

**Charlie Smith**

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**From:** Charlie Smith on behalf of Records Clerk  
**Sent:** Monday, April 29, 2024 9:45 AM  
**To:** 'Candyce Cohen'  
**Cc:** Consumer Contact  
**Subject:** RE: Request to DENY Docket #20240032-SU

Good afternoon Candyce Cohen,

We will be placing your comments below in consumer correspondence in Docket No. 20240032, and forwarding them to the Office of Consumer Assistance and Outreach.

Best regards,

*Charlie Smith II*

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
850-413-6770

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**From:** Candyce Cohen <candycecohen@gmail.com>  
**Sent:** Friday, April 26, 2024 11:42 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>  
**Cc:** Office of Chairman La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>; Office of Commissioner Fay <Commissioner.Fay@psc.state.fl.us>  
**Subject:** Request to DENY Docket #20240032-SU

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Commissioners,

My name is Candyce Cohen and I am a full-time, year-round resident of Don Pedro Island in the proposed service area having first purchased a home here in 1990. My primary and only residence is on Don Pedro Island. I am writing to request that you **DENY** this latest EU application for Service. I have provided my reasoning, documentation and concerns in the attached PDF

Thank you very much for your service and consideration of my position.

Respectfully submitted,

Candyce Cohen  
8 Pointe Way  
Don Pedro Island  
[candycecohen@gmail.com](mailto:candycecohen@gmail.com)

**EMAIL TO:**

Clerk of the Commission [clerk@psc.state.fl.us](mailto:clerk@psc.state.fl.us)

**COPY TO:**

Commissioner LaRosa: [Commissioner.LaRosa@psc.state.fl.us](mailto:Commissioner.LaRosa@psc.state.fl.us)

Commissioner Clark: [Commissioner.Clark@psc.state.fl.us](mailto:Commissioner.Clark@psc.state.fl.us)

Commissioner Passidomo: [Commissioner.Passidomo@psc.state.fl.us](mailto:Commissioner.Passidomo@psc.state.fl.us)

Commissioner Graham: [Commissioner.Graham@psc.state.fl.us](mailto:Commissioner.Graham@psc.state.fl.us)

Commissioner Fay: [Commissioner.Fay@psc.state.fl.us](mailto:Commissioner.Fay@psc.state.fl.us)

**SUBJECT:** DENY Request for Docket #20240032-SU

April 26, 2024

Hello Commissioners,

My name is Candyce Cohen and I am a full-time, year-round resident of Don Pedro Island in the proposed service area having first purchased a home here in 1990. My primary and only residence is on Don Pedro Island. I am writing to request that you **DENY** this latest EU application for Service.

**NOT A DEVELOPER**

I am writing to this commission, once again, to ask that you DENY Environmental Utilities LLC's (EU) application to provide wastewater service to this area. I wrote you once before and spoke to you at a local hearing just two short years ago. I reviewed the application to see what if anything has changed and not a lot has. I do not the application has the support of several developers including one who submitted 21 separate letters requesting service and another who sent in 3 along with a handful of Little Gasparilla Island owners. Reviewing the docket to date, I see more multiple submissions from another 4 developers – one with 7 letters, another with 4 letters, then 3 letters. Reviewing the supporters, I see only a half dozen individual homeowners requesting service and one is the daughter of EU's principal, Jack Boyer. One EU supporter blamed 17 deaths on raw sewage from septic overflow on Little Gasparilla Island following Hurricane Ian. I know the hurricane was devastating, but I somehow missed this headline.

My husband and I are NOT developers, we're just islanders who have worked hard to build our dream home here. We support the Bocilla Islands Conservancy, pick up litter on the beach and try to help neighbors in need and keep our septic tank inspected and maintained.

## **SEWAGE FLOWS VIA PUMP EXCEPT WHEN POWER IS OUT – THEN IT OVERFLOWS**

Hurricane Ian's devastating landfall on the barrier islands has taken a significant toll, costing islanders a lot of time, money and emotion in rebuilding. Many have not been able to complete due to challenges with insurance carriers. The power and water outages for over a week following landfall were difficult, but I remain thankful that we were not on the central sewer solution such as the one proposed by EU which requires each property owner to have electricity to pump waste out of what is essentially a small holding tank. Loss of power for any extended period would lead to an environmental disaster as these much smaller tanks are all connected.

### **Evaluation of Standards for Low Pressure Sewer Systems**

#### **Sarasota County – ESBC Utilities**

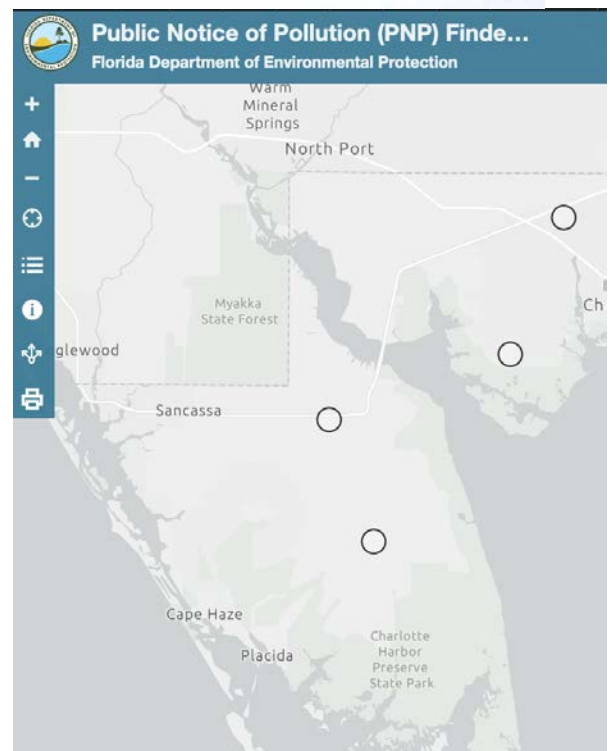
#### **Section 6 - Survey of Florida Communities Using Low Pressure Grinder Pumps Systems**

Their units do not have an emergency power receptacle. In the event of a power outage, if they need to perform an emergency pump down, they would hardwire the system.

During the last three hurricane seasons, there were instances where the power was out for up to three days. For the commercial properties, it was the property owner's responsibility to pump down their own system. For the single family homeowners, it was the County's responsibility to pump down the systems. However, the County advised the residents to pop the top on the clean out and let the sewage flow in the yard so that it would not back up into the house. The county did not go out to pump down the units with a generator.

The pumps had some maintenance issues as well. After about 6-8 years, the pumps began to have problems. They found that the ABS Piranha 09 model had fewer problems than the E-one. The E-one pumps had some manufacturer defects that the manufacturer replaced. The source of the problem was a defect that allowed water to enter the section of the station lid where the electrical components were housed, resulting in electrical failures.

With the landfall of Hurricane Ian, sewage spills have not made the top headlines, but the state PNP (Pollution Notice Reporting) publishes sewer and wastewater spills. Since 2019 Charlotte County had more than 120 spills with nearly 6.6m gallons of wastewater lost to the environment. In the past 2 years, there have been an additional 40k gallons of wastewater across 5 spills from lift stations and pumps failing. Of this, a mere 300 gallons was recovered. The rest went into our land and waterways. In the past 30 days, there have additional incidents registered in Charlotte County.



Incident Name	SWO Incident #	Incident Report	Gallons	Recovered	Report Date
18091 Avonsdale Cir 4-16-24	202403290	Incident Description: LPS pump failed, which caused the tank to fill and overflow. New pump was installed with new float sensors. 300 gallons spilled, with 150 gallons collected with Vacuum truck. 23-30 gallons entered the storm drain at	300	150	04/17/2024 03
Liftstation # 210 overflow	20238502	Incident Description: We received a high-level alarm at our Lift Station # 210 at about 20:30 on 10/12/2023. Heavy rain had created high flows and high pressures in our collections system. When another lift station pumped to this	10000	0	10/13/2023 12
2022-1117 Reclaim spill Edgewood	20229531	Wastewater Type: Reuse Incident Description: Contractor broke off the air release valve(ARV), while removing old pipe on the job site. A thrust block fell off old pipe onto the ARV, breaking the pipe below the ARV. The valve feeding the ARV was located and	10500	0	11/18/2022 12
2022-0609 Reclaim ARV Break	20224230	Incident Description: Reclaim break in 2" line. Shut valve at main. Break will be repaired on 6/6/2022.	3500	0	06/09/2022 07
2022-0604 Reclaim Break	20224008	Approximately 15,000 gallons of reclaimed water spilled. No waterways affected.	15000	0	06/04/2022 02

The devastation from these bulk sewage spills has proven far-reaching impacts to our water quality, many multiples of the impact from low density septic tank usage.

> 120 Charlotte County Sewage Spills (since 2019) of nearly 6.6m gallons of Wastewater

Florida Department of Environmental Protection

A-Z Index Forms News Events Contact Us

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POLLUTION NOTICE

Enterprise Solutions

Incident Name	Incident Report	Gallons	Recovered	Facility	Release	Hours	Affected
Cypress Pkwy Reclaimed Water Main	On December 11, 2020 at 7pm a 12" reclaimed water main malfunctioned causing a break. On December 12, 2020 at 16:45 the line broke at 3100 Loveland Blvd.	2,760,000	800,000	MSKP To 12/11/2020		22	Charlotte
Reclaim Break 05272021 CCPW 77C	Customer's irrigation system main line broke and spilled approximately 425,000 gallons of reclaimed water. Shut off customer's meter behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	425,000		East Port 02/20/2021		35	Charlotte
Reclaim Break 06012021 CCPW 54C	Customer's irrigation system main line broke and spilled approximately 268,000 gallons of reclaim water. Shut off customers meter until Curry Preserve Extension	268,000		MSKP To 06/07/2021		2	Charlotte
1409 Redo Oak Ln / Quesada Ave	On 6/28/2020@9:00am crews responded to a FM break behind 1409 Red Oak Ln. on Quesada Ave. A 20" force main was found to have ruptured. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	200,000	120,000	East Port 06/28/2020		3	Charlotte
6470 Coliseum Blvd	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	240,000		MSKP To 01/20/2020		25	Charlotte
Quesada 20" FM	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	200,000	120,000	East Port 06/28/2020		3	Charlotte
Charlotte County	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	240,000		MSKP To 01/20/2020		25	Charlotte
CCU Loveland and Dan Heleski	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	200,000	120,000	East Port 06/28/2020		3	Charlotte
2511 Luther Rd	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	240,000		MSKP To 01/20/2020		25	Charlotte
8675 Placida RD	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	200,000	120,000	East Port 06/28/2020		3	Charlotte
25905 Harborside	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	240,000		MSKP To 01/20/2020		25	Charlotte
CHARLOTTE COUNTY	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	200,000	120,000	East Port 06/28/2020		3	Charlotte
Walenda overflow	Contractor broke an 18" reuse line excavating and laying electrical lines. Incident time was 1-21-2020 at 9:00am and repaired completely. Estimated spill of 70,000 gallons of reclaimed water. On 1/23/2022@6:00pm crews responded to a FM break behind address 1423 Red Oak Ln. A hole was found in a 10" pipe. No cleanup actions are required for this spill.	240,000		MSKP To 01/20/2020		25	Charlotte

### More than 400,000 gallons of sewage spills in Venice



**HUGE SEWAGE SPILL**  
Charlotte County

4:07 68° WINK

Reporter: Stephanie Byrne  
Writer: Matthew Seaver

DEEP CREEK

**100k gallons of sewage spills from pipe in Charlotte County community**

Published: January 25, 2022 3:39 PM EST  
Updated: January 25, 2022 4:15 PM EST

**1 MILLION GALLON OF WASTE WATER SPILLED**

5:44 81° WINK

Reporter: Stephanie Byrne  
Writer: Drew Hill

CHARLOTTE COUNTY

**1 million gallons of untreated wastewater spilled in Charlotte County**

Published: March 2, 2021 6:01 PM EST  
Updated: March 3, 2021 2:37 PM EST

A million gallons of untreated wastewater spilled in a Southwest Florida county as crews were working to improve the area's sewage system.

**Public Notice of Pollution (PNP) Finder: Last 30 Days**  
Florida Department of Environmental Protection

8675 Placida RD main break 01192022

Incident # 2022355

Incident: 8675 Placida RD main break

Name: 01192022

Incident: Reclaim Main break, possible fitting failure. Isolated section of pipe. Awaiting parts for repair. Estimated repair time 1 week. Estimated 50,000 gallons of reclaim water spilled.

Report: 1/20/2022, 5:17 AM

Date/Time

Facility: Charlotte County Utilities

Name

Facility: 2550 Harborview RD Suite 3

Address

Line 1

## **WATER QUALITY AND NITROGEN LEVELS**

No local water studies have shown that septic tanks are damaging island waters— but CCU’s own Sewer Master Plan shows groundwater and watershed flows. Higher nitrogen levels are found in both fertilizer and reclaimed wastewater used to irrigate the several golf courses that flow directly into Lemon Bay. This nitrogen-rich runoff also exacerbates any red tide issues.

If the county is focused on local water quality, Charlotte County Utilities (CCU) would follow the lead of neighboring Sarasota, Manatee and Lee counties and prioritize work with Charlotte Harbor’s National Estuary Program (CHNEP) to upgrade wastewater treatment to Advanced Wastewater Treatment (AWT) standards reducing excess nutrient in reclaimed wastewater – again which all flow into Lemon Bay. In the wake of Hurricane Ian, several wastewater treatment plants around the state dumped raw sewage into Florida Waterways. From the October 2, 2022 Bloomberg article highlighting the service area, note the sewage is flowing through the passes into the gulf and NOT from the individual island septic tanks.



A view shows sediment discharging to sea after Hurricane Ian hits Don Pedro Island, in Florida, U.S. September 30, 2022. Courtesy of 2022 Maxar Technologies/Handout via REUTERS.

## **Hurricane Ian Dumped Raw Sewage Into Florida Waterways**

**Bloomberg**

Total Views: 6384 🔥

October 2, 2022

In these articles, Professor LaPointe makes his position clear – that billions will need to be spent on sewer infrastructure for many of these urban areas. Urban does not describe our barrier island community.

Charlotte County has a third of the population density of the counties to our north and south. Our islands do not support high-rise, multifamily nor commercial developments. Our delicate island environment is at much greater risk of pollution from centralized sewage spills than any low-density septic tank issues.

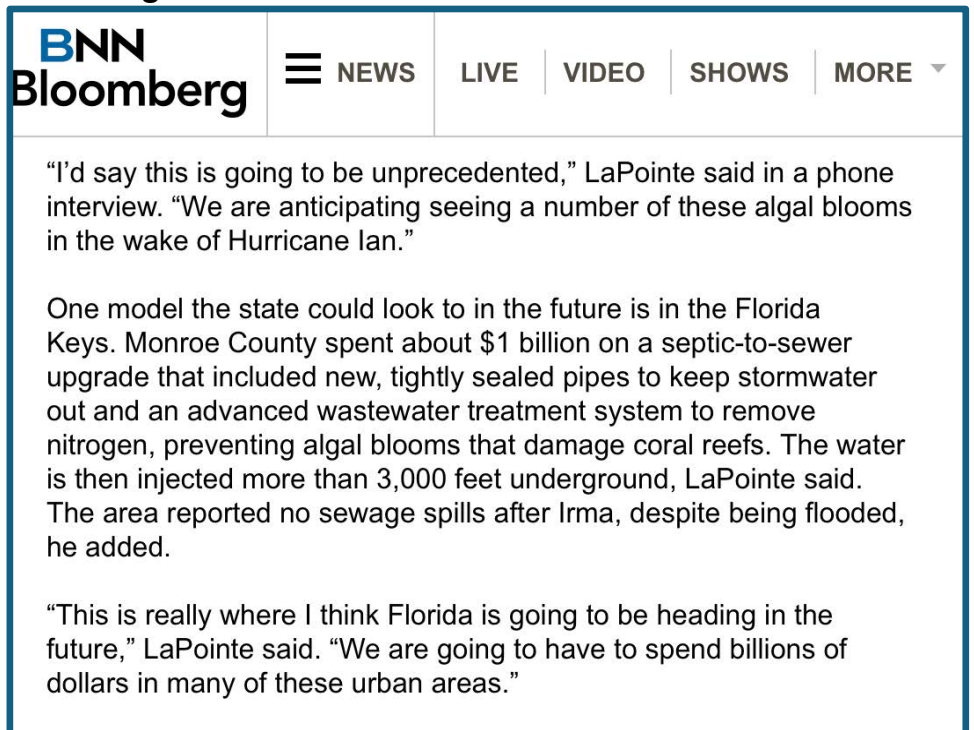
**The counties north and south acknowledge sewage spills happen and have focused on protecting sensitive estuaries by implementing Advanced Wastewater Treatment to reduce excess nitrogen and nutrients in reclaimed water.**

Charlotte County Utilities should prioritize upgrading to AWT standards removing red-tide fueling nutrient from wastewater before dismantling functioning low-density tanks (OSTDS).

The cost of these upgrades can be offset in full or in part with Clean Water / Clean Waterways funding and grants. EU as a private, “for-profit”

limited liability “utility” has no standing to garner Clean Water / Clean Waterways funds. The nature of a Limited Liability Corporation providing this service provides no recourse to the public or the county for any costly mistakes and does not meet criteria for Clean Water grants or other financing alternatives. The limited liability nature of the LLC limits public and private funding opportunities.

Central sewer provided by an inexperienced, private, for-profit entity and NOT by a qualified, municipal utility is NOT REASONABLE environmentally or economically.

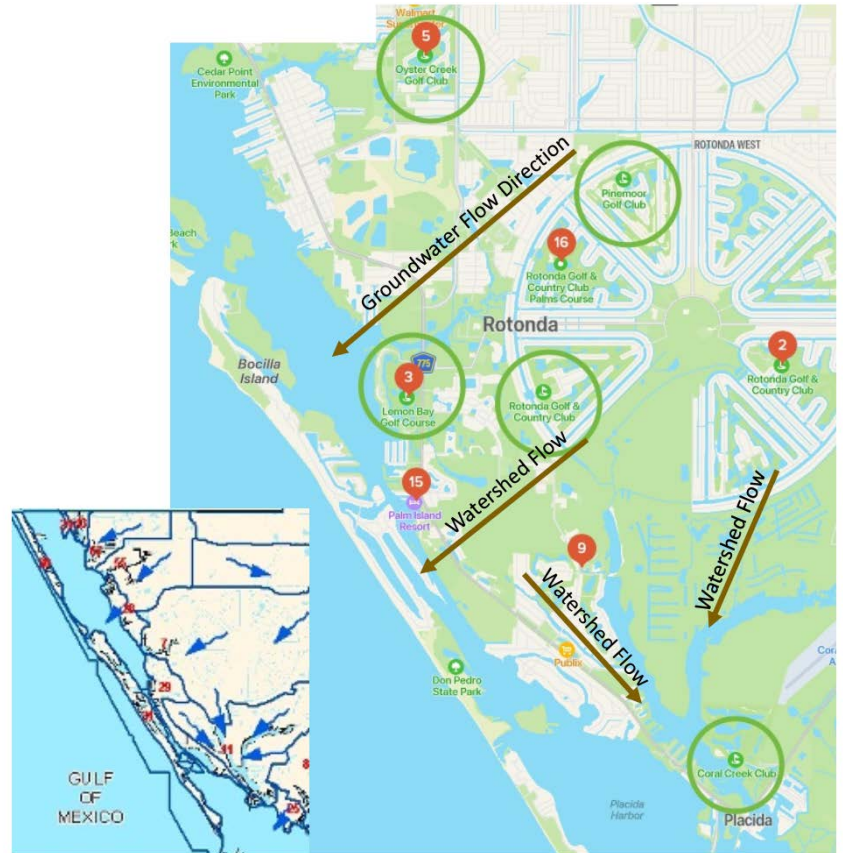


The image is a screenshot of a news article from BNN Bloomberg. The header includes the BNN Bloomberg logo, a hamburger menu icon, and navigation links for NEWS, LIVE, VIDEO, SHOWS, and MORE. The main text of the article is quoted within the screenshot. The first quote is: "I'd say this is going to be unprecedented," LaPointe said in a phone interview. "We are anticipating seeing a number of these algal blooms in the wake of Hurricane Ian." The second quote is: "One model the state could look to in the future is in the Florida Keys. Monroe County spent about \$1 billion on a septic-to-sewer upgrade that included new, tightly sealed pipes to keep stormwater out and an advanced wastewater treatment system to remove nitrogen, preventing algal blooms that damage coral reefs. The water is then injected more than 3,000 feet underground, LaPointe said. The area reported no sewage spills after Irma, despite being flooded, he added." The third quote is: "This is really where I think Florida is going to be heading in the future," LaPointe said. "We are going to have to spend billions of dollars in many of these urban areas."

## THE NEED IS GREED

We have yet to see evidence and testing documenting the NEED for a septic to sewer migration. Where is reporting that our local water quality issues result from individual septic tanks versus the millions of gallons of fertilizer-enriched, reclaimed wastewater runoff from a half dozen local golf courses and green lawns on the mainland into Lemon Bay? None of this is addressed in EU's application rather continuing to reference East Coast/Urban waterways. And "urban" does not come close to describing our barrier island community – at least so long as the developers who have been writing in support are not successful convincing the County to change zoning in our community. This is just one concern of seeing so many developers pushing endorsing the EU service ... is their end game to develop properties as platted or to change zoning on the islands to increase density and commercial activities? If I wanted to live on Ft. Myers Beach or Siesta Key, I would have moved there and I don't want to see our county leaders swayed by wealthy developers to change zoning and forever change our community and love of the natural environment we have here.

For the record, it is rare than an islander considers uses sod as most embrace Florida Native landscaping options. In fact, the islands under encouragement of Bocilla Islands Conservancy Inc, the island is now a Certified Community Wildlife Habitat. We are very proud of our care of the environment and can't imagine the devastation to and disruption of our wildlife habitat proposed by EU.





## **CONCLUSION:**

I want to be able to continue living in my island home, but I already pay amongst the highest water rates in the state to a private utility. Even considering another private utility much less a Limited Liability Corporate for sewer service with no ability to make use of Clean Water grants and funding options is an incomprehensible proposition our county is promoting.

Before considering disruption to our carefully protected environment, we would need to see evidence of the need for service from our LOCAL waters – not some urban, East Coast studies – and evidence that water quality issues are attributable to low density septic tanks – and not the millions of gallons of nitrogen-enriched runoff from commercial activities surrounding Lemon Bay, If these were our actual conditions, the our county should not shirk responsibility and subject our residents to another private, for-profit company with scant experience. Counties to the north and south have undertaken improvements to reduce nitrogen levels in their treated water thereby reducing the nitrogen-load of reclaimed water runoff into Lemon Bay.

We just went through this process less than 2 years ago and we still have yet to see EVIDENCE of the need for this project from our LOCAL, LOW DENSITY Waters. In that time, we endured Hurricane Ian, rebuild to whatever extent possible our homes and our lives and here we are again facing another round with EU

- still a private for-private LLC
- still with scant to no experience
- still with no access to funding/grants for municipalities who undertaking these projects
- still with no guarantee - other than it is a for-profit company that will always take the highest rate increases available.

EU offers neither a SAFE, REASONABLE nor RELIABLE solution for our community. For all the reasons I have stated, I respectfully ask that the commission **DENY** EU's request for service.

Thank you very much for your patience reading this and I am happy to support or clarify any of these arguments,

Respectfully submitted,

Candyce Cohen  
8 Pointe Way  
Don Pedro Island, FL  
candycecohen@gmail.com