



Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399

Attn: Jessica Melkun
Via Email: Jessica.Melkun@dep.state.fl.us

July 2, 2018

RE: FDEP Rule Development Regarding Proposal to Assume 404 Jurisdiction

Dear Secretary Valenstein,

On behalf of our respective organizations and our thousands of members, we are writing to request that the Florida Department of Environmental Protection (FDEP) abandon rule development related to Clean Water Act (CWA) Section 404(a) assumption of jurisdiction from the federal government for wetland permitting. Each signatory below is an independent organization and member of Waterkeeper Alliance, a global movement of on-the-water advocates who patrol and protect over 100,000 miles of rivers, streams, and coastlines. More than 300 Waterkeeper Organizations worldwide combine firsthand knowledge of their waterways with an unwavering commitment to the rights of their communities and to the rule of law.

Florida's waterways are uniquely connected and are critical to our public health, our economy, and our environment. In light of our rapidly growing population and increasing development pressure, it is essential that these waters are afforded the utmost oversight and protection to ensure that the resources on which we depend are adequately protected. CWA Section 404 requires permits for the discharge of dredge and fill material into Waters of the United States, including wetlands. Florida has particularly fragile and critical areas that are regulated by Section 404 dredge and fill permits, and which require the highest level of review and scrutiny. Currently, federal Section 404 permits and state Environmental Resource Permits overlap in that both must be obtained for impacts above regulatory thresholds in federal waters. The additional oversight provided by the federal government based on their historic jurisdiction and agency expertise in