

5/22/24

A Letter in protest of the City of Tumwater's decision of euthanasia on the Davis-Meeker Garry Oak.

My name is Jesse Brighten, ISA certified arborist and Tree Risk Assessment Qualified. Attending the Tumwater City Council meeting on 5/21/24, I was frankly appalled with the presentation by Lisa Parks, city administrator, and the irrational decisions made to fast track the removal of the historic oak tree, known as the Davis Meeker Garry Oak.

Born and raised within Washington State and living the vast majority of my life within the states of Oregon and Washington, my entire career, nearing two decades within arboriculture, has been exclusively within the Puget Sound Basin.

Garry oak, *Quercus garryana*, has a very limited natural range. While maps show that it ranges from just across the border in Canada and extending southward into the San Joaquin valley in California, this paints an overly broad picture. This is Washington's—and British Columbia's--only native species of oak.

The species is a relic of endangered prairie grasslands and currently mainly exists in isolated pockets or small groupings of what use to be broad First Nations 'agricultural' grounds. It is a fire-dependent species where fire ecological records suggest regular historic control burns by First Nations with an estimated schedule of 8-12 year intervals, which I am sure varied regionally and seasonally.

This keystone species provides high levels of protein and many medicinal uses. Well beyond human consumption, it was utilized by fauna and created a rich and diverse ecosystem unique to our region. The presence of Garry oak literally increased the amount

of wildlife within these Oak Savannas which have all but become lost though its entire range.

Due to the fertile soils within this ecosystem, these areas were the first choice of settlers, hence the importance given by the Oregon Trail Association to the Davis Meeker Oak as a landmark tree and all that has followed post-European settler contact.

While the settlers struggled with agriculture in areas dominated by old growth conifers, forests, the oak savannas of the Pacific Northwest were quickly mowed down to make room for farming. The remaining fragmentation of this special ecosystem is still occurring today with urban expansion into what used to be the Pacific Northwest's bread basket.

This consists of a vast Garry oak woodland throughout the Willamette Valley, South Sound, pockets in the mid and northern Salish Sea, and by 1900 only 10% remained.

The City of Tumwater is aware of the cultural significance of this tree yet has failed to act appropriately to consider this.

From their website which admits they are aware this tree could be considered 'Culturally Modified.' "The Coastal Salish also used oak for digging sticks to harvest root foodstuffs and to manufacture yellow face paint made from the decaying bark of the oak tree as well as for hide scraping tools, braces for dip nets and firewood." Additionally, its a well known fact this tree is a trail marker for the Cowlitz trail which has been estimated to have been in use for an excess of 9,000 years by the traditional peoples of the area. <https://www.ci.tumwater.wa.us/Home/Components/FacilityDirectory/FacilityDirectory/48/3381>

I ask why have the tribes not been consulted regarding the decision to remove this estimated 400-year-old oak tree as they

have known this tree 200 years before Issac Stevens stepped foot onto this land?

The Davis Meeker Oak tree is a historic and multicultural relic and was voted as such by the City of Tumwater in 1995.

Unfortunately, from my understanding of the city's code, this is 'unique' as this tree is the only organic life form on the city's register of historic places. The code, which was written for buildings, structures and the like, DOES allow for variances that recognize their importance. Commonly these buildings are not required to meet modern safety code standards in order to allow for their preservation. An example would be codes for earthquake mitigation where these buildings are likely exempt. This raises some interesting points as it relates to what, by all accounts, appears to be a very healthy tree, yet may have some structural concern. Unlike buildings, trees are self optimizing structures, which even shed limbs as part of this optimization. I'll touch down on this more later, but for a teaser, risk or consequences of failure is weighed against historic preservation. Within Lisa Parks's emotional presentation at the Tumwater City Council meeting, what became apparent was an absolute zero-risk policy as it relates to this tree. Many oblique statements were made and exaggerated as if loss of life was imminent or occurring due to this tree sitting alongside a roadway. Comments about a very large limb of 18" in diameter falling from 50' and striking the roadway were repeated and emphasized, yet I did notice that it was also mentioned that the tips of the limb crossed the fog line. Garry oak is a heavy dense wood, arguably one of the heaviest of our native species. Yet I can personally attest that there is a huge difference from being

slapped by the ends of a falling limb and being stuck by the large heavy part (I have a sizable scar as a reminder).

Reputable statistics don't lie, but they can be manipulated to meet an agenda. It's accurate that civilian (non-tree work accident) tree-related casualties occur in relation to vehicles. The study cited by city administration officials, can be found here [www.researchgate.net/publication/](http://www.researchgate.net/publication/226683183_Human_fatalities_from_wind-related_tree_failures_in_the_United_States_1995-2007)

[226683183_Human_fatalities_from_wind-related_tree_failures_in_the_United_States_1995-2007](http://www.researchgate.net/publication/226683183_Human_fatalities_from_wind-related_tree_failures_in_the_United_States_1995-2007). It's findings state there were 407 deaths from tree/wind related failures over the course of 12 years, including tropical cyclones, tornado, and thunderstorms. These are weather events than can bring any tree down. This shows how statistics can be spun to meet any agenda. Most tree failures occur during extreme weather events, and it is rational to compare numbers to other statistics for perspective. In fact the national average of lighting strike related fatalities are 20 events per year and extrapolated over 12 years about 240 deaths nationally. Odds are about the same statistically speaking, of being killed by a tree breaking or struck by lighting.

Arboriculture as it relates to the care and management of trees, which includes assessments, is as much of a science as it is an art form. Tree Risk Assessments have some significant shortcomings and opportunities exist for errors. This is pointed out fairly clearly by my colleague Beowolf Brower's review of the City's arborist risk assessment report so I won't go into much detail about it other than in substance its very accurate. However, I would like to make a few additional points. Unfortunately cultural, social, and environmental significance are elective within our scope of work when assessing trees as

our role is specific to the state of the tree itself. Other methods such as Tree Appraisal to aid in determining monetary damages can touch down on this further. This tree meets all of the criteria as it is the only registered Historic Tree within the City of Tumwater. The report itself suggests infighting between the expert subcontractor who provided the sonic tomography. The city arborist hired a third-party consulting firm for an advanced assessment on only one portion of the lower trunk of the tree. We have other tools within the tool box for assessment, such as Static Pull Testing, Root Inspections, and Ground Penetrating Radar. Tree Solutions's recommendation was to mitigate the tree with some fairly drastic pruning. Yet this was overridden by the city's arborist who has consistently and stubbornly maintained their recommendation for removal.

As a working professional in the industry, while it is our place to offer recommendations, it ultimately is not our decision but the tree manager's. Unless the situation is dire and imminent we are trained to offer a series of mitigation options and residual risk ratings for each option. An arbitrary example is a tree classified as high risk that could have a mitigation of installing a cabling system would be reduced to a low risk as long as that cabling system is regularly inspected and maintained.

This is my plea for a rational decision for accommodations to be made for retaining the historic and important Davis Meeker Oak.

Respectfully,
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