

From: [Grant Gelhardt](#)
To: WQEA_2023@floridadep.gov
Cc: FL-CONS-COMM@lists.sierraclub.org
Subject: DEP Water Quality Enhancement Area (WQEA) rules (Ch. 62-332, F.A.C.)
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On behalf of the Florida Sierra Club, I am submitting the following comments regarding the proposed DEP Water Quality Enhancement Area (WQEA) rules (Ch. 62-332, F.A.C.) establishing a credit trading program. As this is a new program with significant potential impact on Florida's water quality, strong environmental safeguards are essential to ensure it results in genuine restoration rather than an accounting loophole.

We recommend addressing the following key areas in the final rules:

- Expand credit eligibility: Allow private developers with strict oversight to participate alongside governmental entities to increase restoration investment.
- Strengthen monitoring & verification: Require third-party verification, quarterly sampling, publicly accessible databases, and penalties for failed performance metrics.
- Ensure additionality: Prohibit credits for reductions already required under BMAPs or existing regulations to prevent double-counting.
- Define service areas rigorously: Require watershed-scale hydrologic nexus analysis and cumulative impact assessments for multiple WQEAs.
- Prioritize environmental justice: Mandate cumulative impact analyses, community notifications, and priority funding for disadvantaged watersheds.
- Secure long-term funding: Require perpetual trust funds, conservation easements, and succession planning for WQEA operations.
- Increase transparency: Create an online portal for all credit transactions and monitoring data, require annual independent audits, and include citizen suit provisions.
- Protect land use: Implement conservation easements on WQEA properties and prohibit land conversion even after credits retire.
- Clarify net improvement standards: Define minimum thresholds, require peer-reviewed modeling, and establish credit inflation factors for uncertainty.
- Build in accountability: Require a five-year independent evaluation, an automatic rule sunset if performance metrics fail, and annual legislative oversight.

Thank you for considering these comments ahead of the August 25, 2026, hearing in Tallahassee.

Best regards,

Grant Gelhardt
Florida Sierra Club