

opposition to SB 1402 and the partner House bill. Additionally, the details of the current proposal were not included in the original legislation.

The Clean Water Act was developed, in part, because state governments were failing to manage waters in a manner that was protective of public and environmental health. Power to implement the Section 404 permit program was thus assumed by federal agencies. FDEP's attempt to take this authority undermines this purpose and puts Florida's water resources at stake.

Request for Hearing

Waterkeepers Florida is of the position that members of the public should be permitted to participate in this rule-making to the fullest extent that the law provides. Public input is integral to the agency decision-making process and any proposal this large in scope should be subject to multiple public hearings allowing for public involvement across the state. Waterkeepers Florida thus requests a series of public hearings throughout the state. *See* Fla. Stat. § 120.54(3)(c)1 and Rule 28-103.004, F.A.C. Specifically, we request hearings in Miami, Jacksonville, and Ft. Myers.

Waterkeepers Florida also requests that the Department release all materials it intends to submit to the EPA as part of any CWA Section 404 assumption application package. This will allow for public access to important decision-making documents upon which the Department relies and will allow for more substantive public comment on the proposed rules.

Sincerely,

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