

Tree Retention

Preliminary draft “fact sheet”

I. Introduction

The Washington Department of Ecology (Ecology) is working on reissuing the Phase I, Western and Eastern Washington Phase II Municipal Stormwater Permits. Ecology has prepared preliminary draft sections of permit language and is accepting informal comments on these sections until **11:59 p.m. December 2, 2022. Send your comments to:**

<https://wq.ecology.commentinput.com/?id=T3iSC>

Or mail hard copies to:

Municipal Stormwater Comments
WA Department of Ecology
Water Quality Program
PO Box 47696
Olympia, WA 98504-7696

II. Proposal

Ecology is proposing adding language to the permits to better address the ecosystem and stormwater management services of tree canopy. Ecology may propose additional changes to the following permit sections in the formal draft, expected to be released for public comment in 2023.

This proposal is based, in part, on the Stormwater Action Monitoring (SAM) Status and Trends, May 2018 Study of Puget Lowland Ecoregion Streams report:

The lack of watershed and riparian canopy cover was found to be an important stressor to B-IBI at the regional scale. This suggests that canopy cover protection and recovery (reducing impervious surface) could lead to substantial improvements in B-IBI scores.

The highest attributable risk of poor B-IBI condition was determined to be watershed canopy cover (59%) followed by riparian canopy cover (34%) and watershed percent urban development (29%). As an example, the results suggest that as a best-case scenario a 34 percent reduction in the extent of stream reaches classified in poor B-IBI condition would result if poor riparian conditions were substantially improved.

Tree canopy is critical to receiving water health and is a basic Low Impact Development (LID) Principle applied on a site-scale or landscape scale. The Permits have already worked to address LID Principles and LID BMPs for new and redevelopment – which includes local codes making LID the preferred and commonly used approach to development. Tree retention on the site-scale basis is addressed in local code as well as through tree credits – acknowledging the ecosystem services of trees and in particular, the interception of rain, transpiration, and evapotranspiration of trees to reduce stormwater runoff from a site. Ecology is proposing the addition of tree canopy retention on a landscape scale as another stormwater management tool to control stormwater discharges to the maximum extent practicable and improve water quality in receiving waters.

Ecology proposes to add permit language regarding tree canopy documentation, and setting implementable tree canopy retention/restoration objectives for stormwater management and improved water quality. There are several sources of accurate and available data sources to document tree canopy. The proposed permit language would be added to the Stormwater Planning section of the Phase I Permit (S5.C.6.c) and Western Washington Phase II Permit (S5.C.1.c). Ecology plans to propose additional changes to the Stormwater Planning sections (e.g. Stormwater Management Action Planning [SMAP] requirements) later in the reissuance process, prior to the formal drafts.

For the Eastern Washington Phase II Permit, Ecology is proposing a new provision in Condition S8 Monitoring and Assessment. Alternatively, this language could be included in a new permit section for the Stormwater Management Program – Condition S5.B.X Stormwater Planning, and the proposed tree retention requirement would be a component.

III. What are the proposed permit changes?

The proposed permit edits and approach:

- **Phase I and Western WA Phase II Permits – Stormwater Planning section**
 - Add to Phase I S5.C.6.c. and WWA PH II S5.C.1.c: Low Impact Development code-related requirements.
- **Eastern WA Phase II Permit – Add to section S8 to include the proposed language**

Proposed language for Phase I, and Phase II permits:

No Later than XX/XX/20XX, Permittees shall document existing landscape canopy cover and riparian tree canopy for the permit coverage area, and document canopy change over time. No later than XX/XX/20XX, Permittees shall adopt and implement tree canopy retention/restoration objectives in order to support stormwater management and water quality improvement in receiving waters.