

# SB 848 and the Future of Regional Stormwater Treatment



June 18, 2026

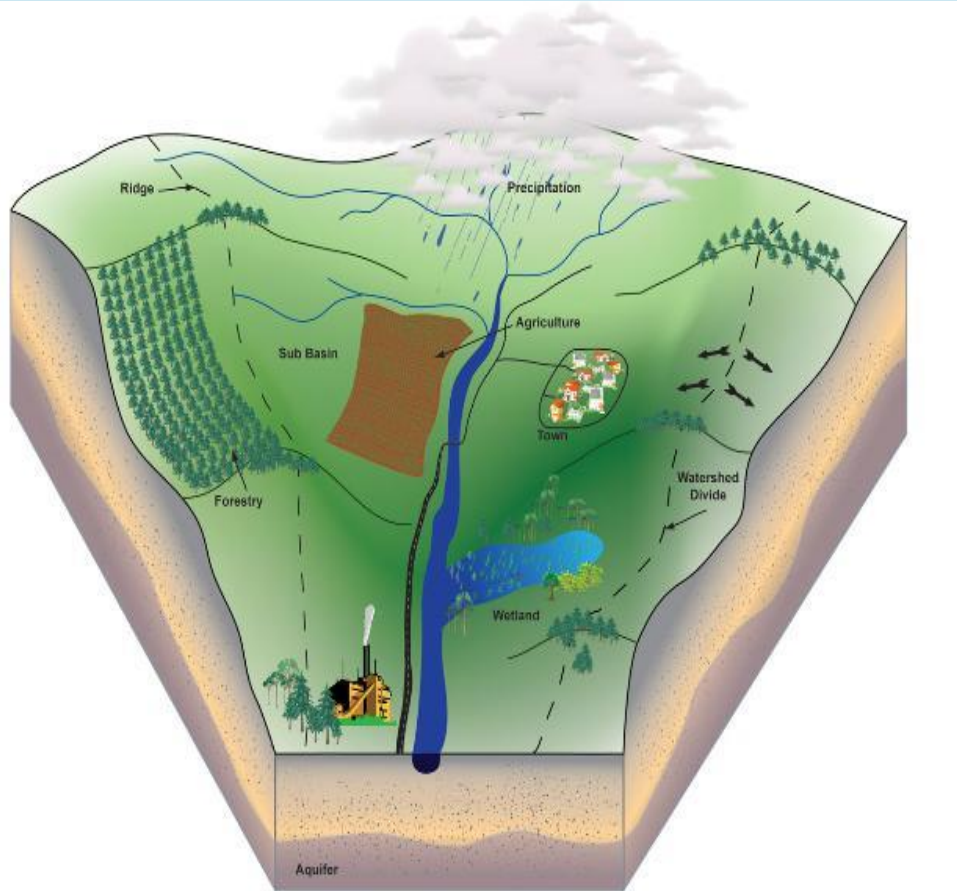
*Jeff Littlejohn, P.E.*

# Session Overview

1. New Stormwater Rule recap
2. Onsite and Offsite treatment requirements
3. SB 848 discussion
4. Receiving water considerations
5. Offsite treatment options



# SB 712 – Clean Waterways Act (2020)



Graphical illustration of a watershed. Credit: Greg Means (UF/IFAS)

## Directed FDEP to adopt new stormwater rules:

- Improve water quality
- Use most recent scientific information
- Address low-impact design BMPs
- Increase removal of **nutrients**
- Incorporates a **watershed approach**
- Consistent application of **Net Improvement**



# ERP Stormwater Rule (2024-2025)

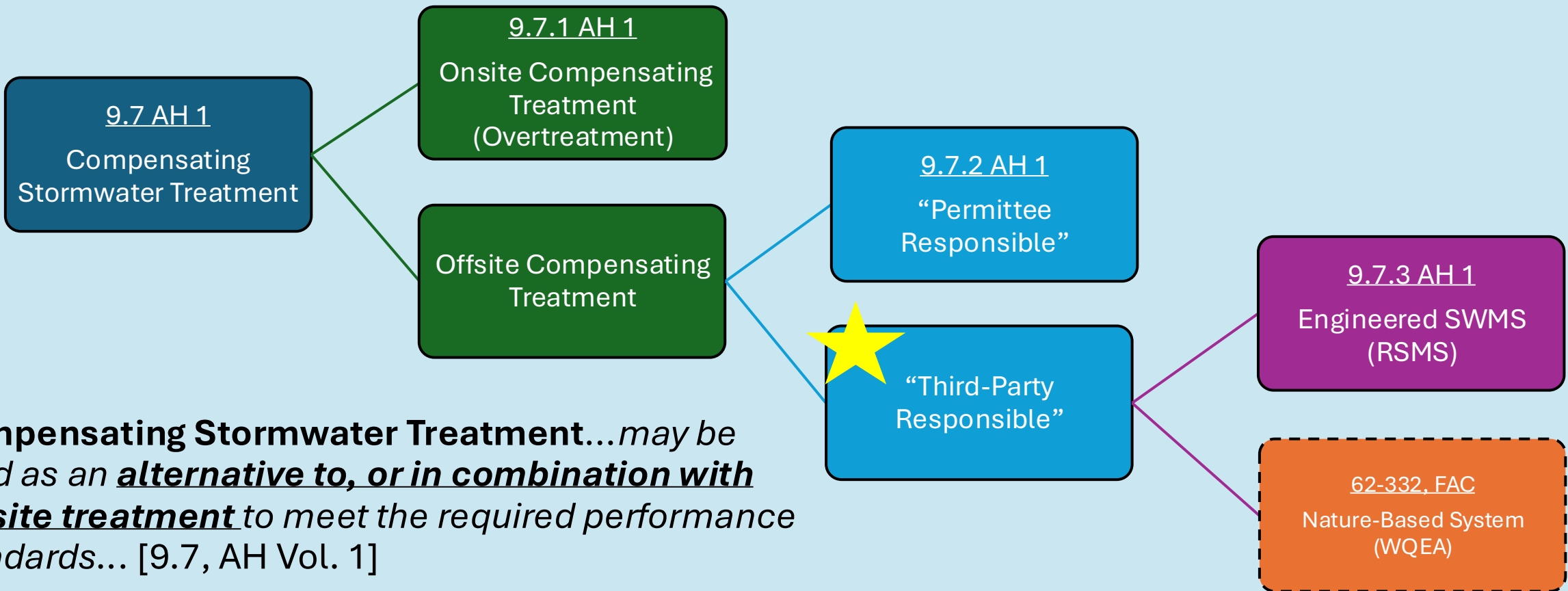
Nutrient Treatment
Basic Treatment
Quantity Control

## Key Requirements:

- Retained basic treatment, quantity and rate control requirements
- Capped nutrient loading and added specific nutrient reduction requirements
- Offered new options to meet nutrient requirements (LID, GSI, Alternative Designs)
- ★ Expanded compensating treatment options (nutrient trading)
- Enhanced O&M, cost estimate, inspection requirements



# Compensating Stormwater Treatment



Compensating Stormwater Treatment...*may be used as an **alternative to, or in combination with on-site treatment** to meet the required performance standards...* [9.7, AH Vol. 1]



# SB 848 Clarified Third-Party Treatment

## Before SB 848:

- Compensating stormwater treatment only authorized in ERP rules
- RSMS authority only contained in Applicant's Handbook
- No clear tie-in for WQEA enhancement credits

## After SB 848:

- Compensating stormwater treatment recognized in statute
- RSMS transfer of responsibility expressly authorized by statute
- WQEA credits and RSMS allocations both recognized as compliance options



# NEW: SB 848 (2026)

## Key Legislative Actions:

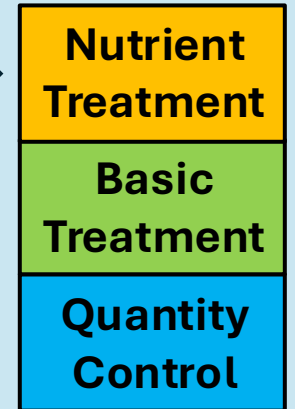
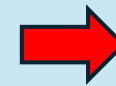
- Defines “Compensating Stormwater Treatment”
- Defines “Regional Stormwater Management System (RSMS)”
- Defines “Pollutant Reduction Allocation” (“SNC”)
- Authorizes pollutant reduction allocations from RSMS for ERP compliance
- Confirms use of enhancement credits from WQEAs for ERP compliance
- Requires financial responsibility for RSMS operators
- Requires mapped drainage (service) areas for RSMS operators




# Practical Effect for Permit Applicants

Confirms nutrient requirements can be met through any combination of:

- ✓ Onsite treatment
- ✓ Permittee-controlled off-site treatment
- ✓ RSMS pollutant reduction allocations
- ✓ WQEA enhancement credits



**Retains remaining ERP requirements:**

- No changes to basic treatment or quantity control
- Compensating treatment only within same hydrologically connected watershed
- No localized adverse impacts 



# Receiving Water Constraints

- The transfer must occur within the same hydrologically connected watershed
- The project must not create a localized adverse impact
- Impaired waters and TMDLs create tighter technical constraints
- Wetlands shift the analysis to assimilative and hydraulic capacity

Artificial  
Conveyance

Surface Water  
(unimpaired)

Surface Water  
(impaired)

Wetlands



# RSMS Drainage (Service) Areas

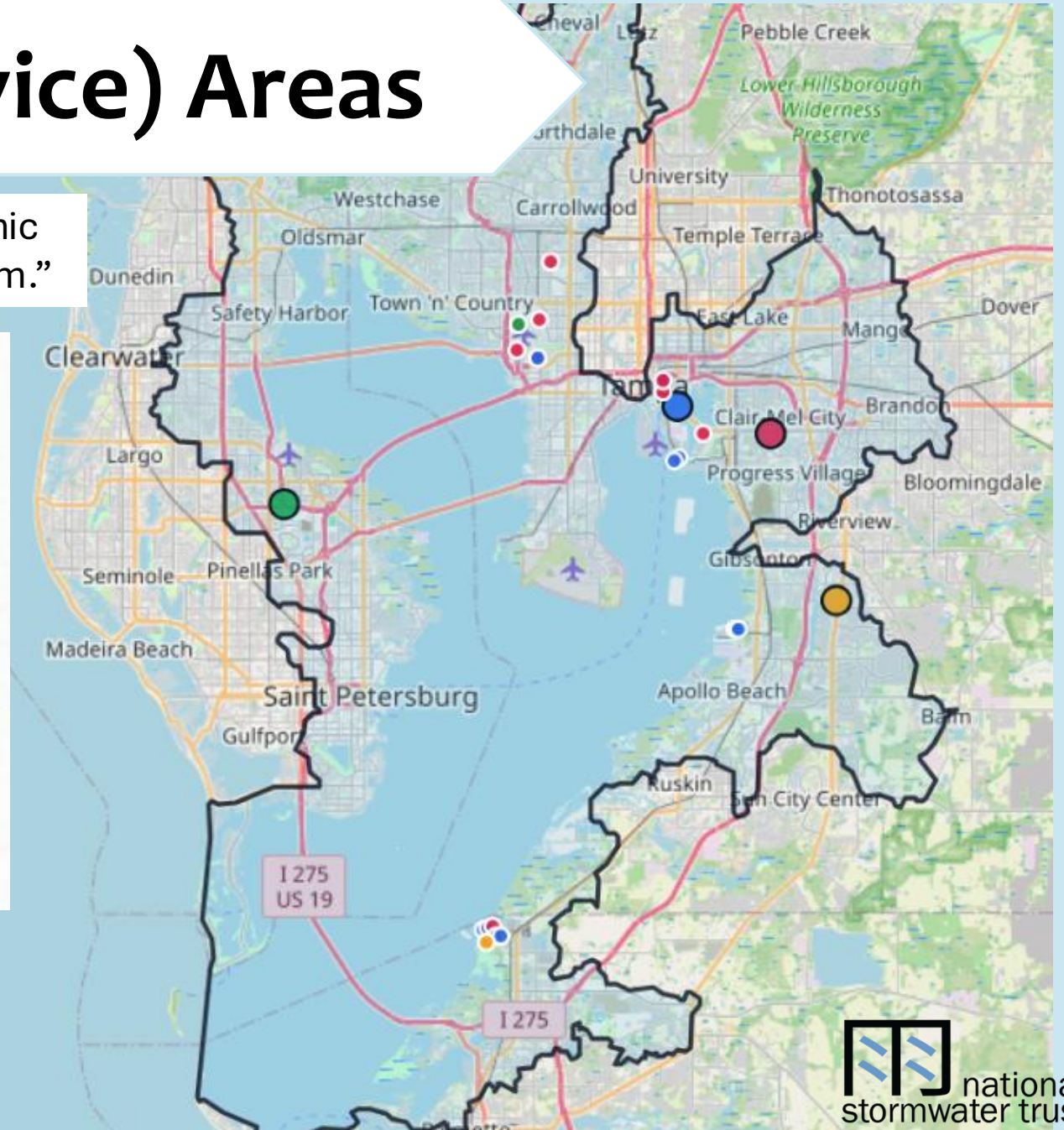
The RSMS permit “...shall establish and include a graphic depicting the drainage area to be served by such system.”

## Tampa Bay RSMS Service Area

Larger dots with black outlines are RSMS locations. Smaller dots with white outlines are customers/projects colored according to their associated RSMS. Use the +/- buttons for finer zoom control.

### RSMS

- FL-D7-HILL-001
- FL-D7-HILL-003
- FL-D7-PINE-002
- FL-D7-HILL-005



# Pollution Reduction Allocations (Ledger)

Treatment Credit Accounting Record (Ledger)  
**FDOT SR 676 Pond 3 (F10250-3530-05), NST FACILITY FL-D7-HILL-001**  
 SWFWMD Permit 43027063.006

**Excess TN Release Schedule:**

1) Excess TN removal based on as-built condition:	9.66 lbs/yr
2) Additional TN removal credit with the installation of CMAC:	1.67 lbs/yr
3) Additional TN removal with satisfactory CMAC monitoring:	39.81 lbs/yr
4) Potential Total Excess TN removal credit:	<b>51.14 lbs/yr</b>

Date	Project Name	Project Location/Address	Permit Number	Project Area (acres)	Required BMP Removal (lbs/yr)	Excess TN Deduction (lbs/yr)	Excess TN Credit (lbs/yr)	Remaining Excess TN Removal Credit (lbs/yr)
3/1/22	SR 676 Pond 3 Permit Issuance - Excess TN removal based on as-built condition available	27°55'15.60"N; 82°22'28.30"W	43027063.006	n/a	n/a	n/a	9.66	9.66
5/17/22	Worldwide Aircraft Services (Jet ICU) SWFWMD Application ID 842543	27°57'52.24"N; 82°31'33.10"W	43027063.007	1.95	1.30	1.30	n/a	8.36
6/6/22	Carver Maritime - Boneyard Phase 1 FDEP Application No.: 41-0419303-001-EI	27°38'22.42"N 82°33'18.87"W	43027063.008	2.06	3.00	3.00	n/a	5.36
5/31/23	SR 676 Pond 3 CMAC Installation & Transfer to Operations and Maintenance phase	27°55'15.60"N; 82°22'28.30"W	43027063.006	n/a	n/a	n/a	1.67	7.03
12/20/23	Remaining TN removal credit based on Annual Monitoring Report that needs to be resubmitted every year to maintain validity.	27°55'15.60"N; 82°22'28.30"W	TBD	n/a	n/a	n/a	39.81	46.84
								46.84
								46.84
								46.84
								46.84



# SB 848 Reinforces Regional Treatment

- SB 848 offsets increased costs of nutrient treatment requirements
- Reduces need for land-intensive onsite treatment
- Creates a statutory framework for stormwater credit trading at scale
- Two complementary compliance paths: RSMS and WQEA, increasing market availability and competition
- Improves flexibility for credit creation and lowers costs
- Adds statutory terms, allocation mechanics, default geographic service areas, and financial safeguards

**“SB 848 strengthens the watershed approach to achieving Florida’s ambitious nutrient management goals.”**



# Contact NST

**For the latest stormwater updates:**

Email [info@NationalStormwater.com](mailto:info@NationalStormwater.com)

Call 888.597.6872

Visit [nationalstormwater.com](http://nationalstormwater.com)

Follow NST on LinkedIn

**Jeff Littlejohn, P.E.**  
**President, National Stormwater Trust, Inc.**

## Develop Your Entire Property

Whether you're building a new pond, or refurbishing an existing pond site, choose NST to provide offsite stormwater facilities.

## Eliminate Future O&M Costs

NST can help eliminate regular operations and management costs when using offsite stormwater capacity.

## Improve Water Quality

Extend stormwater detention and improve infiltration by using NST's smart pond CMAC monitoring systems.

## Reduce Flood Risks

Real-time data allows NST to draw down and manage flow when storms are imminent.



Smart Pond Webinar Series

