

LOCAL VOICES MAKING LOCAL CHOICES

UTILITIES, NATURAL RESOURCES, AND PUBLIC WORKS COMMITTEE

MEETING DETAILS

DATE	Friday, November 13, 2026
TIME	10:00 a.m. – 2:00 p.m. ET
ROOM	Key Largo
VENUE	Hilton Orlando
ADDRESS	6001 Destination Parkway, Orlando, FL 32819

FLC STAFF CONTACT

Matt Singer



Agenda

Utilities, Natural Resources, and Public Works Legislative Policy Committee
Friday, November 13, 2026, 10:00 a.m. to 2:00 p.m.
Hilton Orlando – Meeting Room: Key Largo
6001 Destination Parkway, Orlando, Florida

AGENDA

I. Introduction and Opening Remarks.....**Chair Jen Ahearn-Koch**
Commissioner, City of Sarasota

II. Potential 2027 Priority and Policy Issues.....**Matt Singer, FLC Staff**

a. Biosolids
b. Data Centers
c. Mandatory Utility Connections for Non-Residents
d. Local Stormwater Regulation
e. Water Resource Investment and Funding
    i. Septic to Sewer Connections
    ii. PFAS-related Water Treatment Improvements
    iii. Water Infrastructure Funding
    iv. Statewide Water Resource Investment and Funding

III. Ranking of Proposed Policies.....**Matt Singer, FLC Staff**

IV. Additional Information.....**Chair Jen Ahearn-Koch**
Commissioner, City of Sarasota

a. FLC Legislative Conference Registration
b. Key Legislative Dates
c. Key Contacts – Click HERE to sign up
d. 2026 Legislative Session Final Report
e. State Municipal Reporting Requirements

V. Closing Remarks.....**Chair Jen Ahearn-Koch**
Commissioner, City of Sarasota

VI. Adjournment

Breakfast and Lunch provided by the Florida League of Cities

Wi-Fi is Available
Network: FLCPC1126
Access Code: FLCPC1126



Committee Roster

FLORIDA LEAGUE OF CITIES

2026-2027 Utilities, Natural Resources & Public Works Committee



CHAIR
Jen Ahearn-Koch
Commissioner
City of Sarasota



VICE CHAIR
Ronnie Robinson
Commissioner
City of Lake Alfred



STAFF SUPPORT
Matt Singer
FLC Legislative Advocate



Joaquin Almazan
Vice Mayor
City of Belle Glade



Dennis Barron
Director of Public Works
City of Jacksonville Beach



Raymond Beliveau
Councilor
City of Seminole



Nathaniel Birdsong
Commissioner
City of Winter Haven



BJ Bishop
Commissioner
Town of Longboat Key



Sandra Bradbury
Mayor
City of Pinellas Park



Victoria Bruce
Commissioner
City of Winter Springs



Anthony Caggiano
Vice Mayor
City of Margate



Tara Connor
Councilwoman
City of Rockledge



John Cotugno
Mayor
City of Vero Beach



Bart Diebold
City Manager
City of Pinellas Park



James Dillon
Director of Public Works
City of Tavares



Kimberly Downing
Vice Mayor
City of Haines City



Roger Eckert
Mayor
City of Lake Helen



Timothy Everline
Mayor Pro Tem
Town of Howey-in-the-Hills



Gregory Freebold
Vice Mayor
Town of Lake Clarke Shores



Arnold Gaines
Commissioner
City of Fort Pierce



Kate Helms
Stormwater Manager
City of Satellite Beach



David Henson
Mayor
City of Casselberry



Donna Holck
Commissioner
City of Largo



Bill Horn
Councilman
City of Jacksonville Beach



Gary Hubbard
Utility Services Director
City of Winter Haven



Jimmie Johnson
Utilities Director
Village of Palm Springs



John Jones
Mayor
City of Monticello



Gregory Julian
Councilmember
City of Punta Gorda



James Keene
Deputy City Manager
City of Haines City



Dana Knight
Councilmember
City of Orange City



Sarah Malega
Executive Director
Palm Beach County League of Cities



Meredith Martin
Councilmember
City of Williston



Lois Paritsky
Mayor
Town of Ponce Inlet



Tom Powers
Councilmember
City of Milton



Brittany Retherford
City Manager
City of Satellite Beach



Donna Rhoden
Special Assistant to the City Manager
City of Port St. Lucie



Campbell Rich
Commissioner
City of Stuart



Richard Roney
Vice Mayor
Town of Hypoluxo



Eric Sander
Councilman
City of South Daytona



Rick Sartory
Councilmember
Village of Tequesta



Colt Schwerdt
Public Works Director & City Engineer
City of Port St Lucie



Sylvia Sharps
Vice Mayor
Village of Royal Palm Beach



Marlene Shaw
Vice Mayor
City of Gulfport



Bev Smith
Mayor
Village of Palm Springs



Holly D. Smith
Councilwoman
City of Sanibel



Diana Spriggs
Assistant Public Works Director
City of Port St Lucie



Phil Stokes
Commissioner
City of North Port



Natalie Teuchert
Deputy Mayor
City of Oviedo



Lori Tolland
Deputy Mayor
City of Ormond Beach



Teresa Watkins Brown
Councilwoman
City of Fort Myers



Kellee Watt
Commissioner
City of Indian Rocks Beach

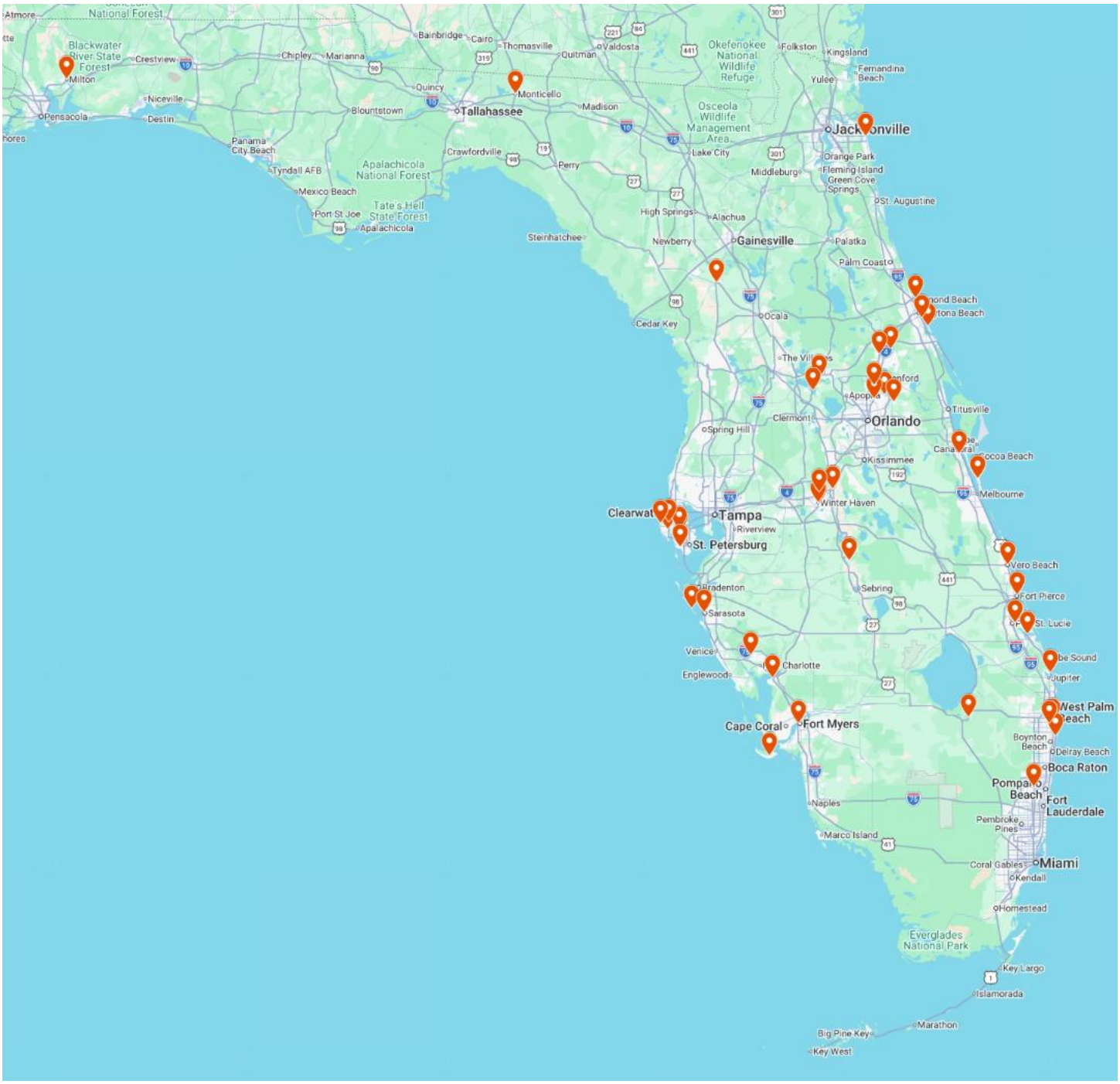


Wesley Woodard
Utilities General Manager
City of Sarasota



Justin York
Commissioner
City of Lake Mary

Map of Utilities, Natural Resources, & Public Works Committee Members





Biosolids

Draft Statement - Biosolids

The Florida League of Cities SUPPORTS reintroduction of legislation to manage Class AA biosolids.

Word Count: 14 words

Background Information

Human waste or "biosolids" are classified as: Classes B, A and AA. Nutrients cause blue-green algae but are not removed from the biosolid process. Classes B and A are regulated to reduce nutrient runoff. Class AA is not regulated. In 2026 bipartisan legislation was passed to target the placement of Class AA to reduce nutrient runoff, which reduces blue-green algae growth. The legislation was vetoed. This targeted legislation is good and should be re-introduced.

Campbell Rich | Commissioner | City of Stuart
121 SW Flagler Ave. Stuart Fl. 34994
772-288-5312

DRAFT

BILLS THAT PASSED IN ALPHABETICAL ORDER BY SUBJECT AREA

AGRICULTURE, ENVIRONMENT, AND UTILITIES

Biosolids Management (Monitored)
CS/CS/HB 1285 (Boyles) prohibits the Department of Environmental Protection from issuing or renewing a permit for land application of Class B biosolids if there is a permitted wastewater treatment facility that accepts septage for higher levels of treatment, which is:

- Less than 30 miles from a proposed land application site
- Owned or operated by the federal government or agency, a state government body or agency, or a political subdivision of the state, and
- Not defunct, used for other purposes, or out of capacity. (Singer)

Effective date: July 1, 2027.

Biosolids Management (Monitored)
CS/CS/HB 1245 (Shoaf) revises laws relating to the land application of Class AA biosolids. The bill prohibits land application of bulk Class AA biosolids fertilizer and compost products from exceeding specified agronomic rates. It requires land application of Class AA fertilizer and compost products to be managed with beneficial reuse as the primary objective, rather than disposal. It prohibits land application of biosolids of any class if it constitutes disposal. The bill requires land application site operators to maintain application records for five years. It permits Class AA biosolids to be distributed or marketed for agricultural land application if certain requirements are met. In addition, it requires the University of Florida Institute of Food and Agricultural Sciences to publish recommended agronomic rates for Class AA biosolids on a biennial basis. It directs the Department of Environmental Protection to initiate rulemaking by November 1, 2026, to implement provisions of the bill. (Singer)

VETOED

Effective date: November 1, 2026.

Coastal Resiliency (Monitored)
CS/CS/SB 302 (Garcia) requires the Department of Environmental Protection to establish statewide standards and a permitting framework for nature-based methods to improve coastal resiliency. The bill also amends current law relating to aquatic preserves to expressly authorize living shorelines, nature-based solutions, and hybrid green-gray infrastructure within the preserves. It prohibits further dredging and filling of submerged lands in the Terra Ceia Aquatic Preserve with specified exceptions and modifies the dredging and filling exceptions for the Biscayne Bay Aquatic Preserve. The bill requires the Department and local governments to promote public awareness and education on the value of nature-based solutions for coastal resiliency.

The bill further requires the Department to develop design guidelines and standards for optimal combinations of nature-based methods for using green or hybrid green-gray infrastructure to address coastal resilience, including local mitigation strategies for erosion control, sea level rise, and storm surge. The bill requires the Department to develop rules, subject to legislative ratification, under the environmental resource permit program for improving coastal resiliency and specifies criteria to be included in such rules. Criteria include standards for developing a permitting process after storm events or disasters to replace failed coastal infrastructure with nature-based solutions and green infrastructure, and identification of ways local governments can participate in coastal resiliency. (Singer)

Effective date: July 1, 2026.

Department of Agriculture and Consumer Services (Opposed)
CS/CS/CS/SB 290 (Truenow) is an agency bill relating to the authority and duties of the Florida Department of Agriculture and Consumer Services. The bill contains several provisions impacting local governments.

Gasoline-powered Farm and Landscape Equipment
The bill prohibits counties and municipalities from enacting or enforcing a restriction or prohibition on the use of gasoline-powered farm or landscape equipment (e.g., leaf blowers) or from imposing standards for such equipment that differ from standards applicable to any electrical or similar equipment in a retail, manufacturing, or distributor setting.

Land Development Regulations
The bill prohibits administrative approval of any application for development on an "ecologically significant parcel" within a "low-density municipality" without an attestation from the developer which states that the development will not exceed 1 dwelling unit per 20 acres. The density requirement may be waived upon a resolution approved by a unanimous vote of the governing body. An "ecologically significant parcel" is defined as any undeveloped parcel designated by the local government comprehensive plan as rural, conservation, green space, or agricultural. A "low-density municipality" is defined as a municipality consisting of less than 2,500 acres in size with a population of 5,000 or fewer legal residents.

Local Government Surplus Lands
The bill directs the state Acquisition and Restoration Council to determine whether any lands surplused by a local government on or after January 1, 2024, are suitable for bona fide agricultural purposes.

Land Application of Biosolids
The bill specifies that a permittee of a biosolids land application site ensure that only Class AA biosolids are applied to the soil. In addition, the bill requires local governments that do not transport biosolids for land application outside of their respective county to ensure that only Class AA biosolids are applied to the soil by July 1, 2031.

Commercial Solicitation
The bill prohibits commercial solicitation on properties that comply with "no solicitation" signage requirements and provides penalties for violation.

Agritourism
The bill prohibits local governments from requiring an owner of agricultural property to obtain a rural event permit or license to conduct agritourism activities, including special events such as weddings, receptions, and corporate gatherings.

Public Fair Associations
The bill revises statutes governing the establishment and dissolution of public fair associations, including ex-officio membership on the governing body of a fair association by a county elected official and disposition of assets following dissolution of a fair association.

Signal Jamming Devices
The bill prohibits the possession, use, and sale of a "signal jamming device," defined as a device such as a phone jammer, GPS systems blocker, or similar device to intentionally interfere with radio communications (including police radar). (Singer)

Effective date: July 1, 2026.

Department of Environmental Protection (Monitored)
CS/CS/CS/HB 1417 (LaMarca) is a bill relating to the duties and authority of the Department of Environmental Protection. Several provisions may be of interest to local governments. The bill requires solar facilities to develop and implement an erosion and sediment control program as part of obtaining a permit. In addition, operational-phase stormwater management systems servicing solar facilities located in the Northwest Florida Water Management District must meet additional requirements.

The bill amends section 255.065, Florida Statutes, relating to public-private partnerships by including coastal resiliency projects within the definition of a "qualifying project" under the statute. The bill includes provisions to encourage public-private partnerships for coastal resiliency projects. Such projects may include the following: projects to address flooding and sea level rise in coastal communities; public infrastructure repair and updates to seawalls and stormwater drainage; resiliency measures designed to withstand extreme weather, mitigate flooding, and prevent coastal erosion, including property acquisition. To encourage private sector investment in coastal resiliency projects, the bill authorizes the Department to enter long-term revenue-sharing agreements, provide expedited permitting, seek input from local governments and the public during project planning and execution, and engage vocational schools to train workers in resiliency construction. The bill requires the Department to publish information on its website about coastal resiliency projects funded through public-private partnerships.

The bill revises requirements for properties within certain Indian River Lagoon basin management action plans to connect to central sewer by July 1, 2030. The requirement applies to any residential

FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/CS/HB 1245	**COMPANION BILL:** CS/CS/CS/SB 1294 (Bradley)
TITLE: Biosolids Management	**LINKED BILLS:** None
SPONSOR(S): Shoaf	**RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 111 **Y's** 0 **N's** **GOVERNOR'S ACTION:** Vetoed

SUMMARY

Effect of the Bill:
The bill creates new regulations for Class AA biosolids. The bill, in part:

- Prohibits land application of bulk Class AA biosolids fertilizer and compost products from exceeding certain agronomic rates.
- Requires land application of bulk Class AA biosolids fertilizer and compost products at or below the agronomic rate to be managed with beneficial reuse as the primary objective, rather than disposal.
- Prohibits bulk land application of biosolids, including Class AA biosolids, if it constitutes disposal.
- Requires certain land application site operators to maintain application records for five years.
- Permits Class AA biosolids to be distributed or marketed for agricultural land application only if certain requirements are met.
- Requires the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) to, on a biennial basis, publish recommended agronomic rates for the beneficial reuse of bulk Class AA biosolids fertilizer and compost products.
- Requires DEP to initiate rulemaking no later than November 1, 2026, to implement certain provisions.

Fiscal or Economic Impact:
The bill may have a negative, but insignificant, fiscal impact on UF/IFAS related to the biennial publication of agronomic rates and an indeterminate fiscal impact on local government.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION

ANALYSIS

EFFECT OF THE BILL:

Effective November 1, 2026, the bill prohibits the land application of bulk Class AA biosolids fertilizer and compost products from exceeding the appropriate agronomic rate. The bill provides that land application of bulk Class AA biosolids fertilizer and compost products at or below the agronomic rate must be managed for beneficial reuse rather than disposal, as the primary objective. The bill defines "agronomic rate" as the nutrient application rate established using generally accepted, science-based nutrient management principles, including recommendations published by the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS). The bill specifies these recommendations consider plant nutrient requirements; site specific characteristics, including soil conditions; characteristics of the biosolids fertilizer or compost products, including nutrient release rates and soil amendment functions; other nutrient inputs applied to the site; and the protection of groundwater and surface water resources. (Section 1)

Beginning by November 1, 2027, the bill requires UF/IFAS to biennially publish and make publicly available recommended agronomic rates for the beneficial reuse of bulk Class AA biosolids fertilizer and compost products. The bill requires these recommendations to be informed by a review of the scientific literature and applicable available agronomic guidance and include, at a minimum, the following:

- The characteristics of commonly produced biosolids products relevant to nutrient availability and environmental risk, including nutrient content, nutrient release characteristics, and physical form.
- Recommended agronomic rate ranges or application approaches that account for crop type, soil conditions, environmental vulnerabilities, seasonal factors, and management practices.

- The scientific basis and degree of supporting research for recommended agronomic rates, distinguishing recommendations suitable for general application from those requiring site-specific evaluation.
- Data gaps and product types, conditions, or practices for which additional field verification or research would improve future recommendations, including identification of relevant research priorities and associated resource considerations.
- Best practices for on-the-ground implementation and verification consistent with agronomic principles. (Section 1)

The bill prohibits bulk land application of biosolids, including Class AA biosolids, to the extent that such bulk land application constitutes disposal, and subjects violations to ch. 403, F.S. The bill defines "disposal" as the bulk land application of biosolids, including any application exceeding the agronomic rate, when, considering the manner and circumstances of the application, the nutrients applied cannot reasonably be expected to be taken up by crop or vegetation cover during the relevant growing season, and the application results in the discard of biosolids on the land application site. (Section 1)

The bill requires an owner or operator of a land application site, where bulk agricultural land application of biosolids fertilizer or compost products occurs, to maintain application records for at least five years. Such records must be available to the Department of Environmental Protection (DEP) upon request. These records must include:

- The classification and characteristics of the biosolids applied to the land application site.
- The physical address of the land application site.
- The quantity of biosolids transported to the land application site and received by the site owner or operator.
- The date on which the land application site owner or operator received the biosolids.
- The name of the person or entity responsible for the transportation of the biosolids to the land application site.
- The quantity of biosolids applied to the site and the portion or area of the site where they were applied.
- The name of the person or entity responsible for the physical application of the biosolids on the land application site.
- The date on which the land application occurred. (Section 1)

DEP must require that written notification of these recordkeeping requirements be provided to the owner or operator of the land application site at the time bulk Class AA biosolids are distributed for land application. (Section 1)

The bill provides that these recordkeeping requirements do not apply to Class AA biosolids products that have a moisture content of 25 percent or less at the time of distribution for land application use and that maintain a stable, discrete particulate or granular form during storage, handling, and land application. Instead, any person who distributes such biosolids for land application must maintain records for at least five years and make these records available to DEP upon request. These records must include:

- The characteristics and quantity of the biosolids distributed.
- The portion or area of the site where the biosolids were applied.
- The date of distribution and the recipient. (Section 1)

The bill requires DEP to initiate rulemaking, no later than November 1, 2026, to amend its current rule for biosolids to implement the bill's provisions related to the bulk distribution and marketing of Class AA biosolids. The bill specifies this includes provisions addressing recordkeeping at the time Class AA biosolids are distributed or marketed in bulk. (Section 1)

The bill specifies that a Class AA biosolids compost product, if its labeling does not claim any plant nutrients or beneficial plant growth properties, may not be marketed or distributed for agricultural land application unless the product is enrolled and certified under the United States Composting Council's Seal of Testing Assurance Program. (Section 1)

The bill prohibits a Class AA biosolids fertilizer product from being marketed or distributed for agricultural land application unless the product meets all applicable requirements of ch. 576, F.S. The bill also prohibits Class AA biosolids from being used for agricultural land application unless, before land application, the product meets all applicable requirements of ch. 576, F.S., as a biosolids fertilizer product or falls under the exception regarding the United States Composting Council's Seal of Testing Assurance Program. (Section 1)

The effective date of this bill was November 1, 2026; however, this bill was vetoed by the Governor on June 30, 2026. (Section 2)

RULEMAKING:

The bill requires DEP to initiate rulemaking no later than November 1, 2026, to implement the bill's provisions relating to the bulk distribution and marketing of Class AA biosolids, including provisions addressing recordkeeping at the time Class AA biosolids are distributed or marketed in bulk.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have a negative, but insignificant, fiscal impact on UF/IFAS related to the biennial publication of agronomic rates.

LOCAL GOVERNMENT:

The bill may have an indeterminate fiscal impact on public utilities as public utilities may incur indeterminate costs to treat and dispose of biosolids due to the bill's requirements.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

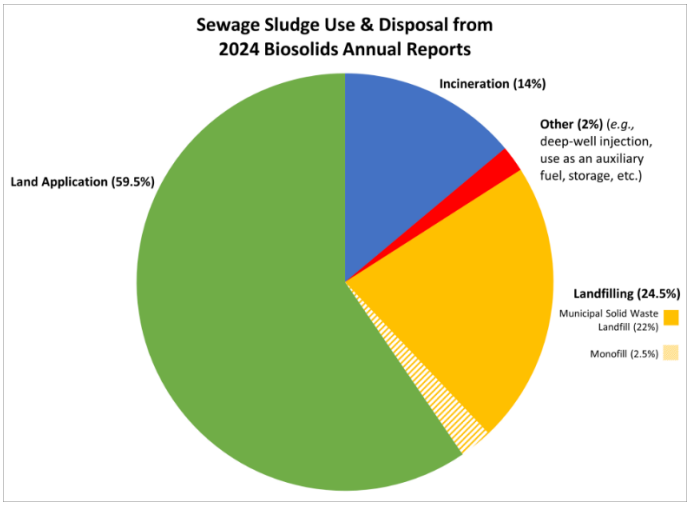
Biosolids

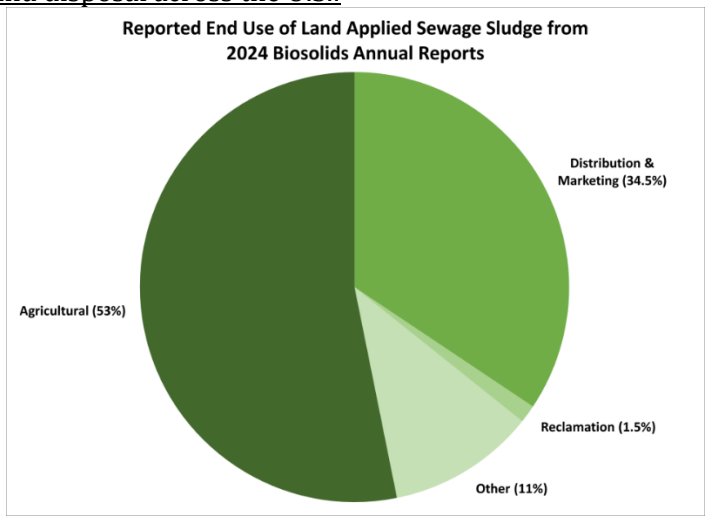
When domestic wastewater is treated, solid, semisolid, or liquid residue known as biosolids[1] accumulates in the wastewater treatment plant and must be removed periodically to keep the plant operating properly.[2] Biosolids also include products and treated material from biosolids treatment facilities and septage management facilities regulated by the Department of Environmental Protection (DEP).[3] The collected residue is high in organic content and contains moderate amounts of nutrients.[4]

[1] Section 373.4595, F.S., defines biosolids are the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility and include products and treated material from biosolids treatment facilities and septage management facilities. The term does not include the treated effluent or reclaimed water from a domestic wastewater treatment facility, solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, or ash generated during the incineration of biosolids.
[2] DEP, *Domestic wastewater biosolids*, https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids (last visited Jan. 25, 2026).
[3] R. 62-640.200(6), F.A.C.
[4] *Id*.

Wastewater treatment facilities produce about 340,000 dry tons of biosolids each year.[5] Biosolids can be disposed of in several ways including placement in a landfill, distribution and marketing as fertilizer, and land application to pasture or agricultural lands.[6] Biosolids are subject to regulatory requirements established by DEP to protect public health and the environment.[7]

U.S. Environmental Protection Agency – Biosolids use and disposal across the U.S.:[8]





Land application of biosolids involves spreading biosolids on the soil surface or incorporating or injecting biosolids into the soil at a permitted site.[9] This practice provides nutrients and organic matter to the soil on agricultural land, golf courses, forests, parks, mine reclamation sites, and other disturbed lands. Composted and treated biosolids are used by landscapers and nurseries, and by homeowners for their lawns and home gardens.[10]

Biosolids are classified at the federal level in two classes, "Class A" or "Class B."[11] In Florida, there is an additional "Class AA" designation for biosolids treated to the highest quality standard, which are distributed and marketed as fertilizer,[12] and DEP regulates the three classes of biosolids for beneficial use.[13] The classes are categorized based on treatment and quality, with Class AA biosolids receiving the highest level of treatment, and Class B receiving the lowest.[14] Treatment of biosolids must reduce pathogens, the attractiveness of the biosolids for pests like insects and rodents, and the amount of toxic metals in the biosolids.[15]

Biosolids are regulated under Rule 62-640, F.A.C. The rules provide minimum requirements, including monitoring and reporting requirements, for the treatment, management, use, and disposal of biosolids. The rules are

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[5] DEP, *Biosolids in Florida,* https://www.florida-stormwater.org/assets/MemberServices/Conference/AC19/02 - Frick Tom.pdf#:~:text=Biosolids%20and%20Management%20in%20Florida%20Estimated%20Total%20Production,two-thirds%20are%20beneficially%20used%20and%20onethird%20is%20landfilled (last visited Jan. 25, 2026).
[6] *Id.*
[7] DEP, *Domestic wastewater biosolids*, https://floridadep.gov/water/domestic-wastewater/content/domestic-wastewater-biosolids (last visited Jan. 25, 2026).
[8] EPA, *Basic Information about Sewage Sludge and Biosolids,* https://www.epa.gov/biosolids/fact-sheet-use-landfilling-biosolids-management (last visited Jan. 25, 2026).
[9] EPA, *Land application of biosolids*, https://www.epa.gov/biosolids/land-application-biosolids (last visited Jan. 25, 2026).
[10] *Id.*
[11] 40 C.F.R. Part 503; EPA, *Land Application of Biosolids*, https://www.epa.gov/biosolids/land-application-biosolids (last visited Jan. 25, 2026).
[12] R. 62-640.200(11), F.A.C.; *see also* National Biosolids Data Project, *Florida Biosolids* (last updated 2018), https://www.biosolidsdata.org/florida (last visited Jan. 25, 2026).
[13] R. 62-640.200, F.A.C.
[14] *Id.*; R. 62-640.200(6), F.A.C.
[15] R. 62-640.600, F.A.C.

applicable to wastewater treatment facilities, appliers, and distributors[16] and include permit requirements for both treatment facilities and biosolids application sites.[17]

Each permit application for a biosolids application site must include a site-specific nutrient management plan (NMP) that establishes the specific rates of application and procedures to apply biosolids to land.[18] Biosolids may only be applied to land application sites that are permitted by DEP and have a valid NMP.[19] Once a facility or site is permitted, it is subject to monitoring, record-keeping, reporting, and notification requirements.[20]

Section 403.0855, F.S., requires all biosolids application sites to meet the DEP rules in effect at the time of the renewal of the biosolids application site permit or facility permit, effective July 1, 2020. Permittees applying Class A or Class B biosolids must ensure a minimum unsaturated soil depth of 2 feet between the depth of biosolids placement and the water table level at the time of application. Permittees must also be enrolled in the Florida Department of Agriculture and Consumer Services (FDACS) best management practices (BMP) program or be within an agricultural operation enrolled in the program for the applicable commodity type.

Class AA biosolids may be distributed and marketed like other commercial fertilizers with few further restrictions and less regulation under Rule 62-640, F.A.C., than Class A and Class B biosolids;[21] and, like other commercial fertilizers, they are primarily regulated by the FDACS BMP Program.[22] Section 403.067, F.S., authorizes and directs FDACS to develop and adopt by rule BMPs that will help Florida's agricultural industry achieve the reductions allocated in basin management action plans, which are restoration plans developed for the watersheds and basins connected to certain impaired waterbodies.[23]

FDACS develops and adopts BMPs by rule for different types of agricultural commodities.[24] At least every two years, FDACS must perform onsite inspections of each agricultural producer that enrolls in a BMP to ensure that such practice is being properly implemented.[25] Such verification must include a collection and review of the BMP documentation from the previous two years, including, but not limited to, nitrogen and phosphorus fertilizer application records, which must be collected and retained.[26]

Producers or agricultural landowners who properly implement the applicable BMPs or who are in compliance with the Equivalent Program[27] requirements of Rule Chapter 5M-1, F.A.C., are entitled to a presumption of compliance with state water quality standards.[28]

The application of biosolids is prohibited in certain areas. The Legislature banned the disposal of domestic wastewater biosolids within the Lake Okeechobee,[29] Caloosahatchee River,[30] and St. Lucie River[31] watersheds unless the applicant can affirmatively demonstrate that the nutrients in the biosolids will not add to nutrient

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[16] R. 62-640.100, F.A.C.
[17] R. 62-640.300, F.A.C.
[18] R. 62-640.500, F.A.C.
[19] *Id*.
[20] R. 62-640.650, F.A.C.
[21] R. 62-640.800, F.A.C.
[22] DEP, *Domestic wastewater biosolids*; National Biosolids Data Project. *Florida biosolids*. https://www.biosolidsdata.org/florida (last visited Jan. 25, 2026); R. 62-640.850, F.A.C.; R. 62-640.850(2), F.A.C.; *see also* s. 576.181(1), F.S., and R. Ch. 5E-1, F.A.C.
[23] S. 403.067(7)(a)1., F.S.; R. 62-303.100(1), F.A.C.
[24] *Id.*
[25] S. 403.067(7)(d)3., F.S.
[26] *Id.*
[27] Equivalent Programs provide water quality protections equal to or more stringent than the applicable BMPs.
[28] S. 403.067(7)(c)3., F.S.
[29] S. 373.4595(3)(b)16., F.S.
[30] S. 373.4595(4)(b)5., F.S.
[31] S. 373.4595(4)(d)5., F.S.

loadings in the watershed. The prohibition against land application in these watersheds does not apply to Class AA biosolids that are distributed as fertilizer products.[32]

Biosolids Rulemaking

The Legislature passed the Clean Waterways Act in 2020 to address a number of environmental issues relating to water quality improvement, including biosolids. DEP was directed to promulgate rules to implement the Clean Waterways Act, including rules addressing biosolids management in Florida.[33] All rules adopted by DEP related to biosolids management require ratification by the Legislature prior to taking effect.[34] The initial biosolids rulemaking process included multiple workshops and opportunities for public input, and the rules were developed to minimize the migration of nutrients to waterbodies.[35] In 2021, the Legislature ratified the initial biosolids rules.[36]

Clean Water Act

The federal Clean Water Act (1972) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.[37] The Clean Water Act requires the U.S. Environmental Protection Agency (EAP) to establish requirements and management practices for the use and disposal of sewage sludge.[38] The EPA's Standards for the Use or Disposal of Sewage Sludge regulates sewage sludge that is applied to land, fired in a sewage sludge incinerator, or placed on a surface disposal site.[39]

Agronomic rate refers to the amount of biosolids and other organic materials that are applied to soils.[40] The appropriate agronomic rate depends on crop type, geographic location, and soil characteristics.[41] The Clean Water Act establishes standards and requirements for annual pollutant loading rates.[42]

U.S. Composting Council

The U.S. Composting Council (USCC) is a national organization of compost manufacturers, compost marketers, equipment manufacturers, product suppliers, academic institutions, public agencies, nonprofit groups, and consulting/engineering firms dedicated to the development, expansion, and promotion of the composting industry.[43] The USCC's Seal of Testing Assurance Program (STA) is a testing and information disclosure program aimed at improving customer confidence in compost selection and utilization.[44] STA certified compost must:

- Meet the USCC's definition of compost;
- Stay in compliance with all federal, state, and local regulations and meet EPA limits for heavy metals and pathogens;
- Use STA approved labs for testing;
- Test compost product in accordance with the required schedule;
- Provide customers with technical data sheets; and
- Sign the STA contract, pay the USCC yearly fees, and renew contracts and payments annually.[45]

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[32] *Id.*; ss. 373.4595(3)(b)16. and 373.4595(4)(b)5., F.S.; *see also* R. 62-640.850, F.A.C.
[33] Ch. 2020-150, L.O.F.
[34] S. 403.0855, F.S.
[35] DEP, *DEP Chapter 62-640, F.A.C., Rulemaking*, https://floridadep.gov/water/domestic-wastewater/content/dep-chapter-62-640-fac-rulemaking (last visited Jan. 25, 2026).
[36] Ch. 2021-153, L.O.F.
[37] U.S. Environmental Protection Agency, *Summary of the Clean Water Act* (last visited Jan. 25, 2026).
[38] *Id.*
[39] Title 40 C.F.R., Part 503. *See also* U.S. Environmental Protection Agency, *Sewage Sludge Laws and Regulations* (last visited Jan. 25, 2026).
[40] Northeast Biosolids & Residuals Association, *Agronomic Rate* (last visited Jan. 25, 2026).
[41] U.S. Environmental Protection Agency, *Basic Information about Biosolids* (last visited Jan. 25, 2026).
[42] *See* § 503.14, C.F.R. *and* Table 4 of § 503.13 – Annual Pollutant Loading Rates.
[43] National Composting Council, *US Composting Council (UCC)* (last visited Jan. 25, 2026).
[44] BioCycle, *Introducing ... STA Certified Compost* (last visited Jan. 25, 2026).
[45] US Composting Council, *STA Requirements* (last visited Jan. 25, 2026).

Fertilizer Licensing and Labeling Requirements

The company named on a fertilizer label may not distribute that fertilizer to a nonlicensee until the company acquires a license to distribute from FDACS.[46] The company named on a fertilizer label may not distribute a specialty fertilizer[47] in this state until the fertilizer is registered with FDACS, and each brand and grade of specialty fertilizer must be registered with FDACS.[48]

Any fertilizer distributed in Florida in containers must have a label placed on or affixed to the immediate and outside container setting forth in clearly legible and conspicuous form the following information:[49]

- The brand and grade.
- The guaranteed analysis.
- The name and address of the licensee.
- The net weight of the fertilizer.
- The sources from which the nitrogen, phosphorus, and potassium are derived.
- The sources of secondary plant nutrients and micro plant nutrients if guaranteed, claimed, or advertised.
- The Florida license number.

If the fertilizer is distributed in bulk, two labels containing the required label information must accompany delivery and be supplied to the purchaser at time of delivery with the delivery ticket, which must show the certified net weight of the fertilizer.[50]

If a property owner or leaseholder implements interim measures, best management practices, or other measures adopted by FDACS that have been verified by DEP to be effective, and complies with certain other requirements, there is a presumption of compliance with state water quality standards with respect to the application of fertilizers or other soil-applied nutritional materials containing nitrogen or phosphorus.[51]

[46] S. 576.021(1), F.S.
[47] "Specialty fertilizer" means any fertilizer packaged, marketed, and distributed for home and garden use and packaged in containers or bags such that the net weight is 49 pounds or less. S. 576.011(40), F.S.
[48] S. 576.021(2)(a), F.S.
[49] S. 576.031, F.S.
[50] *Id*.
[51] S. 576.045(6), F.S.

RON DESANTIS
GOVERNOR

June 30, 2026

Secretary Cord Byrd
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Byrd:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Florida Constitution, I do hereby veto and transmit my objection to Committee Substitute for Committee Substitute for House Bill 1245 (CS/CS/HB 1245), enacted during the 128th Session of the Legislature of Florida during the Regular Session of 2026 and entitled:

An act Relating to Biosolids Management

The bill creates unnecessary regulations related to the use of Class AA biosolids and includes vendor-specific provisions requiring enrollment in fee-based accreditation programs created by an industry trade association, rather than through existing state regulatory mechanisms.

Further, the bill subjects landowners to onerous recordkeeping requirements for irrelevant information to the matter at hand, which would undoubtedly be used to file dubious legal actions.

My Administration's commitment to improving water quality is clear, and while portions of the bill may support that goal, those can be achieved through the existing oversight of both the Department of Agriculture and Consumer Services and Department of Environmental Protection. For these reasons, I withhold my approval of CS/CS/HB 1245 and do hereby veto the same.

Sincerely,

Ron DeSantis
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 717-9249

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DEPARTMENT OF STATE
TALLAHASSEE, FL



Data Centers

Data Centers

Draft Policy Priority or Position Statement

The Florida League of Cities SUPPORTS preserving municipal authority to determine where data centers may be located within their communities through local planning and zoning.

Background provided by FLC Staff

Data centers house the computer servers and related equipment used to process, store, and transmit digital information. Growth in cloud computing and artificial intelligence has increased interest in developing these facilities. Large data centers may require substantial electric infrastructure and cooling capacity, making infrastructure availability and compatibility with surrounding land uses important considerations when evaluating a proposed location.

In 2026, the Legislature enacted SB 484 (Chapter 2026-65, Laws of Florida), which expressly preserves local comprehensive planning and land development authority over large load customers, including qualifying data centers. The law recognizes that these facilities can present distinct infrastructure and land use compatibility issues. It also provides that large load customers may not be treated as electric substations under the state's streamlined substation approval process, preserving the applicable local development review.

SB 484 also established requirements addressing electric service costs and water use and directed an independent study of large-scale data center impacts, including recommendations on facility siting. The study is due to the Governor and Legislature by July 1, 2027.

Maintaining municipal planning and zoning authority over data centers allows cities to assess proposed locations based on surrounding uses, infrastructure capacity, and adopted community plans. As state policy develops, cities should continue to determine which locations are appropriate for data centers through their established planning and development review processes, with opportunities for resident input.

DRAFT

Data Centers, Tax & Budgets

Virginia Lawmakers Pass 15 Data Center Bills as Tax Exemption Fight Looms

March 30, 2026 | Morgan Scarboro, Kim Miller

Key Takeaways:

- Virginia data center legislation took center stage in 2026, with lawmakers considering 61 bills as the state hosts the world's largest concentration of data

centers. Of these bills, 15 have been sent to the governor's desk, while 46 will carry over to the 2027 session.

- The data center tax exemption Virginia currently provides, worth $1.6 billion annually, remains unresolved as the Senate seeks to eliminate it entirely while the House wants to tie it to environmental compliance. This budget standoff has delayed the state budget, with a special session scheduled for April 23rd to resolve the issue.
- New legislation shifts Virginia data center energy costs to high-demand users, requiring facilities using 25 MW or more to pay for increased generating capacity. The bills also establish voluntary demand flexibility programs and prevent those costs from being passed on to other customers.
- Data center siting restrictions Virginia passed this year include a new permit process for facilities using 100 MW or more, requiring sound assessments near homes and schools within 500 feet. Localities can also now require assessments of impacts on water resources, agriculture, and historic sites before approving projects.

Legislators across the country have increasingly focused on data center legislation this year, but nowhere has this issue been more pressing than in Virginia. Virginia is home to the largest concentration of data centers in the world, with more than 200 data centers located in the Washington, DC, suburbs of Northern Virginia, and more continuing to be steadily approved throughout the state. Legislators from other states often look to the Commonwealth's experience as the data center hub.

Virginia Legislature Considers 61 Data Center Bills in 2026 Session

Accordingly, data centers were a major focus in Virginia this year. The legislature adjourned on March 14th after considering 61 bills directly related to data centers. Of these, 15 bills have been sent to Governor Abigail Spanberger's (D) desk and she has until April 13th to sign or veto. Because this was

the first year of a two-year session, the remaining 46 bills will be carried over into the 2027 legislative session.

Tax Exemption Battle Dominates Budget Negotiations

The sales and use tax exemption for data centers is the primary unresolved issue of the regular session, but unlike other bills that didn't pass this session, this issue will be settled this year as it's playing out in the budget. The regular session adjourned without passing a budget or releasing budget conference language, and the main sticking point between the chambers is the sales tax exemption for data centers. As we've written previously, the exemption is the largest incentive in Virginia, with a fiscal note of about $1.6 billion annually, but the exemption has successfully attracted billions of dollars of investment in the Commonwealth. The Senate budget language would eliminate the exemption entirely, while the House language would tie the exemption to compliance with environmental restrictions. Senate President Lucas (D) has taken a hard line stance against the exemption, saying "we will not pass a budget that puts data centers tax breaks ahead of hard working Virginia families and I am not backing down now." House Speaker Scott (D), however, says that eliminating the exemption will harm Virginia's economy: "So it's not just that I love data centers, I love the fact the jobs they produce. We have to be realistic about what we're producing...good union jobs." Governor Spanberger (D) maintains that the Commonwealth should uphold contracts it has made with businesses in the state. The legislature is scheduled to return to a special budget session on April 23rd. This dynamic playing out in a democratic trifecta state perfectly captures the notion that data center issues don't fall cleanly upon party lines.

Energy Infrastructure and Cost Allocation Reforms

Passed Legislation Shifts Costs to High-Demand Users

The Virginia legislature passed multiple bills addressing energy use related to data centers. VA HB 1393 directs Virginia's primary electric provider to petition the State Corporation Commission (SCC) to establish rates to recover the costs of increasing electric generating capacity. The bill also requires

costs for increased generating capacity to be passed on to customers with 25 MW or more in electric demand, effectively requiring data centers and other large energy users to pay for the cost of increasing capacity. The bill does, however, provide exceptions for facilities other than data centers. It allows facilities in the business of "manufacturing, industrial, or consumer goods warehousing and distribution activities *other than data storage*" that employ at least 200 people in the region and meet other requirements to elect to stay on their default schedule.

The General Assembly also passed VA HB 284, directing two electric providers in Virginia to create voluntary demand flexibility programs for high energy demand customers (those requiring at least 25 MW) in their respective service territories by 2029. The bill also prohibits incentive costs from those programs from being passed on to other customers.

Future Bills Target Generator Standards and Energy Subsidies

In 2027, the Virginia legislature will continue consideration of two additional bills that passed the Senate this year. VA SB 339 directs the SCC to initiate a proceeding to determine whether electric service for high-load customers is being subsidized by other customers, and VA SB 336 requires the SCC to evaluate the impact of requiring data centers to limit use of Tier 2 generators and prioritize use of Tier 4 generators which have more strict emissions standards. Additionally, next year the legislature will also consider a bill passed by the House (VA HB 1502) establishing a one-year study analyzing the pollutants emitted by standby generators used by commercial facilities with an air permit, including data centers, which are the only facilities specifically mentioned in the legislative text.

Environmental Impact Measures Advance Through Legislature

Water Usage Reporting Requirements Advance

Policymakers also passed legislation seeking to gain clarity into how much water data centers use. VA HB 496 requires water utilities that provide water to data centers to report the total volume of water that is provided to data centers each month. The legislature also passed VA SB 553, which requires

proposed industrial facilities, including data centers, to submit annual water consumption estimates to allow the impact of water consumption to be considered when making rezoning and special use permit decisions.

Siting Restrictions Gain Traction

Siting has also become an increasing concern in Virginia, and community advocates have sought to restrict data centers from being located near residential areas. VA HB 153, passed by the legislature, attempts to address a variety of siting concerns by establishing a permit process for high energy use facilities (HEUF), defined as those using 100 MW or more of energy. The bill requires HEUF zoning applicants to conduct site assessments examining a facility's sound profile on homes and schools within 500 feet. This requirement appears to be a response to concerns raised by those who live near data centers about the sound of some backup generators. The bill also allows localities to require an assessment of potential impacts on ground and surface water, agriculture, and historic resources. The provision addressing historic resources likely responds to concerns regarding a data center project that would be located near Manassas National Battlefield Park, home to two battles during the Civil War.

Track State Data Center Policy

Last year, states considered hundreds of data center bills, and we expect activity to continue growing in 2026. To stay on top of this rapidly evolving landscape, we've launched MultiState Policy Watch: Data Centers – a subscription featuring legislative analysis, trend summaries, and expert insights across energy, tax, water, zoning, and other policy areas impacting data centers. Sign up here.

Authors

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BILLS THAT PASSED

LAND USE, HOUSING, BUILDING, AND DEVELOPMENT

Data Centers (Monitored)
CS/CS/SB 484 (Avila) specifies that local governments maintain the authority for comprehensive planning and land development regulations pertaining to "large load" customers, such as data centers, and that a large load customer may not be considered an electric substation for purposes of section 163.3208, Florida Statutes. It includes data centers within section 288.075(2)(a),which provides that information in an economic incentives agreement between a private entity and an economic development agency is confidential and exempt from the public records for 12 months after the date the economic development agency receives a request for confidentiality; however, this 12-month period may not be extended.

The bill creates section 366.043 relating to "large load tariffs for public electric utilities" to prevent the shifting of costs of serving large load customers to the general body of ratepayers. It requires that each large load customer bear its own full cost of electric service and that the risk of nonpayment of such costs may not be borne by the general body of ratepayers. It prevents the provision of electric service to a large load customer that is a foreign entity associated with a foreign country of concern.

The bill defines "data center' as a facility that primarily contains electrical equipment used to process, store, and transmit digital information.

It defines "large-scale data center" as a single location with a data center on site that has an anticipated monthly peak load of 50 megawatts or more. It prohibits the Department of Environmental Protection or water management district from issuing a water use permit to a large-scale data center if the proposed water use is harmful to the water resources of the area or is prohibited by applicable local government zoning regulations and the comprehensive plan. It specifies additional requirements for large-scale data centers to obtain a water use permit and requires the applicant to use reclaimed water in lieu of a proposed use of surface or groundwater under specified conditions.

A public hearing is required before the department or water management district approves a water use permit for a large-scale data center.

The bill directs the Office of Program Policy Analysis and Government Accountability (OPPAGA)to contract for a study related to the construction and operation of large-scale data centers, including local and state economic impacts, the use of land, water, and other natural resources, energy use and rate impacts, and public health and safety impacts. OPPAGA must submit the study to the Governor and Legislature by July 1, 2027. (Cruz)

Effective date: July 1, 2026, except as otherwise provided.

FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/CS/HB 1007	**COMPANION BILL:** CS/CS/SB 484 (Avila)
TITLE: Data Centers	**LINKED BILLS:** None
SPONSOR(S): Griffitts	**RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 92 **Y's** 16 **N's** **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:
The bill addresses issues related to the development of large-scale data centers in this state. Specifically, the bill:

- Establishes minimum tariff and service requirements for large load electric customers that ensure such customers pay their full cost of service and that prevent a public utility from providing electric service to certain foreign entities that are large load customers.
- Requires public electric utilities, by October 1, 2026, to file tariffs for approval by the Public Service Commission.
- Prohibits economic development agencies from extending the 12-month exemption from public record requirements for information relating to a potential data center locating or expanding its business in this state.
- Creates a consumptive use permitting framework for large-scale data centers.
- Requires the Office of Program Policy Analysis and Government Accountability to contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers.

Fiscal or Economic Impact:
The bill will likely have an indeterminate, negative economic impact on the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION

ANALYSIS

EFFECT OF THE BILL:

CS/CS/HB 1007 passed as CS/CS/SB 484.

Land Use for Large Load Customers

The bill provides legislative findings that certain land uses with substantial electric or utility demands may present unique planning, infrastructure, and compatibility considerations. It states such considerations are to be addressed through local comprehensive plans and land development regulations, including provisions related to infrastructure capacity, land use compatibility, environmental impacts, and the efficient provision of public facilities and services. (Section 1)

The bill clarifies that local governments retain authority to exercise comprehensive planning and land development regulatory powers with respect to large load customers.[1] It further provides that a large load customer may not be considered an electric substation for purposes of the streamlined substation approval process. (Section 1)

These provisions take effect upon becoming a law. (Section 1)

[1] The bill defines "large load customer" to mean a customer with an anticipated monthly peak load of 50 MWs or more, calculated as the highest average load over a 15-minute interval at a single location, including all customers or other entities that have entered into a colocation or similar agreement at a single location, but not including a load aggregated across multiple locations owned by the same customer.

Economic Development Agency Confidentiality

The bill provides that the 12-month extension of the public record exemption for information submitted to an economic development agency concerning a business's plans to locate or expand in this state does not apply to information related to data centers.[2] As a result, information concerning a potential data center development remains confidential for the initial 12-month period but is not eligible for the additional 12-month extension. (Section 2)

Large Load Tariffs

The bill establishes minimum service and tariff requirements for large load customers that receive electric service from a public electric utility.[3] Specifically, the service and tariff requirements must:

- Reasonably ensure that each large load customer bears its own full cost of service[4] and that such cost is not shifted to the general body of ratepayers. The bill provides that the risk of nonpayment of such costs may not be borne by the general body of ratepayers.
- Include provisions reasonably designed to prevent a public utility from providing electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity. The bill defines the term "foreign entity" to mean an entity that is owned or controlled by[5] the government of a foreign country of concern;[6] or a partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity. (Section 3)

To effectuate these minimum service and tariff requirements, the bill authorizes the Florida Public Service Commission (PSC) to approve public utility tariffs that include utility industry-accepted ratemaking and other financial tools, including, but not limited to, the following:

- Contributions in aid of construction[7] or other required customer infrastructure investments that may be returned, in whole or in part, to such customers over time.
- Demand charges,[8] including minimum demand charges.
- Incremental generation charges.
- Financial guarantees.
- Minimum load factors.

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[2] The bill defines "data center" as a facility that primarily contains electronic equipment used to process, store, and transmit digital information, whether as a standalone structure or within a larger facility.

[3] The bill defines "public utility" to include every person, corporation, partnership, association, or other legal entity and their lessees, trustees, or receivers supplying electricity to or for the public within this state but does not include gas utilities, rural electric cooperatives, or municipal electric utilities.

[4] The bill provides that a large load customer's cost of service includes, but is not limited to, connection, incremental transmission, incremental generation, and other infrastructure costs; operations and maintenance expenses; and any other costs required to serve a large load customer.

[5] The bill defines "controlled by" to mean having the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or that is entitled to 25 percent or more of its profits is presumed to control the entity.

[6] The bill defines "foreign country of concern" to have the same meaning as in s. 692.201(3), F.S., which includes the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

[7] Contributions in aid of construction (CIAC) in utility regulation are contributions of funds or property from new or prospective customers to a utility to cover the cost of infrastructure upgrades needed to provide service to the customer. *See, e.g.*, National Association of Regulatory Utility Commissioners (NARUC), *NARUC Desk Reference Manual, Ratemaking Fundamentals and Principles* (last visited Feb. 24, 2026); NARUC, *State Utility Regulators Urge Passage of Bipartisan Water Infrastructure Bill* (last visited Feb. 24, 2026).

[8] A "demand charge" is a rate based on electricity consumed at a given point in time, usually measured within a short window of time. *See* National Association of Regulatory Utility Commissioners (NARUC), *NARUC Desk Reference Manual, Ratemaking Fundamentals and Principles* (last visited Feb. 24, 2026)

- Take-or-pay provisions or similar provisions requiring payment for contracted capacity, regardless of a large load customer's actual electricity use or demand.
- Minimum period of service contract requirements, including early termination fees or other fees for violation of such contracts. (Section 3)

The bill prohibits a customer from separating an electrical load at a single location into multiple smaller connections to avoid being classified as a large load customer. (Section 3)

The bill provides that any tariff, contractual provision, service requirement, or other public utility policy relating to large load customers may not prevent or otherwise hinder the electric service to a large load customer from being curtailed or interrupted for purposes of ensuring grid stability, reducing the likelihood or breadth of wider service outages, or ensuring public safety during an emergency or other exceptional circumstance. (Section 3)

The bill prohibits a public utility from knowingly providing electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity. (Section 3)

The bill requires each public utility, by October 1, 2026, to file for PSC approval a tariff that complies with these requirements. (Section 3)

Large-scale Data Center Permitting

The bill expresses legislative intent that the development and operation of large-scale data centers[9] be managed under a permitting framework that ensures water resources are used in the public interest, are not harmful to water resources, and are consistent with local zoning and comprehensive plans. (Section 5)

The bill prohibits a water management district or the Department of Environmental Protection from issuing a consumptive use permit (CUP) to a large-scale data center applicant if the proposed use of water is harmful to the water resources of the area or is prohibited by applicable local zoning regulations or comprehensive plans. A CUP must be issued if the applicant demonstrates that the proposed use is reasonable-beneficial,[10] will not interfere with existing legal uses of water, and is consistent with the public interest. (Section 5)

The bill requires the use of reclaimed water in lieu of surface water or groundwater by a large-scale data center when specified conditions are met, including:

- A suitable reclaimed water source is available and permitted.
- Reclaimed water distribution or supply lines are available at the property boundary in sufficient capacity and quality to meet the applicant's needs.
- The applicant is capable of accessing the reclaimed water source through distribution or supply lines.
- Use of reclaimed water is environmentally, economically, and technically feasible.
- Use of reclaimed water would not conflict with the requirements of the applicant's surface water discharge permit, if applicable. (Section 5)

For large-scale data center applications requesting an allocation of at least 100,000 gallons per day, the bill requires additional application materials beyond those otherwise required for a CUP, including:

- The sources and amounts of water, as well as losses of water associated with cooling, industrial and treatment processes, personal or sanitary needs of employees, and landscape irrigation.

[9] The bill defines "large-scale data center" as a single location with a data center on site that has an anticipated monthly peak load of 50 megawatts (MW) or more, calculated as the highest average load over a 15-minute interval. The definition excludes loads aggregated across multiple locations owned by the same customer but includes collocated customers or entities operating at a single location that meets the 50 MW threshold.

[10] Section 373.019(16), F.S., defines "reasonable-beneficial use" as the use of water in such quantity as is necessary for economic and efficient utilization for a purpose and in a manner that is both reasonable and consistent with the public interest.

- A water conservation plan that, at a minimum, incorporates recycling of cooling water before discharge or disposal, implementation of a leak detection and repair program, use of water efficient fixtures, and implementation of an employee awareness and education program concerning water conservation. (Section 5)

The bill further provides that a permit application submitted by a large-scale data center may not be approved without a hearing. Additionally, proposed modifications of a CUP submitted by a large-scale data center must be processed in the same manner as the initial permit application. (Sections 5 and 6)

Study of Large-scale Data Center Policy Considerations
The bill requires the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) to contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers. The bill provides that these considerations include, but are not limited to, state, regional, or local economic development and tax revenue impacts; use of land, water, and other natural resources; energy use and related cost and rate impacts; and public health and safety related impacts. The bill specifies that the study must identify any issues unique to the construction and operation of large-scale data centers in Florida and include recommendations on facility siting and mitigation measures that should be considered to reduce any potential negative impacts. (Section 7)

The bill authorizes OPPAGA to contract with one or more nonpartisan academic or nonprofit research organizations with policy and scientific expertise in relevant fields of study. The bill requires OPPAGA to submit the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2027. (Section 7)

Effective Date
The bill was approved by the Governor on May 7, 2026, ch. 2026-65, L.O.F., and will become effective on July 1, 2026, except as otherwise provided. (Section 8)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

The bill is likely to affect the electricity rates, fees, and other costs applicable to large load customers served by public electric utilities. The magnitude of any such impact is indeterminate and will depend on factors including individual customer characteristics and the specific service and tariff requirements approved by the PSC. In addition, large-scale data centers seeking a construction permit or CUP may incur increased compliance and administrative costs associated with enhanced application requirements established under the bill.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Data Centers

A data center is a facility that contains information technology infrastructure used to process, store, and transmit digital information. These facilities house large numbers of servers and related equipment and require significant power infrastructure and cooling systems to maintain continuous operations.[11]

Data centers vary in size, but large-scale and hyperscale facilities may require electric demand measured in tens or hundreds of megawatts (MW) at a single location.[12] For context, a 100 MW load may represent electricity demand comparable to 75,000 residential homes, and a 650 MW facility may be comparable to the electricity demand of

[11] Amazon, *What is a Data Center* (last visited Feb. 24, 2026).
[12] *See* IBM, *What is Hyperscale?* (last visited Feb. 24, 2026); Scout, *Titans of Tech: Exploring American's Largest Hyperscale Data Centers* (last visited Feb. 24, 2026).

approximately 500,000 homes.[13] By comparison, Orange County, Florida, has approximately 550,000 total households.[14]

Large-scale data centers may also utilize significant volumes of water for cooling systems. Cooling processes may involve evaporative cooling or other technologies that require water withdrawals from municipal systems, groundwater wells, or other sources.[15] The International Energy Agency estimates that a 100 MW data center consumes approximately the same amount of water as 2,600 households.[16]

Nationally, data center electricity consumption has grown in recent years due to increased cloud computing, artificial intelligence, and large-scale data processing.[17] As of 2025, approximately 41 percent of global data center capacity is located in facilities with a power capacity of 100 MW or more, and that share is projected to increase by 20 percent in the next five years.[18] One 2025 analysis estimated that global data center capacity demand may triple by 2030, with annual growth in the United States estimated between 20 and 25 percent.[19]

Consumptive Use Permits

"Consumptive use" is defined as any use of water that reduces the supply from which it is withdrawn or diverted.[20] With limited exceptions, a person must obtain a consumptive use permit (CUP) before withdrawing surface water or groundwater.[21] The Department of Environmental Protection (DEP) and Florida's five water management districts (WMDs) are authorized to issue CUPs and impose reasonable conditions to ensure that water use is consistent with state water policy and not harmful to the water resources of the area.[22] In practice, CUP authority is primarily delegated to WMDs.

To obtain a CUP, an applicant must demonstrate that the proposed use of water:

- Is a reasonable and efficient use of water for its intended purpose.
- Will not interfere with any presently existing legal use of water.
- Is consistent with the public interest.[23]

CUP applications generally must identify the source of water, the quantity requested, the intended use of the water, and supporting information demonstrating that the proposed withdrawal will not cause unacceptable impacts to water resources or other users.[24] Depending on the quantity of water requested, permits may be processed under general permitting criteria or may require a more detailed individual permit review.[25]

CUPs may include conditions related to conservation, monitoring, reporting, and other measures necessary to ensure that withdrawals remain within approved limits and do not harm water resources.[26]

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[13] IAEI Magazine, *How Much Electricity Does a Data Center Use? Complete 2025 Analysis* (last visited Feb. 24, 2026).
[14] Census Reporter, *Orange County, FL.* (last visited Feb. 24, 2026).
[15] Congressional Research Service, *Data Centers and Their Energy Consumption: Frequently Asked Questions* (last visited Feb. 20, 2026); Digital Realty, *A Guide to Data Center Cooling: Future Innovations for Sustainability* (last visited Feb. 24, 2026).
[16] This figure does not account for water needed to produce electricity, which can also be substantial.
[17] *See* Congressional Research Service, *Data Centers and Their Energy Consumption: Frequently Asked Questions* (last visited Feb. 24, 2026).
[18] *See* Orrick, *Powering Data Centers* (last visited Feb. 24, 2026).
[19] McKinsey & Company, *The Data Center Balance: How US States can Navigate the Opportunities and Challenges* (last visited Feb. 24, 2026).
[20] R. 62-40.210, F.A.C.
[21] *See* University of Florida, *2025 Handbook of Florida Water Regulation: Consumptive Use Permits* (last visited Feb. 24, 2026).
[22] S. 373.219(1), F.S. CUPs may generally be issued for a period of up to 20 years. *See* s. 373.236(1), F.S.
[23] S. 373.223(1), F.S.
[24] *See* s. 373.229(1), F.S.
[25] *See* University of Florida, *2025 Handbook of Florida Water Regulation: Consumptive Use Permits* (last visited Feb. 24, 2026); *see e.g.,* R. 40E-2.301, F.A.C.
[26] *See* South Florida Water Management District, *Consumptive Water Use Permits* (last visited Feb. 24, 2026).

Reclaimed Water

Current law encourages the use of reclaimed water as an alternative water supply source where feasible.[27] Reclaimed water is treated domestic wastewater that is suitable for beneficial reuse purposes, including irrigation and certain industrial uses.[28] WMDs may require the use of reclaimed water in lieu of groundwater or surface water when it is available, environmentally sound, and economically feasible.[29]

Hearings

CUP applications are subject to public notice requirements.[30] The notice must state that written objections may be filed with the governing board. A hearing on the application is required unless:

- The application is for less than 100,000 gallons per day; or
- The application is for 100,000 or more gallons per day, no objection was received, and the governing board's staff has properly investigated the matter.[31]

Modification and Renewal of Permits

A permittee may request modification of the terms of an unexpired CUP.[32] If a proposed modification involves water use of 100,000 or more gallons per day, the application must be processed in the same manner as an initial permit application.[33] For modifications involving less than 100,000 gallons per day, the governing board may approve the request without a hearing if the permittee demonstrates that:

- Changed conditions have made the authorized water allocation inadequate; or
- The proposed modification would result in more efficient water use.[34]

Applications to renew an existing permit are processed in the same manner as an initial permit application.[35]

Economic Development Agency Confidentiality

Current law provides a public record exemption for certain information submitted to economic development agencies relating to a private business's plans to locate, relocate, or expand operations in the state. If a private entity requests confidentiality in writing before an economic incentive agreement is signed, information concerning the business's plans, intentions, or interests in locating, relocating, or expanding in Florida is confidential and exempt[36] from public disclosure for 12 months after the request is received, or until the information is otherwise disclosed, whichever occurs first.[37]

An economic development agency may extend this confidentiality period for up to an additional 12 months upon written request and a finding that the business is still actively considering the project.[38] If a final project order for a

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[27] S. 373.250(1), F.S.
[28] S. 373.019(17), F.S.; DEP, *Uses of Reclaimed Water* (last visited Feb. 24, 2026).
[29] S. 373.250(3)(c), F.S. Industrial facilities that discharge wastewater into surface waters may also be required to obtain a separate surface water discharge permit administered by DEP, which establishes conditions governing such discharges. *See* DEP, *Industrial Wastewater* (last visited Feb. 24, 2026).
[30] S. 373.116, F.S.
[31] S. 373.229(2)-(4), F.S.
[32] S. 373.239(1), F.S.
[33] S. 373.239(2), F.S.
[34] *Id.*
[35] S. 373.239(3), F.S.
[36] There is a difference between records the Legislature designates *exempt* from public record requirements and those the Legislature designates *confidential and exempt*. A record classified as exempt from public disclosure may be disclosed under certain circumstances. *See WFTV, Inc. v. Sch. Bd. of Seminole*, 874 So.2d 48, 53 (Fla. 5th DCA 2004), *review denied*, 892 So.2d 1015 (Fla. 2004); *State v. Wooten*, 260 So. 3d 1060, 1070 (Fla. 4th DCA 2018); *City of Rivera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 1994); *Williams v. City of Minneola*, 575 So.2d 683, 687 (Fla. 5th DCA 1991). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released by the custodian of public records to anyone other than the persons or entities specifically designated in statute. *See* Op. Att'y Gen. Fla. 04-09 (2004).
[37] S. 288.075(2)(a)1., F.S.
[38] S. 288.075(2)(a)2., F.S.

signed economic development agreement is issued, the information may remain confidential for up to 180 days after the issuance, provided that the total period of confidentiality does not exceed the time limits otherwise authorized by law.[39]

A public officer or employee may not enter into a binding agreement with a business entity that has requested confidentiality until 90 days after the information is made public, unless the agreement is entered into in an official capacity, does not accrue to the personal benefit of the officer or employee, and is deemed necessary to effectuate an economic development project.[40]

Florida Public Service Commission

The Florida Public Service Commission (PSC) is an arm of the legislative branch of government.[41] The PSC is tasked with ensuring Florida's consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.[42] In order to do so, the PSC exercises authority over utilities in one or more of the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.[43]

Electric Utility Regulation

Florida law provides that the regulation of public utilities is in the public interest and grants the PSC exclusive jurisdiction to do so.[44] The PSC monitors the safety and reliability of the electric power grid[45] and may order the addition or repair of infrastructure as necessary.[46] The PSC has broad jurisdiction over the rates and service of investor-owned electric and gas utilities[47] Additionally, the PSC has limited jurisdiction over municipal electric utilities (utilities owned or operated on behalf of a municipality) and rural electric cooperatives, regulating such utilities only with regard to rate structure, territorial boundaries, and bulk power supply operations and planning.[48] Utility rates and revenues of municipally owned utilities are regulated by their respective local governments or local utility boards. Rates and revenues for a cooperative utility are regulated by its governing body elected by the cooperative's membership.

Public Electric Utilities in Florida

There are four public utilities (also referred to as investor-owned utilities) providing electric service in Florida: Florida Power & Light Company, Duke Energy Florida, Tampa Electric Company, and Florida Public Utilities Corporation.[49]

Public utility rates and revenues are regulated by the PSC, and these utilities must file periodic earnings reports. This allows the PSC to monitor earnings levels on an ongoing basis and adjust customer rates quickly if a company appears to be overearning.[50] If a utility believes it is earning below a reasonable level, it may petition the PSC for a change in rates.[51]

Florida law establishes a duty for each public utility to provide sufficient, adequate, and efficient service to all customers within its established service territory upon terms approved by the PSC.[52] As compensation for fulfilling

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[39] *Id.*
[40] *Id.*
[41] S. 350.001, F.S.
[42] *See* Florida Public Service Commission (PSC), *Florida Public Service Commission* (last visited Feb. 24, 2026).
[43] PSC, *About the PSC* (last visited Feb. 24, 2026).
[44] Ss. 366.01 and 366.04(1), F.S.
[45] S. 366.04(5)-(6), F.S.
[46] S. 366.05(1) and (8), F.S.
[47] S. 366.05, F.S.
[48] PSC, *About the PSC* (last visited Feb. 24, 2026).
[49] PSC, *2025 Facts and Figures of the Florida Utility Industry* (last visited Feb. 24, 2026).
[50] PSC, *2025 Annual Report* (last visited Feb. 24, 2026).
[51] *Id.*
[52] S. 366.03, F.S.

that obligation, public utilities are entitled to recover honestly and prudently invested costs of providing service, including investments in infrastructure and operating expenses used to provide electric service.[53]

PSC Rate Setting for Public Utilities

Florida law grants the PSC jurisdiction to regulate and supervise each public utility with respect to its rates and service, and requires a public utility to submit an application to the PSC for any requested change in rates.[54] No public utility may be denied a reasonable rate of return upon its rate base.[55] In fixing just, reasonable, and compensatory rates, the PSC must consider:

- The efficiency, sufficiency, and adequacy of the facilities provided and the services rendered.
- The cost of providing such service and the value of such service to the public.
- The ability of the utility to improve such service and facilities.
- Energy conservation and the efficient use of alternative energy resources; provided that no public utility is denied a reasonable rate of return upon its rate base.[56]

A public utility's tariffs are a series of documents that set forth the utility's rates, terms, and conditions for service as approved by the PSC. These tariffs also include standardized forms for the utility's service offerings and its standard contracts and agreements. Tariffs are generally revised, as necessary, after a PSC-approved change in a utility's rates or charges and are generally part of any proceeding revising rates or charges. Utilities may also request a tariff change if circumstances warrant doing so.

Local Comprehensive Planning

The Community Planning Act[57] provides counties and municipalities with the power to plan for future development by adopting comprehensive plans.[58] Each county and municipality must maintain a comprehensive plan to guide future development and growth.[59]

All development, both public and private, and all development orders approved by local governments must be consistent with the local government's comprehensive plan.[60] A comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth, and establishes a long-range maximum limit on the possible intensity of land use.[61]

A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments.[62] A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.[63] Local governments may also include optional elements in their comprehensive plan.[64] The 10 required elements are:

- Capital improvements.
- Future land use plan.
- Transportation.
- General sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge.
- Conservation.
- Recreation and open space.

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[53] *Id.*; s. 366.06, F.S.
[54] Ss. 366.04(1) and 366.06(1), F.S.
[55] S. 366.041(1), F.S.
[56] *Id.*
[57] Ch. 163, Part II, F.S.
[58] S. 163.3167(1), F.S.
[59] S. 163.3167(2), F.S.
[60] S. 163.3194(1)(a), F.S.
[61] *See, e.g., Sarasota County, Fla. Comprehensive Plan, Future Land Use Element, FLU Policy 1.1.1* (last visited Feb. 24, 2026).
[62] S. 163.3177(1), F.S.
[63] S. 163.3177(6), F.S.
[64] S. 163.3177(1)(a), F.S.

- Housing.
- Coastal management.
- Intergovernmental coordination.
- Property rights.[65]

Comprehensive plans must include at least two planning periods, one covering the first 10-year period occurring after the plan's adoption and one covering a period of at least 20 years.[66] Additional planning periods are permissible and accepted as part of the planning process.

Land Development Regulations

Comprehensive plans are implemented via land development regulations. Land development regulations are ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, sign regulations, or any other regulations controlling the development of land.[67]

Each county and municipality must adopt and enforce land development regulations consistent with and that implement its adopted comprehensive plan.[68] Local governments are encouraged to use innovative land development regulations[69] and may adopt measures for the purpose of increasing affordable housing using land use mechanisms.[70]

Electric Substations

The Legislature has expressed its intent to ensure the construction and maintenance of adequate and reliable electric infrastructure while balancing land use compatibility.[71] Current law establishes a streamlined approval process for electric substations. An "electric substation" is a facility that takes electricity from the transmission grid and converts it to another voltage for distribution to customers.[72]

Local governments may adopt and enforce reasonable land development regulations for electric substations, but such regulations are limited to setback, landscaping, buffering, screening, lighting, and other aesthetic compatibility-based standards.[73] In reviewing substation applications, local governments may not evaluate a utility's business decisions regarding service or customer demand.[74] Substations are generally considered a permitted use in all land use categories within a utility's service territory, except in areas designated for preservation, conservation, or historic preservation.[75]

If an application for a substation complies with applicable local standards, the local government must approve the application.[76] Specific timelines govern review of such applications, and a local government's failure to act within those timeframes may result in automatic approval.[77]

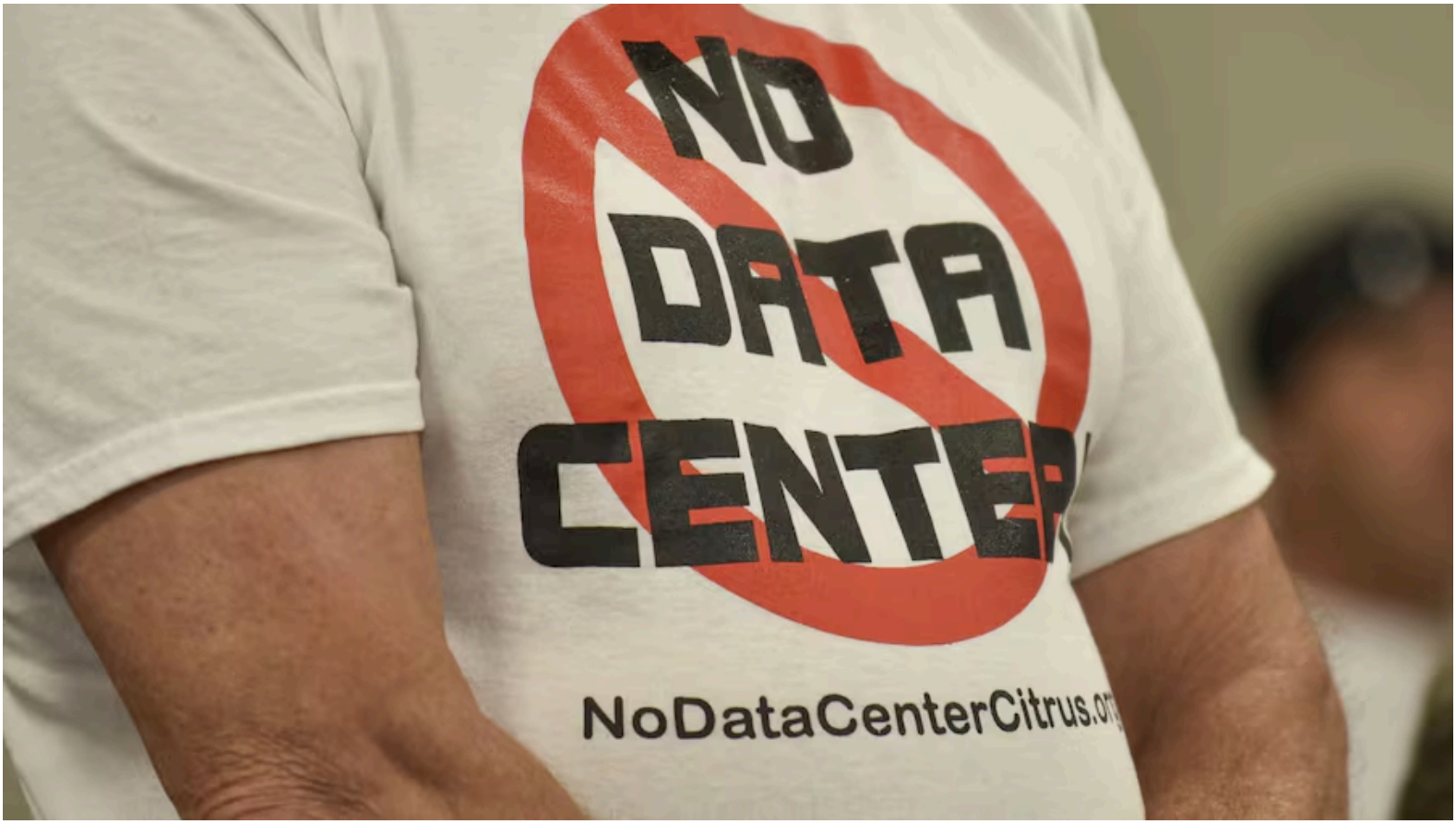
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[65] S. 163.3177(3), (6)(a)-(i), F.S.
[66] S. 163.3177(5)(a), F.S.
[67] S. 163.3164(26), F.S.
[68] S. 163.3202(1), F.S.
[69] S. 163.3202(3), F.S.
[70] Ss. 125.01055 and 166.04151, F.S.
[71] S. 163.3208(1), F.S.
[72] S. 163.3208(2), F.S.
[73] S. 163.3208(3), F.S.
[74] S. 163.3208(6)(b), F.S.
[75] S. 163.3208(3), F.S.
[76] S. 163.3208(5), F.S.
[77] S. 163.3208(8), F.S.

Where Florida governor candidates Donalds, Jolly stand on data centers

The issue has become a major talking point this election cycle.

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A person is seen wearing a "No Data Center" shirt on June 18. Data centers have become a major talking point in this year's race for Florida governor. [HANNAH WALLS | Times]

By **Claire Heddles** *Times/Herald Tallahassee Bureau*

Published Sept. 19 | Updated Sept. 21

Republican Byron Donalds' position on data centers was one of his Republican primary challengers' biggest attack lines against him — including his willingness to accept millions in campaign funds from industries looking to build data centers in Florida. Democrat David Jolly has since taken up the moniker of "data center Donalds" to attack his opponent.

Donalds' campaign has defended those campaign contributions by saying he'll accept money from a wide range of sources and isn't beholden to donors. Donalds has proposed new regulations in Florida barring data centers from accessing public power and water sources. Jolly is pitching a one-year moratorium on the construction of data centers with the possibility of a permanent ban.

Byron Donalds, Republican nominee

Donalds released a campaign ad focused on data centers in June responding to the criticism lobbed against him. In it, he laid out his plans to regulate data centers, but not ban them entirely.

"You don't want to pay for AI data centers and when I'm governor, you won't," he says in the ad. "As governor, I'll fight for a ratepayer protection plan. Because in my Florida, if you don't protect our pocketbooks and our people, you won't build data centers."

He filed a similar proposal in Congress in July that would require data centers to find private power and water sources, and forbids their operation if they use the publicly maintained electric grid or water system. The bill has not yet garnered any co-sponsors.

David Jolly, Democratic nominee

Jolly has said he will sign an executive order issuing a one-year moratorium on the construction of data centers in Florida on his first day in office if elected governor.

He said he'd commission studies on the environmental and economic impacts of data centers during that year to discern what additional legislation he'd propose, but he's open to the possibility of a permanent ban on data centers.

"I anticipate that could lead to a full ban," he told the Times/Herald. "The bottom line is I don't think we need data centers in the state of Florida."

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Mandatory Utility Connections for Non-Residents

Mandatory Municipal Utility Service for Non-Residents

Draft Policy Priority or Position Statement

The Florida League of Cities SUPPORTS preserving municipal authority to determine whether and under what conditions to extend utility service beyond municipal boundaries. Municipalities should retain flexibility to coordinate service extensions with annexation and growth planning, account for current and future system needs, and protect existing customers and the financial sustainability of their utilities.

Background provided by FLC Staff

Municipal utility systems are planned and financed to meet long-term community needs. Extending service beyond city boundaries can affect available capacity, infrastructure investment, and future growth. Section 180.19, Florida Statutes, authorizes municipalities to provide service outside their corporate limits through agreed terms and conditions. Utility extension and annexation agreements allow cities to coordinate infrastructure commitments with broader planning and service responsibilities.

During the 2026 Legislative Session, SB 1014 and HB 1075 proposed requiring municipal utilities to serve certain customers outside city limits and limiting their ability to condition service on annexation. The Senate version focused on water and wastewater and would have required connections for qualifying properties within one mile of a utility main line, subject to capacity, payment, and other conditions. Its capacity definition included infrastructure, water supply, and managerial and financial ability to meet current and reasonably anticipated future demands.

The House broadened the proposal to other municipal utility services, shortened the capacity determination deadline from 90 to 30 days, and replaced the detailed capacity definition with a treatment, transmission, and distribution capacity standard. It also added requirements for agreements with counties concerning economic development zones and limits on local regulation of certain wastewater facility upgrades. The proposals would have allowed property owners to challenge service denials and recover attorney fees under specified conditions. The Senate refused the House amendments, and the legislation did not pass.

Mandatory service obligations can limit a city's ability to coordinate expansion with planned growth and allocate resources among existing and prospective customers. Shortened review deadlines and litigation risk may also complicate capacity assessments and increase administrative costs. Preserving local discretion allows cities to evaluate service requests against their infrastructure and financial responsibilities and negotiate agreements that support reliable service without shifting unreasonable costs to existing customers.

DRAFT

FLC Final Bill Summary for SB 1014 & HB 1075 (Failed to Pass)

Provision of Municipal Utility Service to Owners Outside the Municipal Limits (Opposed)
CS/CS/CS/SB 1014 (Mayfield) and **CS/CS/HB 1075** (Sirois) would have mandated that a municipal utility provide extraterritorial service.

CS/CS/CS/SB 1014 prohibited a municipal water or sewer utility from refusing to extend service to property outside its municipal corporate limits on the sole basis that the customer does not consent to annexation. Upon an application for service to connect, a municipality would have been required to allow the service if: 1) the property is not within the service territory of another utility; 2) the utility has sufficient capacity (defined in the bill to include infrastructure, managerial, and financial considerations) to serve the property; or 3) the property is within one mile of a utility's main line. The bill applied to properties of any size, type, or use. The utility must have provided a written response to an application for service within 90 days. If the utility had sufficient capacity to serve, the response must have included the anticipated fees, charges, and other requirements to connect under the utility's existing fee structure. The bill allowed a utility to establish minimum requirements for an application for service, including an estimate of the anticipated load for the property and any anticipated development, as well as an application fee. The bill allowed a property owner to bring an action to enforce these requirements and authorized recovery of attorney fees and costs by a prevailing plaintiff.

CS/CS/HB 1075 mandated a municipal utility to allow an extraterritorial property owner of any size or type or another municipality to connect with or use the utility's water, sewer, gas, or solid waste services if the utility has sufficient treatment, transmission, and distribution capacity and the requesting municipality or property owner pays all applicable rates, fees, and charges authorized by section 180.191, Florida Statutes. The utility may not have conditioned service on consent to annex, unless the property as of July 2026 is subject to an annexation agreement, development agreement, or is located in an area subject to a joint planning agreement between the municipality and the county. The municipal utility must have provided a written capacity determination within 30 days of receiving an application for connection. A denial of a request for connection may have been appealed to the circuit court, and a prevailing plaintiff may recover attorney fees and costs. A utility was not required to pay attorney fees and costs if it proved by clear and convincing evidence that the denial was based on a good-faith engineering determination of insufficient capacity. If a private entity had been granted a franchise by a municipality to provide utility services, the entity may have, but was not required to, allowed an extraterritorial municipality or property owner to connect.

CS/CS/HB 1075 would have also forced a municipality (including those without utilities) to approve any upgrade to a wastewater utility located on property within the municipality that is owned by another political subdivision, and the wastewater facility is either owned by that political subdivision or by a private utility. It prohibits a municipality from applying a comprehensive plan or regulation to the upgrade project that is more burdensome or restrictive than the comprehensive plan or regulations that applied at the time the infrastructure was originally installed.

In addition, CS/CS/HB 1075 would have forced a utility that provides extraterritorial water or wastewater service to enter an interlocal agreement with a county in which it provided such service if the county has designated an economic development zone and the zone is wholly or partially within the utility service area. The agreement must have addressed the provision of water and wastewater service to the entire economic development zone and must have: 1) defined infrastructure service and maintenance responsibilities; 2) established responsibilities for capacity expansion and cost allocation; 3) provided timelines for delivering the service; and 4) included provisions for dispute resolution to prevent unreasonable delay in providing the service. (O'Hara)

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL:	CS/CS/CS/SB 1014
INTRODUCER:	Rules Committee; Community Affairs Committee; Regulated Industries Committee; and Senator Mayfield
SUBJECT:	Provision of Municipal Utility Service to Owners Outside the Municipal Limits
DATE:	February 18, 2026 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Schrader	Imhof	RI	**Fav/CS**
2.	Hackett	Fleming	CA	**Fav/CS**
3.	Schrader	Kruse	RC	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 1014 prohibits municipal water and wastewater utilities from declining to extend water or wastewater service to a property outside of the corresponding municipality's corporate limits solely based on the owner of such property's refusal to allow the property to be annexed by the municipality. In addition, the bill creates a procedure and requirements to determine when such utilities must extend service to a customer outside the municipality's corporate limits.

The bill takes effect July 1, 2026.

II. Present Situation:

Florida Public Service Commission

The Florida Public Service Commission (PSC) is an arm of the legislative branch of government.[1] The role of the PSC is to ensure Florida's consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.[2] In order to do so, the PSC exercises authority over utilities in one or more of

[1] Section 350.001, F.S.

[2] *See* Florida Public Service Commission, *Florida Public Service Commission Homepage*, http://www.psc.state.fl.us (last visited Feb. 9, 2025).

the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.[3]

Water and Wastewater Utilities

Florida's Water and Wastewater System Regulatory Law, ch. 367, F.S., regulates water and wastewater systems in the state. Section 367.011, F.S., grants the PSC exclusive jurisdiction over each utility with respect to its authority, service, and rates. For the chapter, a "utility" is defined as "a water or wastewater utility and, except as provided in s. 367.022, F.S., includes every person, lessee, trustee, or receiver owning, operating, managing, or controlling a system, or proposing construction of a system, who is providing, or proposes to provide, water or wastewater service to the public for compensation." In 2024, the PSC had jurisdiction over 153 investor-owned water and/or wastewater utilities in 40 of Florida's 67 counties.[4]

Section 367.022, F.S., exempts certain types of water and wastewater operations from PSC jurisdiction and the provisions of ch. 367, F.S. (except as expressly provided in the chapter). Such exempt operations include: municipal water and wastewater systems, public lodging systems that only provide service to their guests, systems with a 100-person or less capacity, landlords that include service to their tenants without specific compensation for such service, and mobile home parks operating both as a mobile home park and a mobile home subdivision that provide "service within the park and subdivision to a combination of both tenants and lot owners, provided that the service to tenants is without specific compensation," and others.[5] The PSC also does not regulate utilities in counties that have exempted themselves from PSC regulation pursuant to s. 367.171, F.S. However, under s. 367.171(7), F.S., the PSC retains exclusive jurisdiction over all utility systems whose service crosses county boundaries, except for utility systems that are subject to interlocal utility agreements.

Municipal Water and Sewer Utilities in Florida

A municipality[6] may establish a utility by resolution or ordinance under s. 180.03, F.S. A municipality may establish a service area within its municipal boundary or within five miles of its corporate limits of the municipality.[7]

Under s. 180.19, F.S., a municipality may permit another municipality and the owners or association of owners of lands outside of its corporate limits or within another municipality's corporate limits to connect to its utilities upon such terms and conditions as may be agreed upon between the municipalities.

Municipal Water and Sewer Utility Rate Setting

The PSC does not have jurisdiction over municipal water and sewer utilities, and as such, has no authority over the rates for such utilities. Municipally-owned water and sewer utility rates,

[3] Florida Public Service Commission, *About the PSC*, https://www.psc.state.fl.us/about (last visited Feb. 9, 2025).
[4] Florida Public Service Commission, *2025 Facts and Figures of the Florida Utility Industry*, p. 4, https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/General/FactsAndFigures/April%202025.pdf (last visited Feb. 9, 2026).
[5] Section 367.022, F.S.
[6] Defined by s. 180.01, F.S., "as any city, town, or village duly incorporated under the laws of the state."
[7] Section 180.02, F.S., *see also* s. 180.06, F.S.

revenues, and territories are regulated by their respective local governments, sometimes through a utility board or commission.

Municipal Water and Sewer Utility Rates for Customers Outside of Corporate Limits

Section 180.191, F.S., provides limitations on the rates that can be charged to customers outside their municipal boundaries. A municipality may charge the same rates outside as inside its municipal boundaries, but may add a surcharge of not more than 25 percent to those outside the boundaries.[8] The fixing of rates, fees, or charges for customers outside of the municipal boundaries, in this manner, does not require a public hearing.

Alternatively, a municipality may charge rates that are just and equitable and based upon the same factors used in fixing the rates for the customers within the boundaries of the municipality. In addition, the municipality may add a 25 percent surcharge. When a municipality uses this methodology, the total of all rates, fees, and charges for the services charged to customers outside the municipal boundaries may not be more than 50 percent in excess of the total amount the municipality charges consumers within its municipal boundaries, for corresponding service.[9] Under this scenario, the rates, fees, and charges may not be set until a public hearing is held and the users, owners, tenants, occupants of property served or to be served, and all other interested parties have an opportunity to be heard on the rates, fees, and charges. Any change in the rates, fees, and charges must also have a public hearing unless the change is applied pro rata to all classes of service, both inside and outside of the municipality.[10]

The provisions of s. 180.191, F.S., may be enforced by civil action. Whenever any municipality violates, or if reasonable grounds exist to believe that a municipality is about to violate, s. 180.191, F.S., an aggrieved party may seek preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.[11] A prevailing party under such an action may seek treble damages and, in addition, a reasonable attorney's fee as part of the cost.[12] Section 180.191, F.S., applies to municipally owned water and sewer utilities within the confines of a single county and may apply, pursuant to interlocal agreement, to municipally owned water and sewer utilities beyond the confines of a single county.

Municipal Annexation

A municipality may propose to annex any area of contiguous, compact, unincorporated territory by ordinance or may be petitioned for annexation by owner(s) of "contiguous... and reasonably compact" real property.[13] An area is considered "contiguous" if a substantial part of its boundary is coterminous with a part of the boundary of the municipality.[14] An area is compact if it is

[8] Section 180.191(1)(a), F.S.
[9] Section 180.191(1)(b), F.S.
[10] *Id.*
[11] Section 180.191(2), F.S.
[12] Section 180.191(4), F.S.
[13] Sections. 171.0413(1) and 171.044(1), F.S.
[14] Section 171.031(11), F.S.

concentrated in a single area and does not create enclaves, pockets, or finger areas.[15] All lands to be annexed must be in the same county as the annexing municipality.[16]

The exact method of municipal annexation is proscribed by general law and includes involuntary and voluntary means of producing new municipal boundaries. Voluntary annexation, as provided by law, does not apply to municipalities in counties with charters which provide for an exclusive method of municipal annexation.[17] In such cases, the means established by county charter prevail.

III. Effect of Proposed Changes:

Section 1 of the bill amends s. 180.19, F.S., to prohibit municipal water and wastewater utilities (municipal utility) from declining to extend water or wastewater service to a property owner or association of property owners, outside of the corresponding municipality's corporate limits solely based on the owner of such property's refusal to allow the property to be annexed by the municipality, unless the property is subject to an annexation agreement or developer agreement on or before July 1, 2026. In addition, the bill creates a procedure and requirements to determine when municipal utilities must extend service to a customer outside the municipality's corporate limits. Specifically, a municipal utility must extend service, subject to the utility's service requirements, if:

- The property is not within the service territory of another water or wastewater utility, as applicable;
- The municipal utility has sufficient capacity to serve the property's anticipated water or wastewater treatment or disposal load, as applicable;
- The property is within one mile of a main line of the municipal utility[18], measured by the closest property boundary line from such main line; and
- The property owner agrees to pay all fees associated with connection, including fees for infrastructure required to serve the property.

A municipal utility is deemed to have sufficient capacity if it has the infrastructure, water supply, and managerial and financial ability to reliably meet current and reasonably anticipated future water demands and treat wastewater flows while maintaining compliance with applicable state and federal drinking water and wastewater standards and requirements.

The section provides that, upon an application for service by a property owner pursuant to the section, the municipal utility must:

- Determine within 90 days whether it has sufficient capacity to provide service to the given property.[19]
- Provide the owner, in writing, with its determination and the reasons for such determination.

[15] Section 171.031(12), F.S.
[16] Section 171.045, F.S.
[17] Section 171.044(4), F.S.
[18] The bill defines a "main line" as "a pipe or conduit that transports wastewater from, or transports potable water to, lateral lines serving multiple properties. The term does not include lateral lines, service connections, customer-owned plumbing or piping located on private property, or any pipe or conduit serving only a single property."
[19] The determination may account for any anticipated development on such property.

- If the municipal utility has sufficient capacity, it must provide the owner with the anticipated fees, charges, contributions, and any other requirements to connect the property to the municipal utility under its existing fee, charge, and contribution structure—this would include any proportionate share of onsite, offsite, or systemwide improvements necessary to serve the property.

Once the requirements are met by the customer, including full payment of, or legally enforceable funding assurances for, all required capital improvements, the municipal utility must connect them in a timely manner with its system and provide service.

For such applications, the municipal utility may establish minimum application requirements that include the customer providing a reasonable estimate of their water and wastewater load, the nature of any property development, and the payment of an application fee to cover the reasonable costs associated with conducting the capacity determination and assessing anticipated fees, charges, contributions, and other requirements to potentially connect the property.

If a municipal utility does not allow such customers to connect to their system in violation of the section, the owner may bring a civil enforcement action to enforce the provisions of the bill. If the property owner prevails in the action, they may seek injunctive relief and recover reasonable attorney fees and court costs from the municipal utility. The court is required to order the municipal utility to connect to the property.

Section 2 provides an effective date of the bill of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following section of the Florida Statutes: 180.19.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Rules on February 17, 2026:
The committee substitute:

- Revised the definitions of "owner" and "property" to remove the limitation that the bill's requirements apply only to residential properties.
- Revised the circumstances under which a municipal utility must extend service to a property by:
  - Providing that extensions are subject to the utility's service requirements;
  - Expanding, from one-half mile to one mile, the distance from a main line at which a municipal water or wastewater utility must connect a property; and
  - Requiring the property owner to agree to pay all connection-related fees, including fees associated with infrastructure necessary to serve the property.
- Expanded the documentation a municipality must provide to property owners, if a property meets the requirements for service, to include the proportionate share of onsite, offsite, or systemwide improvements necessary to serve the property.
- Clarified that a municipal utility is not required to complete a connection unless the property owner makes full payment for, or provides legally enforceable funding assurances covering, all required capital improvements.

CS/CS by Community Affairs on February 10, 2026:
The committee substitute narrows the scope of the bill to consider only residential property and property being developed for residential use, provides that sufficient capacity refers to both water treatment and disposal, provides that the bill does not apply where property is already subject to an annexation or developer agreement, and corrects the factors requiring expansion of service territory to be inclusive ("and," rather than "or").

CS by Regulated Industries on February 3, 2026:
The committee substitute amended SB 1014 by modifying the types of facilities and the proximity that trigger the bill's requirements. As originally filed, the bill required a municipal utility to extend service to a property—upon application and subject to certain conditions—if the property in question was located within 2,000 meters of a facility of that municipal utility. The amendment narrows the scope to only main water and wastewater lines of the municipal utility and reduces the distance to one-half mile.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

The Florida Senate

HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Regulated Industries

[s1014.hms.docx]

BILL:	CS/CS/CS/SB 1014
INTRODUCER:	Rules Committee, Community Affairs Committee, Regulated Industries Committee, and Senator Mayfield
SUBJECT:	Provision of Municipal Utility Service to Owners Outside the Municipal Limits
DATE:	March 10, 2026

I. Amendments Contained in Message:

House Amendment — 277705 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment - ***Barcode 277705*** revises CS/CS/CS/SB 1014 in the following ways:

- The amendment makes significant revisions to a portion of the bill regarding municipal water and wastewater utilities extending water or wastewater service to a property outside of the corresponding municipality's corporate limits. The amendmenat:
  - Expands the subject matter of the section to include all other municipal utility activities authorized in ch. 180, F.S.—gas, and water and wastewater (and potentially garbage collection systems, airports, hospitals, jails and golf courses).
  - Expands implementation to include adding new municipalities as a whole (instead of just property owners).
  - Deletes definitions of "controlling municipality," "main line," "municipal utility," "owner," "property," and "sufficient capacity."
  - Regarding when a utility must expand its territory, the amendment removes a detailed provision regarding what constitutes "sufficient capacity" and replaces it with a general provision stating that the utility must have "sufficient treatment, transmission, and distribution capacity," without further definition.
  - The amendment removes a provision requiring expansion and replaces it with a statement that the utility must "allow connection."
  - Regarding fee obligations, the amendment removes a requirement that the property owner pay all infrastructure and connection costs and replaces it with a requirement that the owner pay the rates, fees, and charges authorized by law. It does, however, add a provision that the section "does not prohibit a municipality from imposing reasonable impact fees, connection fees, or infrastructure contributions necessary to fund system expansion required for a new connection."
  - Regarding the connection application process, the amendment reduces the determination period from 90 to 30 days and revises the required findings. The amendment also revises the appeal process removing the specified direct enforcement provision and replaces it with a circuit court review process, de novo.

- Regarding the annexation prohibition, the amendment also includes interlocal agreements under s. 163.01, F.S.
- Adds a provision that a municipality that operates water or wastewater utility services in an economic development zone located outside of its municipal boundaries must enter into an interlocal agreement with a county in which it provides such service if certain conditions are met.

The amendment also adds the following new provisions to the bill:

- Creates s. 166.0487, F.S., to limit a municipality's ability to apply new land use or zoning regulations to upgrades of existing wastewater utility infrastructure located within the municipality but owned by another political subdivision, a private firm operating under a wastewater facility privatization contract as provided in part III of ch. 153, F.S., or a private company operating under a franchise granted by a municipality as provided in ch. 180, F.S. If new regulations are more restrictive than those in place when the infrastructure was originally installed and would hinder or increase the cost of a wastewater utility upgrade project, the municipality may not apply them. The restriction does not apply to wastewater utility infrastructure installed at the time the land use regulation is adopted by the municipality or would be acquired or developed for wastewater utility purposes by another political subdivision as part of the proposed wastewater utility upgrade project.
- Amends s. 425.09, F.S., relating to meetings of electric cooperative members. It revises meeting notice requirements, requiring at least 30 (but no more than 45) days' notice when trustee elections will occur and that the notice include the names of certified nominees. It also requires the board of trustees, beginning January 1, 2027, to maintain and make available an updated alphabetical list of cooperative members and revises voting procedures to allow for electronic voting.
- Amends s. 425.10, F.S., to require electric cooperative boards of trustees requiring cooperative bylaws to establish procedures for member nominations for trustee elections, for the board of trustees to certify whether nominees meet the required qualifications, and for nominees to challenge a decision by the board not to certify their candidacy. It also specifies, for meetings where trustees are elected, the cooperative must appoint one or more inspectors to oversee said election. The inspectors are responsible for determining the number of votes represented, verifying the validity of mail-in ballots and proxies, counting the votes, and preparing a written report of the election results.
- Creates s. 425.31, F.S., to authorize electric cooperatives to allow members to vote electronically through a secure online voting system if members consent. Members voting electronically count toward a quorum, and the board must establish procedures for implementing online voting and consider adopting it if petitioned by at least 10 percent of members.



Local Stormwater Regulation

Local Stormwater Regulation and Infrastructure

Draft Policy Priority or Position Statement

The Florida League of Cities SUPPORTS preserving municipal authority to adopt and enforce stormwater regulations tailored to local conditions and community priorities. State policy should recognize the substantial taxpayer resources and local expertise invested in developing these regulations and maintaining stormwater infrastructure. Municipalities should retain the flexibility to protect water quality, reduce flooding, and govern their communities in a manner that best serves their residents.

Background provided by FLC Staff

Florida's municipalities manage stormwater systems to reduce flooding, protect property, and improve water quality. Effective local regulations reflect differences in soils, topography, development patterns, and existing infrastructure. Cities have invested public resources in engineering studies and community planning to develop and refine these requirements. Preserving local authority protects that investment and allows elected officials to respond to conditions and priorities within their communities.

Proposals introduced during the 2025 and 2026 legislative sessions would have replaced local stormwater installation and inspection standards with specified Florida Department of Transportation requirements. Most recently, HB 239 and CS/SB 558 (2026) would have imposed state road and bridge construction specifications and superseded local standards. The League opposed these bills, which did not pass. Replacing established local requirements could increase costs while limiting flexible approaches suited to a community's unique environment.

Other proposals have sought to expand stormwater inspection and reporting duties. CS/CS/SB 810 (2025), for example, would have required an initial inspection of permitted systems owned or operated by municipal separate storm sewer system (MS4) entities, followed by annual inspections of identified vulnerable infrastructure. MS4 entities already conduct inspections under their permit requirements. Additional mandates can create overlapping obligations and divert resources from maintenance and improvements.

Separately, SB 848 (2026), which became law, revised the framework for regional stormwater treatment systems and water quality enhancement areas. As state approaches to stormwater management evolve, municipalities need flexibility to address local drainage and infrastructure needs alongside water quality requirements. State policy should build on local expertise and public investments while preserving each community's ability to protect residents and manage development.

DRAFT

BILLS THAT PASSED

AGRICULTURE, ENVIRONMENT, AND UTILITIES

Stormwater Treatment (Monitored)
CS/CS/SB 848 (Truenow) addresses environmental resource permitting, regional stormwater treatment systems, and water quality enhancement areas. The bill creates definitions for "compensating stormwater treatment," "enhancement credit," and "pollutant reduction allocation" in section 373.403, Florida Statutes.

It prohibits certain regional stormwater systems operated by non-local government entities, including those under contract with local governments, from providing stormwater treatment or achieving net improvements for specified seaport activities. The bill establishes new requirements for regional stormwater systems, including requirements for proof of financial responsibility and defined drainage areas. Environmental resource permit applicants within the drainage area may purchase and use pollution reduction allocations from the regional stormwater system to meet treatment performance criteria. The bill describes a regional stormwater system as a method of compensating stormwater treatment that creates pollution reduction allocations and is operated to collect,convey, store, treat, or harvest stormwater to prevent adverse impacts of discharges within the drainage area served by the system.

The bill also directs the Department of Environmental Protection to adopt rules for the establishment and operation of water quality enhancement areas. Water quality enhancement areas provide water quality enhancement credits to applicants seeking environmental resource permits and to local governments seeking to meet an assigned basin management action plan or reasonable assurance plan. The bill specifies that the use of an enhancement credit transfers the legal responsibility for complying with applicable water quality treatment requirements from the purchaser to the generator of such enhancement credit. Until such rules are adopted, the bill authorizes the issuance of provisional permits for water quality enhancement areas. (Singer)

Effective date: July 1, 2026.

FLC Final Bill Summaries for Stormwater Legislation

Failed Bills from 2026 Legislative Session

Standards for Storm Water Systems (Opposed)
HB 239 (Grow) and **CS/SB 558** (Burgess) would have required all stormwater systems, when installing new storm pipe and storm structures, to adhere to the state Department of Transportation's annual Standard Specifications for Road and Bridge Construction, specifically the sections on "Pipe Culverts" and "Pipe Liner." The bills also mandated that final inspections had to be performed by a NASSCO Pipeline Assessment Certification Program (PACP) certified technician employed by a third-party licensed engineering firm that did not have a controlling interest in the company that installed the system. The bills specified that these standards superseded all existing and local standards in municipalities and counties.

CS/SB 558 clarified that the stormwater system standards applied only to stormwater systems owned by counties and municipalities, rather than all stormwater systems statewide. It also specified that while the FDOT's standards had to be followed, the department was not required to review or approve installation plans, inspection videos, or inspection reports.

Additionally, CS/SB 558 further expanded who may conduct inspections to include a general contractor, provided the contractor did not have controlling interests in the company. (Singer)

Failed Bills from 2025 Legislative Session

Sanitary and Storm Water System Standards (Opposed)
HB 739 (Grow) and **SB 1436** (McClain) would have required all sanitation and stormwater systems, including infrastructure like lateral and sewer pipes, to adhere to the state Department of Transportation's Standard Specifications for Road and Bridge Construction, specifically the sections on "Pipe Culverts" and "Pipe Liner." The bills also would have mandated that final inspections for such infrastructure be conducted by a licensed engineer, a general contractor, or an independent third party. The bills clarified that the standards prescribed superseded all existing and local standards in municipalities. (Singer)

Stormwater Management Systems (Opposed)
CS/CS/SB 810 (Burgess) would have imposed new mandates on municipal separate storm sewer system (MS4) entities by requiring them to conduct annual operation and maintenance inspections of all permitted stormwater management systems they own or operate. The bill specified that the initial inspection and submission would have been required to be completed by September 1, 2026, with annual submissions due by June 1 in subsequent years. As part of the inspection process, MS4 entities would have been required to identify any infrastructure or components that exhibit significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies and that, if failed, would result in flooding and property damage. The bill would have required MS4 entities to complete a stormwater facility inspection checklist developed by the Department of Environmental Protection (DEP) for each inspection. This checklist would have been required to be submitted to both DEP and the Division of Emergency Management and would have been required to include any vulnerable infrastructure identified during the inspection. The bill may have had an indeterminate but negative fiscal impact on local governments, as it imposed a recurring inspection and reporting obligation without providing funding. (Singer)

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Environment and Natural Resources

BILL:	SB 558
INTRODUCER:	Senators Burgess and Sharief
SUBJECT:	Standards for Storm Water Systems
DATE:	January 26, 2026
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barriero	Rogers	EN	**Pre-meeting**
2.			CA	
3.			RC	

I. Summary:

SB 558 requires all new stormwater systems in Florida's counties and municipalities to comply with the Florida Department of Transportation's standard specifications for pipe culverts and pipe liners. The bill also requires final inspections for all storm pipes and storm structures to be performed by a NASSCO-certified technician employed by a third-party licensed engineering firm and authorizes the use of closed-circuit television inspection equipment. The bill further provides that these installation and inspection standards supersede all existing local standards.

II. Present Situation:

Stormwater Management

Florida averages 40-60 inches of rainfall a year, depending on the location, with about two-thirds falling between June and October.[1] Stormwater runoff generated during these rain events flows over land and impervious surfaces, such as paved streets, parking lots, driveways, sidewalks, and rooftops, and picks up pollutants like trash, chemicals, oils, and sediment.[2] This unfiltered water flows into lakes, rivers, and wetlands and gradually seeps into groundwater aquifers that supply the state's drinking water.[3] Polluted stormwater runoff is one of the greatest threats to clean water in the United States.[4]

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[1] University of Florida Institute of Food and Agricultural Sciences, *Florida Rainfall Data Sources and Types*, 1 (2023), *available at* https://edis.ifas.ufl.edu/publication/AE517.
[2] U.S. Environmental Protection Agency (EPA), *Urbanization and Stormwater Runoff*, https://www.epa.gov/sourcewaterprotection/urbanization-and-stormwater-runoff (last visited Jan. 20, 2026).
[3] South Florida Water Management District (SFWMD), *Your Impact on the Environment*, https://www.sfwmd.gov/community-residents/what-can-you-do (last visited Jan. 5, 2026).
[4] *Id.*; EPA, *Soak Up the Rain: What's the Problem?*, https://www.epa.gov/soakuptherain/soak-rain-whats-problem (last visited Jan. 20, 2026).

Florida was the first state in the country to adopt a rule requiring the treatment of stormwater to a specified level of pollutant load reduction for all new development.[5] These rules were updated in 2024 following legislative ratification. The revised rules:

- Create new minimum performance standards for stormwater systems;
- Require applicants to demonstrate through modeling and calculations based on local conditions and annual runoff volumes that their proposed stormwater treatment system is designed to discharge to the required treatment level; and
- Establish new requirements for periodic inspections and the operation and maintenance of stormwater treatment systems.[6]

The new inspection requirements under the revised rules do not apply to municipal separate storm and sewer (MS4) entities. An MS4 is a publicly-owned conveyance or system of conveyances (e.g., ditches, curbs, catch basins, underground pipes) for collecting or conveying stormwater and discharges to surface waters of the state.[7] MS4 entities include, but are not limited to, municipalities, counties, community development districts, universities, military bases or federal correctional facilities.[8] MS4 entities must conduct and report inspections in accordance with their MS4 permit requirements and any associated standard operating procedures.[9]

Operators of large, medium, and regulated small MS4s are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge to waters of the state.[10] For large and medium MS4 discharges, the permit application must include a proposed management program, including priorities and procedures for inspections, to detect and remove illicit discharges and improper disposal into the sewer system.[11] Permittees may also be required to allow DEP personnel to inspect facilities, equipment, practices, and operations regulated under a NPDES generic permit.[12]

Florida Department of Transportation (DOT) Standard Specifications for Road and Bridge Construction

DOT's Standard Specifications for Road and Bridge Construction contain technical requirements for performing road, bridge, and related infrastructure work under DOT contracts.[13]

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[5] DEP, *ERP Stormwater*, https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/erp-stormwater (last visited Jan. 5, 2026).
[6] *See* chapter 2024-275, Laws of Fla.; Fla. Admin. Code R. 62-330.
[7] DEP, *Municipal Separate Storm Sewer Systems (MS4),* https://floridadep.gov/water/stormwater/content/municipal-separate-storm-sewer-systems-ms4 (last visited Jan. 6, 2026).
[8] *Id.*
[9] DEP, *ERP Applicant's Handbook: Vol. I* at s. 12.5(b)., *available at* https://flrules.org/Gateway/reference.asp?No=Ref-15342.
[10] DEP, *Municipal Separate Storm Sewer Systems (MS4),* https://floridadep.gov/water/stormwater/content/municipal-separate-storm-sewer-systems-ms4 (last visited Jan. 6, 2026). *See also* Fla. Admin. Code R. 62-624.400; 40 C.F.R. 122.26.
[11] 40 C.F.R. 122.26(d)(2)(iv)(B)(1).
[12] Fla. Admin. Code Form 62-621.300(7)(a), *available at* https://floridadep.gov/water/stormwater/forms/phase-ii-ms4-generic-permit-2021.
[13] *See* DOT, *Standard Specifications Library*, https://www.fdot.gov/specifications/standard-specification-library (last visited Jan. 6, 2026).

The specifications address contract administration, contractor obligations, quality control, inspection, and payment.[14] They include uniform standards for construction methods and materials, including requirements for structures such as bridges, pipes, culverts, drains, and retaining walls. The specifications are updated annually and published on DOT's website.[15]

Pipe Culverts

Section 430 of DOT's Standard Specifications for Road and Bridge Construction contains requirements for pipe culverts, which are buried conduits used to convey stormwater beneath roadways, embankments, and other infrastructure. Under DOT standards, pipe culverts and drainage products must be obtained from DOT-approved production facilities and installed in accordance with approved plans and materials specifications.[16] The standards establish requirements for trench excavation, foundation preparation, removal of existing pipes, backfilling, end treatments, and protection of pipes embedded in concrete.[17] Section 430 also requires post-installation video inspections[18] and the submittal of video files and a pipe observation summary report to DOT.[19] Inspection reports must document cracks, joint separations, infiltration, and damage.[20] DOT must review inspection videos and reports prior to the continuation of paving, and reinspection may be required if deficiencies are identified.[21] Section 430 also contains payment requirements and costs that must be included in the contract unit price.[22]

Pipe Liner

Section 431 of DOT's Standard Specifications for Road and Bridge Construction provides requirements for rehabilitating drainage pipes by installing a pipe liner.[23] Pipe liners are installed inside existing pipes to rehabilitate deteriorated drainage infrastructure without full pipe replacement. DOT standards provide that materials must conform to certain specifications unless otherwise approved by DOT and that the host pipe must be inspected via closed circuit television prior to and following liner installation.[24] Videos of all preliminary and final inspections must be submitted to DOT.[25] Installation methods are generally required to follow recognized industry

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[14] *See generally* DOT, *Standard Specifications for Road and Bridge Construction FY2026-27* (2025), *available at* https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/specifications/by-year/fy-2026-27/ebook/fy-2026-27-ebook(signed).pdf?sfvrsn=247dee0_1.
[15] *See* DOT, *Standard Specifications Library*.
[16] DOT, *Standard Specifications for Road and Bridge Construction FY2026-27* at 476.
[17] *Id.* at 478-488.
[18] Prior to conducting the inspection, an inspection schedule must be submitted to DOT for dewatering the installed pipe and the removal of all silt, debris, and obstructions. *Id.* at 480.
[19] *Id.* at 479-481. Notes should be taken during the video recording process and submitted along with the video. The video must include identifying information for each pipe segment and be recorded at a controlled speed with distance markings. *Id.* at 480.
[20] *Id.* at 480-481.
[21] *Id.*
[22] *Id.* at 486-88.
[23] *See id.* at 489-492.
[24] *Id.* at 489. The closed-circuit television inspection may be augmented by a visual inspection in which persons enter the host pipe for inspection. DOT must provide written approval prior to allowing persons to enter the pipe. *Id.*
[25] *Id.* at 490.

standards or manufacturer instructions.[26] Contract prices must be calculated per linear foot of pipe liner and inclusive of all material and labor costs and inspection work.[27]

National Association of Sewer Service Companies (NASSCO)

NASSCO is a nonprofit trade association that develops industry standards, training, and certification programs for the assessment, maintenance, and rehabilitation of underground infrastructure.[28] NASSCO offers several certification programs, including the Pipeline Assessment Certification Program (PACP), which certifies technicians to perform inspections of pipelines.[29] PACP certified professionals must be recertified every three years.[30]

III. Effect of Proposed Changes:

Sections 1 and 2 create ss. 125.5695 and 166.04815, F.S., regarding standards for storm water systems in counties and municipalities, respectively. The bill provides that all storm water systems, including storm pipe and storm structures in counties and municipalities in this state, when installing new storm pipe and storm structures, must follow the annual Department of Transportation's Standard Specifications for Road and Bridge Construction contained in the sections "Pipe Culverts" and "Pipe Liner."

The bill provides that final inspections for all storm pipe and storm structures in counties and municipalities in this state must be performed by a National Association of Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program certified technician who is employed by a third-party licensed engineering firm that does not have a controlling interest in the company that installed the storm system being inspected. The inspection and video process may use standard closed-circuit television inspection equipment, along with an optional camera with a fisheye lens for video inspection purposes.

The bill provides that the standards for installation and inspection established in the bill supersede all existing and local standards in counties and municipalities.

Section 3 provides that the Legislature determines and declares that this act fulfills an important state interest.

Section 4 provides an effective date of July 1, 2026.

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[26] *Id.* Acceptable installation methods include sliplining, inverting, pulling/pushing, spiral winding, paneling, coating, or bursting. *Id.*at 489.
[27] *Id.* at 490.
[28] *See generally* NASSCO, *Guiding Principles*, https://nassco.org/about/guiding-principles/ (last visited Jan. 7, 2026).
[29] *See generally* NASSCO, *PACP, LACP, MACP*, https://nassco.org/education-and-training/pacp-lacp-macp/ (last visited Jan. 6, 2026).
[30] NASSCO, *PACP, LACP, MACP*, https://nassco.org/education-and-training/pacp-lacp-macp/ (last visited Jan. 6, 2026); NASSCO, *PACP, LACP, MACP Recertification Policy*, 1 (2025), *available at* https://nassco.my.salesforce.com/sfc/p/#4W000005j1mm/a/PW0000028mhR/ii.H9ljbhGGdkAhKmcBXolxU45zgksm7UHW9KmGUmyI.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The municipality/county mandates provision of Art. VII, s. 18(a) of the Florida Constitution may apply to this bill. The Florida Constitution limits the ability of the State to impose unfunded mandates on local governments. This bill requires counties and municipalities to expend funds to retain certified professionals to inspect their stormwater systems. However, the bill includes a legislative determination that the bill fulfills an important state interest. Therefore, the bill may comply with Art. VII, s. 18(a) of the Florida Constitution if passed by two-thirds of the membership of each house of the legislature.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires counties and municipalities to expend funds to ensure that newly installed stormwater systems comply with Department of Transportation standards and are inspected by an independent certified technician.

VI. Technical Deficiencies:

The bill uses the term “storm water” while existing law uses “stormwater.” In addition, the language suggests the bill applies to *all* stormwater systems in municipalities and counties,

including systems owned and operated by private entities, rather than stormwater systems *owned and operated by* municipalities and counties.

VII. Related Issues:

The Department of Transportation's (DOT's) Standard Specifications for Road and Bridge Construction require DOT to review and approve installation plans and inspection videos and reports. Clarification may be necessary to ensure the bill is not construed to require DOT approval or inspection of stormwater system installations unless otherwise required by law.

VIII. Statutes Affected:

This bill creates the following sections of the Florida Statutes: 125.5695 and 166.04815.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL:	CS/CS/SB 810
INTRODUCER:	Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; and Senator Burgess
SUBJECT:	Stormwater Management Systems
DATE:	April 2, 2025 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barriero	Rogers	EN	**Favorable**
2.	Griffin	Nortelus	ATD	**Fav/CS**
3.	Barriero	Siples	FP	**Fav/CS**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 810 requires each municipal separate storm sewer (MS4) entity to conduct an operation and maintenance inspection of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026. As part of this inspection, the MS4 entity must identify any infrastructure within the MS4, or any component thereof, which:

- Has a significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies; and
- Upon operational failure, would result in flooding and property damage.

Any infrastructure identified as vulnerable during the initial inspection must be inspected annually by June 1. The bill requires MS4 entities to complete a stormwater facility inspection checklist any time an MS4 is inspected and submit it to the Department of Environmental Protection and the Division of Emergency Management by September 1, 2026, and, as applicable, by September 1 of each year thereafter. Each checklist must include any vulnerable infrastructure within the MS4 identified by the inspection.

The bill may have an indeterminate, negative fiscal impact on MS4 entities. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Environmental Resource Permitting (ERP)

Part IV of ch. 373, F.S., and Rule 62-330, F.A.C., regulate the statewide ERP program, which is the primary tool used by the Department of Environmental Protection (DEP) and the water management districts (WMDs) for preserving natural resources and fish and wildlife, minimizing degradation of water resources caused by stormwater discharges, and providing for the management of water and related land resources. The program governs the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and other works such as docks, piers, structures, dredging, and filling located in, on, or over wetlands or other surface waters.[1]

The ERP regulatory framework also includes inspection requirements. For example, s. 373.423, F.S., provides that, during the construction or alteration of any stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, the DEP or the governing board of a water management district must make periodic inspections to ensure conformity with the approved plans and specifications included in the permit.[2] Additionally, once the work is completed, the executive director of the water management district or the DEP must ensure periodic inspections are conducted to protect public health, safety, and natural resources.[3]

Inspection requirements for stormwater management systems will be discussed in further detail below.

Stormwater Runoff

Florida averages 40-60 inches of rainfall a year, depending on the location, with about two-thirds falling between June and October.[4] Stormwater runoff generated during these rain events flows over land or impervious surfaces, such as paved streets, parking lots, driveways, sidewalks, and rooftops, and picks up pollutants like trash, chemicals, oils, and sediment along the way. This unfiltered water ends up in streams, ponds, lakes, bays, wetlands, oceans, and groundwater. Construction sites, lawns, improperly stored hazardous wastes, and illegal dumping are all potential sources of stormwater pollutants.[5]

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[1] Fla. Admin. Code R. 62-330.010(2).
[2] Section 373.423(1), F.S.
[3] Section 373.423(2), F.S.
[4] University of Florida Institute of Food and Agricultural Sciences, *Florida Rainfall Data Sources and Types*, 1 (2023), *available at* https://edis.ifas.ufl.edu/publication/AE517.
[5] U.S. Environmental Protection Agency (EPA), *Urbanization and Stormwater Runoff*, https://www.epa.gov/sourcewaterprotection/urbanization-and-stormwater-runoff (last visited Mar. 3, 2025).

Polluted stormwater runoff is one of the greatest threats to clean water in the United States.[6] Over 40 percent of waters assessed by the states are too polluted for fishing or swimming.[7] Nonpoint sources associated with stormwater account for over 40 percent of these polluted waters.[8] Conversely, traditional point sources (i.e., wastewater treatment plants) account for only about 10 percent of these polluted or "impaired" waters.[9] Hundreds of impaired waters in Florida have lost their designated use due, in part, to stormwater pollution.[10]

Moreover, when prolonged or heavy rains saturate the ground, such as during a hurricane or other storm event, stormwater retention ponds may overflow and yards and streets may flood, causing sanitary sewer systems to also overflow.[11] Some stormwater management structures may fail during severe storm events when overwhelmed by flood volumes that exceed the facility's design capacity or by defects or lack of maintenance that result in reduced storage capacity.[12]

Inadequate stormwater management can also increase stormwater flows and velocities, contribute to erosion, overtax the carrying capacity of streams and other conveyances, and reduce groundwater recharge.[13]

Stormwater Management Rules and Municipal Separate Storm and Sewer (MS4) Entities

In 2020, the Florida Legislature passed Senate Bill 712, also known as the Clean Waterways Act (the Act).[14] This legislation passed with unanimous, bipartisan support and included a wide range of water-quality protection provisions aimed at minimizing the impact of known sources of nutrient pollution and strengthening regulatory requirements. Among other things, the Act directed the DEP and water management districts to update stormwater rules using the latest scientific information.[15] In 2024, the Legislature ratified those rules. Among other things, the revised rules:

- Created new minimum performance standards for all ERP stormwater systems;

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[6] South Florida Water Management District (SFWMD), *Your Impact on the Environment*, https://www.sfwmd.gov/community-residents/what-can-you-do (last visited Mar. 3, 2025); EPA, *Soak Up the Rain: What's the Problem?*, https://www.epa.gov/soakuptherain/soak-rain-whats-problem#:~:text=Runoff%20picks%20up%20fertilizer%2C%20oil,clean%20water%20in%20the%20U.S. (last visited Mar. 5, 2025).

[7] DEP, *Stormwater Support*, https://floridadep.gov/water/engineering-hydrology-geology/content/stormwater-support (last visited Mar. 3, 2025). A recent study examining water quality across the U.S. shows Florida ranks first in the nation for total acres of lakes classified as impaired for swimming and aquatic life (873,340 acres), and second for total lake acres listed as impaired for any use (935,808 acres). Environmental Integrity Project, *The Clean Water Act at 50*, 28 (2022), *available at* https://environmentalintegrity.org/wp-content/uploads/2022/03/CWA@50-report-3-17-22.pdf. Florida also has the second most total square miles of impaired estuaries (2,533 square miles). *Id.* at 29.

[8] DEP, *Stormwater Support*, https://floridadep.gov/water/engineering-hydrology-geology/content/stormwater-support (last visited Mar. 3, 2025).

[9] *Id.*

[10] *Id.*

[11] DEP, *Water Conservation Tips*, https://floridadep.gov/comm/press-office/content/water-conservation-tips (last visited Mar. 4, 2025).

[12] U.S. Federal Emergency Management Agency, *Hurricane and Flood Mitigation Handbook for Public Facilities: Fact Sheet 2.2: Basins*, 1 (2022), *available at* https://www.fema.gov/sites/default/files/documents/fema_p-2181-fact-sheet-2-2-basins.pdf?utm_source=chatgpt.com.

[13] Fla. Admin. Code R. 62-40.431(2)(b).

[14] Ch. 2020-150, Laws of Fla.

[15] *Id.*at s. 5 (amending s. 373.4131, F.S., effective July 1, 2020).

- Required applicants to demonstrate through modeling and calculations based on local conditions and annual runoff volumes that their proposed stormwater treatment system is designed to discharge to the required treatment level; and
- Created new requirements for periodic inspections and the operation and maintenance of stormwater treatment systems.

Under the revised rules, operation and maintenance entities—other than municipal separate storm sewer system (MS4) entities—are required to submit a written operation and maintenance plan and conduct periodic inspections to ensure that the stormwater management system, and each component thereof, continues to function as designed and permitted.[16] The table below provides the default inspection frequencies for common stormwater best management practices. These inspection frequencies may be altered by the permitting agency.[17]

TYPE OF SYSTEM	INSPECTION FREQUENCY
Dry Retention basins	Once every 3 years
Exfiltration trenches	Once every 2 Years
Underground retention	Once every Year
Sand or Media Filters	Once every Year
Underdrain System	Once every 2 Years
Underground vault/chambers	Once every Year
Pump Systems	Twice every Year
Swales (treatment)	Once every 3 years
Wet Detention systems	Once every 3 years
Wet Detention systems with littoral zones	Once every 2 years
Vegetated Natural Buffers	Once every 5 years
Manufactured Devices	As manufacturer recommends in specifications, minimum once every year
Dam Systems	Once every Year
All other	Once every Year

The new inspection requirements under the revised rules do not apply to MS4 entities. An MS4 is a publicly-owned conveyance or system of conveyances (i.e., ditches, curbs, catch basins, underground pipes, etc.) for collecting or conveying stormwater and discharges to surface waters of the state.[18] Examples of MS4 entities include, but are not limited to, municipalities, counties, community development districts, universities, military bases or federal correctional facilities.[19] MS4 entities must conduct and report inspections in accordance with their MS4 permit requirements and any associated standard operating procedures.[20] MS4 entities do not need to provide a written operation and maintenance plan under the revised rules.[21] MS4 entities must nonetheless ensure that operation and maintenance activities are sufficient to perpetually

[16] DEP, *ERP Applicant's Handbook: Vol I*, ss. 12.4.1 and 12.5(a), (2024), *available at* https://flrules.org/Gateway/reference.asp?No=Ref-15342.
[17] DEP, *ERP Applicant's Handbook: Vol I* at s. 12.5(g), table 12.1.
[18] DEP, *Municipal Separate Storm Sewer Systems (MS4)*, https://floridadep.gov/water/stormwater/content/municipal-separate-storm-sewer-systems-ms4#:~:text=A%20municipal%20separate%20storm%20sewer%20system%20%28MS4%29%20is,that%20discharges%20to%20surface%20waters%20of%20the%20state (last visited Mar. 4, 2025).
[19] *Id.*
[20] DEP, *ERP Applicant's Handbook: Vol. I* at s. 12.5(b).
[21] *Id.* at s. 12.4.1.

maintain the performance of the ERP stormwater management system so that it functions as designed and permitted and must conduct operation and maintenance in accordance with their MS4 permit requirements.[22]

Operators of large, medium, and regulated small MS4s are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge to waters of the state.[23] For large and medium MS4 discharges, the permit application must include a proposed management program, including priorities and procedures for inspections, to detect and remove illicit discharges and improper disposal into the sewer system.[24] Permittees may also be required to allow the DEP personnel to inspect facilities, equipment, practices, and operations regulated under a NPDES generic permit.[25]

III. Effect of Proposed Changes:

Section 1 amends s. 373.423, F.S., relating to the stormwater management system inspections. The bill provides that MS4 means a municipal separate storm sewer as defined in 40 C.F.R. s. 122.26(b), which in turn defines the term as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;
- Designed or used for collecting or conveying storm water;
- Which is not a combined sewer; and
- Which is not part of a publicly owned treatment works.[26]

The bill requires each MS4 entity[27] to conduct an operation and maintenance inspection of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026. As part of the inspection, the MS4 entity must identify any infrastructure within the MS4, or any component thereof, which:

- Has a significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies; and
- Upon operational failure, would result in flooding and property damage.

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[22] *Id.*

[23] DEP, *Municipal Separate Storm Sewer Systems (MS4),* https://floridadep.gov/water/stormwater/content/municipal-separate-storm-sewer-systems-ms4#:~:text=A%20municipal%20separate%20storm%20sewer%20system%20%28MS4%29%20is,that%20discharges%20to%20surface%20waters%20of%20the%20state (last visited Mar. 4, 2025). *See also* Fla. Admin. Code R. 62-624.400; 40 C.F.R. 122.26.

[24] 40 C.F.R. 122.26(d)(2)(iv)(B)(1).

[25] Fla. Admin. Code Form 62-621.300(7)(a), *available at* https://floridadep.gov/water/stormwater/forms/phase-ii-ms4-generic-permit-2021.

Any infrastructure that meets either of these conditions must be inspected annually by June 1. The bill requires the MS4 entity to complete the stormwater facility inspection checklist developed by the Department of Environmental Protection (DEP) for any time an MS4 is inspected pursuant to this bill. The completed checklist must be submitted to the DEP and the Division of Emergency Management by September 1, 2026, and, as applicable, by September 1 of each year thereafter. Each checklist must include any infrastructure within the MS4, or any component thereof, that is identified as vulnerable or that would result in flooding and property damage upon operational failure.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The municipality/county mandates provision of Art. VII, s. 18(a) of the Florida Constitution may apply to this bill. The Florida Constitution limits the ability of the State to impose unfunded mandates on local governments. This bill requires political subdivisions to expend funds to annually inspect known works under their control. However, the law would likely have an insignificant fiscal impact. Therefore, an exemption from Art. VII, s. 18(a) of the Florida Constitution likely applies.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Municipal separate storm sewer entities may be required to expend funds to conduct annual inspections of vulnerable infrastructure within their stormwater management systems.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 373.423 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on April 2, 2025:
The committee substitute:
- Provides that annual inspections are only required for certain vulnerable infrastructure within the MS4.
- Extends the deadline for submitting inspection checklists from June 1 to September 1 each year.

CS by Appropriations Committee on Transportation, Tourism, and Economic Development on March 24, 2025:
The committee substitute:
- Provides that the bill applies to municipal separate storm sewer (MS4) entities.
- Requires MS4s to conduct annual inspections of all permitted stormwater management systems owned or operated by the MS4 entity.
- Requires the MS4 entity to identify vulnerable infrastructure within the MS4, or any component thereof, which upon operational failure would result in flooding and property damage.
- Requires the MS4 entity to complete a stormwater facility inspection checklist and submit it to the Department of Environmental Protection and the Division of Emergency Management by September 1, 2026, and by June 1 of each year thereafter. Each checklist must include any vulnerable infrastructure within the MS4 identified by the inspection.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



Water Resource Investment and Funding

Draft Statement - Funding for septic-to-sewer connections

The Florida League of Cities SUPPORTS… State funding and grant opportunities to assist local governments with the cost of converting properties from septic systems to centralized sewer service.

Word Count: 28 words

Dana Knight
Council Member Orange City

DRAFT

FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 1123	**COMPANION BILL:** SB 1784 (Pizzo)
TITLE: Sewer Collection Systems	**LINKED BILLS:** None
SPONSOR(S): Cassel, Woodson	**RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 111 **Y's** 0 **N's** **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:

The bill authorizes a municipality that operates a sewer utility to use revenue generated by the municipality's operation of a central sewage system to expand the central sewage system.

Fiscal or Economic Impact:

None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION

ANALYSIS

EFFECT OF THE BILL:

The bill authorizes a municipality that operates a sewer utility to use revenue generated by the municipality's operation of a central sewage system to expand the central sewage system. (Section 1)

The bill was approved by the Governor on June 3, 2025, ch. 2025-117, L.O.F., and will become effective on July 1, 2025. (Section 2)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Municipal Water and Sewer Utilities

General law authorizes municipalities to provide water and sewer utility services.[1] A municipality may use all of its corporate powers to provide water and sewer utility services, including to unincorporated areas outside of its municipal boundaries.[2] To begin initial construction or expansion of a water or sewer utility, the municipality must adopt an ordinance or resolution stating its purpose, the proposed area to be included, whether mortgage revenue certificates or debentures will be necessary to finance the project and the cost of those debt instruments, and any other provisions the city council deems necessary.[3] The municipality must pass a second ordinance or resolution at least 40 days after the first to authorize construction to begin.[4]

If the municipality is proposing the construction or extension of a central sewage system, the ordinance or resolution must contain a report that includes a study of available information from the Department of Environmental Protection (DEP) including:

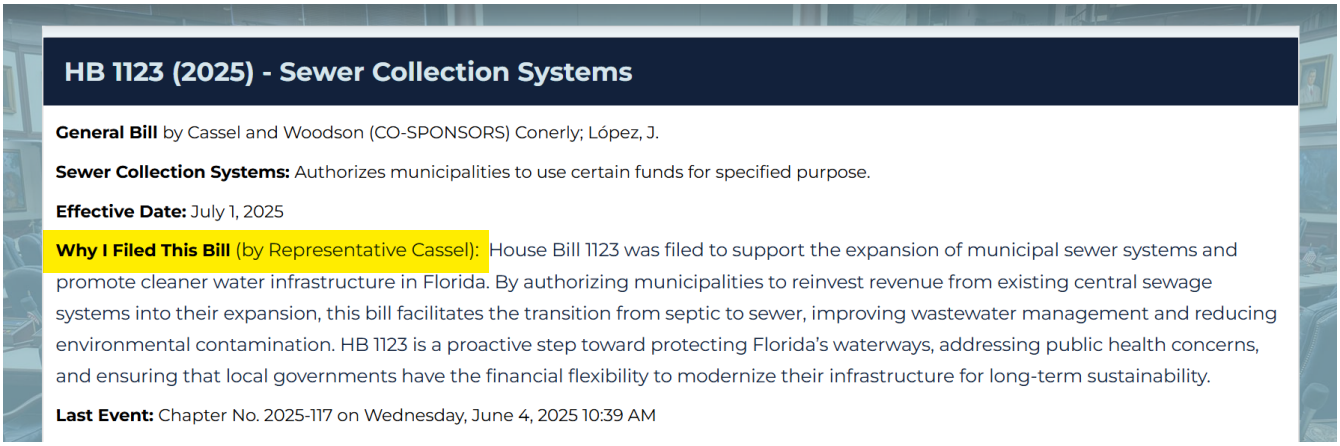
- The history of onsite sewage treatment and disposal systems currently in use in the area;
- A comparison of the projected costs to the typical lot or parcel owner of connecting to and using the proposed central sewage system versus installing, operating, and properly maintaining an onsite sewage

[1] Pursuant to s. 180.06, F.S., a municipality may provide water and alternative water supplies; provide for the collection and disposal of sewage, including wastewater reuse, and other liquid wastes; and construct reservoirs, sewerage systems, trunk sewers, intercepting sewers, pumping stations, wells, siphons, intakes, pipelines, distribution systems, purification works, collection systems, treatment and disposal works to accomplish these purposes.
[2] S. 180.02(2), F.S.
[3] S. 180.03(1), F.S.
[4] S. 180.04, F.S.

treatment and disposal system that is approved by the DEP and that provides for the comparable level of environmental and health protection as the proposed central sewerage system;
- Consideration of the municipality's obligations for water body cleanup and protection under state or federal programs, including requirements for water bodies listed in the Clean Water Act; and
- Any other factors the municipality deems relevant.[5]

Municipal Funding

Current law authorizes municipalities to raise the amounts of money necessary for the conduct of the municipal government.[6] A municipality may do so by taxation and licenses authorized by Florida's constitution or general law, or by user charges or fees authorized by ordinance. Municipalities routinely transfer a portion of their utility earnings to their general funds for non-utility purposes, though the amounts and percentages may vary widely among municipalities.[7] These transfers may be limited in some circumstances by ordinance, but they are not governed by state law.



[5] S. 180.03(3), F.S.
[6] S. 166.201, F.S.
[7] Presentation on *Florida Public Power* by Florida Municipal Electric Association to House Energy, Communications & Cybersecurity Subcommittee on Feb. 9, 2023, slide 6, (last visited Mar. 15, 2025).

SEPTIC → SEWER

Septic-to-Sewer Conversion in Florida

Protecting Water, Strengthening Communities, and Securing State Support

Prepared for: Orange City Council / Florida Municipal Stakeholders

A practical case for infrastructure investment, affordability, and resilience

Why This Matters for Florida

Water quality, public health, and resilience are connected.

30%

of Florida residents rely on septic systems.

2.6M+

septic systems statewide.

90%

of Florida's drinking water comes from the Floridan Aquifer.

$$

State support helps local governments make conversions affordable.

W

Florida's unique vulnerability

- High groundwater tables and sandy soils can move pollutants quickly.
- Septic failures can affect aquifers, springs, rivers, lagoons, and coastal waters.

S

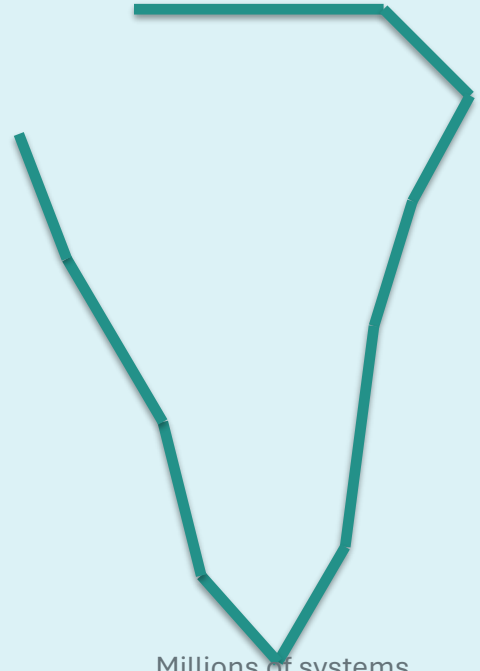
Why conversion matters

- Central sewer provides engineered collection, treatment, and monitoring.
- Strategic investment supports long-term community resilience and affordability.

Florida’s Septic System Landscape

Scale + aging infrastructure + growth create a statewide challenge.

FLORIDA



Millions of systems
across diverse soils,
water tables & watersheds

~30%

of residents rely on septic systems.

2.6M+

systems statewide.

Infrastructure pressure

- Many systems are aging, undersized, or in environmentally sensitive areas.
- Population growth increases strain on outdated wastewater infrastructure.

Strategic conversions can target the places where water-quality and resilience benefits are greatest.

Threat to Drinking Water

Florida’s geology can shorten the path from septic drainfield to groundwater.

HOME → SEPTIC / DRAINFIELD → GROUNDWATER → FLORIDAN AQUIFER → DRINKING WATER

! Why septic systems can fail

- Flat terrain and porous soils.
- High seasonal groundwater tables.
- Limited natural filtration of nitrates, phosphorus, and pathogens.

A Why it matters

- Pollutants can reach groundwater and the Floridan Aquifer.
- The aquifer supplies about 90% of Florida’s drinking water.

The core policy question: where can targeted conversion produce the greatest water-quality return?

Environmental Impacts

Nutrient pollution can cascade through Florida's aquatic ecosystems.

SEPTIC NUTRIENTS

Nitrogen / phosphorus → **Algal blooms** → **Low oxygen / habitat stress** → **Fish & seagrass loss**

F Florida places at risk

- Indian River Lagoon
- Tampa Bay
- St. Johns River Basin
- Springs and spring-fed rivers

E Community consequences

- Tourism and recreation impacts.
- Commercial and recreational fisheries impacts.
- Habitat degradation and ecosystem stress.

S Conversion benefit

- Reduce septic-derived nutrient loading.
- Shift treatment to engineered, managed wastewater systems.

Flooding & Climate Resilience

Wastewater infrastructure must perform under wetter, higher-water conditions.

- **Heavy rainfall**
- **Storm surge**
- **Sea-level rise**
- **High water table**

→ **Drainfield vulnerability**

When drainfields flood

- System failure and reduced treatment performance.
- Sewage surfacing in yards or other exposed areas.
- Public health hazards and emergency response costs.

Why central sewer helps

- Engineered collection and treatment.
- Utility-managed inspection, maintenance, and response.
- Greater reliability as groundwater and flood risks change.

Resilience is not only about roads and drainage — it is also about wastewater.

Homeowner Burden & Property Value

Conversion shifts wastewater management from individual systems to shared utility infrastructure.

$ Septic: recurring burden

- Pumping typically every 3–5 years.
- Repairs and replacements can cost thousands.
- Owners face maintenance and regulatory obligations.
- Unexpected failure can create emergency costs.

$ Sewer: managed service

- Utility-managed maintenance and treatment.
- Potential property-value and marketability benefits.
- More predictable long-term service costs.
- Supports regulatory compliance and future-proofing.

Affordability matters: grants, incentives, and phased programs can reduce the upfront connection burden.

Why Local Governments Need State Support

The capital stack is large — and the public benefits extend beyond a single parcel.

Capital needs

- Engineering & design
- Lift stations & piping
- Roadway restoration
- Property connections
- Permitting & project delivery

$ Why state participation matters

- Local ratepayers cannot reasonably absorb every capital cost.
- Water-quality benefits cross municipal boundaries.
- State grants can lower debt, rates, and connection costs.
- Funding can accelerate projects before systems fail.

State investment = local affordability + statewide water benefits

State Funding & Grant Opportunities

A coordinated funding strategy can combine grants, loans, and legislative support.

FDEP	Septic Upgrade Incentive Program • Springs Restoration Funding • Water Quality Improvement Grants
State Revolving Fund	Low-interest financing for wastewater infrastructure
Resilient Florida	Resilience-focused infrastructure grants
Legislative Appropriations	Direct project funding through the annual state budget

Program rules, eligible costs, application cycles, and appropriations should be confirmed for each project year.

Federal Funding Opportunities

Federal programs can complement Florida's state and local capital strategy.

1

EPA CWSRF

Clean Water State Revolving Fund

2

BIL

Bipartisan Infrastructure Law water-quality and wastewater funding

3

FEMA

Hazard Mitigation Assistance when wastewater/septic risk intersects with flood hazards

4

USDA Rural Development

Grant and financing options for eligible small and rural communities

Best practice: build a funding "stack" rather than relying on a single source.

Benefits of State Investment

The return is measured in water quality, resilience, household affordability, and economic vitality.

1 Clean water

Cleaner drinking-water sources and reduced nutrient loading.

2 Healthy ecosystems

Better conditions for springs, rivers, lagoons, seagrass, and fisheries.

3 Resilient communities

Wastewater systems designed for changing flood and groundwater conditions.

4 Lower household burden

State support can reduce upfront conversion and connection costs.

5 Economic vitality

Protect tourism, recreation, property values, and commercial fisheries.

6 Compliance

Support implementation of state and federal environmental requirements.

Case Studies & Lessons

Examples across Florida illustrate how wastewater investment can support water-quality goals.

01

Indian River Lagoon

Septic-to-sewer conversions can reduce nitrogen loading to a stressed estuary.

02

Tampa Bay

Wastewater upgrades have contributed to long-term water-quality improvements.

03

Silver Springs Basin

State-supported septic replacement and wastewater investments can improve spring protection.

Lesson: target conversions where the water-quality, public-health, and resilience benefits are strongest.

Orange City & Local Needs

A local conversion strategy can connect neighborhood needs to statewide water priorities.

Aging systems

Identify aging septic systems and neighborhoods where failure risk is highest.

Flood & groundwater

Prioritize flood-prone areas and locations with high groundwater tables.

Affordability

Use grants and incentives to reduce resident connection costs.

State alignment

Frame projects around water quality, resilience, and regional benefits.

Opportunity: position local projects as practical, measurable contributions to Florida’s water-quality goals.

Call to Action

Move from isolated septic problems to a coordinated infrastructure strategy.

1 → 2 → 3 → 4 → 5

Prioritize

Map risk and identify high-benefit conversion areas.

Package

Develop shovel-ready projects, cost estimates, and match strategies.

Fund

Pursue state grants, SRF, federal programs, and legislative appropriations.

Support

Use incentives and financing tools to help homeowners connect.

Coordinate

Align municipal, regional, and watershed priorities.

Protect water. Reduce risk. Make conversion affordable. Capture state and federal support.

SEPTIC → SEWER

A critical investment in Florida's water, environment, and communities.

Thank you for your leadership and commitment to protecting Florida's future.



Orange City Council / Florida Municipal Stakeholders

References:

- https://floridadep.gov/water/onsite-sewage
- https://hcfl.gov/government/septic-to-sewer-and-lpss-conversion-projects/facts-about-the-s2s-and-lpss-conversion-program
- https://www.cityofpsl.com/Government/Your-City-Government/Departments/Utility-Systems/Utility-Projects-Programs/Septic-to-Sewer-Conversion-Program

Draft Statement - Funding for PFAS-related water treatment improvements

The Florida League of Cities SUPPORTS… Federal/State funding to assist utilities with the significant capital costs associated with constructing new treatment processes necessary to reduce PFAS levels and meet applicable drinking water standards. For Orange City, the anticipated PFAS treatment improvements are expected to exceed $30 million.

Word Count: 47 words

Dana Knight
Council Member Orange City

DRAFT

BILLS THAT PASSED

AGRICULTURE, ENVIRONMENT, AND UTILITIES

Perfluoroalkyl and Polyfluoroalkyl Substances (Monitored)
CS/CS/HB 1019 (Conerly) imposes requirements on the use of firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) and imposes new sampling requirements related to domestic wastewater biosolids.

The bill defines "aqueous film-forming foam"(AFFF) and establishes a phased approach that restricts its use, sale, purchase, distribution, possession, and disposal over several years.

Beginning July 1, 2026, the bill prohibits non-emergency AFFF use for training or testing and requires entities in possession of AFFF to submit an inventory to the Department of Environmental Protection (DEP).

Beginning July 1, 2027, the bill prohibits the sale, purchase, or distribution of AFFF and requires entities with remaining inventories to submit disposal plans to DEP.

Beginning July 1,2029, possession and use of AFFF are prohibited, except for the following: airports, military installations, emergency firefighting situations where alternative firefighting foam is not available,and specific AFFF retrofit projects.

The bill directs DEP to adopt rules for containment, collection, and disposal of AFFF, to maintain a registry of AFFF alternatives, and to provide technical assistance and grants for transition to non-AFFF products.

The bill authorizes the imposition of civil penalties for noncompliance.

The bill requires public wastewater facilities with an average daily flow of 25,000 or more gallons per day to conduct, on a quarterly basis, at least one biosolids and treated effluent sampling for PFAS and to submit the results to DEP. Until water quality standards for PFAS are established by the Environmental Protection Agency and adopted by DEP, the sampling and reporting to DEP is for informational purposes only and may not be the basis for any enforcement action or other cause of action. (Singer)

Effective date: July 1, 2026.

COMMITTEE PRESENTATION · 2026

PFAS: What State Legislators and Our Future Governor Need to Know.

Florida League of Cities | Committee Presentation

- Public Health & Safety
- Water Quality Policy
- Municipal Infrastructure



STATE OF FLORIDA

What Are PFAS? The Forever Chemicals.

01

12,000+

Compounds

Per- and polyfluoroalkyl substances form a vast class of man-made chemicals — one of the largest synthetic chemical families ever created.

02

C–F Bond

Unbreakable Bonds

The carbon-fluorine bond is among the strongest in all of chemistry. PFAS resist heat, water, and biological degradation — they simply do not break down naturally.

03

Since 1940s

Decades of Use

Used in nonstick cookware, waterproof clothing, food packaging, firefighting foam (AFFF), and stain-resistant furniture — decades of industrial and consumer application.

04

All 50 States

Everywhere Now

Detected in air, soil, water, human blood, and breast milk across every U.S. state — including Florida. No community has been untouched.

Source: U.S. Environmental Protection Agency | EPA PFAS Action Plan

ENVIRONMENTAL PERSISTENCE

Why **"Forever"?** PFAS Persistence by the Numbers

CRITICAL

Thousands of Years

Time for PFAS to break down in the environment — effectively permanent contamination in soil and groundwater.

3.5-8 Years

Half-life of PFOA in the human body — PFAS bioaccumulate with repeated exposure over a lifetime.

97%

Of Americans tested by the CDC have detectable PFAS in their bloodstream, regardless of geography or lifestyle.

45%

Of U.S. tap water estimated to contain at least one type of PFAS, per USGS 2023 national study.



EPA U.S. Environmental Protection Agency · Centers for Disease Control and Prevention · U.S. Geological Survey

How Are Floridians Exposed to PFAS?

Multiple simultaneous pathways make PFAS nearly impossible to avoid without intervention.

Drinking Water

Contaminated groundwater and surface water, especially near military bases, airports, and industrial sites.

Food & Food Packaging

PFAS-coated packaging, non-stick cookware, and contaminated fish/produce.

Firefighting Foam (AFFF)

Aqueous film-forming foam used at military installations and airports — a primary contamination source in Florida.

Household Products

Stain-resistant carpets, waterproof clothing, personal care products, and cleaning agents.

Inhalation

Airborne PFAS from industrial facilities and thermal degradation of consumer products.

- *Sources: U.S. EPA; ATSDR; U.S. Geological Survey (2023) — Florida communities face compounding exposure from multiple simultaneous routes.*



5

Simultaneous Exposure Pathways Identified by EPA

Florida has **20+ military installations** — among the highest concentrations of AFFF contamination sites in the U.S.

Florida Spring | Aquifer Source

The Health Toll of PFAS Exposure

DOCUMENTED HEALTH RISKS

NEAR-TERM EFFECTS

Short-to-Medium Term Effects

Thyroid Hormone Disruption PFAS interfere with thyroid function, altering metabolism, energy, and development

Elevated Cholesterol Levels PFAS exposure consistently associated with increased LDL cholesterol and cardiovascular risk

Immune System Suppression Reduced vaccine effectiveness; weakened antibody response in children and adults

Liver Enzyme Abnormalities Elevated ALT/AST enzymes indicating hepatic stress and potential long-term liver damage

Reproductive Complications & Reduced Fertility Hormonal disruption affecting fertility outcomes in both men and women

LIFETIME CONSEQUENCES

Long-Term & Lifetime Effects

Kidney Cancer Linked to PFOA exposure; EPA IRIS assessment classifies PFOA as carcinogenic to humans

Testicular Cancer Strong epidemiological evidence linking PFOS/PFOA exposure to testicular cancer risk

Bladder Cancer Risk Emerging evidence of elevated bladder cancer risk with prolonged PFAS exposure

Low Birth Weight & Developmental Delays Children exposed in utero face cognitive, behavioral, and growth impacts

Hypertension in Pregnant Women Increased risk of preeclampsia and pregnancy-induced high blood pressure

Ulcerative Colitis PFOA exposure linked to inflammatory bowel disease; supported by ATSDR and NTP findings

Sources: U.S. EPA Integrated Risk Information System (IRIS), National Toxicology Program (NTP), Agency for Toxic Substances and Disease Registry (ATSDR)

EPA REGULATORY ACTION

EPA Takes Historic Action: The 2024 PFAS Drinking Water Rule

National Primary Drinking Water Regulation (NPDWR) — April 10, 2024

March 2021

EPA Determination to Regulate

EPA determines to regulate **PFOA and PFOS** in drinking water under the Safe Drinking Water Act — formally beginning the rulemaking process.

March 2023

Proposed Rule & Public Comment

EPA proposes the PFAS National Primary Drinking Water Regulation. The proposal draws **120,000+ public comments** — reflecting enormous national concern.

April 2024 FINAL RULE

Legally Enforceable MCLs Established

Maximum Contaminant Levels set for **six PFAS** — including MCLG of zero for PFOA & PFOS. Hazard Index for mixtures: **1.0**.

- PFOA 4 ppt
- PFOS 4 ppt
- PFHxS 10 ppt
- PFNA 10 ppt
- HFPO-DA 10 ppt

2024 – 2026

Testing & Public Notification Required

All public water systems must **test for PFAS** and notify the public if levels exceed the new MCLs — ensuring transparency for millions of households.

2029 Deadline

Treatment Solutions Must Be Operational

Water systems exceeding MCLs must have **PFAS treatment infrastructure fully in place**. For communities like Orange City, this represents an urgent and massive unfunded mandate.

The Scale of PFAS in America's Drinking Water

AMERICANS PROTECTED

100 Million

Americans whose drinking water PFAS exposure will be reduced

Under the EPA's 2024 National Primary Drinking Water Regulation, one in three Americans will see improved protections from PFAS contamination.



Protected (100M) Remaining U.S. pop.

ILLNESSES PREVENTED

Tens of Thousands

Serious illnesses to be prevented over time

Cancers, cardiovascular disease, liver disease, and birth complications averted as PFAS levels fall below new legally enforceable MCLs.



Relative burden of illness type averted

FEDERAL FUNDING

$1 Billion

Federal funding via the Infrastructure Investment and Jobs Act

Unprecedented investment for PFAS testing and treatment at public water systems and private wells nationwide — the largest single PFAS water commitment in U.S. history.



Public Systems — $600M Private Wells — $400M

Covers 66,000 public drinking water systems nationwide

EPA estimates benefits far outweigh costs. The rule covers approximately 66,000 public drinking water systems nationwide. Source: U.S. EPA, National Primary Drinking Water Regulation for PFAS, April 2024.

EPA PFAS SCIENCE PROGRAM

EPA's Ongoing PFAS Research Priorities

Science driving the next phase of action — EPA published **nearly 30 peer-reviewed PFAS papers** in 2024 alone.

01

Detection & Measurement Advancing methods to identify and quantify PFAS across water, air, soil, and living organisms.

02

Toxicity Assessments IRIS Program developing human health assessments for individual PFAS and complex mixtures.

03

Treatment Technologies Evaluating effectiveness of granular activated carbon (GAC), reverse osmosis, ion exchange, and emerging destruction technologies.

04

Vulnerable Populations Prioritizing research on impacts during pregnancy, infancy, and childhood — the most critical life stages.

05

Contaminated Site Cleanup Data on remediation approaches to reduce PFAS exposure at contaminated sites without creating secondary risks.

06

Comprehensive Human Health Dashboard New tools tracking PFAS exposure and health outcomes across communities nationwide.

Source: U.S. Environmental Protection Agency PFAS Research Program | epa.gov/pfas

Florida Communities on the Front Lines

PFAS contamination is widespread across Florida — and the compliance clock is ticking.

Military Installations

Florida is home to major military bases where AFFF firefighting foam has contaminated surrounding groundwater for decades. Eglin AFB, Naval Air Station Jacksonville, and others are known contamination sources.

AFFF SOURCE

Water System Impact

Hundreds of Florida public water systems must now test for PFAS and implement costly treatment solutions to meet EPA's 2029 compliance deadline.

HUNDREDS OF SYSTEMS

Small & Mid-Size Cities

Smaller municipalities face the most severe funding challenges — limited bonding capacity, constrained rate bases, and no dedicated state PFAS treatment funding stream.

HIGHEST RISK

Compliance Deadline

2029: Water systems exceeding MCLs must have treatment in place. The infrastructure investment required is massive — and largely unfunded.

⚠ URGENT DEADLINE

Sources: U.S. EPA NPDWR Final Rule (April 2024) · U.S. Department of Defense PFAS Site Registry · Florida Dept. of Environmental Protection

ORANGE CITY, FLORIDA

⚠ COMMUNITY IN CRISIS

Orange City, Florida: A Community in Crisis

Orange City is a compelling example of the unfunded mandate facing Florida municipalities.

$30M+

Estimated cost to design, engineer, and construct PFAS treatment infrastructure for Orange City's public water system — **exceeding $30,000,000.**

2029

EPA compliance deadline — Orange City must have **fully operational PFAS treatment in place** within years, not decades.

$0

Current **dedicated state funding** available to Orange City for PFAS treatment infrastructure — the funding gap is critical.

~15,000

Residents served by Orange City's water system who depend on **safe, PFAS-compliant drinking water.**

⚠ Without federal and state funding support, Orange City faces the impossible choice of **massive rate increases** or **compliance failure.**

PFAS FUNDING GAP ANALYSIS

Closing the PFAS Funding Gap: What We Need

FLORIDA LEAGUE OF CITIES
Committee Presentation • 2026

FEDERAL FUNDING AVAILABLE

What currently exists — insufficient for Florida's needs

$1B Infrastructure Act PFAS Funding
Shared nationally across 66,000 public water systems — translates to a fraction of what any single community needs.
NATIONALLY DILUTED

State Revolving Fund (SRF) Loans
Debt, not grants — municipalities must repay, driving rate increases and burdening ratepayers rather than solving the funding crisis.
DEBT INSTRUMENT

EPA Enforcement Accounts
Limited and conditional — restricted to enforcement settlements; not broadly available to municipalities facing compliance costs.
LIMITED ACCESS

Bipartisan Infrastructure Law Water Programs
Competitive and limited — grant programs require extensive applications with no guarantee of funding; small cities lack capacity to compete.
COMPETITIVE ONLY

WHAT FLORIDA COMMUNITIES ACTUALLY NEED

Legislative asks — bold action required now

Dedicated State PFAS Treatment Grant Fund A **Florida-specific grant fund** for municipalities with documented PFAS exceedances — direct relief, not more debt.

Direct Legislative Appropriations Targeted **appropriations to cities** with confirmed PFAS exceedances — including communities like Orange City facing $30M+ treatment costs.

State Cost-Share: SRF Loans + Grants Match federal SRF loan programs with **state grant components** to convert unaffordable debt into feasible public investment.

Polluter-Pays Mandate Legislate that **PFAS polluters — not ratepayers** — bear remediation costs. Industries and military entities responsible for contamination must contribute to cleanup.

Expedited Permitting & State Coordinator Fast-track permitting for PFAS treatment facilities + a **dedicated State PFAS Coordinator** to guide and support local government compliance.

The polluter-pays principle must guide Florida's approach. Ratepayers and municipalities should not bear costs created by industrial contamination.

Florida's Leaders Must Act Now.

The health of our communities cannot wait.

1 $

GRANT FUNDING

Establish a dedicated **Florida PFAS Water Infrastructure Grant Fund** to directly assist municipalities with documented contamination and treatment costs exceeding local capacity.

2

FEDERAL & STATE PARTNERSHIP

Pursue state and federal partnerships to ensure communities like **Orange City** receive the **$30M+ in treatment funding** needed to meet EPA's **2029 compliance deadline** — without crushing ratepayers.

3

POLLUTER ACCOUNTABILITY

Champion **polluter accountability legislation** so that industries and military entities responsible for PFAS contamination contribute to — or **fully fund** — municipal remediation costs.

> *"Safe drinking water is not a partisan issue — it is a fundamental responsibility of government."*

Draft Statement - Water Infrastructure Funding

The Florida League of Cities SUPPORTS securing a state-local partnership to address the 20-year funding gap for stormwater and wastewater infrastructure. Municipalities provide essential infrastructure that protects public health, supports economic growth, and safeguards Florida's natural resources. Aging infrastructure, population growth, development, and extreme weather events are placing unprecedented financial demands on local governments. We respectfully ask for $283 million in funding the 2027 Water Quality Improvement Grant (WQIG) to begin to meet this need.

Word Count: 75 words

Tara L. Connor
Councilwoman, City of Rockledge

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Policy Committee Proposal

The Florida League of Cities SUPPORTS securing a state-local partnership to address the 20-year funding gap for stormwater and wastewater infrastructure. Municipalities provide essential infrastructure that protects public health, supports economic growth, and safeguards Florida's natural resources. Aging infrastructure, population growth, development, and extreme weather events are placing unprecedented financial demands on local governments. We respectfully ask for $283 million in funding the 2027 Water Quality Improvement Grant (WQIG) to begin to meet this need.

Florida's municipalities have identified tens of billions of dollars in infrastructure needs, yet the state provides only a fraction of the resources necessary to address those needs. A predictable state funding source, combined with continued local investment, is needed to meet these critical infrastructure needs.

Supporting Sources

Florida Office of Economic and Demographic Research (EDR)

The Legislature itself required local governments to submit these 20-year needs analyses under Florida Statutes §§403.9301 and 403.9302. The 2022 reporting cycle required Florida municipalities, counties, and independent special districts that provide stormwater services to submit a 20-year stormwater needs analysis. EDR received 823 stormwater submissions, including 256 municipalities. EDR says those municipal and county submissions represented 93.6% of Florida's 2022 population. Some local governments did not report proposed revenue amounts.

EDR projects a $11.68 billion stormwater funding gap and a $10.92 billion wastewater funding gap. The state's analysis specifically says that local governments were required to identify funding sources and strategies for closing projected funding gaps.

Only 45.2% of the $90.4 billion in combined stormwater and wastewater capital improvement needs had committed funding sources in the statewide analysis.

158 did not propose a revenue strategy to address the gap.

EDR found that of the $28.125 billion in projected stormwater capital/expansion needs, only a portion had committed funding.

Among the 265 local governments that reported a stormwater funding gap:

Reported funding gap: $4.52 billion among entities that also proposed new revenues

Proposed revenues: $1.85 billion

Remaining gap: $2.67 billion

Only 41% of that reported gap was closed through proposed revenues.

Infrastructure Type	Operations & Maintenance (O&M)	Expansion & Improvement	Total Reported Needs	Population-Adjusted Needs	Projected Funding Gap (Post-Revenue)	Annual Average Need
Stormwater	$20.22 Billion	$28.13 Billion	$48.35 Billion	$51.29 Billion	$11.68 Billion	$2.42 Billion
Wastewater	$77.24 Billion	$62.29 Billion	$139.53 Billion	*N/A*	$10.92 Billion	$6.98 Billion
Combined Total	$97.46 Billion	$90.42 Billion	$187.88 Billion	—	$22.60 Billion	$9.39 Billion

Florida EDR's 2024 Annual Infrastructure Investments report

The 2024 report incorporated quality-control corrections, including removal of duplicate submissions, correction of governmental classifications, and correction of improperly scaled estimates. The revised data supersedes all previously published information.

Infrastructure	**20-Year Reported Need**
Stormwater	$48.35 billion
Wastewater	$139.53 billion
Combined	$187.88 billion

Of the combined $187.9 billion, approximately $97.5 billion is routine operation and maintenance and $90.4 billion is expansion/improvement/capital work.

Only 45.2% of the $90.4 billion in capital improvement projects had committed funding sources. The state has a substantial unfunded infrastructure problem.

Even more importantly, only 45.2% of the $90.4 billion in capital improvement projects had committed funding sources. The state has a substantial unfunded infrastructure problem.

Florida Stormwater Association's (FSA) Survey

Florida Stormwater Association's most recent survey found that approximately 30% (129 stormwater utilities out of an estimated 171 Florida local governments with stormwater utilities) responded and reported that **available capital funding does not meet even their urgent infrastructure needs**. Aging drainage systems, increased development, flooding, water-quality requirements and rising construction costs are placing increasing pressure on local governments and property taxpayers.

That's probably an understatement of the statewide problem, because:

- The survey only covers governments with established stormwater utilities.
- Not every municipality has a dedicated stormwater utility.
- The survey is voluntary.

  It doesn't capture every municipality that funds stormwater through its general fund, transportation program, taxes, or other sources.

EPA Clean Watersheds Needs Survey (CWNS)

EDR itself references the CWNS and notes that the 2012 survey was the previous major nationwide assessment before Florida's new statutory needs-analysis process.

The U.S. Environmental Protection Agency’s 2022 Clean Watersheds Needs Survey independently reinforces the need for increased investment in Florida’s water infrastructure. EPA identified approximately $46.6 billion in Florida clean-water infrastructure needs over 20 years, including $12.0 billion for stormwater management and significant wastewater treatment, conveyance, and decentralized wastewater needs. While the CWNS measures infrastructure needs rather than funding gaps, its findings, together with Florida EDR’s documented municipal funding gap, demonstrate the substantial long-term investment required to maintain Florida’s water infrastructure.

Florida Department of Environmental Protection’s (FDEP) Resilient Florida Statewide Vulnerability Assessment

DEP's Resilient Florida data tells you where Florida's infrastructure is vulnerable to flooding and sea-level rise. It incorporates data from federal, state and local governments and identifies vulnerable infrastructure, geographic areas and communities.

That is extremely useful for connecting stormwater infrastructure → flooding → resilience → economic/property damage. Together, FDEP's identification of high-priority vulnerable infrastructure and EDR's documented local-government funding gaps demonstrate the need for a predictable state-local funding partnership for stormwater and related infrastructure.

Florida Department of Environmental Protection's (FDEP) Flood Inventory and Restoration Report

Under Florida Statute § 373.423, FDEP's 2026 Flood Inventory and Restoration Report identifies priority infrastructure needs organized by each of Florida's five water management districts. Each district scores every critical stormwater asset for flood exposure that is vulnerable to historic and future flooding and could result in property damage or threats to human health if left unaddressed. EDR, the Legislature's economists, supply the dollars. Put together, they show a stormwater need of roughly $28 billion in projects over 20 years, with about $20 billion of it unfunded, and a priority list that sits mostly outside that estimate.

Florida Department of Environmental Protection's (FDEP) Annual Statewide Flooding and Sea Level Rise Resilience Plan

Authorized under Florida Statute § 380.093(5) as part of the Resilient Florida Program.

Allocates financial resources to eligible entities like counties, municipalities, and water management districts for vulnerability-reducing construction. State law requires DEP to deliver, each December 1, a Statewide Flooding and Sea Level Rise Resilience Plan with a 3-year horizon. It must consist of ranked projects that address flooding and sea level rise risk to coastal and inland communities. The current one covers FY 2026-27 and was released December 2025.

The FY 2026-27 numbers:

- **Proposals:** 203 proposals came in, with a combined cost of $1,919,506,199. The total state funding requested for all of them was $998,685,013.
- **Eligible:** 123 were deemed eligible and ranked. Their total project cost is $1,515,226,716, and they requested $738,707,561 from the state.
- **Funded:** Year 1 funds the top 15 projects for $82,039,821, plus two multiyear projects for $17,960,179, for $100,000,000 total. Years 2 and 3 are also capped at $100,000,000 each. Projects not funded in FY 2026-27 must reapply to be considered later.

How it relates to EDR's need:

- **The plan is a narrow, self-selected slice of the need.** Eligible state requests ($739M) are about 4% of the $19.8B in stormwater projects EDR lists with no funding source. The plan also covers wastewater, water supply and shorelines, so its stormwater share is smaller still. Only eligible entities that apply and can meet the minimum 50 percent cost share make the list.
- **Even that slice is oversubscribed.** The three years of funding total $300M against $739M requested. The unfunded backlog is a floor on unmet need, not an estimate of it. EDR's $28.1B is the closest thing to an estimate.

- **Water management districts compete in the same pool.** In the prior cycle, the state cost of ranked district projects was $103,197,111 for Year 1, or 51.5 percent of the funding expected to be available.
- **The plan's ranking doesn't follow the district priority files.** The application asks for the asset's unique ID from the statewide critical asset database, so the systems are linked. But the plan scores flood history, design readiness and cost share, not exposure alone. As a result:
    - South Florida's five newly ranked projects (about $177M, ranked 82 to 113) all fall below the funded line.
    - The structures they target score low in the district file: S-49 scores 2, and G150, G151W and G136 score 0.
    - None of the seven assets that score the maximum 63 has a project in the plan.

Florida’s FY 2025–26 Funding

State program	FY 2025–26 amount	Relevance to municipalities
Wastewater Grant Program / Septic-to-Sewer	$461 million	Directly supports wastewater facilities, upgrades, expansion and septic-to-sewer
Water Quality Improvement Grants	$200 million	Wastewater and stormwater projects that improve water quality
Small County Wastewater Treatment Grants	$8 million	Wastewater projects in eligible small counties
Alternative Water Supply / Water Resource Development	$50 million	Water conservation, reuse and water-supply infrastructure
Resilient Florida project funding	$150 million	Flooding, drainage and resiliency projects

Resilient Florida planning/vulnerability grants	$20 million	Local government planning and vulnerability assessments
Rural Infrastructure Fund	$22 million	Includes stormwater and water/wastewater infrastructure
TMDL projects	$25 million	Water-quality/nutrient-reduction projects, including innovative treatment
Emerging-contaminant monitoring	$32.8 million	Drinking-water and wastewater monitoring

The FY 2025–26 budget specifically appropriated $461 million for the wastewater grant program, with $200 million of that authorized for Water Quality Improvement Grants.

The $461 million is primarily a grant program for capital projects, including construction, upgrading and expanding wastewater facilities and septic-to-sewer conversions. It isn't $461 million of unrestricted money for cities to operate and maintain their existing sewer systems.

Likewise, the $150 million Resilient Florida appropriation is primarily for projects identified in the statewide flooding and sea-level-rise resilience plan—not a general-purpose municipal drainage maintenance fund.

For FY 2025–26, Florida appropriated roughly:

$700+ million in state funding across major water/wastewater, water-quality and resiliency programs that can benefit local governments. Florida appropriated hundreds of millions of dollars in FY 2025–26 for water-quality, wastewater, stormwater, flooding and resiliency projects, but much of this funding is restricted to specific projects, competitive grants, or targeted water-quality objectives. Municipalities remain responsible for funding the ongoing operation, maintenance, repair and replacement of their existing infrastructure. **Cities can't solve a 20-year infrastructure problem by applying for occasional competitive grants.**

Florida's 2022 EDR analysis identified roughly $48.35 billion in stormwater needs over 20 years, while the state's FY 2025–26 budget provided $150 million for Resilient Florida projects and $200 million for Water Quality Improvement Grants.

Proposed Solution

Establishing a predictable state-local partnership to address Florida's growing stormwater and wastewater infrastructure funding needs. The state should provide dedicated annual funding to help municipalities close a portion of the projected funding gap while maintaining local financial responsibility and accountability. A state investment of 25% of the estimated $22.6 billion 20-year funding gap would provide approximately $282.5 million annually to support critical infrastructure, protect public health and water quality, strengthen resiliency, and support Florida's continued growth. The ask: $283 million (25%) in funding the 2027 Water Quality Improvement Grant (WQIG) to begin to meet this need.

The Gap Breakdown

Measure	20-Year Amount	Annual Average
Stormwater total needs	$48.35B	$2.42B
Wastewater total needs	$139.53B	$6.98B
Combined total needs	$187.88B	$9.39B
Projected combined funding gap	$22.60B	$1.13B
25% state share of gap	$5.65B	$282.5M

Proposed Solution to Closing the Gap

State coverage	20-year state commitment	Annual state commitment
10%	$2.260 billion	$113.0 million/year
25%	$5.650 billion	$282.5 million/year
50%	$11.300 billion	$565.0 million/year
100%	$22.600 billion	$1.130 billion/year

Draft Policy Position Statement
Statewide Water Resource Investment and Funding
Utilities, Natural Resources and Public Works Policy Committee

Policy Position Statement

The Florida League of Cities supports comprehensive legislation to address Florida's growing water resource and water quality infrastructure funding needs, including water supply, wastewater, stormwater, groundwater, surface water, and natural systems. Legislation should establish an annual statewide assessment that consolidates existing state, regional, local, utility, and federal needs; identifies funding sources and unfunded needs; establishes objective priorities; develops short-, intermediate-, and long-term investment strategies; and provides dedicated, recurring state funding to address identified needs.

Word count: 74 words

City of Winter Haven
Water Department

Gary M. Hubbard, P.E.
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Background

Water: Fundamental to Florida's Economy and Quality of Life

Water is fundamental to Florida's economy, environment, and quality of life. Florida's economic success depends upon an abundant supply of clean water—not only for the drinking water needs of a rapidly growing population, but also for the beaches, springs, rivers, lakes, estuaries, and coastal waters that support tourism, recreation, fishing, agriculture, commerce, and economic development.

The scale of Florida's water-dependent economy demonstrates why water should be viewed as **economic infrastructure**. In 2024, Florida welcomed approximately **143 million visitors**. Travel and tourism generated an estimated **$133.6 billion in economic impact**, supported **1.8 million jobs**, generated $79.9 billion in wages, and produced approximately $33.6 billion in federal, state, and local taxes. Beaches, waterfront activities, boating, fishing, natural resources, and other water-related attractions are important components of Florida's tourism economy.

Florida's outdoor recreation economy further illustrates the economic value of its natural resources. A Florida Department of Environmental Protection study estimated that 35 outdoor recreation activities generated approximately **$145 billion in total economic output and supported 1.2 million jobs**. Approximately $70 billion was generated through visitor spending, $20 billion through resident spending, and approximately $60 billion in spending occurred in parks and other public lands. Water-dependent activities—including boating, fishing, swimming, paddling, wildlife viewing, and beach activities—are significant components of this economy.

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Florida's freshwater resources are equally important. Springs, rivers, lakes, and groundwater support recreation, tourism, agriculture, fisheries, and communities throughout the state. Groundwater is also the principal source of drinking water for Floridians, making the protection of aquifers and groundwater quality fundamental to public health and continued economic growth.

Florida's freshwater and saltwater resources support a substantial fishing economy. Fishing contributes billions of dollars in economic activity to communities throughout the state, supporting businesses ranging from fishing guides and marinas to restaurants, retailers, manufacturers, and tourism-related businesses. Florida's commercial and recreational fisheries also depend directly upon healthy freshwater, estuarine, and marine ecosystems.

Agriculture is another major water-dependent sector. Florida's agricultural economy includes citrus, vegetables, berries, sugarcane, nursery and ornamental plants, livestock, dairy, and numerous other commodities. Reliable water supplies and adequate water quality are essential to maintaining agricultural production and the businesses, jobs, and communities that depend upon it.

These economic activities should not be added together because their economic impacts overlap. They nevertheless demonstrate the extraordinary economic value generated by Florida's water resources. **Water is not simply an environmental resource or a utility service—it is foundational economic infrastructure.**

The condition, reliability, and availability of Florida's water resources therefore have direct consequences for employment, business activity, tax revenues, property values, public health, tourism, agriculture, fisheries, and the state's ability to accommodate continued population and economic growth.

Protecting and investing in Florida's water resources is consequently an essential component of protecting the state's economy.

Florida's Growing Water Resource Investment Challenge

Florida's continued population growth, economic development, increasing water demands, aging infrastructure, environmental pressures, and flooding are placing increasing demands on water supply, wastewater, stormwater, and natural water systems.

The infrastructure supporting Florida's economy must likewise grow and be maintained. Communities must develop reliable water supplies, maintain and replace aging infrastructure, manage stormwater and flooding, protect groundwater and surface-water quality, address wastewater treatment and disposal, and preserve the natural systems that support tourism, agriculture, fisheries, recreation, and quality of life.

The Office of Economic and Demographic Research (EDR) has documented the substantial infrastructure investment required to maintain and expand Florida's drinking water, wastewater, and stormwater systems. EDR's current infrastructure assessment, based in part on U.S. Environmental Protection Agency needs assessments, identifies more than **$65**

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billion in reported 20-year capital needs for these three infrastructure categories. When adjusted for inflation, the needs exceed **$72 billion**. EDR's broader estimates are substantially greater when operations and maintenance expenditures are included.

These estimates demonstrate the magnitude of Florida's infrastructure challenge, but they should not be interpreted as the total investment required to address all of Florida's water resource needs.

The EDR infrastructure assessment is principally focused on drinking water, wastewater, and stormwater infrastructure. Other significant investments—including alternative water supplies, aquifer recharge and storage, potable reuse, water conservation, wetland restoration and creation, septic-to-sewer conversion, watershed restoration, flood protection, protection of springs and surface waters, estuary and coastal protection, and other natural-system projects—are addressed through other state, regional, and local planning and funding processes.

Existing Planning Provides Important Pieces of the Picture

Florida has developed substantial information regarding its current and future water resource needs. EDR, the state's five Water Management Districts, the Florida Department of Environmental Protection (FDEP), local governments, utilities, federal agencies, and other entities each develop assessments, plans, and estimates addressing specific aspects of Florida's water future.

The Water Management Districts provide essential regional information regarding future water demand, available supplies, projected water-supply shortages, and potential alternative water supplies. EDR incorporates this regional information into its statewide water-resource assessment.

These assessments are essential for determining where future water supplies will be needed and identifying potential solutions. However, water demand and supply projections do not, by themselves, establish the total statewide investment necessary to meet those demands. Nor do they provide a comprehensive accounting of the funding required for the full range of water quality, watershed, natural-system, flood protection, and other water-resource objectives facing Florida.

FDEP administers programs addressing specific water-resource needs, including alternative water supplies, wastewater, water storage, and water quality. Local governments and utilities likewise develop capital improvement programs and infrastructure needs assessments and make substantial investments through utility rates, impact fees, assessments, ad valorem revenues, grants, and borrowing.

Collectively, these efforts provide a significant amount of information. The challenge is that the information is developed for different purposes, by different entities, using different planning horizons, assumptions, funding sources, and methodologies.

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As a result, Florida does not have a single, regularly updated picture that clearly communicates to the Legislature:

1. **The total current and projected investment needs for Florida's water resources;**
2. **The amount of those needs that is currently funded or reasonably expected to be funded;**
3. **The portion that remains unfunded;**
4. **The water-resource needs that have been identified but cannot yet be reliably quantified; and**
5. **The level of state investment that is necessary and appropriate to address the remaining needs.**

This information is essential for sound fiscal and economic policy. Without a comprehensive understanding of the investment required to protect the water resources that support Florida's economy, the Legislature cannot fully evaluate the long-term consequences of underinvestment or the economic benefits of timely investment.

The Need for a Statewide Water Resources Investment Assessment

The state should not create a duplicative planning process to answer these questions. Instead, Florida should build upon the substantial information already being developed by EDR, the Water Management Districts, FDEP, local governments, utilities, federal agencies, and other partners.

The state should establish an annual **Florida Water Resources Investment Assessment** that consolidates these existing sources into a single, comprehensive picture of Florida's water-resource investment needs.

To the greatest extent practical, existing needs assessments and planning documents should be used rather than requiring entities to duplicate existing work.

The statewide assessment should establish consistent categories and methodologies for reporting water-resource investment needs and identify:

- Current and projected infrastructure and water-resource needs;
- Capital, operations, maintenance, and replacement needs where applicable;
- Water supply and demand projections;
- Alternative water supply and conservation needs;
- Wastewater treatment, collection, reuse, and disposal needs;
- Stormwater management and flood protection needs;
- Groundwater, aquifer recharge, and storage needs;
- Water quality and watershed restoration needs;

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- Natural-system, estuarine, coastal, and marine-resource needs;
- Current and anticipated funding from local, regional, state, federal, and private sources;
- The resulting unfunded need; and
- Needs that have been identified but cannot yet be reliably quantified.

The assessment should distinguish among **quantified needs, projected needs, and unquantified or emerging needs**. This would provide the Legislature with a more accurate representation of Florida's water-resource investment challenge without creating an artificial statewide dollar figure where reliable cost information does not yet exist.

The assessment should also identify overlapping projects and funding sources to avoid double-counting. A single project may address multiple objectives—for example, a stormwater project may provide flood protection, improve water quality, recharge groundwater, restore wetlands, and create an alternative water supply. The state's investment assessment should recognize these multiple benefits while ensuring that project costs are counted only once.

Water Investment as Economic Investment

A statewide water-resource investment assessment should also evaluate the economic significance of the infrastructure and resources being protected.

Water infrastructure supports the businesses and industries that make Florida economically competitive. Reliable drinking water and wastewater systems support residential and commercial development. Adequate water supplies support agriculture and manufacturing. Clean rivers, springs, lakes, estuaries, beaches, and coastal waters support tourism, fishing, recreation, and property values. Stormwater and flood-management infrastructure protects homes, businesses, transportation systems, and public facilities.

Consequently, the economic consequences of water-resource investment extend well beyond the cost of constructing a treatment plant, pipeline, reservoir, recharge system, stormwater facility, or restoration project.

A statewide investment assessment should therefore identify, where practical, the economic consequences and benefits associated with major categories of water-resource investment. This could include consideration of employment, economic output, tax revenues, property values, tourism, agricultural production, business continuity, public health, and avoided costs resulting from inadequate infrastructure or degraded water resources.

Such an approach would allow the Legislature to evaluate water investment in the same context as other major economic infrastructure investments. It would demonstrate not only **what Florida needs to spend**, but also **what Florida's economy depends upon those investments to protect and sustain**.

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Comprehensive Watershed Management

Florida's water challenges increasingly require solutions that recognize the interrelationship among water supply, wastewater, stormwater, groundwater, surface water, flood protection, water quality, and natural systems.

The Florida Water Protection and Sustainability Program Trust Fund was established to support important state water-resource objectives, including alternative water supplies, water storage, and wastewater projects. Funding for these programs, however, remains dependent upon legislative appropriations.

Florida communities are increasingly implementing integrated water management, or **"One Water,"** strategies that treat water as a connected resource rather than as separate water supply, wastewater, and stormwater systems.

A comprehensive watershed approach can generate multiple benefits from a single investment. For example, a stormwater project can simultaneously reduce flooding, improve water quality, recharge groundwater, provide an alternative water supply, restore wetlands, and enhance community resilience. Similarly, wastewater investments can provide opportunities for water reuse, aquifer recharge, nutrient reduction, and watershed restoration.

These projects can protect both environmental and economic assets. A healthy watershed can support tourism, recreation, fisheries, agriculture, property values, and community development while reducing the costs associated with flooding, water-quality degradation, and future water shortages.

Florida Administrative Code Rule 62-40.425 promotes a comprehensive watershed management approach for addressing the cumulative impacts of human activities on Florida's water resources, including water quality, water supply, natural systems, floodplain management, and flood protection.

Despite this policy direction, comprehensive watershed projects can face difficulty obtaining state financial assistance because existing funding programs are generally organized around specific purposes. A multipurpose project may qualify for funding for one component while other essential components must compete separately through different programs.

This creates a **funding-silo problem**: Florida's policy encourages integrated watershed management, but its funding structure can make integrated projects more difficult to plan and construct.

The League supports expanding the eligible uses of the Water Protection and Sustainability Program under Section 403.890, Florida Statutes, to include comprehensive watershed management projects. This would better align state funding with Florida's policy preference for watershed-based management and give local governments greater flexibility to develop projects that address multiple water resource, water quality, flood protection, economic, and natural-system objectives.

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From Needs Assessment to Statewide Investment Strategy

An annual statewide assessment should serve as more than an inventory of projects. It should provide the foundation for a **5-, 10-, and 20-year Florida Water Resources Investment Strategy**.

The strategy should identify:

- The most critical current and projected needs;
- Projects and programs that provide multiple water-resource and economic benefits;
- The appropriate roles of state, regional, local, federal, and private-sector partners;
- Existing funding that can be leveraged or better coordinated;
- Unfunded needs requiring additional investment;
- Objective criteria for prioritizing state financial assistance; and
- The level and type of recurring state funding necessary to advance identified priorities.

This approach would allow the Legislature to move from isolated annual funding decisions toward a strategic investment process based on documented needs, measurable priorities, economic significance, and long-term consequences.

The Need for Dedicated, Recurring State Funding

Florida's water-resource challenges are long-term, while many state funding decisions are made on an annual basis. Water infrastructure must be planned, designed, financed, constructed, operated, maintained, and eventually replaced over many decades.

Local governments and utilities already make substantial investments through utility rates, impact fees, assessments, ad valorem revenues, grants, and municipal borrowing. State participation can help leverage those local investments and advance projects that provide benefits beyond a single community or utility service area.

A dependable and recurring state funding commitment would provide local governments and regional water-resource partners with greater certainty when developing multiyear capital programs. It would improve their ability to leverage local revenues and bonding capacity, coordinate projects across jurisdictional boundaries, and pursue innovative water-supply and watershed solutions.

Predictable state funding is particularly important for projects that require significant upfront investment but produce benefits over many decades. Long-term funding certainty can allow communities to address infrastructure needs proactively rather than waiting until water shortages, failing infrastructure, degraded water quality, flooding, or regulatory requirements create an immediate crisis.

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The objective should not be for the state to assume responsibility for all local water infrastructure costs. Rather, the state should establish a **strategic, objective, and predictable framework for state participation** in projects that advance Florida's water-resource, water-quality, economic, and public-interest priorities.

An annual statewide water resources investment assessment, coupled with a long-term investment strategy and a dedicated, recurring state funding source, would allow Florida to move from a fragmented, project-by-project funding model toward a coordinated statewide investment strategy.

Such an approach would provide the Legislature with a clear understanding of **the magnitude of Florida's water-resource needs, the economic value supported by those resources, the funding already available, the remaining unfunded need, the needs that remain to be quantified, and the level of state investment necessary to protect Florida's water resources and sustain continued population and economic growth.**

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Key Dates

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2026 - 2027 Key Legislative Dates

November 2026

13	FLC Legislative Policy Committee Meetings (Round 2), Hilton Orlando, 6001 Destination Pkwy, Orlando, FL 32819
17	Florida House and Senate Organization Session
18-21	NLC City Summit, Nashville, TN
30-Dec. 3	Florida House and Senate Interim Committee Meetings

December 2026

3-4	FLC Legislative Conference, Renaissance Orlando at SeaWorld, 6677 Sea Harbor Dr, Orlando, FL 32821 (Round 3 of Legislative Policy Committees will be on Dec. 3)

January 2027

4-7	Florida House and Senate Interim Committee Meetings
11-14	Florida House and Senate Interim Committee Meetings

February 2027

1-4	Florida House and Senate Interim Committee Meetings
8-11	Florida House and Senate Interim Committee Meetings
15-18	Florida House and Senate Interim Committee Meetings
23	FLC Legislative Session Preview Webinar, 2:00 p.m. ET

March 2027

2	Regular Legislative Session Convenes
8-10	FLC Legislative Action Days, Tallahassee, FL
15-17	NLC Congressional City Conference, Washington, DC

April 2027

30	Last Day of Regular Legislative Session

May 2027

5	FLC Legislative Session Review Webinar, 2:00 p.m. ET

For further details about the mentioned events or legislative information, contact *medenfield@flcities.com*.



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