and the City processed the check on May 11 and made the responsive
4 documents available for download. I downloaded the responsive documents and reviewed them on
5 May 11. There were approximately 126 files in this first batch.
6

7 5. On May 14—after the City had already filed its motion to dismiss, and after I had
8 already begun drafting Ms. Catunda’s opposition to the motion—Ms. Smith emailed me again to tell
9 me that two more batches of documents were ready. Again, we were required to pay by check. My
10 office mailed the check on May 14, and on the afternoon of May 17, the City made the documents
11 available for download. I downloaded the documents on May 18 and began reviewing them. There
12 were approximately 906 files in total in these two batches.
13

14 6. Also on May 17, Ms. Smith emailed me yet again, telling me that yet another batch
15 would be ready on May 22.

16 7. By the end of the day on May 18, I still had not completed my review of the 900
17 documents in the second and third installments. And I had not received the invoice for the May 22
18 installment, much less the responsive documents themselves.
19

20 8. My opposition to the City’s motion to dismiss is due May 21. I do not have time to
21 complete my review of the 900 documents in the second and third installments before my opposition
22 is due, and even if I did, there would still be more documents on their way beginning on May 22.

23 9. Although my review of the documents is incomplete, what documents I have reviewed
24 demonstrate that the City is aware that a tree removal permit was necessary, even though a tree
25 removal permit was never issued. Documents that provide evidence of this claim are below:
26

1 10. Attached hereto as Exhibit A is a true and correct copy of an email dated September 7,
2 2017 between Steve Fisher and Karen Haluza, which I received as part of my public records request
3 installment on May 17.

4 11. Attached hereto as Exhibit B is a true and correct copy of an email chain dated
5 December 21, 2017 through January 24, 2018 between Chris Tolonen and Sabrina Gassaway, which
6 I received as part of my public records request installment on May 11.
7

8 12. Attached hereto as Exhibit C is a true and correct copy of an email dated January 18,
9 2018 from Chris Tolonen, which I received as part of my public records request installment on May
10 11.

11 13. Attached hereto as Exhibit D is a true and correct copy of an email chain dated
12 February 6 through 7, 2018 between David Tucheck, Sabrina Gassaway, and Chris Tolonen, which I
13 received as part of my public records request installment on May 11.
14

15 14. Attached hereto as Exhibit E is a true and correct copy of an email chain dated January
16 23 through February 8, 2018 between multiple City employees, which I received as part of my public
17 records request installment on May 11. Exhibit E-1 is the tree removal permit application attached to
18 the last email in the Exhibit E email chain.

19 15. Attached hereto as Exhibit F is a true and correct copy of an email chain dated February
20 23 through 26, 2018 between Jeff Dendy and David Tucheck, which I received as part of my public
21 records request installment on May 11.
22

23 16. Attached hereto as Exhibit G is a true and correct copy of a clear and grade permit
24 application dated February 21, 2018 from David Tucheck, which I received as part of my public records
25 request installment on May 11.
26

1 17. Attached hereto as Exhibit H is a true and correct copy of an email dated March 8,
2 2018 from Jeff Hagen, which I received as part of my public records request installment on May 11.

3 18. Attached hereto as Exhibit I is a screenshot I took on my computer on May 15, 2018.
4 The screenshot captures a still image from a video that depicts a cottonwood falling into a lake. The
5 video was provided to me on May 11, 2018 in response to my public records request for information
6 about cottonwoods at Idylwood Park. The video has the file name, "20170811_084251.mp4." Given
7 the filename and the context in which it was provided to me, I believe the video depicts a cottonwood
8 being cut down at Idylwood Park in 2017.
9

10 19. Given the numerous documents I have already received regarding the need for a tree
11 removal permit, I expect that more documents providing evidence of the City's permitting process
12 will likely appear in future installments.
13

14
15 I declare under penalty of perjury under the laws of the State of Washington that the foregoing
16 is true and correct.

17 Dated this 18th day of May, 2018, at Seattle, Washington.
18

19
20 

21 _____
ALEX SIDLES

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Exhibit A

September 7 2017 Fisher email

Alex Sidles

From: Steve Fischer <SFISCHER@REDMOND.GOV>
Sent: Thursday, September 7, 2017 5:05 PM
To: Karen Haluza
Cc: Steve Fischer
Subject: Tree Removal Permits - Exceptions

Karen

The code allows for landmark trees (trees greater than 30" in diameter) to be removed if they meet the exception criteria outlined in RZC 21.72.090. The City's decision (approval/denial) of an exception request is noted in a letter back to the applicant. These requests can come to the City as part of a land use application or from a single family homeowner who wishes to remove a tree.

In the past, the former director has signed these letters and on occasion I have signed them if he was not available. The code states that a "request for any exception shall be submitted in writing by the property owner for consideration by the Administrator, and shall accompany the application for a permit reviewed under this section. The written request shall fully state all substantiating facts and evidence pertinent to the exception request, and include supporting maps or plans. The Administrator may also require the recommendation of a certified arborist in reviewing an exception request."

The code states that the Administrator is the Planning Director or their designated representative.

How do you want to proceed....do you wish to review and sign off on all tree exceptions?

Steven Fischer

Manager, Development Review
City of Redmond – Development Services Center
15670 NE 85th St, Redmond, WA 98052 MS:2SPL
P: 425.556.2432 F: 425.556.2400

Exhibit B

December 21 to Jan 24

Gassaway emails

Alex Sidles

From: Sabrina Gassaway
Sent: Wednesday, January 24, 2018 12:20 PM
To: Christopher Tolonen
Subject: RE: Idylwood Trees

Hello Chris,

Sorry about that. Thank you for pointing that out. You can fill out the application but not that the list of trees are attached. Save paper and time! If you could please include a map showing the trees removed that would be great.

Best Regards,

Sabrina Gassaway

Assistant Planner | City of Redmond
425.556.2463 | sgassaway@redmond.gov | www.redmond.gov
15670 NE 85th St | PO Box 97010 | MS 2SPL | Redmond, WA 98073-9710



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From: Christopher Tolonen
Sent: Wednesday, January 24, 2018 12:14 PM
To: Sabrina Gassaway <sgassaway@redmond.gov>
Subject: RE: Idylwood Trees

Hi Sabrina,

No I have not. My question below highlighted in yellow still remains. Do you need them all written out again even though you have the spreadsheet with all the trees listed. Can I simply fill out the header on the Application for Removal Permit and say see attached for tree list? Tell me what you need.

Thanks,
Chris

From: Sabrina Gassaway
Sent: Wednesday, January 24, 2018 8:15 AM
To: Christopher Tolonen <CTOLONEN@REDMOND.GOV>
Subject: RE: Idylwood Trees

Hello Chris,

I apologize for the delay. Have you completed a tree removal application for the Cottonwood Removal?

Best Regards,

Sabrina Gassaway

Assistant Planner | City of Redmond

425.556.2463 | sgassaway@redmond.gov | www.redmond.gov

15670 NE 85th St | PO Box 97010 | MS 2SPL | Redmond, WA 98073-9710



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From: Christopher Tolonen
Sent: Thursday, December 21, 2017 10:23 AM
To: Sabrina Gassaway <sgassaway@redmond.gov>
Subject: Idylwood Trees

Hi Sabrina,

I wanted to touch base with you as we move forward in planning to remove the trees at Idylwood.

You mentioned you wanted to see Director and/or Mayoral approval to remove the trees, which I asked for and my manager, Dave Tuckek said this should have been communicated to you through your Director. Let me know if this is not the case or if you still need information on this from me/Parks.

See the attached narrative on Tree Risk at Idylwood. I believe I already sent you the spreadsheet of the 30 trees.

My question now is, in what format would you like me to proceed with a Tree Removal Permit Application for these trees?

Thanks,
Chris

Exhibit C

January 18 2018 Tolonen email

Alex Sidles

From: Christopher Tolonen
Sent: Thursday, January 18, 2018 10:31 AM
To: shain@bartlett.com
Subject: City of Redmond Cottonwood Removal
Attachments: Idylwood Scope of Work 2018.docx; Idylwood Contract Cottonwoods Tree List 2018.xlsx; Idylwood northeast corner.jpg; Idylwood Lower Bridge Grove 2.jpg; Idylwood South Beach Grove.jpg

Hi Sandi,

Thank you for taking a look at this job where the City of Redmond is planning on removing (30) cottonwood trees at Idylwood park.

Please find the attached:

- Scope of Work
- Tree List
- Location Pictures (3)

We are flexible with the date of completion. March 2nd was simply our original goal. Tree removal permits will be handled by myself. Trees are marked with red paint on the “backside” on the stump.

I am available to meet on site at your convenience.

Thank you for your potential bid,

Chris Tolonen

Redmond Park Operations

425-556-2369

ISA Certified Arborist #PN-2777A

ISA Tree Risk Assessment Qualified

Exhibit D

February 6 and 7 Gassaway
emails

Alex Sidles

From: Christopher Tolonen
Sent: Wednesday, February 7, 2018 7:29 AM
To: Sabrina Gassaway
Subject: FW: Idylwood Park Tree Removals - Tree Removal Permit

Sabrina,

I sent the Permit Application packet out to you that day, the 24th, through interoffice mail.

Can you please double check, otherwise I will send another packet out this afternoon.

Thanks,

Chris

From: David Tucheck
Sent: Tuesday, February 06, 2018 4:42 PM
To: Sabrina Gassaway <sgassaway@redmond.gov>; Christopher Tolonen <CTOLONEN@REDMOND.GOV>
Cc: Teresa Kluver <TKLUVER@REDMOND.GOV>
Subject: RE: Idylwood Park Tree Removals - Tree Removal Permit

Hi Chris,

Please work with Sabrina to secure a tree removal permit for this work.

Thanks,



Dave Tucheck

Park Operations Manager | City of Redmond

☎: 425.556.2318 | ✉: dtucheck@redmond.gov | Redmond.gov

MS: MOCPK | 18120 NE 76th St. | Redmond, WA 98052



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From: Sabrina Gassaway
Sent: Tuesday, February 06, 2018 4:38 PM
To: David Tucheck <DTUCHEK@REDMOND.GOV>
Subject: RE: Idylwood Park Tree Removals - Tree Removal Permit

Hello David,

I have been in contact with Christopher Tolonen and have yet to receive the permit to process the request. My last correspondence with Chris was on the 24th of last month.

Best Regards,

Sabrina Gassaway

Assistant Planner | City of Redmond
425.556.2463 | sgassaway@redmond.gov | www.redmond.gov
15670 NE 85th St | PO Box 97010 | MS 2SPL | Redmond, WA 98073-9710



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From: David Tucheck
Sent: Tuesday, February 06, 2018 3:09 PM
To: Sabrina Gassaway <sgassaway@redmond.gov>
Subject: RE: Idylwood Park Tree Removals - Tree Removal Permit

Hi Sabrina,

Have you generated a tree removal permit for this tree removal work yet?

Please let me know, thanks!



Dave Tucheck

Park Operations Manager | City of Redmond
☎: 425.556.2318 | ✉: dtucheck@redmond.gov | Redmond.gov
MS: MOCPK | 18120 NE 76th St. | Redmond, WA 98052



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Exhibit E

January 23 to February 8
multiple employees email chain

Alex Sidles

From: Christopher Tolonen
Sent: Thursday, February 8, 2018 10:33 AM
To: Sabrina Gassaway
Cc: David Tucheck
Subject: Idylwood Tree Removal Permit Application
Attachments: Idylwood Permit Application.pdf

Sabrina,

See attached.



Chris Tolonen

Lead Maintenance Worker | City of Redmond

☎: 425.556.2369 | ✉: ctolonen@redmond.gov | Redmond.gov

MS: MOC PK | 18120 NE 76th St. | Redmond, WA 98073



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From: David Tucheck
Sent: Tuesday, February 06, 2018 4:42 PM
To: Sabrina Gassaway <sgassaway@redmond.gov>; Christopher Tolonen <CTOLONEN@REDMOND.GOV>
Cc: Teresa Kluver <TKLUVER@REDMOND.GOV>
Subject: RE: Idylwood Park Tree Removals - Tree Removal Permit

Hi Chris,

Please work with Sabrina to secure a tree removal permit for this work.

Thanks,



Dave Tucheck

Park Operations Manager | City of Redmond

☎: 425.556.2318 | ✉: dtucheck@redmond.gov | Redmond.gov

MS: MOC PK | 18120 NE 76th St. | Redmond, WA 98052



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From: Sabrina Gassaway
Sent: Tuesday, February 06, 2018 4:38 PM
To: David Tucheck <DTUCHEK@REDMOND.GOV>
Subject: RE: Idylwood Park Tree Removals - Tree Removal Permit

Hello David,

I have been in contact with Christopher Tolonen and have yet to receive the permit to process the request. My last correspondence with Chris was on the 24th of last month.

Best Regards,

Sabrina Gassaway
Assistant Planner | City of Redmond
425.556.2463 | sgassaway@redmond.gov | www.redmond.gov
15670 NE 85th St | PO Box 97010 | MS 2SPL | Redmond, WA 98073-9710



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From: David Tucheck
Sent: Tuesday, February 06, 2018 3:09 PM
To: Sabrina Gassaway <sgassaway@redmond.gov>
Subject: RE: Idylwood Park Tree Removals - Tree Removal Permit

Hi Sabrina,

Have you generated a tree removal permit for this tree removal work yet?

Please let me know, thanks!



Dave Tuchek

Park Operations Manager | City of Redmond

☎: 425.556.2318 | ✉: dtuchek@redmond.gov | Redmond.gov

MS: MOC PK | 18120 NE 76th St. | Redmond, WA 98052



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From: Sabrina Gassaway

Sent: Wednesday, January 24, 2018 8:10 AM

To: John Marchione <jmarchione@redmond.gov>

Cc: Maxine Whattam <mwhattam@redmond.gov>; David Tuchek <DTUCHEK@REDMOND.GOV>; Teresa Kluver <TKLUVER@REDMOND.GOV>

Subject: RE: Idylwood Park Tree Removals

Thank you Mr. Mayor. I will get right on this.

Best Regards,

Sabrina Gassaway

Assistant Planner | City of Redmond

425.556.2463 | sgassaway@redmond.gov | www.redmond.gov

15670 NE 85th St | PO Box 97010 | MS 2SPL | Redmond, WA 98073-9710



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From: John Marchione

Sent: Tuesday, January 23, 2018 5:28 PM

To: Sabrina Gassaway <sgassaway@redmond.gov>

Cc: Maxine Whattam <mwhattam@redmond.gov>; David Tuchek <DTUCHEK@REDMOND.GOV>; Teresa Kluver <TKLUVER@REDMOND.GOV>

Subject: Idylwood Park Tree Removals

Sabrina,

There was a recommendation from the Parks and Recreation Department to remove 30 Cottonwood trees at Idylwood Park. I have reviewed this recommendation with department directors from Parks

and Recreation, Planning, and Public Works on November 6, 2017, and December 11, 2017. In addition, information on the removal and replanting plan was shared with the Parks and Human Services Council Committee on Tuesday, January 2, 2018.

Please accept this memo as confirmation of approval of the removal of these trees based on tree health, species, defects, and location.

Thank you,

John

John Marchione

Mayor | City of Redmond

☎: 425.556.2101 | ✉: mayor@redmond.gov | Redmond.gov

MS: 4NEX | 15670 NE 85th St | Redmond, WA 98052

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Exhibit E-1

Idylwood Tree Removal Permit Application

(attachment to email from Exhibit E)



www.redmond.gov/LandUseForms

Tree Removal Application



PROPERTY INFORMATION	Office Use Only
Name of Property Owner(s): <u>City of Redmond</u>	PROJ: _____ DATE: _____
Site Address: <u>3650 W. Lake Sammamish Pkwy</u>	TREE: _____
Tax Parcel Number: <u>Idylwood Park</u>	ACCEPTED BY: _____
Property Square Footage: _____	PAYMENT METHOD: _____ TYPE: _____
Location of trees to be removed: <input type="checkbox"/> Front <input type="checkbox"/> Side <input type="checkbox"/> Rear	

SUBMITTAL REQUIREMENTS	APPLICANT INFORMATION
<ol style="list-style-type: none"> Complete Application Form Site Sketch [see * on bottom of next page for new single-family construction] Arborist tree assessment for each hazardous tree [use Redmond Tree Health Assessment Form]. Site photos may be submitted in lieu of Assessment Form if photos show evidence of dead, diseased, or dying tree(s). Photos can be attached to this application. Completed Exception Request Form for healthy Landmark tree removal or exceeding maximum # of trees allowed for removal. No fee for single-family zoning; \$119.25 fee for commercial, multi-family, or industrial. 	Applicant Name: <u>Chris Tolonen</u> Company Name: <u>Redmond Park Operations</u> Mailing Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ E-mail: <u>ctolonen@redmond.gov</u> Select Billing Contact: <input type="checkbox"/> APPLICANT <input type="checkbox"/> OWNER

TREE INFORMATION						
	Tree Species	Tree Diameter (4.5 feet above grade)	Dead, diseased, or dying	Total Hazard Rating	Protected Tree or within a Critical Area	Proposed Replacement
Ex.	Douglas Fir	18"	Dead	9	No	Cedar
1.	<u>see attached</u>					
2.						
3.						
4.						
5.						
6.						

BUILDING OWNER OR AUTHORIZED AGENT

By my signature, under penalty of perjury, I certify that I am the property owner or authorized to file this application on the property owner's behalf.

Print Name: Chris Tolonen Date: 2/8/18
 Signature: [Handwritten Signature]

CERTIFIED ARBORIST DOCUMENTATION

I, Chris Tolonen have evaluated the trees listed as dead, diseased, dying, or has a significant structural defect in the table under "Tree Information" and determined that the trees are structurally unsound and pose a hazard to property. My analysis supporting this finding can be found in the attached Tree Hazard Assessment Form(s).

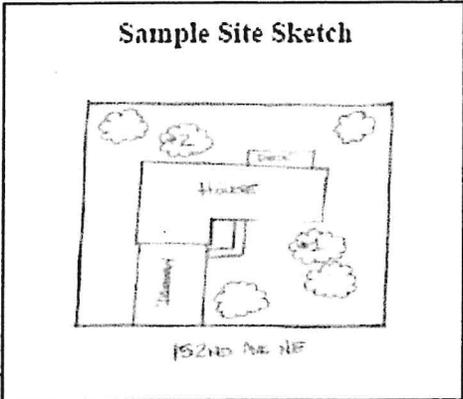
*- previously discussed
- see attached*

Chris Tolonen
Certified Arborist Signature
x 2369
Phone Number

PN-2777A 12/20
Arborist Certification # and Expiration Date
c.tolonen@redmond.gov
Email Address

SITE SKETCH

see attached



***New Single -Family Construction:** For tree removal associated with the construction of a new single-family home or an addition to an existing single family home, please include a scaled site plan on a separate sheet in lieu of a Site Sketch (above). Please use the site plan you submitted with your building permit and show the location of trees to be removed as part of the construction.

Idylwood Park Cottonwoods

2017

This past summer, two large limb failures occurred at Idylwood Park:

- August 10th, a cottonwood tree located near the south end of the main beach dropped a large limb, injuring a female park patron.
- August 27th, a different cottonwood tree located on the northeast corner of the park dropped a large limb on private property (Fairweather Condos) to the north of the park. A picnic table was damaged during this incident; no people were in the area when the incident occurred.

Trees were assessed for risk by visual tree viewing assessment on October 2nd and 3rd, 2017.

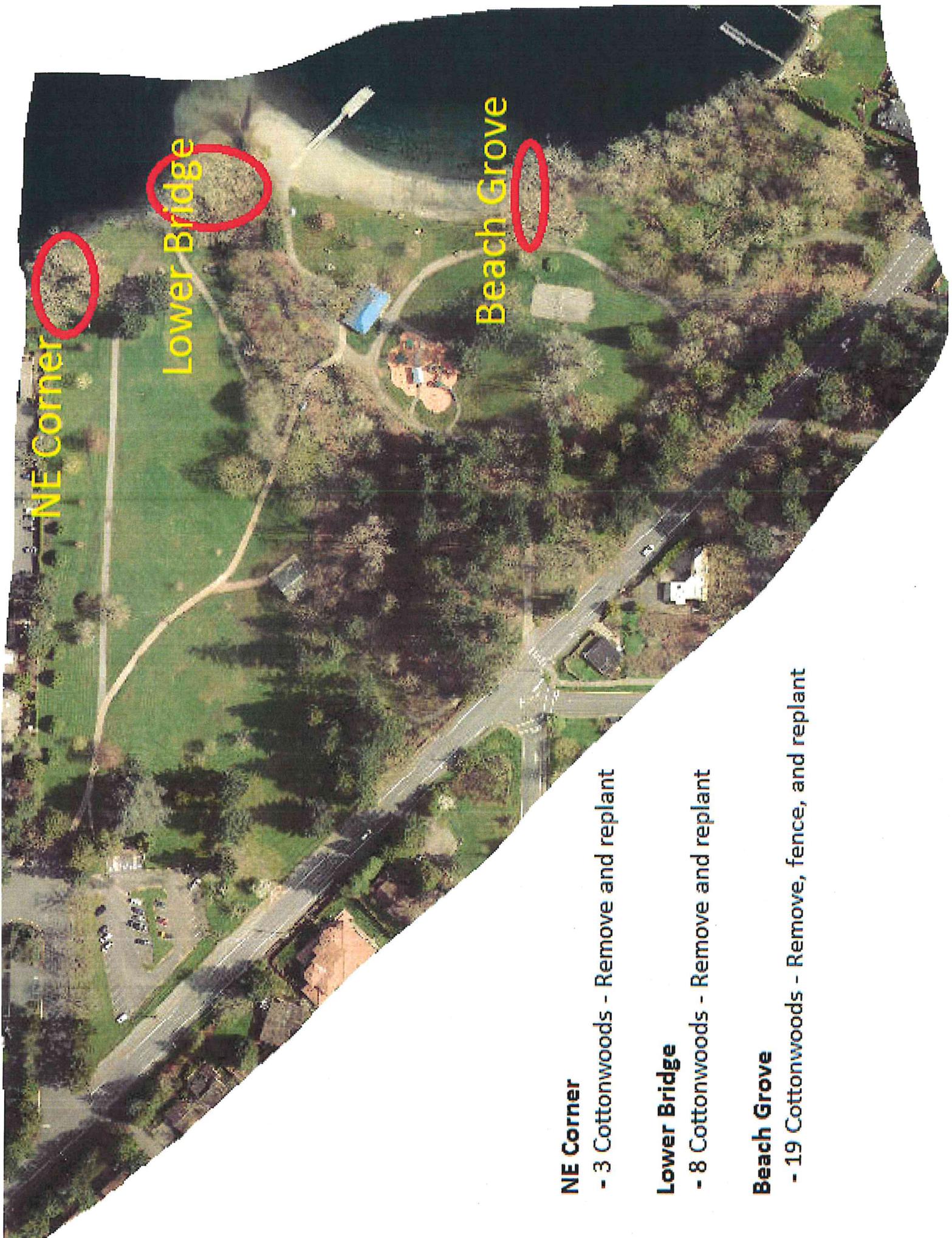
The black cottonwoods (*Populus trichocarpa*) growing primarily near the shoreline and the Idylwood creek riparian area create a challenging situation. Throughout the autumn, winter and spring these trees are considered low risk. However, during periods of high afternoon temperatures in the summer months these trees can demonstrate summer sudden limb drop resulting in a high risk rating. The effects of heavy limbs laden with moisture held by brittle wood can cause the limbs to fail. In a park setting the situation is exacerbated because there more often will be a high occupancy rate of park users at times of peak probability of limb failure.

As a mitigation tactic, the department explored fencing off tree clusters as an option to exclude park users from limb fall zones. Ultimately, this option was removed from consideration as the liability of the trees would still have existed. Pruning is not economically feasible since the trees would have to be individually climbed and re-pruned annually to remove adventitious sprouting. Allowing the sprouts to grow in perpetuity presents a high risk situation in of itself (i.e. rapid response growth on weakly attached limbs). For these reasons, Redmond Park Operations is proposing to remove all of the cottonwoods within active use areas of Idylwood Park.

See attached spreadsheet for a tree list showing detailed information.

Idylwood Tree List
Redmond Parks 2018

Tree #	Species	DBH	Location
1	Populus trichocarpa	48"	northeast corner
2	Populus trichocarpa	58"	northeast corner
3	Populus trichocarpa	58"	northeast corner
4	Populus trichocarpa	39"	lower bridge grove
5	Populus trichocarpa	28"	lower bridge grove
6	Populus trichocarpa	22"	lower bridge grove
7	Populus trichocarpa	30"	lower bridge grove
8	Populus trichocarpa	38"	lower bridge grove
9	Populus trichocarpa	12"	lower bridge grove
10	Populus trichocarpa	32"	lower bridge grove
11	Populus trichocarpa	28"	lower bridge grove
12	Populus trichocarpa	28"	beach grove
13	Populus trichocarpa	32"	beach grove
14	Populus trichocarpa	18"	beach grove
15	Populus trichocarpa	22"	beach grove
16	Populus trichocarpa	20"	beach grove
17	Populus trichocarpa	30"	beach grove
18	Populus trichocarpa	18"	beach grove
19	Populus trichocarpa	20"	beach grove
20	Populus trichocarpa	18"	beach grove
21	Populus trichocarpa	16"	beach grove
22	Populus trichocarpa	18"	beach grove
23	Populus trichocarpa	14"	beach grove
24	Populus trichocarpa	14"	beach grove
25	Populus trichocarpa	10"	beach grove
26	Populus trichocarpa	12"	beach grove
27	Populus trichocarpa	14"	beach grove
28	Populus trichocarpa	8"	beach grove
29	Populus trichocarpa	10"	beach grove
30	Populus trichocarpa	36"	beach grove



NE Corner

Lower Bridge

Beach Grove

NE Corner

- 3 Cottonwoods - Remove and replant

Lower Bridge

- 8 Cottonwoods - Remove and replant

Beach Grove

- 19 Cottonwoods - Remove, fence, and replant

Exhibit F

February 23 to 26 2018 Dendy
emails

Alex Sidles

From: Jeff Dendy
Sent: Monday, February 26, 2018 1:07 PM
To: Cathy Beam
Cc: Steve Fischer
Subject: FW: Idylwood Park Tree Cutting Clear & Grade Permit - CIVPLAN-2018-00194
Attachments: Idylwood Tree Risk Management 2017.xlsx; Idylwood 3 with text.png

Cathy:

The City of Redmond Parks Department (Teresa) has asked me to review and approve a Clear & Grade Permit to cut some hazardous trees at Idylwood Park. Attached are the listing of trees to be cut and a plan showing location. The location is near the Lake. Will a Shorelines Permit be needed also?

Steven:

Parks do not have a formal arborist report, but did document the result of an inspection in the attached spreadsheet. I expect Development Services will not require an arborist report, or ask that a Planner be assigned to this C & G application as a reviewer. Let me know if you think otherwise.

Development Engineering will not assign an inspector to this tree cutting permit. We are confident that City of Redmond Parks will cut the right trees.

Jeff Dendy
-2890

From: Teresa Kluver
Sent: Monday, February 26, 2018 11:44 AM
To: Jeff Dendy <JDENDY@REDMOND.GOV>
Cc: Christopher Tolonen <CTOLONEN@REDMOND.GOV>; David Tuchek <DTUCHEK@REDMOND.GOV>
Subject: RE: Idylwood Park Tree Cutting Clear & Grade Permit - CIVPLAN-2018-00194

Jeff,

Attached are requested documents.

Erosion and sedimentation control will be achieved through:

- Leaving all stumps and roots intact. All work will be above the soil line. The tree stumps will be treated to prevent regrowth, but no disturbance to the root zones is expected.
- Extensive replanting efforts will follow the tree removals. This will:
 - Stabilize existing soils
 - Protect and encourage regrowth of desirable plant species
 - Provide greater plant diversity contributing to healthier ecosystem

Let us know if you need any additional information.



Teresa Kluver

Park Operations Supervisor | City of Redmond

☎: 425.556.2355 | ✉: tkluver@redmond.gov | Redmond.gov

MS: MOC PK | PO Box 97010 | Redmond, WA 98073-9710



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From: David Tucheck

Sent: Monday, February 26, 2018 11:22 AM

To: Jeff Dendy <JDENDY@REDMOND.GOV>

Cc: Teresa Kluver <TKLUVER@REDMOND.GOV>; Christopher Tolonen <CTOLONEN@REDMOND.GOV>

Subject: RE: Idylwood Park Tree Cutting Clear & Grade Permit

Hello Jeff,

We will provide you the additional requested information.

Thanks for assisting us with this project.



Dave Tucheck

Park Operations Manager | City of Redmond

☎: 425.556.2318 | ✉: dtucheck@redmond.gov | Redmond.gov

MS: MOC PK | 18120 NE 76th St. | Redmond, WA 98052



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From: Jeff Dendy

Sent: Friday, February 23, 2018 10:52 AM

To: David Tucheck <DTUCHEK@REDMOND.GOV>

Subject: Idylwood Park Tree Cutting Clear & Grade Permit

David:

I've been assigned to your C & G Permit for tree cutting at Idylwood Park. The project has been assigned the plan case number of CIVPLAN-2018-00194.

There is no fee for the permit. Besides the application form I will need a site plan showing which trees are to be cut and which are to remain. Also need a copy of the arborist report describing why the trees need to come down.

Include a short description of how erosion / sedimentation control will be accomplished. Our files hold 11-inch by 17-inch sheets OK for site plans, although a full sized sheet is accepted too.

Call with questions.

Jeff Dendy, PE
Senior Engineer
Development Engineering
425-556-2890

Exhibit G

February 21 2018 clear and
grade application



Clear & Grade Application Clearing, Grading, and Stormwater Management

Office Use Only: CIU PLAN -2018-00194

Application Date: _____ Plan: _____ Permit: CGP-2018-01362

ACCEPTED BY: JR Street Cleaning Deposit \$1,000 Rcpt. No. N/A Date N/A

GENERAL INFORMATION

Name of Development: Idylwood Park

Name of Applicant: David Tuchek; City of Redmond; Park Operations

Phone: 425-556-2318 Email: dtuchek@redmond.gov

Address: 18120 NE 76th Street; PO Box 97010; MOCPK

City: Redmond State: WA Zip Code: 98073-9710

Description of Proposed Action:
Removal of 30 cottonwood trees within high-use, public areas. Stumps to be treated and left in place. All wood and chips to be removed from site to facilitate restoration planting.

FOLLOWING INFORMATION REQUIRED (IF APPLICABLE)

Location of Subject Property: 3650 West Lake Sammamish Parkway NE

Legal Description (attach additional pages if required):
See attached

Property Contiguous to Hazardous Liquid Pipelines Must Provide Ticket Number From "One Call Center".
NA

AUTHORIZATION TO FILE SIGNATURE OF ALL PERSONS WITH AN INTEREST IN THE PROPERTY

Name: <u>David Tuchek</u>	Name: _____
Signature: _____	Signature: _____
Tax Lot and STR/Lot Subdivision: _____	Tax Lot and STR/Lot Subdivision: _____
City: <u>Redmond</u> State: <u>WA</u>	City: _____ State: _____
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Consultant	<input type="checkbox"/> Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Consultant
<input type="checkbox"/> Option Purchaser* <input type="checkbox"/> Option Expiration Date	<input type="checkbox"/> Option Purchaser* <input type="checkbox"/> Option Expiration Date
*Owners Signature also required	*Owners Signature also required

CERTIFICATION

I hereby certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on the behalf of the signatories of the above authorization.

Print Name: Dave Tuchek Date: 2/21/18

Signature: Dave Tuche



HOME NEWS SERVICES DIRECTORY CONTACT

KCGIS Center

www.KingCounty.gov/GIS

KCGIS Parcel Reports
Property Report
Districts and Development Conditions Report
Find Your Council District
Find Your Watershed
KCGIS Center

Assessor information for parcel number 3134600005

Taxpayer name	REDMOND CITY OF	Parcel number	3134600005
Mailing address	PO BOX 97010 M/S 3NFN REDMOND WA 98073	Tax Account number	313460000505
		Levy code	2020
		Jurisdiction	REDMOND
		Present use	Park, Public (Zoo/Arbor)
		Appraised value	\$7,823,500

Address(es) at this parcel: **3650 WEST LAKE SAMMAMISH PKWY NE 98052**

Legal description

HARRISONS ACREAGE TRS REPLAT 1-2 PORTION TR 3 PLAT OF HARRISON'S ACREAGE TRACTS DAF: BEG MOST SLY CORNER SD TR 3 TH N 2-22-12 E ALG MOST ELY LN SD TR 3 TO MEANDER LINE OF LAKE SAMMAMISH TH N 56-09-42 W ALG SD MEANDER LN 238.16 FT TH CONTG ALG SD MEANDER LN N 9-09-42 W 200 FT TO TPOB TH CONTG ALG SD MEANDER LN N 9-09-42 W 117.68 FT TO N LN SD TR 3 TH N 87-18-18 W ALG SD N LN 594.94 FT TO ELY LN ROBERT COTTERILL RD TH S 44-03-00 E ALG SD RD 541.14 FT TH NELY 335 FT M/L TO TPOB TGW 2ND CLASS SHORELANDS ADJ LESS PORTION THOF DAF: BEG AT NW CORNER SD TR 3 TH SELY ALG ROBERT COTTERILL RD 11 FT TH NELY TO PT ON N LN SD TRACT 3 18 FT E FROM SD NW CORNER TH W ALG SD N LN 18 FT TO BEG; TGW PORTION SD TR 3 DAF: BEG AT PT ON SWLY LN SD TR 3 DIST 288 FT WLY MEAS ALG SD SWLY LN FROM MOST SLY CORNER SD TR 3 TH NELY TO GOVT MEANDER LN OF LAKE SAMMAMISH AT PT N 56-09-42 W ALG SD MEANDER LN 238.16 FT FROM E LN SD TR 3 TH CONTG ALG SD MEANDER LN N 09-09-42 W 200 FT TH SWLY TO PT ON S LN SD TR 3 225.56 FT NWLY AS MEAS ALG SD S LN FROM PT OF BEG TH SELY ALG SD S LN TO PT OF BEG LESS PORTION IF ANY LYING WITHIN ROBERT COTTERILL RD AS NOW ESTABLISHED TGW VACATED PORTION OF ROBERT COTTERILL RD AS VACATED AUGUST 22, 1927 BY ORDER RECORDED IN VOL 28 PG 205 KING CO COMMISSIONER'S RECORDS ADJ TGW 2ND CLASS SHORELANDS ADJ; TGW TRACT A REPLAT OF TRACTS 1&2 HARRISONS'S ACREAGE TRACTS & PORTION TR B SD REPLAT DAF: BEG AT PT 257.88 FT SELY FROM NW CORNER SD TR B TH S 44-03 E ALG NELY MGN ROBERT COTTERILL RD 248.33 FT TO SW CORNER SD TR B TH S 87-18-18 E ALG S LN SD TR 765.52 FT TO GOVT MEANDER LN OF LAKE SAMMAMISH TH N 9-09-42 W ALG SD MEANDER LN 173.79 FT TH N 87-18-18 W PLL WITH S LN SD TR B 910.68 FT TO PT OF BEG LESS PORTION THOF LYING N OF S 30 FT THOF & W OF LN BEG ON S LN SD TR N 87-18-18 W 621.74 FT FROM SE CORNER THOF TH N 2-41-42 E 170.17 FT M/L TO N LN OF ABOVE DESC PARCEL TGW 2ND CLASS SHORELANDS ADJ; TGW TRACT O SD REPLAT LESS PORTION DAF: BEG ON N LN SD TR O S 87-18-18 E 518.45 FT FROM NW CORNER THOF TH S 85-20-18 E 198.83 FT M/L TO SHORELINE LAKE SAMMAMISH TH NWLY ALG SD SHORELINE 7 FT M/L TO N LN SD TR O TH N 87-18-18 W ALG SD N LN 195 FT M/L TO BEG TGW 2ND CLASS SHORELANDS ADJ; TGW PORTION TRACT B SD REPLAT DAF: BEG AT NW CORNER SD TRACT B TH E ALG N LN THOF 1061.39 FT TO GOVT MEANDER LN OF LAKE SAMMAMISH TH SLY ALG SD MEANDER LN 180.56 FT TH W PLL WITH N LN SD TRACT 910.68 FT TO WLY LN THOF TH NWLY ALG SD WLY LN 257.88 FT TO BEG TGW 2ND CLASS SHORELANDS ADJ; TGW PORTION TRACT 3 SD PLAT OF HARRISON'S ACREAGE TRACTS DAF: BEG AT NW CORNER SD TRACT WCH IS ALSO THE ELY LN OF ROBERT COTTERILL RD TH SLY ALG SD ELY LN 11 FT TH NELY TO A PT ON NLY LN SD TRACT 18 FT FROM NW CORNER THOF TH WLY ALG SD NLY LN TO BEG

King County GIS Center
King Street Center
201 S. Jackson St.
Suite 706
Seattle, WA 98104
giscenter@kingcounty.gov

+ 47.59909 N
- 122.33136 W

+ 47° 35' 56.72"
- 122° 19' 52.90"

Sales/Quit Claims/Transfers

Sale date	Sale price	Buyer	Seller	Excise tax number	Recording number	Instrument type	Sale reason
06-23-1994	\$0	REDMOND CITY OF	KING COUNTY	1406969	199412051020	Warranty Deed	Other

Parcel description

Property name	IDYLWOOD PARK	Plat name	HARRISONS ACREAGE TRS REPLAT 1-2	Water system	WATER DISTRICT
Property type	C - COMMERCIAL	Plat block		Sewer system	PUBLIC
Present use	Park, Public (Zoo/Arbor)	Plat lot	A-B-O & Q-S-T-NE-24-25-5 R	Access	PUBLIC
Lot area	649,378 sq. ft. (14.91 acres)	Street surface		Street surface	PAVED

Commercial building description			
Building	1 of 1	Building description	BATH HOUSE
Year built	1976	Predominant use	EQUIPMENT SHED (472)
Stories	1	Gross sq. ft.	960
Building quality	AVERAGE	Net sq. ft.	960
Construction class	MASONRY	Heating system	NO HEAT
Building shape	Rect or Slight Irreg	Sprinklers	N
		Elevators	

Taxable value history				
Tax year	Tax status	Taxable value reason	Appraised value	Taxable value
2009	EXEMPT	EXEMPT	\$7,792,500 (land) + \$31,000 (improvements) \$7,823,500 (total)	\$0 (land) + \$0 (improvements) \$0 (total)
2008	EXEMPT	EXEMPT	\$7,792,500 (land) + \$28,100 (improvements) \$7,820,600 (total)	\$0 (land) + \$0 (improvements) \$0 (total)
2007	EXEMPT	EXEMPT	\$6,493,700 (land) + \$1,000 (improvements) \$6,494,700 (total)	\$0 (land) + \$0 (improvements) \$0 (total)

- Related resources**
- King County Assessor: [Submit a request to correct information in this report](#)
 - King County Assessor: [eReal Property Report](#) (PDF format requires Acrobat)
 - King County Assessor: [Quarter Section Map](#) (PDF format requires Acrobat)
 - King County GIS: [Property information FAQ](#)
 - King County GIS: [Districts and Development Conditions Report](#) (a detailed report about the location of this property)
 - King County DDES: [Permit Applications Report](#) (for unincorporated areas only)
 - King County Treasury Operations: [Property Tax Information for this property](#)
 - King County Recorders Office: [Excise Tax Affidavits Report](#)
 - King County Recorders Office: [Scanned images of plats.](#)
 - King County Recorders Office: [Scanned images of surveys and other map documents.](#)
 - [Open iMAP to this property](#) (requires a high speed internet connection)
 - [Open Parcel Viewer to this property](#) (any connection speed, but less features than iMAP)

Search:

Address or parcel number:

Go Reset

search by condo name

example address: 8621 428TH AVE SE | example parcel number: 0942000860

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Jeff Dendy

From: Cathy Beam
Sent: Tuesday, February 27, 2018 3:01 PM
To: Jeff Dendy
Cc: Steve Fischer
Subject: RE: Idylwood Park Tree Cutting Clear & Grade Permit - CIVPLAN-2018-00194

Hi Jeff,

A shoreline permit will not be necessary because tree cutting does not meet the definition of Development under Chapter 173-27-030(6) WAC (Shoreline Rules).



Cathy Beam, AICP

Principal Planner | Planning and Community Development
☎: 425.556.2429 | ✉: cbeam@redmond.gov | Redmond.gov
MS: 2SPL | 15670 NE 85th St | Redmond, WA 98052



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From: Jeff Dendy
Sent: Monday, February 26, 2018 1:07 PM
To: Cathy Beam <CBEAM@REDMOND.GOV>
Cc: Steve Fischer <SFISCHER@REDMOND.GOV>
Subject: FW: Idylwood Park Tree Cutting Clear & Grade Permit - CIVPLAN-2018-00194

Cathy:

The City of Redmond Parks Department (Teresa) has asked me to review and approve a Clear & Grade Permit to cut some hazardous trees at Idylwood Park. Attached are the listing of trees to be cut and a plan showing location. The location is near the Lake. Will a Shorelines Permit be needed also?

Steven:

Parks do not have a formal arborist report, but did document the result of an inspection in the attached spreadsheet. I expect Development Services will not require an arborist report, or ask that a Planner be assigned to this C & G application as a reviewer. Let me know if you think otherwise.

Development Engineering will not assign an inspector to this tree cutting permit. We are confident that City of Redmond Parks will cut the right trees.

Jeff Dendy
-2890



TO: Sabrina Gassaway, Planner

FROM: David Tuchek, Park Operations Manager D.T. 2/21/18

RE: Idylwood Park – Tree Removal and Replanting Efforts

The Clear and Grade Permit has been submitted as required for the removal of 30 Cottonwood trees from Idylwood Park at 3650 West Lake Sammamish Parkway. This memo provides our plans for tree replacement and restoration of the three areas within the park affected by these removals. A map is attached for your information.

- Northeast Corner (open planting site)
 - Add 6-10 mixed native conifer trees
 - Add 10-15 mixed deciduous trees
 - Add 25-30 mixed native shrubs
 - Add 50 mixed native groundcovers
- Lower Bridge (forested planting site)
 - Add 10-15 mixed native conifer trees
- Beach Grove (forested and open planting sites)
 - Add 10-15 mixed native conifer trees
 - Add 15-20 mixed deciduous trees
 - Add 30-40 mixed native shrubs
 - Add 50 mixed native groundcovers

We anticipate using larger, landscape-sized plant materials in open planting sites and smaller, restoration-sized plant materials in the forested areas that are already heavily vegetated. Lists of desirable plant species is attached. Exact plantings will depend on availability.

Your prompt approval is appreciated.

Idylwood Tree Replacement & Restoration

Native Conifer Trees

- Western Hemlock (*Tsuga heterophylla*)
- Douglas Fir (*Pseudotsuga mezesii*)
- Grand Fir (*Abies grandis*)
- Sitka Spruce (*Picea sitchensis*)
- Western White Pine (*Pinus monticola*)

Deciduous Trees

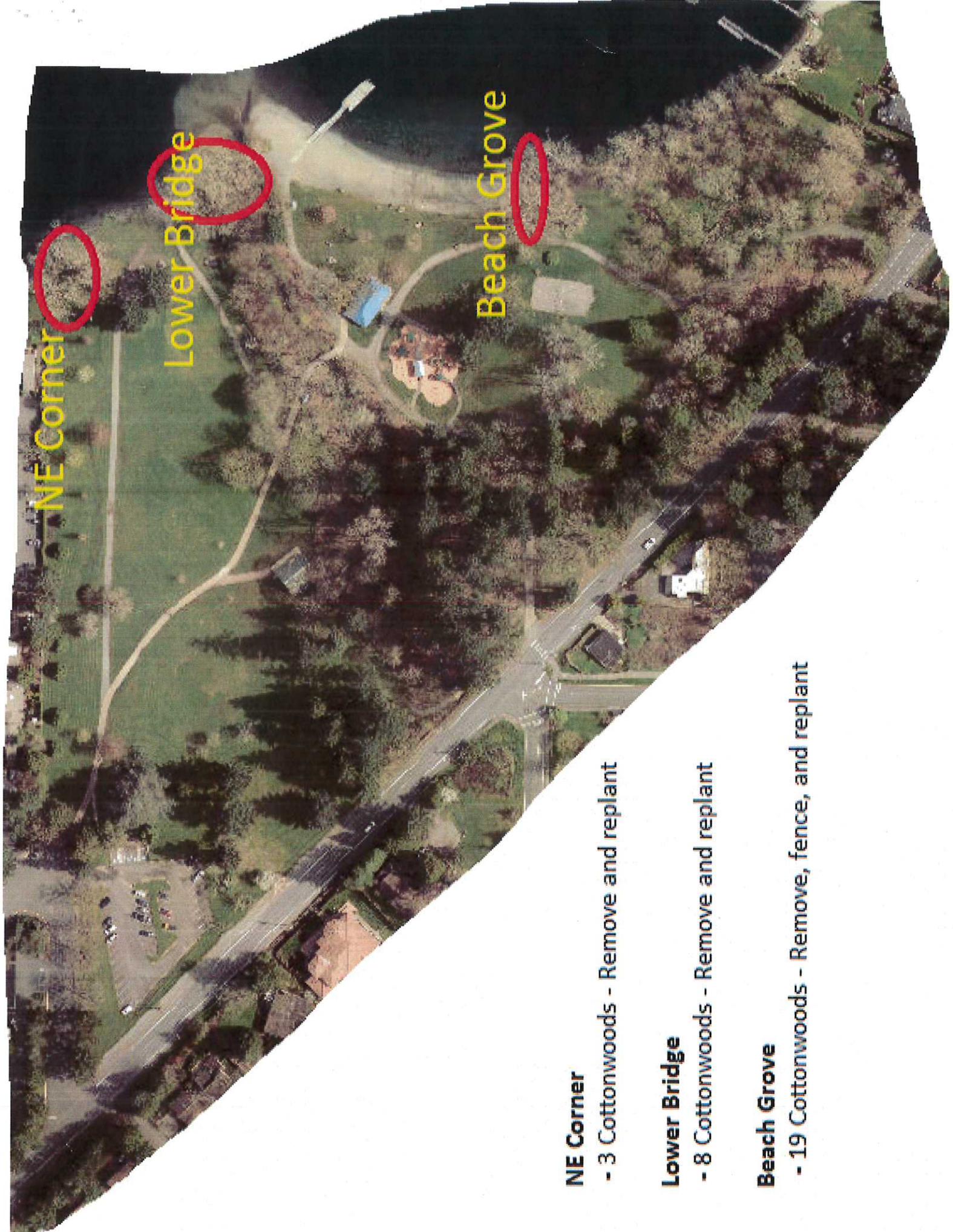
- Garry Oak (*Quercus garryana*)
- Western Flowering Dogwood (*Cornus nuttallii*)
- Service Berry (*Amelanchier alnifolia*)
- Hooker's Willow (*Salix hookeriana*)
- Cascara (*Rhamnus purshiana*)
- Beaked Hazelnut (*Corylus cornuta*)
- Red Elderberry (*Sambucus racemose*)

Native Shrubs

- Indian Plum (*Oemleria cerasiformis*)
- Pacific Ninebark (*Physocarpus capitatus*)
- Snowberry (*Symphoricarpos albus*)
- Nootka Rose (*Rosa nutkana*)
- Mock Orange (*Philadelphus lewisii*)
- Red Huckleberry (*Vaccinium parvifolium*)

Native Groundcovers

- Sword Fern (*Polystichum munitum*)
- Dull Oregon Grape (*Mahonia nervosa*)
- Inside-Out Flower (*Vancouveria hexandra*)
- Pacific Bleeding Heart (*Dicentra Formosa*)



NE Corner

Lower Bridge

Beach Grove

NE Corner

- 3 Cottonwoods - Remove and replant

Lower Bridge

- 8 Cottonwoods - Remove and replant

Beach Grove

- 19 Cottonwoods - Remove, fence, and replant

Exhibit H

March 8 2018 Sammamish
rowing email

Alex Sidles

From: Jeff Hagen
Sent: Thursday, March 8, 2018 2:25 PM
To: David Tucheck; Teresa Kluver
Subject: Sammamish Rowing Program

Importance: High

Hi Dave & Teresa,

Scott V. mentioned we should reach out to you about the Sammamish Rowing program, and concerns with the tree removal project at Idylwood. **We had recently scheduled delivery with Scott for 11am tomorrow so we need to make any adjustments required by the end of today or very early tomorrow morning.**

All scheduled classes for Idylwood have been full with substantial waiting lists for some time now. It's actually a substantial amount of revenue, and I would like to brainstorm potential solutions rather than canceling or delaying this program. Below is a map of the park. Is there an area for storage that will work until the tree removal project is completed? Please call me if it's better to discuss options for a solution. Thanks,



Jeff Hagen

Recreation Program Manager | City of Redmond

☎: 425.556.2312 | ✉: jhagen@redmond.gov | Redmond.gov

MS: CCPK | 6505 176th Avenue NE | Redmond, WA 98052



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Exhibit I

Screenshot from video
20170811_084251



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