



June 1, 2022

Florida Department of Environmental Protection  
Office of Resilience and Coastal Protection  
Attn: Diane Quigley, Eddy Bouza, and Krista Shipley  
3900 Commonwealth Blvd., MS 235  
Tallahassee, FL 32399

**RE: Draft Rule Version 2.0 62S-8 Statewide Flooding and Sea Level Rise Resilience Plan**

On behalf of Environmental Defense Fund, a global nonprofit organization that relies on science and community knowledge to make the environment safer and healthier for us all, we write to offer our comments on the draft rule *62S-8 for the Statewide Flooding and Sea Level Rise Resilience Plan*. This rule represents another step forward to creating a more resilient future for Floridians and their communities.

Florida faces unique opportunities and challenges from climate change with significant opportunities now to move the state in the right direction to address sea level rise and its impacts. Sea level rise impacts stormwater management, transportation, and many other services throughout the state, thus EDF believes it is essential to develop and enforce a strong Statewide Flooding and Sea Level Rise Resilience Plan (Plan). Forward-looking rule language will ensure resilience investments address projected sea level rise and maximize the use of natural alternatives that are more resilient over time. We are pleased to see FDEP incorporated many suggestions and comments and feel that the rule language has improved significantly. We recognize and appreciate the effort that has been put into taking the time to listen and provide multiple opportunities for commenting. We do have some remaining comments that we would recommend.

- Encourage applicants to utilize or incorporate the [2022 NOAA Sea Level Rise scenarios](#) as this is the latest science available on projected sea level rise and will provide a better snapshot of what can occur across the state.
- 62S-8.003(2)(d): Remove “existing flood mitigation” from projects that reduce upland damage costs. This terminology prioritizing existing projects and if removed would equally evaluate and weigh all projects including existing and new.
- 62S-8.003(2)(d)2: Use the already defined and in statute term for nature-based solutions instead of “natural system restoration and revegetation.” It currently reads as if these are the only two things that can be done, when it was most likely meant to mean nature-based solutions.
- 62S-8.003(3)(a): We understand that statute requires looking at current flooding and erosion in a location, however, it should be encouraged that applicants evaluate projects under current *and* future or projected flooding and erosion. This would also include suggesting more proactive metrics such as estimating flood depth for the 100 year flood event under different future sea level rise scenarios and the amount of infrastructure experiencing decreased erosions rates annually if the project is implemented compared to without the project.
- 62S-8.003(3)(a)1b: Experienced flooding or erosion in the last three years is not frequent enough to prioritize projects that need funding the most. We suggest that this be changed to at least every other year. This would help to capture communities that we know flood more regularly due to tidal flooding as opposed to storm surge.
- 62S-8.003(3)(a)1c: Experienced flooding more than three times within the last five years is not frequent enough

to prioritize funding to communities that need it most. Research shows that tidal flooding frequency is increasing. We suggest that this be changed to project impact areas that flood at least three times in the last year.

- 62S-8.003(3)(a): This metric awards points based on the degree of flooding AND erosion affecting a project area, but the breakdown of points and associated language specifically states points will be awarded if evidence the project area has been flooded OR erosion has occurred. We suggest that projects should gain higher points if they meet both evidence requirements of flooding and erosion.
- 62S-8.003(3)(b): We have a concern that this section will be difficult for some communities particularly those that are smaller or have less capacity and experience with applying for state funding. Unfortunately, these are also communities that need funding and projects implemented the most but get left out because they can lack the local capacity to hire engineers and obtain permits needed to get points. There should be exceptions for the financially disadvantaged communities so that this section does not count against them, and they are scored fairly against other proposals.
- 62S-8.003(3)(d)4: Inclusion of ecosystem service benefits in a future cost-benefit analysis in addition to the relevant discount rate, net present value, etc.
- 62S-8.003(4)(a): Tribal communities should be explicitly defined as to where they fit in this process and if they are separate from disadvantaged groups or not. It may be advantageous to have tribal communities explicitly defined or called out in a metric/evaluation criterion.

Now is the chance to ensure that project prioritization for the Statewide Resilience Plan is fair and just and that sustainable long-term projects are implemented for communities that need them most.

We applaud the efforts FDEP has made regarding the Statewide Resilience Plan to protect Florida from sea level rise and flooding but are confident that these criteria will give applicants a clearer path forward for the developing effective projects.

We look forward to seeing how FDEP will continue to make Florida's communities more resilient. Please feel free to reach out with any questions or comments regarding this letter.

With gratitude,

A handwritten signature in blue ink that reads "Dawn Shirreffs". The signature is fluid and cursive, with a large loop at the end of the last name.

Dawn Shirreffs  
Florida Director