



October 1, 2020

Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
via Email: Stormwater2020@floridadep.gov

Re: Comments on Stormwater Rulemaking required by Section 5 of Chapter 2020-150, Laws of Florida.

Dear DEP staff:

Thank you for the opportunity to provide the comments of The Nature Conservancy on the upcoming stormwater rulemaking authorized by Chapter 2020-150, Laws of Florida.

The Nature Conservancy would like to focus on the importance of incorporating the effects of climate change, including sea level rise and increased rainfall on stormwater system design. Section 5 of Chapter 2020-150, Laws of Florida, requires the department and the water management districts to *use the most recent scientific information available*, in their rulemaking to update the stormwater design and operation regulations and the Environmental Resource Permit Applicant's Handbook.

Because the effects and rates of sea level rise vary geographically, we suggest that FDEP consult with regional climate collaboratives that have adopted unified sea level projections. For example, the Southeast Florida Regional Climate Compact which recently updated its regional sea level rise projections¹ along with examples by their member local governments on how to use the projections in the planning and design of infrastructure. Similarly, Tampa Bay Regional Resiliency Coalition relies on the Tampa Bay Climate Science Advisory sea level rise projections for the Tampa Bay region.²

In addition, we believe that FDEP and the water management districts should adopt an approach to incorporate sea level rise projections into all of the new rulemaking required of Chapter 2020-150, Laws of Florida, for example: Septic tanks siting requirements, infiltration and inflow control will be effected by rising sea level and increases in rainfall. We strongly suggest identifying a consistent approach for selecting appropriate sea level rise and rainfall projections and time horizons for the body of rulemaking required by SB 712, the Clean Waterways Act.

Thank you for this opportunity to provide comment and we look forward to participating in the forthcoming stormwater rulemaking proceeding.

¹ https://southeastfloridacclimatecompact.org/wp-content/uploads/2020/04/Sea-Level-Rise-Projection-Guidance-Report_FINAL_02212020.pdf

² http://www.tbrpc.org/wp-content/uploads/2019/07/CSAP_SLR_Recommendation_2019_Final.pdf