

WATCHDOG PROCEDURES as of April 3, 2009

Note: this procedure is to be used when Director's Rule 5-2007 may have been violated. This rule (1) forbids outside forestry, excavation, or construction during the heron nesting season from February 1 through July 31. (2) It also forbids the cutting of any trees 22" in diameter at breast height (dbh) or bigger during the nesting season. It has been effective in the first part of the rule, but has done little to save trees in the second part. People can always cut during the non-nesting part of the year.

STEP #1 – Report a potential problem.

The(HHH member, neighbor, anyone...) notes a violation or a DPD sign posted at the site of a proposed development, and the presence of any trees on the lot. The reporter jots down the following information:

- Beginning and end dates of the public comment period, if there is one. DPD gives the public only two weeks to comment so time is of the essence.
- DPD Planner's name, phone number and e-mail address if there is one. Each lot where development is proposed is assigned its own DPD Planner. It is more effective to contact this DPD Planner than to take your chances with a general inquiry.
- DPD Project Number, if there is one. All communication with DPD must include the Project Number, usually at the top of the sign.
- Project street address, if there is a project. If not, get the address of the violation and the name and phone number of the owner if possible.
- Type of development proposed. This is a brief description of the structure to be built.
- Type of permit applied for. This information will reveal how far along in the permitting process the application has moved.

(Note, the “contact” listed high on the sign is the developer or developer's representative. The reporter should avoid alerting the lot owner or developer of any interest by HHH. Any lot owner or developer can without penalty destroy trees on a privately owner lot before submitting an application for a building permit.)

STEP #2 – Locate violations on lot.

The reporter draws a primitive map of the lot showing: “north”, location of possible violations and the nearest intersecting streets.

STEP #3 – Communicate with Watchdog Team

The reporter gives this inform to the HHH Watchdog Team. Current Interim Watchdog Team lead is Kay Shoudy.

STEP #4 – Watchdog initiates action.

The HHH Watchdog Team reacts to the reporter's information and decides what action is appropriate, if any. These courses of possible action include:

- Calling the DPD Planner listed on the sign to discover more detailed information, such as setback variances applied for by the developer. Since many large trees are located on lot perimeters, shrinking setbacks by granting variances to developers is a key way in which DPD destroys trees.
- Calling other city offices as appropriate. See list of HOTLINES.
- Alerting Outreach Committee board representative (currently Donna Kostka, 206-283-7805) of threatened trees.
- Alerting HHH membership of trees threatened by the development. Asking members to write/email the DPD planner listing a specific menu of our concerns and proposed remedies (e.g. do not grant a setback variance because it will kill trees.) The number of letters received is crucial! DPD list all communications received in its decision. Remember: HHH will have only a few days to mount a letter-writing campaign to save the threatened trees. E-mail is preferred. But street addresses of letter-writers must be included since DPD normally sends notifications via land mail to all interested parties.

STEP #5 – Watchdog monitors project

Watchdog monitors project application, communicates directly with DPD Planner and alerts HHH board representative as developments occur. These may include a second Public Comment Period later in the review process.

STEP #6 – DPD contacts commenters.

Watchdog and all who participated in the letter-writing campaign are notified by DPD of its Design Review Recommendations and subsequently, its Decision. This procedure may vary if the developer has applied for a “Short Plan”, which would carve a single lot into two or more building lots.

STEP #7 – Watchdog recommends whether or not to appeal.

Watchdog recommends to HHH board representative whether or not an appeal of the DPD Decision is warranted. A DPD Decision can be appealed to the City of Seattle Hearing Examiner within two weeks of the date of the Decision (not the receipt of the Notice of Decision). An appeal fee of \$50 applies.

STEP #8 – HHH Board decides whether or not to appeal.

Only if #7 is initiated, HHH Board, meeting in emergency and/email/phone session, approves or denies filing an appeal.

STEP #9 – Watchdog and others craft the appeal.

HHH Watch dog and Outreach Committee board representative, along with any other interest HHH members, craft the appeal.

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