



November 2, 2020

US EPA, Region 4 Water Division, OWSPB
c/o Kelly Laycock
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Via Email to: 404Assumption-FL@epa.gov

RE: Comments in Opposition to FDEP's Assumption Application Package: Docket No. EPA-HQ-OW-2018-0640, FRL-10014-54-Region 4

Dear Mr. Laycock,

On behalf of our respective organizations and our thousands of members, we are writing to express our opposition to the Florida Department of Environmental Protection's ("FDEP") application to assume jurisdiction under Section 404(a) of the Clean Water Act ("CWA"), 33 U.S.C. § 1344, for wetland permitting in waters of the United States.

Florida's waterways are uniquely connected and are critical to our public health, our economy, and our environment. In light of our rapidly growing population and increasing development pressure, it is essential that these waters are afforded the utmost oversight and protection to ensure that the resources on which we depend are adequately protected. CWA Section 404 requires permits for the discharge of dredge and fill material into Waters of the United States, including wetlands. Florida has particularly fragile and critical areas that are regulated by Section 404 dredge and fill permits, and which require the highest level of review and scrutiny.

Our state has more than 130 listed species, more than 7,700 lakes (greater than 10 acres), 33 first-magnitude springs, 11 million acres of wetlands, almost 1,200 miles of coastline, and approximately 27,561 linear miles of rivers and streams. As Floridians, clean water is integral not only to our quality of life but also to our economy. Everglades National Park alone generates more than \$100 million annually in tourism revenue. Our outdoor recreation industry generates \$58.6 billion annually and our state is widely recognized as the Sport Fishing Capital of the World. Our waterways support billions of dollars in commerce each year and create tens of thousands of jobs for Floridians. Any risk posed to these waterways is a direct risk to our economy and our livelihoods.

Federal oversight is critical to the protection of wetlands and waterways in the State of Florida. To date, FDEP has not submitted evidence to show that its program would be as stringent or protective as the current federal program – thus, we oppose this assumption application request.

Loss of Federal Protections

Floridians cannot afford to lose the protection of federal laws that are triggered when federal agencies operate the 404 program, including, but not limited to, the Endangered Species Act which