Conservation Montgomery

MARYLAND-NATIONAL CAPITAL BUILDING INDUSTRY ASSOCIATION

AUDUBON NATURALIST SOCIETY
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Rick Brush
Water Resources Management Chief
Montgomery County Department of Permitting Services
255 Rockville Pike
Rockville, MD 20850

Steven Shofar and Meo Curtis
Watershed Management Division
Montgomery County Department of Environmental Protection
255 Rockville Pike
Rockville, MD 20850

Dear Rick, Meo and Steve:

The Maryland-National Capital Building Industry Association, Conservation Montgomery, and its member organizations, are working together toward our mutual goals in tree and forest protection and reforestation. One of the areas we are discussing is the need to remove barriers to tree protection and tree planting. A significant barrier we have identified is the fact that county stormwater rules, as currently applied, do not give stormwater credit to builders for saving and planting trees, especially on smaller project sites.

We are writing to request your help in updating Montgomery County's stormwater requirements in order to create incentives for -- and remove barriers to -- tree planting and tree-save measures on infill and redevelopment projects on smaller lots.

As you know, trees are among the most effective practices in the stormwater toolbox. Due to the historic focus on standard engineering solutions, the potentially large contribution that trees, tree clusters, and whole forests can make to stormwater management has been eclipsed over the past three decades. The advent of Environmental Site Design requirements statewide in 2010, combined with Montgomery County's higher stormwater standards for redevelopment and smaller infill projects, gives all stakeholders a major opportunity to create incentives for green stormwater solutions – with trees at the top of that list.

The contribution that trees and forests make to stormwater management and watershed protection and restoration – and to property values and builders' bottom lines – is being increasingly recognized and reflected in published analytical tools and reports. A large and growing body of literature has documented trees' stormwater benefits.[i] Trees provide a range of stormwater management functions, including canopy interception, infiltration and recharge, and evapotranspiration. When added together, these functions add up to a significant stormwater

capture volume, particularly for well-maintained mature trees growing in adequate volumes of non-compacted soils.

Despite this growing documentation of the role of trees in attenuating stormwater, the inclusion of individual, well-maintained trees as a stormwater reduction practice is not yet part of either Maryland's or Montgomery's stormwater requirements. The lack of stormwater credit for trees on a building site, combined with the historic bias in favor of structural practices like dry wells, is a disincentive to the protection and planting of trees, and contributes to the ongoing loss of trees in Montgomery County. This is particularly the case in the DownCounty areas where density is rapidly increasing – and where neighborhoods need the benefits of trees more than ever before. Builders recognize that trees help them to sell their projects more quickly and at higher prices when compared to lots without trees. But as long as the stormwater rules fail to fully credit builders or keeping and/or planting trees on building sites, many builders and homeowners will be forced to miss these opportunities and thus leave sites devoid of trees.

The MDE Stormwater Design Manual revised in 2009 and updated in 2010, contains several forest-related Environmental Site Design practices in Chapter 5, including landscape infiltration. While these forest-related practices are useful, they differ from the practice of preserving or planting single trees or small tree clusters on small lots. This gap is especially relevant to building projects located in infill, redevelopment, and higher-density neighborhoods. Montgomery County has several options for filling this gap, including through publication of Standard Details, or a Supplemental Stormwater Manual.

We ask you to collaborate with us in reviewing the options for giving stormwater credit for tree protection and tree plantings on individual building sites. On as rapid a timeframe as possible, we would like to work with you to choose the best option(s) and then to establish the appropriate stormwater volume credit for tree protection and planting practices. Crafting protocols that are technically sound and that don't add to the permitting burden of either Montgomery County or builders, will be crucial to the success of this joint effort.

We look forward to further discussions, and collaboration with you and other Montgomery County water resource officials, as we seek to institute tree protection and planting as our most effective stormwater management practices.

Sincerely,

/s/Robert Kaufman	/s/Caren Madsen	/s/Diane Cameron
MNC-BIA	Conservation Montgomery	Audubon Naturalist Society

cc: County Executive Isiah Leggett
Robert Hoyt, Director, Montgomery County Department of Environmental Protection
Roger Berliner, Chair, Montgomery County Council Transportation and Environment Committee

[i] See for instance: A collaboration between the USDA Forest Service and the Center for Watershed Protection and others, that produced a 3-volume *Urban Watershed Forestry Manual* (May 2006) ; the MD-DNR's "i-tree" benefits calculator: *http://www.trees.maryland.gov/calculator.asp*; and American Rivers' and the Center for Neighborhood Technology's green infrastructure benefits methodology: *http://www.americanrivers.org/library/reports-publications/the-value-of-green-infrastructure.html*