

Exhibit issues:

Exh 4. - MI did not include Tree Permit Submittal Checklists and Tree Inventory Replacement Submittal documents in this exhibit. These documents (bulleted below) were required by MI and were included in ST's permit submittal package during all three rounds of Completeness Checks. Completeness check permit package submittals occurred on 10/23/2020, 11/6/2020, and 11/20/2020.

- 02- ROW MI Tree Permit Submittal Checklist
- 03- ROW Tree Inventory Replacement Submittal
- 04- 7714 N. Mercer Way Tree Permit Submittal Checklist
- 05- 7714 N. Mercer Way Tree Inventory Replacement Submittal
- 07- 2297 78th Ave SE Tree Permit Submittal Checklist
- 08- 2297 78th Ave SE Tree Inventory Replacement Submittal

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org

Inspection Requests: Online: www.mybuildingpermit.com VM: 206.275.7730



TREE SUBMITTAL CHECKLIST

If a box is checked, please provide the information in your next submittal

SUBMITTAL ITEMS

1. The Mercer Island Tree Inventory Form

- Provide the City's Mercer Island Tree Inventory Form

2. Arborist report/tree inventory

- Provide an Arborist report, prepared by a qualified Arborist. Include the following information in the arborist report.
 - 1. Description of how the arborist meets the threshold requirements for Qualified Arborist.
 - 2. A complete description of each tree's diameter, species, critical root zone, limits of allowable disturbance, health, condition, and viability.
 - 3. A description of the method(s) used to determine the limits of allowable disturbance (i.e., critical root zone, root plate diameter, or a case-by-case basis description for individual trees).
 - 4. Any special instructions specifically outlining any work proposed within the limits of disturbance protection areas (i.e. hand-digging, air space, tunneling, root pruning, any grade changes, clearing, monitoring, and aftercare).
 - 5. For trees not viable for retention, a description of the reason(s) for removal based on poor health, high risk of failure due to structure, defects, unavoidable isolation, windfirmness, unsuitability species, etc. If there is no reasonable alternative action (pruning, cabling, etc.) possible, replacement recommendations must be given.
 - 6. Describe the impact of necessary tree removal on the remaining trees, including those in a grove or on adjacent properties.
 - 7. Describe timing and installation of tree protection measures. Such measures must include fencing and be in accordance with the tree protection standards as outlined in MICC 19.10.
 - 8. The suggested location and species of replacement trees to be used when required. The report shall include planting and maintenance specifications to ensure long term survival.
 - 9. **A Tree Inventory** containing the following:
 - a. A numbering system of all existing large trees on the property (with corresponding tags on trees). The inventory shall also include large trees on adjacent property with driplines or critical root zones extending into the property.
 - b. Tree size (diameter). Where a tree splits into several trunks close to ground level, the dbh (Diameter at Breast Height) for the tree is the square root of the sum of the dbh for each individual stem squared (example with 3 stems: $dbh = \text{square root} [(stem1)^2 + (stem2)^2 + (stem3)^2]$).
 - c. Proposed tree status (retained or proposed for removal).
 - d. Tree type or species.
 - e. Identify all Exceptional trees and differentiate between those less than 24 inches and those greater than or equal to 24 inches in diameter.
 - f. Brief general health or condition rating of each tree (i.e. poor, fair, good, etc.).

3. Site/tree retention plan

Indicate the following on all civil/utility and grading sheets. If there are no civil sheets indicate on the architectural site plan

- 1. Location of all proposed improvements (building footprint, access, utilities, buffers, required landscape areas).
- 2. Surveyed location of all large trees and Exceptional trees on the property
- 3. Show the critical root zone of Large trees on adjacent properties if driplines extend over the subject property line.
- 4. Trees labeled corresponding to the tree inventory numbering system on the Mercer Island Tree Inventory Form.
- 5. Identify Exceptional trees using different symbols for trees less than 24 inches and trees greater than or equal to 24 inches.
- 6. Location of tree protection measures.
- 7. Limits of excavation near potential saved trees (e.g. excavation limits for building foundation).
- 8. Indicate clearing limits/limits of disturbance (LOD) around all trees potentially impacted by site disturbances - grading, demolition, construction activities (including approximate LOD of off-site trees with overhanging driplines), etc.
- 9. Proposed tree status (trees to be removed or retained) noted by an 'X' for removal.

4. Replanting plan

- Provide the Replanting plan showing proposed locations of any required replacement trees.

PEER REVIEW AND CONFLICT OF INTEREST

A peer review of the tree permit application by a qualified arborist may be required to verify the adequacy of the information and analysis. **The applicant shall bear the cost of the peer review.**

The City Arborist may require the applicant retain a replacement qualified arborist or may require a peer review where the City Arborist believes a conflict of interest may exist.

For example, if an otherwise qualified arborist is employed by a tree removal company and prepares the arborist report for a development proposal, a replacement qualified arborist or peer review may be required.

ARBORIST QUALIFICATION

For tree reviews associated with a development proposal, a qualified arborist must have

- A minimum of three (3) years' experience working directly with the protection of trees during construction
- Have experience with the likelihood of tree survival after construction
- Be able to prescribe appropriate measures for the preservation of trees during land development
- ISA Tree Risk Assessment Qualification
- Your qualified arborists must have at least one (1) of the following credentials:
 - ISA Certified Arborist;
 - ISA Certified Arborist Municipal Specialist;
 - ISA Board Certified Master Arborist;
 - American Society of Consulting Arborists (ASCA) registered Consulting Arborist;
 - Society of American Foresters (SAF) Certified Forester for Forest Management Plans;

ADDITIONAL INFORMATION

Additional Information. The City Arborist or Code Official may require additional documentation, plans, or information as needed to ensure compliance with applicable City regulations.

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



TREE INVENTORY & REPLACEMENT SUBMITTAL INFORMATION

EXCEPTIONAL TREES

Exceptional Trees- means a tree or group of trees that because of its unique historical, ecological or aesthetic value constitutes an important community resource. A tree that is rare or exceptional by virtue of its size, species, condition, cultural/historical importance, age, and/or contribution as part of a tree grove. Trees with a diameter of more than 36 inches, or with a diameter that is equal to or greater than the diameter listed in the Exceptional Tree Table shown in MICC 19.16 under Tree, Exceptional.

List the total number of trees for each category and the tree identification numbers from the arborist report.

Number of trees 36" or greater _____

List tree numbers: _____

Number of trees 24" or greater (including 36" or greater) _____

List tree numbers: _____

Number of trees from Exceptional Tree Table (MICC 19.16) _____

List tree numbers: _____

LARGE REGULATED TREES

Large Regulated Trees- means any tree with a diameter of 10 inches or more, and any tree that meets the definition of an Exceptional Tree.

Number of Large Regulated Trees on site _____ (A)

List tree numbers: _____

Number of Large Regulated Trees on site proposed for removal _____ (B)

List tree numbers: _____

Percentage of trees to be retained ((A-B)/Ax100) note: must be at least 30% _____ %

RIGHT OF WAY TREES

Right of Way Trees- means a tree that is located in the street right of way adjacent to the project property.

Number of Large Regulated Trees in right of way _____

List tree numbers: _____

Number of Large Regulated Trees in right of way proposed for removal _____

List tree numbers: _____

Reason for removal: _____

TREE REPLACEMENT

Tree replacement- removed trees must be replaced based on the ratio in the table below. Replacement trees shall be conifers at least six feet tall and or deciduous at least one and one-half inches in diameter at base.

Diameter of Removed Tree (measured 4.5' above ground)	Tree replacement Ratio	Number of Trees Proposed for Removal	Number of Tree Required for Replacement Based on Size/Type
Less than 10"	1		
10" up to 24"	2		
Greater than 24" up to 36"	3		
Greater than 36" and any Exceptional Tree	6		
TOTAL TREE REPLACEMENTS			

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org

Inspection Requests: Online: www.mybuildingpermit.com VM: 206.275.7730



TREE SUBMITTAL CHECKLIST

If a box is checked, please provide the information in your next submittal

SUBMITTAL ITEMS

1. The Mercer Island Tree Inventory Form

- Provide the City's Mercer Island Tree Inventory Form

2. Arborist report/tree inventory

- Provide an Arborist report, prepared by a qualified Arborist. Include the following information in the arborist report.
 - 1. Description of how the arborist meets the threshold requirements for Qualified Arborist.
 - 2. A complete description of each tree's diameter, species, critical root zone, limits of allowable disturbance, health, condition, and viability.
 - 3. A description of the method(s) used to determine the limits of allowable disturbance (i.e., critical root zone, root plate diameter, or a case-by-case basis description for individual trees).
 - 4. Any special instructions specifically outlining any work proposed within the limits of disturbance protection areas (i.e. hand-digging, air space, tunneling, root pruning, any grade changes, clearing, monitoring, and aftercare).
 - 5. For trees not viable for retention, a description of the reason(s) for removal based on poor health, high risk of failure due to structure, defects, unavoidable isolation, windfirmness, unsuitability species, etc. If there is no reasonable alternative action (pruning, cabling, etc.) possible, replacement recommendations must be given.
 - 6. Describe the impact of necessary tree removal on the remaining trees, including those in a grove or on adjacent properties.
 - 7. Describe timing and installation of tree protection measures. Such measures must include fencing and be in accordance with the tree protection standards as outlined in MICC 19.10.
 - 8. The suggested location and species of replacement trees to be used when required. The report shall include planting and maintenance specifications to ensure long term survival.
 - 9. **A Tree Inventory** containing the following:
 - a. A numbering system of all existing large trees on the property (with corresponding tags on trees). The inventory shall also include large trees on adjacent property with driplines or critical root zones extending into the property.
 - b. Tree size (diameter). Where a tree splits into several trunks close to ground level, the dbh (Diameter at Breast Height) for the tree is the square root of the sum of the dbh for each individual stem squared (example with 3 stems: $dbh = \text{square root} [(stem1)^2 + (stem2)^2 + (stem3)^2]$).
 - c. Proposed tree status (retained or proposed for removal).
 - d. Tree type or species.
 - e. Identify all Exceptional trees and differentiate between those less than 24 inches and those greater than or equal to 24 inches in diameter.
 - f. Brief general health or condition rating of each tree (i.e. poor, fair, good, etc.).

3. Site/tree retention plan

Indicate the following on all civil/utility and grading sheets. If there are no civil sheets indicate on the architectural site plan

- 1. Location of all proposed improvements (building footprint, access, utilities, buffers, required landscape areas).
- 2. Surveyed location of all large trees and Exceptional trees on the property
- 3. Show the critical root zone of Large trees on adjacent properties if driplines extend over the subject property line.
- 4. Trees labeled corresponding to the tree inventory numbering system on the Mercer Island Tree Inventory Form.
- 5. Identify Exceptional trees using different symbols for trees less than 24 inches and trees greater than or equal to 24 inches.
- 6. Location of tree protection measures.
- 7. Limits of excavation near potential saved trees (e.g. excavation limits for building foundation).
- 8. Indicate clearing limits/limits of disturbance (LOD) around all trees potentially impacted by site disturbances - grading, demolition, construction activities (including approximate LOD of off-site trees with overhanging driplines), etc.
- 9. Proposed tree status (trees to be removed or retained) noted by an 'X' for removal.

4. Replanting plan

- Provide the Replanting plan showing proposed locations of any required replacement trees.

PEER REVIEW AND CONFLICT OF INTEREST

A peer review of the tree permit application by a qualified arborist may be required to verify the adequacy of the information and analysis. **The applicant shall bear the cost of the peer review.**

The City Arborist may require the applicant retain a replacement qualified arborist or may require a peer review where the City Arborist believes a conflict of interest may exist.

For example, if an otherwise qualified arborist is employed by a tree removal company and prepares the arborist report for a development proposal, a replacement qualified arborist or peer review may be required.

ARBORIST QUALIFICATION

For tree reviews associated with a development proposal, a qualified arborist must have

- A minimum of three (3) years' experience working directly with the protection of trees during construction
- Have experience with the likelihood of tree survival after construction
- Be able to prescribe appropriate measures for the preservation of trees during land development
- ISA Tree Risk Assessment Qualification
- Your qualified arborists must have at least one (1) of the following credentials:
 - ISA Certified Arborist;
 - ISA Certified Arborist Municipal Specialist;
 - ISA Board Certified Master Arborist;
 - American Society of Consulting Arborists (ASCA) registered Consulting Arborist;
 - Society of American Foresters (SAF) Certified Forester for Forest Management Plans;

ADDITIONAL INFORMATION

Additional Information. The City Arborist or Code Official may require additional documentation, plans, or information as needed to ensure compliance with applicable City regulations.

--

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



TREE INVENTORY & REPLACEMENT SUBMITTAL INFORMATION

EXCEPTIONAL TREES

Exceptional Trees- means a tree or group of trees that because of its unique historical, ecological or aesthetic value constitutes an important community resource. A tree that is rare or exceptional by virtue of its size, species, condition, cultural/historical importance, age, and/or contribution as part of a tree grove. Trees with a diameter of more than 36 inches, or with a diameter that is equal to or greater than the diameter listed in the Exceptional Tree Table shown in MICC 19.16 under Tree, Exceptional.

List the total number of trees for each category and the tree identification numbers from the arborist report.

Number of trees 36" or greater _____

List tree numbers: _____

Number of trees 24" or greater (including 36" or greater) _____

List tree numbers: _____

Number of trees from Exceptional Tree Table (MICC 19.16) _____

List tree numbers: _____

LARGE REGULATED TREES

Large Regulated Trees- means any tree with a diameter of 10 inches or more, and any tree that meets the definition of an Exceptional Tree.

Number of Large Regulated Trees on site _____ (A)

List tree numbers: _____

Number of Large Regulated Trees on site proposed for removal _____ (B)

List tree numbers: _____

Percentage of trees to be retained $((A-B)/Ax100)$ note: must be at least 30% _____ %

RIGHT OF WAY TREES

Right of Way Trees- means a tree that is located in the street right of way adjacent to the project property.

Number of Large Regulated Trees in right of way _____

List tree numbers: _____

Number of Large Regulated Trees in right of way proposed for removal _____

List tree numbers: _____

Reason for removal: _____

TREE REPLACEMENT

Tree replacement- removed trees must be replaced based on the ratio in the table below. Replacement trees shall be conifers at least six feet tall and or deciduous at least one and one-half inches in diameter at base.

Diameter of Removed Tree (measured 4.5' above ground)	Tree replacement Ratio	Number of Trees Proposed for Removal	Number of Tree Required for Replacement Based on Size/Type
Less than 10"	1		
10" up to 24"	2		
Greater than 24" up to 36"	3		
Greater than 36" and any Exceptional Tree	6		
TOTAL TREE REPLACEMENTS			

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org

Inspection Requests: Online: www.mybuildingpermit.com VM: 206.275.7730



TREE SUBMITTAL CHECKLIST

If a box is checked, please provide the information in your next submittal

SUBMITTAL ITEMS

1. The Mercer Island Tree Inventory Form

- Provide the City's Mercer Island Tree Inventory Form

2. Arborist report/tree inventory

- Provide an Arborist report, prepared by a qualified Arborist. Include the following information in the arborist report.
 - 1. Description of how the arborist meets the threshold requirements for Qualified Arborist.
 - 2. A complete description of each tree's diameter, species, critical root zone, limits of allowable disturbance, health, condition, and viability.
 - 3. A description of the method(s) used to determine the limits of allowable disturbance (i.e., critical root zone, root plate diameter, or a case-by-case basis description for individual trees).
 - 4. Any special instructions specifically outlining any work proposed within the limits of disturbance protection areas (i.e. hand-digging, air space, tunneling, root pruning, any grade changes, clearing, monitoring, and aftercare).
 - 5. For trees not viable for retention, a description of the reason(s) for removal based on poor health, high risk of failure due to structure, defects, unavoidable isolation, windfirmness, unsuitability species, etc. If there is no reasonable alternative action (pruning, cabling, etc.) possible, replacement recommendations must be given.
 - 6. Describe the impact of necessary tree removal on the remaining trees, including those in a grove or on adjacent properties.
 - 7. Describe timing and installation of tree protection measures. Such measures must include fencing and be in accordance with the tree protection standards as outlined in MICC 19.10.
 - 8. The suggested location and species of replacement trees to be used when required. The report shall include planting and maintenance specifications to ensure long term survival.
 - 9. **A Tree Inventory** containing the following:
 - a. A numbering system of all existing large trees on the property (with corresponding tags on trees). The inventory shall also include large trees on adjacent property with driplines or critical root zones extending into the property.
 - b. Tree size (diameter). Where a tree splits into several trunks close to ground level, the dbh (Diameter at Breast Height) for the tree is the square root of the sum of the dbh for each individual stem squared (example with 3 stems: $dbh = \text{square root} [(stem1)^2 + (stem2)^2 + (stem3)^2]$).
 - c. Proposed tree status (retained or proposed for removal).
 - d. Tree type or species.
 - e. Identify all Exceptional trees and differentiate between those less than 24 inches and those greater than or equal to 24 inches in diameter.
 - f. Brief general health or condition rating of each tree (i.e. poor, fair, good, etc.).

3. Site/tree retention plan

Indicate the following on all civil/utility and grading sheets. If there are no civil sheets indicate on the architectural site plan

- 1. Location of all proposed improvements (building footprint, access, utilities, buffers, required landscape areas).
- 2. Surveyed location of all large trees and Exceptional trees on the property
- 3. Show the critical root zone of Large trees on adjacent properties if driplines extend over the subject property line.
- 4. Trees labeled corresponding to the tree inventory numbering system on the Mercer Island Tree Inventory Form.
- 5. Identify Exceptional trees using different symbols for trees less than 24 inches and trees greater than or equal to 24 inches.
- 6. Location of tree protection measures.
- 7. Limits of excavation near potential saved trees (e.g. excavation limits for building foundation).
- 8. Indicate clearing limits/limits of disturbance (LOD) around all trees potentially impacted by site disturbances - grading, demolition, construction activities (including approximate LOD of off-site trees with overhanging driplines), etc.
- 9. Proposed tree status (trees to be removed or retained) noted by an 'X' for removal.

4. Replanting plan

- Provide the Replanting plan showing proposed locations of any required replacement trees.

PEER REVIEW AND CONFLICT OF INTEREST

A peer review of the tree permit application by a qualified arborist may be required to verify the adequacy of the information and analysis. **The applicant shall bear the cost of the peer review.**

The City Arborist may require the applicant retain a replacement qualified arborist or may require a peer review where the City Arborist believes a conflict of interest may exist.

For example, if an otherwise qualified arborist is employed by a tree removal company and prepares the arborist report for a development proposal, a replacement qualified arborist or peer review may be required.

ARBORIST QUALIFICATION

For tree reviews associated with a development proposal, a qualified arborist must have

- A minimum of three (3) years' experience working directly with the protection of trees during construction
- Have experience with the likelihood of tree survival after construction
- Be able to prescribe appropriate measures for the preservation of trees during land development
- ISA Tree Risk Assessment Qualification
- Your qualified arborists must have at least one (1) of the following credentials:
 - ISA Certified Arborist;
 - ISA Certified Arborist Municipal Specialist;
 - ISA Board Certified Master Arborist;
 - American Society of Consulting Arborists (ASCA) registered Consulting Arborist;
 - Society of American Foresters (SAF) Certified Forester for Forest Management Plans;

ADDITIONAL INFORMATION

Additional Information. The City Arborist or Code Official may require additional documentation, plans, or information as needed to ensure compliance with applicable City regulations.

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



TREE INVENTORY & REPLACEMENT SUBMITTAL INFORMATION

EXCEPTIONAL TREES

Exceptional Trees- means a tree or group of trees that because of its unique historical, ecological or aesthetic value constitutes an important community resource. A tree that is rare or exceptional by virtue of its size, species, condition, cultural/historical importance, age, and/or contribution as part of a tree grove. Trees with a diameter of more than 36 inches, or with a diameter that is equal to or greater than the diameter listed in the Exceptional Tree Table shown in MICC 19.16 under Tree, Exceptional.

List the total number of trees for each category and the tree identification numbers from the arborist report.

Number of trees 36" or greater _____

List tree numbers: _____

Number of trees 24" or greater (including 36" or greater) _____

List tree numbers: _____

Number of trees from Exceptional Tree Table (MICC 19.16) _____

List tree numbers: _____

LARGE REGULATED TREES

Large Regulated Trees- means any tree with a diameter of 10 inches or more, and any tree that meets the definition of an Exceptional Tree.

Number of Large Regulated Trees on site _____ (A)

List tree numbers: _____

Number of Large Regulated Trees on site proposed for removal _____ (B)

List tree numbers: _____

Percentage of trees to be retained $((A-B)/Ax100)$ note: must be at least 30% _____ %

RIGHT OF WAY TREES

Right of Way Trees- means a tree that is located in the street right of way adjacent to the project property.

Number of Large Regulated Trees in right of way _____

List tree numbers: _____

Number of Large Regulated Trees in right of way proposed for removal _____

List tree numbers: _____

Reason for removal: _____

TREE REPLACEMENT

Tree replacement- removed trees must be replaced based on the ratio in the table below. Replacement trees shall be conifers at least six feet tall and or deciduous at least one and one-half inches in diameter at base.

Diameter of Removed Tree (measured 4.5' above ground)	Tree replacement Ratio	Number of Trees Proposed for Removal	Number of Tree Required for Replacement Based on Size/Type
Less than 10"	1		
10" up to 24"	2		
Greater than 24" up to 36"	3		
Greater than 36" and any Exceptional Tree	6		
TOTAL TREE REPLACEMENTS			