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SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

CITIZENS FOR SENSIBLE
TRANSPORTATION PLANNING,

Petitioner,

v.

CITY OF SPOKANE,

Respondent,

and

ELLER CORPORATION,

Potential Necessary Party.

No. 06-202484-7

DECLARATION OF ANTHONY R.
MADUNICH

I, ANTHONY R. MADUNICH, make the following declaration:

1. I am the Assistant Manager of Park Operations for the Parks
Department of the City of Spokane. I am competent to testify in court. All
statements herein are based upon personal knowledge.

DECLARATION OF ANTHONY R. MADUNICH -
1

JAMES S. CRAVEN, City Attorney
OFFICE OF THE CITY ATTORNEY
5th Floor Municipal Building
Spokane, WA 99201-3326
(509) 625-6225
FAX (509) 625-6277

1 2. I consulted with Parks Director Michael Stone with respect to his
2 decision whether to grant the permit sought by the Department of Engineering
3 Services for removal of 23 street trees. Ultimately, Director Stone approved
4 the permit request for 17 trees outright, and assigned the City's arborist, Jeff
5 Perry, to monitor the Bernard Street Reconstruction Project to determine
6 whether the other six trees could be saved. If they can be saved, they will be
7 saved, but if not, the conditional permit would permit removal of those six
8 trees as well.
9

10
11 3. I am responsible for interpretation and application of the
12 Arboricultural Specifications and Standards Manual and the Vegetation
13 Management Plan, and I oversee Mr. Perry, the arborist, in assisting with the
14 administration of the street tree ordinance.
15

16 4. I concurred in the decision to permit removal of the 17 street trees
17 in question. All 17 trees were either previously impaired (as by slime flux
18 disease or by pruning by the power company for overhead power lines), caused
19 significant intrusion into infrastructure like sidewalks and streets, or both.
20 These trees showed signs of disease and structural defects, as well as
21 impacting public improvements.
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1 5. The street tree ordinance does allow for the removal of street trees
2 under those circumstances. For that reason, I concurred with the decision to
3 permit the removal.
4

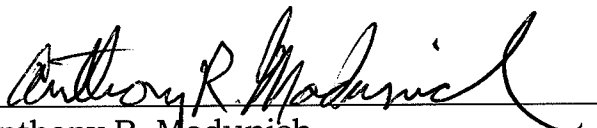
5 6. However, it is also important to us at the Parks Department, and
6 the management of the Urban Forestry Program in the City of Spokane, to
7 note that replanting of trees that are appropriate to their location and of
8 appropriate species, benefits the urban forest of the City of Spokane in a
9 number of ways. One key consideration is that, 30 years from now, the trees
10 that we replant to replace the 17-plus trees that will be removed pursuant to
11 Director Stone's permit, will not themselves, 30 or 40 years from now, need to
12 be removed because they encroach upon infrastructure.
13
14

15 7. We require that new trees be planted in a number at least equal to
16 those being removed, which is consistent with the Arboricultural
17 Specifications and Standards Manual and the Vegetation Management Plan.
18 It helps ensure the stated goals of both documents of "no net loss" of urban
19 trees. It also helps the stated goals of creating diversity of species and age in
20 our urban forest.
21

22 8. In my opinion, the permit for the removal of the subject street
23 trees was rendered in accordance with and was consistent with the street tree
24
25

1 ordinance (the "urban forestry program" is codified at SMC 12.02.900-
2 12.02.958).

3
4 I declare under penalty of perjury under the laws of the State of
5 Washington that the foregoing is true and correct.

6
7 
8 Anthony R. Madunich

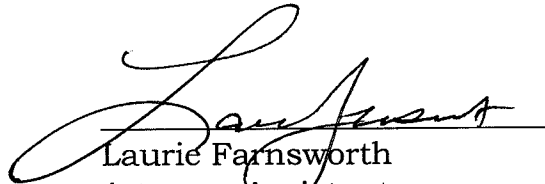
9 DATED this 22nd day of June, 2006, in Spokane, Washington.

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DECLARATION OF SERVICE

I declare, under penalty of perjury, that on the 23rd day of June, 2006, I caused a true and correct copy of the foregoing document to be delivered to the parties below in the manner noted:

David S. Mann	<input checked="" type="checkbox"/> VIA FACSIMILE
Gendler & Mann, LLP	<input checked="" type="checkbox"/> VIA U.S. MAIL
1424 Fourth Avenue, Ste. 1015	<input type="checkbox"/> VIA OVERNIGHT SERVICE
Seattle, WA 98101	<input type="checkbox"/> VIA HAND DELIVERY
Fax (206) 621-0512	<input checked="" type="checkbox"/> Electronic Copy
Attorneys for Plaintiffs	


Laurie Farnsworth
Attorney Assistant
City Attorney's Office
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3326

DECLARATION OF ANTHONY R. MADUNICH -
5

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