

## WQEA Draft Official Questions/Comments

1. Line 253-255: Why limit governmental agencies in 62-332.600 (11) from selling credits or transferring credits to one another? There is already a precedent throughout the state for the FDOT to partner with other governmental agencies to construct joint use stormwater ponds. Our opinion is that allowing selling or trading of credits between government agencies would lead to larger, more efficient WQEAs in lieu of each agency purchasing their own WQEA just large enough to meet their own needs.
2. Line 253-255: Can two government agencies be joint applicants on WQEA application and therefore both have access to the water quality credits?
3. Line 192: How is exception B going to be applied if a linear project spans multiple WBIDs? Can credits for the entire project be purchased from a single WQEA even if a portion of the project is outside of the service area?
4. Line 62-65: How will water quality enhancement service areas be determined in tidal waterbodies where the term “upstream” does not apply in the same sense as riverine settings where water flows one direction?
5. Line 83-86: Does meeting pre-development water quality mean net-improvement or is presumptive treatment acceptable at project point of discharge? If pre-development pollutant loading must be met onsite before applying WQEA credits, the benefit of the WQEA to municipalities will be greatly reduced. In areas where infiltration is not practical due to high seasonal high water, municipalities have few BMP alternatives efficient enough to meet net improvement especially with stormwater collection systems that are directly connected.
6. Line 160-162: In 62-332.400 (4b) credits are determined based on both nutrients concentration entering WQEA and nutrients removed by WQEA. The WQEA owner cannot control how the pollutant loading upstream of the WQEA will change over time. If the land use upstream of the WQEA causes a reduction in pollutant concentration entering permitted WQEA, will that have any impact on the remaining credits available to owner?
7. Line 70-73: Can land use change be considered a “Natural System”? Example includes taking converting pastureland or commercial nursery offline. The nutrient reduction can be calculated, but there would not necessarily be a monthly pollutant inflow that could be measured on an annual basis as in the case of wet pond or wetland filter marsh.