

**STATE GOVERNMENT:**

The bill may have an insignificant negative fiscal impact on DEP associated with publishing biennial progress reports for coastal resiliency projects and creating and maintaining an online dashboard as required by the bill, but DEP can absorb the associated costs within existing resources.

**LOCAL GOVERNMENT:**

Ratification of the rulemaking provisions in the bill may have negative fiscal impacts on local governments and water management districts, as provided in DEP's statement of estimated regulatory costs sections of this bill analysis.

**PRIVATE SECTOR:**

The bill will likely have a significant negative economic impact on the private sector related to complying with the rules ratified by the bill, as provided in DEP's statement of estimated regulatory costs.

**RELEVANT INFORMATION****SUBJECT OVERVIEW:**[The Environmental Regulation Commission](#)

The Environmental Regulation Commission (ERC) is a non-salaried, seven-member board within the Department of Environmental Protection (DEP).<sup>5</sup> The ERC is responsible for setting statutorily specified air and water quality standards by evaluating their scientific and technical validity, economic impacts, and risks and benefits to the public and Florida's natural resources.<sup>6</sup> The ERC's members are selected by the Governor and confirmed by the Senate,<sup>7</sup> and must be representative of:

- Agriculture.
- The development industry.
- Local government.
- The environmental community.
- Residents.
- Members of the scientific and technical community with substantial expertise in water pollutants, toxicology, epidemiology, geology, biology, environmental science, or engineering.<sup>8</sup>

If a proposed standard would be stricter or more stringent than one set by federal law or regulation, current law requires DEP to conduct a study of the economic and environmental impact of any such standard.<sup>9</sup> Such study must be submitted to the ERC, which must initially adopt the standard.<sup>10</sup> The study must then be submitted to the Governor and Cabinet for final action, which must accept, reject, modify, or remand the standard for further proceedings within 60 days of the submission.<sup>11</sup>

In the past 10 years, the ERC has met four times: once in 2016, 2017, 2024, and 2025.<sup>12</sup>

<sup>5</sup> DEP, *Environmental Regulation Commission*, <https://floridadep.gov/ogc/ogc/content/environmental-regulation-commission> (last visited Feb. 2, 2026). The ERC was created in statute in 1975. See Chapter 75-22, L.O.F.; [S. 403.804, F.S.](#)

<sup>6</sup> *Id.*; see also s. [403.804\(1\), F.S.](#) The ERC does not establish DEP policies, priorities, plans, or directives, but may adopt procedural rules governing its meetings and hearings.

<sup>7</sup> Section [20.255\(6\), F.S.](#); see also DEP, *Environmental Regulation Commission*, <https://floridadep.gov/ogc/ogc/content/environmental-regulation-commission> (last visited Feb. 3, 2026).

<sup>8</sup> Section [20.255\(6\), F.S.](#)

<sup>9</sup> Section [403.804\(2\), F.S.](#)

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> DEP, *Environmental Regulation Commission Agenda (2016)*, available at [https://floridadep.gov/sites/default/files/ERC\\_Agenda\\_July.pdf](https://floridadep.gov/sites/default/files/ERC_Agenda_July.pdf); DEP, *ERC Meeting*,