



Gregory J. Nickels  
Mayor of Seattle

September 9, 2008

David Miller  
P.O. Box 75595  
Seattle WA 98175

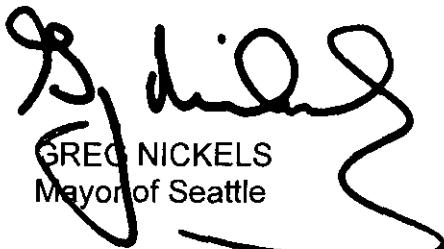
Dear Mr. Miller:

Thank you for your September 3<sup>rd</sup> letter concerning the Waldo Hospital site. I agree that preservation and improvement of the tree canopy in Seattle is extremely important. The challenge is to balance tree preservation with tree replacement when dealing with development in an urban neighborhood. In the case of the former Waldo Hospital, which was more recently the former Camp Fire site, **I believe the permit applicant has done as good a job as anyone in achieving that balance and still build quality housing.**

Any property owner in Seattle has a constitutional right to economically use their land and can not be denied permits to build a project that is consistent with the city's zoning code. Legally, neither I, nor any other city official, have the authority to comply with your request to direct the Department of Planning and Development to withdraw their SEPA decision of a Determination of Non-Significance. As you know, this matter was appealed to the Hearing Examiner who upheld the department's decision. **The only other avenue for appeal is through the Superior Court of King County.**

Achieving the city's important tree canopy goals will require that continue to balance our need for housing with tree preservation through regulation and incentives to property owners. I appreciate that the community is so dedicated to this effort and encourage you to work with the developer to ensure that requirements for preserving and planting new trees on this site are achieved.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc. Councilmember Richard Conlin  
Diane Sugimura, Director, Department of Planning and Development, Director