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AFFILIATED WITH THE NATIONAL WILDLIFE FEDERATION

Delivered Electronically

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Clean Waterways Act Stormwater Technical Advisory Committee
Florida Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399

Dear Clean Waterways Act Stormwater TAC members:

On behalf of the Florida Wildlife Federation (FWF) and its approximately 100,000 members and supporters, we appreciate your time and effort to identify and create recommendations for strengthening out state's stormwater regulations. We offer the following comments for your consideration.

1. Defining Pre-development

The proposed recommendation to define pre-development as "long standing use" within a "5 years prior" period is inadequate and falls short of creating a true baseline that recognizes the ability of a waterbody to respond to pollutant loading rates. Pre-development should be recognized as the natural, undisturbed land-use and vegetative characteristics of the site absent of human impacts.

A natural vegetative community type means the landscape that currently exists or is likely to have existed prior to disturbance based on the vegetative community associated with the natural soil type of the project area. **We recommend "pre-development" be defined as the natural vegetative community before any human activities such as agriculture, development or urbanization have altered the natural vegetative community.**

2. Presumption of Compliance

The current draft recommendations fail to address the "presumption of compliance" with water quality standards despite stormwater systems failing to meet their presumed pollution reduction goals. Governor DeSantis's Blue Green Task Force issued a document in 2019 drawing attention to a substantial number of stormwater treatment systems failing to achieve their presumed performance standards. Without addressing these failing systems, our waterways will continue to be subjected to pollution. **We, therefore strongly encourage you to eliminate the**

“presumption of compliance” and create a recommendation to address a stormwater system inspection and monitoring program to assist in identifying failing systems.

In summary, the Florida Wildlife Federation appreciates the opportunity to submit comments on the Stormwater Technical Advisory Committee recommendations. We look forward to working with the Florida Department of Environmental Protection and all stakeholders to ensure that the updated stormwater rule provides the necessary framework to afford protection to our precious water resources.

A handwritten signature in black ink, appearing to read "Sarah O. Gledhill". The script is cursive and fluid.

Sarah O. Gledhill
Regional Policy Director