

Lakewood's Garry Oaks: Victims of Failed Policy and Planning

CPOP 2025 poster, Christina Manetti, Ph.D., Garry Oak Coalition

Brief timeline:

1996 – Lakewood is incorporated.

2001 – City makes lots under 17,000 sq ft exempt from tree preservation: any tree, including Garry oaks and those in critical areas, can be cut down without any kind of permit.

2020 – City exempts industrially zoned properties from tree code.

2021 – Public outcry leads to tree code amendments in response to a planned warehouse in the Springbrook neighborhood on Clover Creek's flood plain, which involved the destruction of 114 Garry oaks recognized by WDFW as priority habitat. These were cut down in 2023.

2023 – New tree code is introduced, requiring permits for cutting down Garry oaks on any lot and removing the exemption from industrially zoned parcels.

Problems persist:

Although members of the public and the tree committee working on the tree code mentioned the following issues to the City, the City failed during the tree code amendment process and subsequently their 2024 GMA update to amend their code as it relates to Garry oaks.

- **Lakewood has failed to require that critical areas are defined by natural features** and not manmade ones. In Lakewood, a critical area is defined for example by property lines and roads (even very small ones) that intersect them, meaning that a Garry oak stand divided by a road is not one stand, but two (or more). Garry oak stands on more than one property comprising more than one acre are therefore not considered stands.

- Properties with Garry oak stands may be **subdivided** and then the Garry oaks lose their protection as stands.

- Lakewood has failed in practice to consider **single large Garry oaks** as critical areas.

- **Mitigation fees** are collected for cutting down Garry oaks, but no true compensatory mitigation is then carried out. For the cutting down of 114 oaks for the Springbrook warehouse, no mitigation has been done to date with the \$417,000 that were collected. Mitigation makes it possible to avoid protecting oaks.

- There is **no complete mapping or inventory** of the Garry oaks in Lakewood.

Total numbers:

There is no way of knowing exactly how many Garry oaks have been cut down in Lakewood in recent years and decades, because in many cases there was no need for a permit, or they were cut down illegally. Approximately **five hundred**, and probably many more, have been cut down in just the past few years. Many more were cut down in prior decades without any documentation.

Conclusions:

- Appeals have been denied largely because Lakewood's codes are too vague to offer real protection.
- The lack of expert witnesses to interpret WDFW's recommendations and give expert testimony during these appeals has been a major obstacle. The appellant has been deemed incompetent to testify about oak habitat or present excerpts from the WDFW recommendations to the hearing examiner.
- Efforts must be made to gain state-level protections, rather than depending on the local jurisdictions, who almost without exception fail to respect the WDFW recommendations in the South Puget Sound area.
- To do this, **organizations and experts must appeal in a concerted way to state legislators** to enact these more meaningful protections for this keystone species that is of such local importance for environmental, human and cultural reasons.

Appeal documents at www.oak.eco/cpop

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