

Antonia Hover

From: Office of Commissioner Passidomo
Sent: Monday, January 24, 2022 4:41 PM
To: Commissioner Correspondence
Subject: Docket No. 20200226
Attachments: Re Docket #20200226-SU; Docket #20200226-SU Excellent Intentions with too many unresolved issues; Docket #20200226-SU; Palm Island and Little Gasparilla Island future sewer ; Opposition to Docket #20200226-SU; RE. Docket #20200226-SU; RE Docket #20200226-SU; Docket #20200226-SU; Docket #20200226-SU

Please place the attached in Docket No. 20200226.

Thank you!

Antonia Hover

From: Candyce Cohen <candycecohen@gmail.com>
Sent: Monday, January 24, 2022 4:32 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Subject: Re: Docket #20200226-SU
Attachments: PSC Letter Docket #20200226-SU .pdf; ATT00001.htm

Dear Clerk of the Commission and Commissioners,

I apologize if this is duplicative, but I just checked the Docket 2020226-SU and did not see my letter appearing on the list of letters received. In case a glitch has happened, I wanted to resend to ensure my concerns are captured. Thank you for your consideration.

January 22, 2022

Reference: **Docket #20200226-SU**

Distinguished commissioners LaRosa, Clark, Passidomo and Clerk of the Commission,

Good morning. I have been a homeowner on Don Pedro Island in Charlotte County since 1990, and a full-time resident since 1995. I am formally requesting the Public Service Commission DENY Environmental Utilities LLC's (EU's) application for wastewater service for the following reasons:

1. NEED FOR SERVICE

Water quality testing in and around Lemon Bay and northern Charlotte Harbor has not established the need to replace septic systems with a central sewer system. To address this concern, EU emailed interested parties information from a Florida Atlantic University study on septic system impact on the "urbanized Indian River Lagoon" area on the east/Atlantic coast of Florida. EU has also referenced via email that the islands to the north (in Sarasota County) and to the south (in Lee County) are on central sewer.

- The population density from Indian River and surrounding coastal counties are significantly greater running from 20% to 85% greater population density than Charlotte County.
- I also note the Indian River Lagoon is listed as the waterway with the 4th highest volume of untreated sewage spills in the state from Florida DEP analysis spanning 2009 – 2018, and therefore should not be conflated with Lemon Bay and Charlotte Harbor.
- As Mr. Boyer has also communicated the islands north and south have central sewer, to be clear both those counties have 280% greater population density than Charlotte County.
- Don Pedro, Knight and Little Gasparilla Island differs significantly from our neighbors on the east coast. Besides population density referenced above, the islands do not support high-rise/multifamily nor commercial development (beyond a single resort on the north end). Extensive commercial development is not zoned for and not contributing to the need for central sewer. In fact, our zoning ensures this will not change.
- Anecdotally, we have seen on other islands up and down the coast, when sewer is installed developers "lobby" county and city commissions to alter zoning to increase development which would fundamentally change the nature of the islands and the Florida native environment we have today.

Given these concerns, I request EU's application be **DENIED**.

2. INCREASED RISK OF SEWAGE SPILLS DUE TO POWER INTERRUPTIONS (vs AGEING INFRASTRUCTURE)

While future local water quality studies may one day show some nutrient leakage from septic tanks, central sewer adds risk for environmental nightmares beyond an individual home's septic tank collapsing here and there. Checking Florida headlines and Florida DEP Public Notice of Pollution (PNP) tracking of sewage and wastewater spills¹ over the past few years²

In 2019, the Department of Environmental Protection reported **2,779 wastewater spills in Florida**, compared with **2,282 reported spills in 2007**. There was a large jump in 2017, the year of **Hurricane Irma**, of a reported **3,452** wastewater spills. ... Pathogens in wastewater are known to cause lung and intestinal infections.

<https://projects.wufl.org/humanhazard/major-spills-fr>



<https://www.floridatoday.com/story/news/2021/12/16>

Thousands of gallons of raw sewage spilled in Titusville, Palm ...

Dec 16, 2021 – Thousands of gallons of raw sewage leaked in Titusville, Palm Bay ... according to the Florida Department of Environmental Protection.

<https://www.abcactionnews.com/news/region-pinellas>

At least 1,300 gallons of sewage leaks into St. Pete waters

Jul 20, 2021 – This is also not the only wastewater leak that has happened recently around the Tampa Bay area. The Florida Department of Environmental ...

¹ <https://prodenv.dep.state.fl.us/DepPNP/reports/viewIncidentDetails?page=1>

² <https://stories.usatodaynetwork.com/sewers/>

Major spills from Florida's sewage treatment plants are on the ...

Aging infrastructure and storms contribute to massive spills

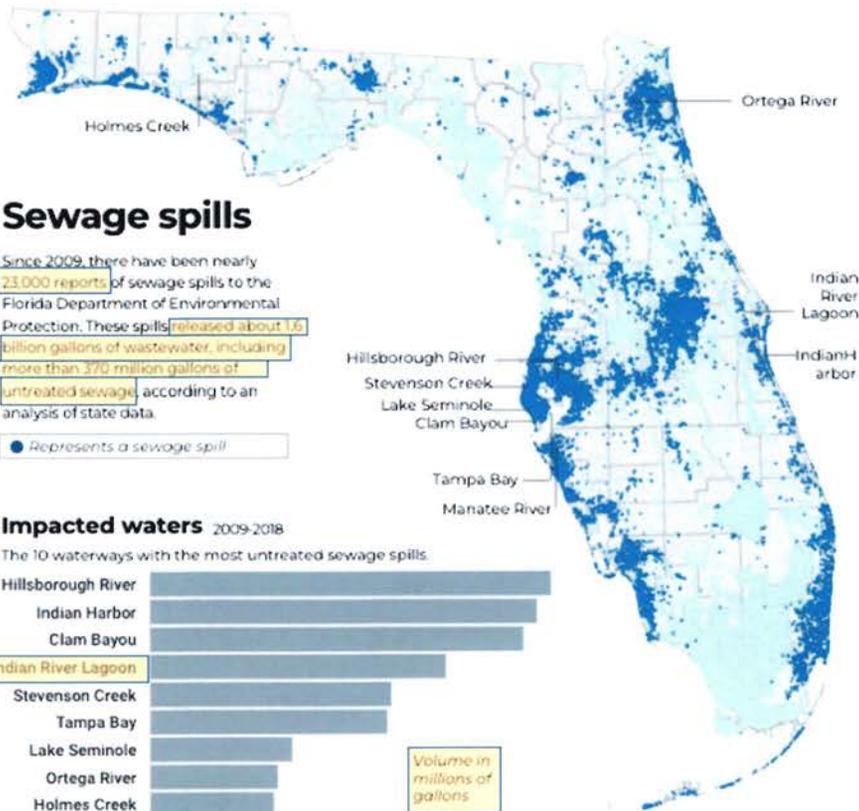
BY JOSH SALMAN, JENNIFER BORRESEN, DAPHNE CHEN
AND DAK LE / GATEHOUSE MEDIA

, Sarasota Herald-Tribune

More than 900,000 gallons of raw sewage flowed into Sarasota Bay after a violent December storm forced open a city pipe.

Summer rain in Daytona Beach and equipment failure in Jacksonville each prompted more than a quarter million gallons of human waste to spill from sewers last year.

In Boca Raton, a pressurized pipe gushed out nearly 50,000 gallons of untreated wastewater, while another 55,000 gallons spewed from a DeFuniak Springs manhole into nearby Bruce Creek.



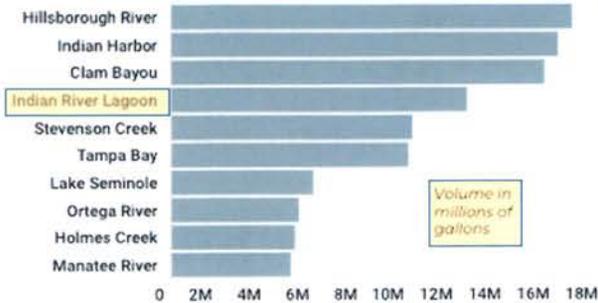
Sewage spills

Since 2009, there have been nearly 23,000 reports of sewage spills to the Florida Department of Environmental Protection. These spills released about 1.6 billion gallons of wastewater, including more than 370 million gallons of untreated sewage, according to an analysis of state data.

● Represents a sewage spill

Impacted waters 2009-2018

The 10 waterways with the most untreated sewage spills.



SOURCE: Florida Department of Environmental Protection.

I note while EU would hopefully not struggle with Ageing Infrastructure, it would have to contend with **POWER OUTAGES**.

- The system proposed by EU requires electrical pump stations distributed to each homesite. In addition to the **significant cost** of supporting these, an extended Florida Power outage could lead to a devastating raw, untreated sewage dump in our waters - hundreds of times greater than individual septic tanks. Even with EU requiring each homeowner install/upgrade electrical service and generators, during power outages, fuel is precious and difficult to obtain.

- We have a hurricane season every year and have had numerous instances of multi-day outages on island. To add risk of environmental damage due to difficulty providing electricity to individual septic pumps island-wide is a risk that should weigh heavily in the consideration.
- Power outages are common throughout the year even outside the 6-month long hurricane season. In the last month we have had two significant outages one which resulted in a 19-hour outage across most of the island.

Given these concerns, I request EU's application be **DENIED**.

2. FINANCIAL ABILITY

The principals of Environmental Utilities (EU) are well-known to island residents with no observable financial stability or standing to undertake a project of this nature typically undertaken by municipal and governmental bodies. EU has not referenced any efforts to seek available water quality grants such as the Florida water-quality SWAG grants or the federal DEP 319 grants designated for septic to sewer projects.

- As a limited liability corporation, EU LLC will not pass basic due diligence to be deemed a qualified recipient of the environmental, governmental or even philanthropic grants available to support such projects. Grantors will be required to act as fiduciaries in granting taxpayer or donor funds. The principals of the LLC have little to no oversight and would logically be considered "high-risk" potential recipients of grants.
- The principles of a limited liability corporation can "walk away" at any time with no liability – with grant monies in their pockets and no recourse to taxpayers or foundations.
- Further, as an LLC entity can "walk away" from the project at any time, there are no requirements to report any monies paid to that date. As there is no governmental body is taking responsibility for this project, islanders are left susceptible to undue risk of financial loss from a "limited liability" entity.
- With the size and resources of EU being limited, their capabilities to negotiate, oversee, and run such a large logistical infrastructure project are incredibly limited. Contract management, purchasing, construction oversight and execution would be much better overseen by a governmental entity which has the critical mass to cover such logical functions across a county/state entity.

Given these concerns, I strongly request EU's application be **DENIED**.

3. TECHNICAL EXPERTISE

Environmental Utilities (EU) is an LLC whose principals are well known to many island residents through a couple decades of business practices -- none of which is in providing wastewater solutions. Our natural environment is too important to risk to an inexperienced, limited liability entity experiment with providing services in lieu of the currently working septic solutions.

- Citing a loose "relationship" with Knight Island Utilities which operates at Palm Island Resort does not ensure experience or knowledge nor does it instill confidence in island residents who have observed and smelled the failing treatment of sewage at the current Knight Island Utilities location.
- EU's principals currently operate Little Gasparilla Water Utility which, while not wastewater, the numerous anecdotal customer complaints on this entity show an indication of their ability to provide and support utility services.

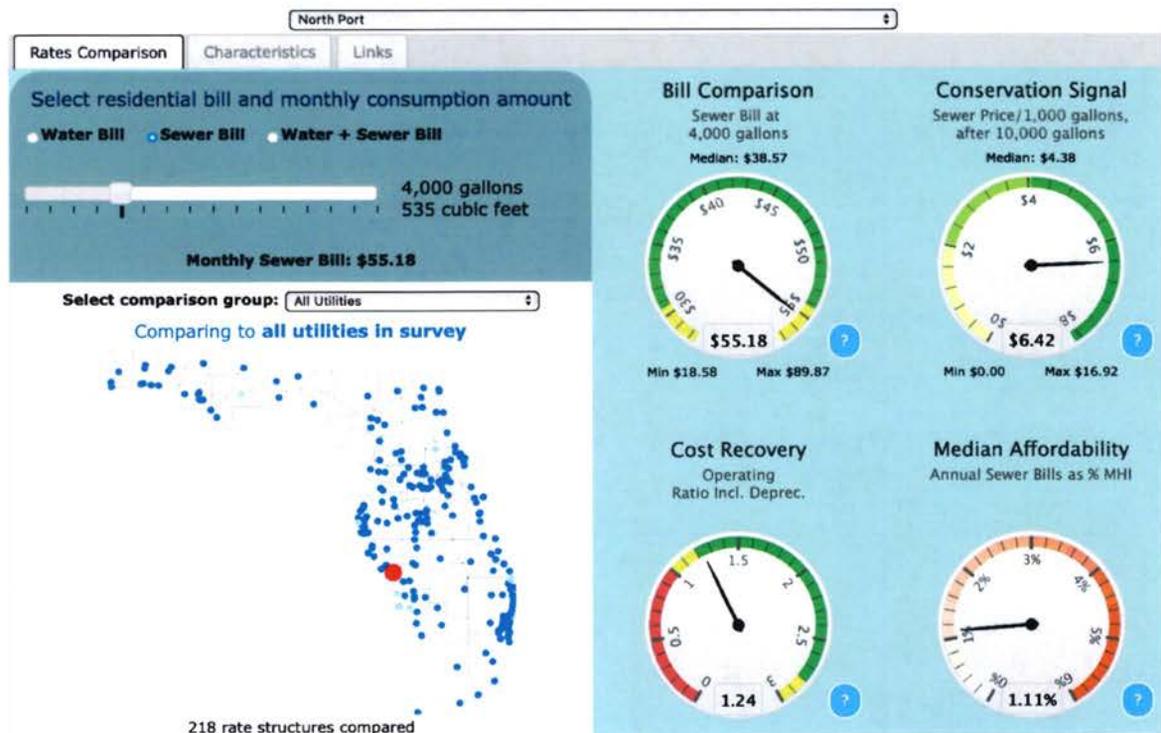
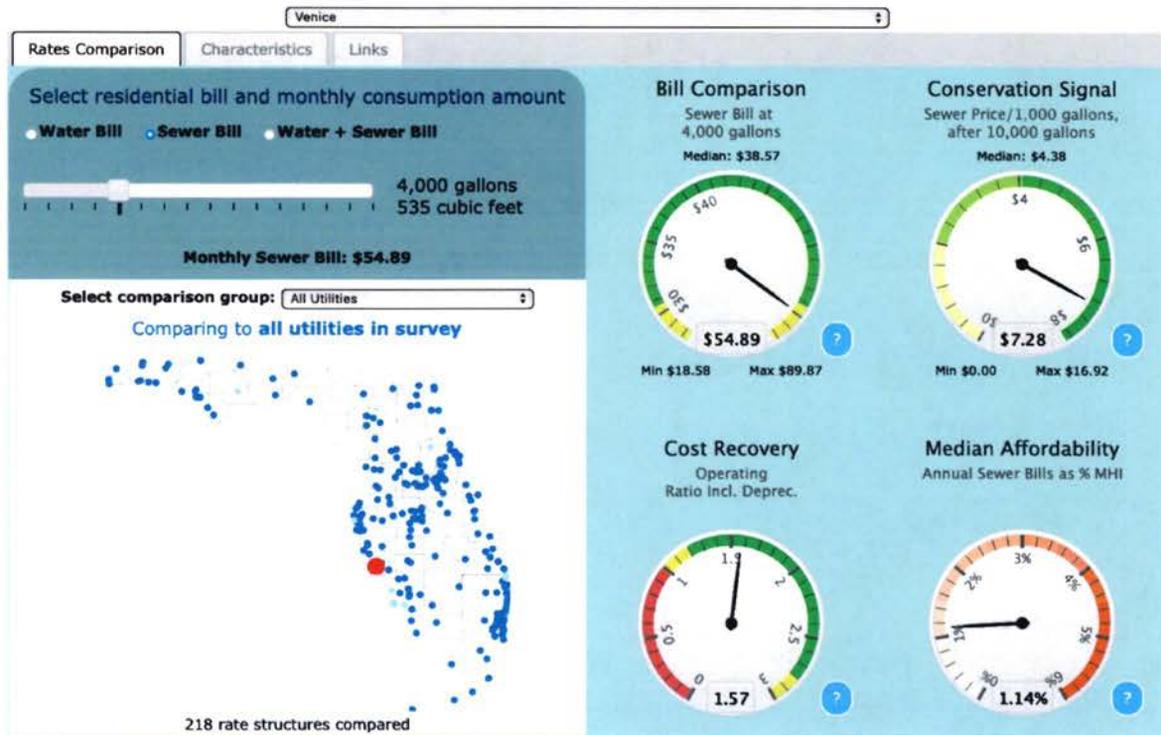
Given these concerns, I request EU's application be **DENIED**.

4. FAIR & EQUITABLE RATES & CHARGES

Charges estimated for individual residential homeowners are nothing short of outrageous and unsubstantiated by facts.

- A connection charge (Service Availability Charge) originally estimated at \$20K/unit was reduced to \$13,221/unit upon further analysis which begs the question if all rates overestimated by 50%??!! The average estimated monthly residential usage (of 4k/gallons) is \$256.66 – and this is in addition to the highest water rates paid to a private for-profit water utility on the island.
- The estimated wastewater costs are significantly more than four times the cost of wastewater for our mainland neighbors. EU has shared an estimated \$256.66 monthly charge for use of 4000 gallons which

compares to \$54.89 in nearby Venice, FL and \$55.18 in nearby North Port, FL (both in Sarasota County)³.
[FL Water and Wastewater Rates Dashboard \(upd Sept 2020\)](#)



³ <https://dashboards.efc.sog.unc.edu/fl>

Charlotte County collects our tax dollars, but has abdicated responsibility to provide service with even the minimal oversight and services for island residents who are in Charlotte County.

- The proposed solution requires expensive electrical upgrades as well as generators to help protect wastewater processing in the event of the all too frequent power outages we see throughout each year. In a hurricane season, access to fuel and fuel at stations with electrical power are rare commodities. EU is looking to force homeowners eliminate their safe working septic systems in favor of a wastewater solution provided by an inexperienced provider susceptible to failure with our all too frequent power outages.
- As EU will not be able to avail themselves of 319 or SWAG grants that would be available to a municipal or governmental entity, the entire burden of cost will fall on homeowners who already pay taxes into the county covering countywide utility infrastructure.

Given these concerns, I request EU's application be **DENIED**.

In summary, I am asking that the Environmental Utilities LLC application addressed by Docket #20200226-SU be **DENIED** on these points:

- No proven need for replacement of existing septic tanks.
- No studies in local waters (the studies cited were performed in Florida's waterway with the 4th highest impact from untreated sewage spills).
- Current low-density and no multi-family zoning in our area.
- Increased risk of untreated sewage spills due to reliance on electricity in an area with common power interruptions.
- EU's corporate structure as a "LIMITED LIABILITY" corporation will not pass basic due diligence for federal and state 319 or SWAG grants leaving the entire burden of cost on the homeowners.
- EU does not have demonstrated expertise in providing central sewer solutions.
- EU's rates and charges have been guesswork at best evidenced by
 - The 50% overestimated connection fee originally provided
 - The estimated **ongoing** monthly costs of more than 465% of our mainland neighbors)
 - The extensive costs to run lines from main roads, fill and remove existing septic, upgrade electrical service, provide, and maintain generators for common power outages, and grant uncompensated easements across privately held land adds further to each homeowner's costs.

Thank you for your service, taking the time to read my concerns and your serious contemplation and review of the EU LLC proposal which drives so many of us to reach out and communicate our concerns with you.

Best regards,



Candyce Cohen
Don Pedro Island Resident
8 Pointe Way
Charlotte County FL
Financial Technology Consultant
Cell: 201-600-1083
Email: candycecohen@gmail.com

Antonia Hover

From: Dave D <dboulder@cinci.rr.com>
Sent: Monday, January 24, 2022 4:28 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: dboulder@cinci.rr.com
Subject: Docket #20200226-SU Excellent Intentions with too many unresolved issues

To PSC Commissioners and Interested Parties:

I am a property owner on Bocilla Drive Palm Island. I have also owned and operated a Construction Company for 27 Years. Being a good steward of our fragile environment is very important to me. The basic premise of having a quality common Wastewater System is an excellent one. So much time, care and money was spent to develop the Sewer Plan Report. Similar care must be used in implementing a detailed plan specific to Palm Island's fragile Environment before irrevocable damage is done.

It would be premature to grant the Application for Original Certificate of Authorization to Environmental Utilities. **I ask that you to Deny Environmental Utilities application for Wastewater service at this time.** There are too many unanswered and unresolved issues surrounding EU's ability to effectively perform the installation, maintenance and current / future management of this substantial project. Approving the application without all the necessary due diligence, contingency plans, and vetting would be inconsistent with the Charlotte County's Sewer Plan Objectives.....

"Our goal is to collaboratively develop and prepare an implementation plan for an affordable, reliable, and efficient collection and treatment system for a sustainable environment."

It is unfair and unreasonable to expect the collective property owners of Palm island to be forced into a situation with no reasonable assurance EU has the wherewithal to see this project through. The terms within the "**Bulk Wastewater Treatment Agreement**" as it relates to care, maintenance, costs, and a potential "*Abnormal Occurrence*" (**Environmental Emergency**) are vague. Charlotte County touts a 24/7 monitored contact system, yet the County has no responsibility to address this private sewer whatsoever. There also needs to be an inspection and system testing regiment during construction, not unspecified and intermittent. Throwing caution to the wind and hoping for the best is not a strategy. No rational person would enter into an agreement with so many open ended issues.

From the start the legal posturing and motions filed on behalf of EU seem rushed. It looks like EU and their Council wants to circumvent the system of checks and balances that has been put in place for everyone's benefit. There appears to be a HUGE CONFLICT OF INTEREST here. This project warrants quality over expediency. What's motivating EU? The Charlotte County's initiative repeatedly states this is a Non for Profit endeavor intended to protect our waterways and way of

life. It's simply not realistic for the property owners to accept this approach in good conscience? Its imperative the property owners of Palm Island have some say in our utility services and the Island's future. A thoughtful well laid out Business Plan is in order. Perhaps a private waste water utility may be the best route, but let's get our ducks in a row first. Education dismisses fear. We need more information and can't be held hostage to the unknown. There's too much at stake here.

Respectfully,

Dave G Dannenberg

dboulder@cinci.rr.com

513-617-5799

Antonia Hover

From: Mic McCully <mic_mcc@hotmail.com>
Sent: Monday, January 24, 2022 4:25 PM
To: Mic McCully
Subject: Docket #20200226-SU

County Commissioner/Clerk,

My name is Michael McCully and I am a current home owner at 61 Kettle Harbor Dr, Placida Fl, 33946 on Don Pedro Island.

It's been brought to my attention that county is in process of approving privatization of a centralized sewer system on Don Pedro Island.

I object to the current plans of the proposal and the unnecessary financial burden being placed on the homeowners to solve a problem which has not been researched, documented or shared with the homeowners. What exact issue is the sewer trying to solve? What is the new solution going to provide that is better than what exists today? What are all the options/alternatives? Why is it required? Why is the cost be pushed down to the homeowners?

I'm also confused how the County can forcibly create an unregulated monopoly on the homeowners of Don Pedro Island. My understanding of government control, laws and regulations is to protect its citizens from exact situations like these, not to create them. What protection mechanisms are provided to the homeowners?

I request that the proposal is denied.

Thank you for your time and consideration.

Mic McCully
61 Kettle Harbor Drive
Placida, Fl
33946

Antonia Hover

From: Rob W Brown <rwbrown@atlasinsuranceagency.com>
Sent: Monday, January 24, 2022 3:54 PM
To: Office of Commissioner Passidomo
Subject: Palm Island and Little Gasparilla Island future sewer

Dear Commissioner,

The barrier island ecosystem would benefit from converting from septic to sewer. No one knows exactly how many under performing and low lying drain fields are inundated with each storm tide...suffice to say there are quite a few. The islands are growing in population and waste. The issues of water quality degradation will only get worse unless action is taken to get the nutrients handled properly.

Thank you for your full attention toward sorting through this vital initiative.

Rob Brown

Sent from my iPad

Antonia Hover

From: John Tillis <JTILLIS3@tampabay.rr.com>
Sent: Monday, January 24, 2022 3:40 PM
To: Office of Commissioner Passidomo
Subject: Opposition to Docket #20200226-SU

Commissioner Passidomo

I am a generational homeowner on Little Gasparilla Island and I am writing to you today in opposition to the EU's proposed central sewer.

The EU has not been clear, or forthcoming, with the connection fee for each residence to this proposed new system. The estimated cost of over \$13,000 to the initial approximation of \$20,000 per unit is certainly a substantial amount of money for any household to pay lump sum. I have not yet seen an itemized statement explaining how these numbers have come to be. Having previous experience with repairs and construction cost with the unique dynamics of island living, delays and fees seem to have a way of multiplying once a project gets under way. The before mentioned numbers are given as estimated cost, I am uncomfortable with not having a bottom line.

The water cost on Little Gasparilla Island are definitively higher than mainland residences. With a flat rate of \$70 per month, whether the house is occupied or not, plus an increased rate per gallon water bills are sometimes several hundred dollars due to billing being on a quarterly basis. Where is the guarantee that the sewage rates would be affordable? The EU will certainly increase the county's sewage rate to cover their fees for profit. Where is the agency to govern and regulate costs passed on to the homeowners?

Several homes on our LGI street have recently purchased and had professionally installed and inspected new septic systems. These systems range in age from 2-6 years old. They are being well maintained and regularly inspected as instructed by the county. The penalization for these homes to be forced into connecting to a sewage system they didn't ask for is beyond absurd. The time, scheduling, and cost incurred to upgrade the septic systems shows that these homeowners are will to carry the burden of environmental responsibility individually without a private company forcing their hands to connect to a sewage system without a clear cut maintenance plan or outline in place to handle emergency failures.

Continuing with the concerns to the environment, the destruction to the roadways and easements on our private island will wreak havoc not only to transportation, but the already existing fragile water lines run to our homes. Several water lines, installed by EU, have not been installed to regulation standards, with many being visible on the surface of the ground and repeatedly driven over by our choice of transportation, golf carts, daily. The frequent fracture of water lines or damaged connectors causes the immediate need for boil water notices that are poorly communicated. The majority of the residences are not full-time dwellings, with many of the homes being vacation rentals. The guests vacationing on the island are rarely aware that there has been a boil water notice issued due to poor communication from the EU owner and staff.

These are just a few of the reasons I object to the certification for this proposed sewer. Please reject this application and allow us as homeowners the privilege of enjoying our island as it is without any further intrusion or damage to its land and natural beauty.

Respectfully,
John D. Tillis
jtillis3@tampabay.rr.com

Antonia Hover

From: Dave Dillon <poppadillon@yahoo.com>
Sent: Monday, January 24, 2022 3:21 PM
To: Office of Commissioner Passidomo
Subject: RE. Docket #20200226-SU

I am a resident homeowner on Palm Island. I am writing to encourage you and the other commissioners to vote NO on the application of Environmental Utilities to become the provider of waste water services to our island. First and most importantly, I have not seen or heard of any engineering studies that state that the current septic tank/ sand mound system is not providing the required filtration satisfactorily. How can the subject of who gets to build a system come before it is established that such a system is needed? The people who live on the island are not in favor of any system being built until such time as it is PROVEN that such a system is needed. Secondly, the applicant does not possess the necessary expertise to carry out such a project. What similar projects have they done? Do they have the necessary financial wherewithal to finance a multi-million project? What time frame are they proposing? What will the costs to the homeowners be, both for initial hook-up and for ongoing maintenance and service? Until all of the above questions are answered satisfactorily, neither Environmental Utilities nor anyone else should be given a permit or license to provide and operate a central sewer system.

I urge you to reject EU's application at this time.

Sincerely,

David L. Dillon. 5 Pointe Way, Placida, FL.

Sent from Yahoo Mail for iPad

Antonia Hover

From: Joanne Dillon <jbd2691@yahoo.com>
Sent: Monday, January 24, 2022 3:12 PM
To: Office of Commissioner Passidomo
Subject: RE: Docket #20200226-SU

Dear Commissioner Passidomo,

This email is to voice my opposition against EU's private sewer proposal. My husband and I just recently moved to Don Pedro Island and have attempted to find info on the qualifications of this company to partake in such a project, as well as the impact it will have on our Island and the financial costs to be imposed on homeowners. At this time we cannot get any accurate information regarding these concerns and therefore feel more studies and technical expertise need to be done before considering a permit for this project, which could have a devastating financial impact on homeowners and our quaint community. Thank you for your time.

Sincerely,

Joanne Dillon
5 Pointe Way
P. O. Box 567
Placida FL 33946

Sent from Yahoo Mail for iPad

Antonia Hover

From: Jeff Bashore <jeffreybashore@gmail.com>
Sent: Monday, January 24, 2022 3:11 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: Mel
Subject: Docket #20200226-SU

Jeffrey & Melissa Bashore
8738 Marsh Street
Placida, FL 33946
Jeffreybashore@gmail.com

January 21, 2022

Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Docket #20200226-SU

Commissioners of the Public Service Commission:

I am a property owner at 8738 Marsh Street on Little Gasparilla Island, which is a property within the service area of the proposed central sewer system, Docket #20200226-SU.

I formally object and request that PSC deny Environment Utilities (EU) application for Original Certificate of Authorization for this proposed central sewer system.

While I feel strongly that the barrier islands and low lying inland areas of the state should be swiftly migrated to a sewer system to protect our fragile ecosystem, I can concerned that the current proposal is deeply flawed.

Turning a project of this magnitude over to an LLC that has zero experience with installing or operating a sewer system is unacceptable. Environmental Utilities lacks both the experience as well as the capital to take responsibility for the proposed massive undertaking that will impact some of the most delicate, unspoiled areas of the SW Florida coast. The proposed solution leaves many critical questions unanswered about right-of-way access and how the many points of failure involved with a 'low pressure' sewer system would be effectively managed in the harsh climate presented on the barrier islands.

Charlotte County should be held responsible to implement and manage the project directly. It is clear that they are trying to find any bidder to insulate them from the obligations of managing this important work. Turning this over to an inexperienced, under-capitalized, for-profit LLC with the county maintaining no accountability for the outcome is not the right move for the environment, property owners in the affected areas or the citizens and visitors of Florida at large.

Regards,
Jeff and Melissa Bashore

Antonia Hover

From: Jeff Lenz <wexirl@hotmail.com>
Sent: Monday, January 24, 2022 4:35 PM
To: Office of Commissioner Passidomo
Subject: Docket: #20200226-SU

Dear Commissioner Passidomo,

We, Jeff Lenz and Deirdre Fortune, are concerned property owners on Don Pedro Island. The reason for this letter is to express our objection to EU's private sewer proposal for the island. There are number of reasons for our objection.

First, we nor our neighbors have ever requested sewer service on the island. There hasn't been any water quality tests in our area to prove an environmental need for a central sewer system. The sewer project itself brings a high potential for destruction of local habitat and interference with the Island wildlife which includes endangered species such as our beloved gopher tortoises. We believe there is a far greater risk to our environment if a central sewer leak were to occur with a subaqueous crossing compared to one or more septic systems developing leaks.

Next, the lack of information regarding the finances as well as the rates and charges associated with this project is UNACCEPTABLE. The uncertainty of hookup costs as well as other costs and charges that we will incur as a homeowner is of great concern!!! With this uncertainty and no pay-over-time plan to cover large ticket expenses on our property, due to EU's sewer project, could cause us along with many other homeowners financial hardship. To add to the unknown initial expense, the subject of system maintenance which includes emergencies and the lifespan of the equipment, has not been addressed. All of which would cause future financial burden to us and other homeowners.

EU's inability to address and provide vital information to us and other homeowners leads us to question EU's expertise in a project such as this. There is no performance bond required and we have no single point of recourse in the event of cost overruns or project failure. The sparse information that EU has provided shows NO COST BENEFIT and ONLY COST BURDEN. As concerned homeowners on the Island we object to EU's proposal and formally ask the PSC to deny EU's Application for Original Certificate of Authorization for this proposed central sewer system.

Thank you for your time and consideration

Sincerely

Jeff Lenz and Deirdre Fortune
Email: wexirl@hotmail.com