

Dear Tree Commissioners,

I don't think I responded to this decision in January, but I wanted to thank you for your time and consideration of the issue we brought before you. I am sending this note to just you to inform you about the developments since the decision was made, with the hope it may be educational for future decision making.

A week ago we inquired with the applicant's engineering firm about the status of the project, as we had not heard from the applicant or the city since the Commission meeting in December, with the exception of the ruling on January 14, 2021. That inquiry last week was not answered, instead, on Monday, May 3, 2021, very much to our surprise, the applicant for the tree removal permit started clearing the property and cutting the trees. We've now learned that without any additional consultation from any of the neighbors, the applicant submitted new plans for Stormwater Management, which the city approved. According to city staff, "the Stormwater Management Plan exceeds the performance required by city code". As we haven't seen those plans, we'll have to take them by their word.

We have taken the applicant by their word when they said this: "Ms. Lee-Cho stated that the Applicant would continue to work with both the City and the Appellants to implement a plan that results in improvement of runoff control by the installation of stormwater management measures. Ms. Lee-Cho affirmed under oath that there will be a process and that the Applicant will be engaging with the neighbors."

Regarding the lack of process to coordinate with the neighbors, staff responded that "As for overseeing a process for the applicant to collaborate with neighbors, this is beyond the scope of the city's regulatory tools. I recognize the Tree Commission's support of collaboration, but **the Order did not stipulate any particular process for the applicant to follow** so there isn't anything for us to enforce in that regard. I hope that the City Engineers approval of the plan will serve to raise your confidence in it."

As you can imagine, since our primary concern was that there is some collaboration and information sharing with affected neighbors, which was confirmed by the applicant under oath, the complete lack of information related to stormwater, tree removal schedule or overall project timeline is... disappointing.

I, therefore, hope that in future decisions you can be as clear and detailed as to what specifically you require and how that be reviewed, approved and/or enforced.

Thanks so much for your time and efforts.

Best,

Emanuel Wagner
429 Boyd Ave