

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. <u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	<u>Pre-meeting</u>
2. _____	_____	<u>CA</u>	_____
3. _____	_____	<u>RC</u>	_____

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

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

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 inspections¹⁸ 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

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](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.

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.