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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20240032-SU

Application for certificate to provide
wastewater service in Charlotte County
by Environmental Utilities, LLC.

_____ /

PROCEEDINGS: SERVICE HEARING

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER GARY F. CLARK
COMMISSIONER GABRIELLA PASSIDOMO SMITH

DATE: Wednesday, January 29, 2025

TIME: Commenced: 9:30 a.m.
Concluded: 12:45 p.m.

PLACE: Tringali Park Recreation Center
3460 North Access Road
Englewood, Florida

REPORTED BY: DEBRA R. KRICK
Court Reporter

PREMIER REPORTING
TALLAHASSEE, FLORIDA
(850) 894-0828

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5 (EU).

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9 Association, Inc. (PIE).

10 ROBERT VOLPE and VALERIE CHARTIER-HOGANCAMP,
11 ESQUIRES, Holtzman Vogel, PLLC, 119 South Monroe Street,
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14 Alliance, Inc. (LGIPA).

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17 MAJOR THOMPSON and DANIEL DOSE, ESQUIRES, FPSC
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21 MARY ANNE HELTON, DEPUTY GENERAL COUNSEL,
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24 the Florida Public Service Commission.

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1 PROCEEDINGS

2 CHAIRMAN GRAHAM: Good morning, everyone.

3 Let's try that again.

4 (Good morning from the audience.)

5 CHAIRMAN GRAHAM: There you go. That's what I
6 like to hear.

7 My name is Art Graham, and I am chairing this
8 meeting today. This is the service hearing for
9 Docket No. 20240032-SU.

10 I want to welcome you all here today for day
11 two of the service hearing. This is set aside for
12 -- specifically for the customers. We want to hear
13 from you. We want to hear the good, and we want to
14 hear the bad and we want to hear the ugly. We want
15 to know what you think of the utility company. We
16 want to know what you think they are proposing, and
17 just your gut feeling.

18 Please, let's try to stay away from
19 duplicating other peoples' same story. It's okay
20 to day I agree with what I heard from everybody
21 else, but specifically this is what affects me, or,
22 you know, I heard everything else, and I am either
23 for it or I am against it, either way it's fine.

24 I am going to give each person three minutes.
25 Those of you that were here yesterday understand

1 that we went through 60 yesterday, and it took it
2 yous about three hours, and everybody did a great
3 job except for maybe one person. So you guys were
4 a fantastic group. I do appreciate it.

5 Once again, please no clapping or cheering,
6 and no or booing. I know this can be emotional. I
7 know this really means a lot to everybody that's
8 here, but let's just see if we can't get through
9 this all in a timely manner, because the last
10 person on the list is always the most miserable
11 person because he had to sit here until the very
12 end, so please respect your neighbors.

13 Staff, if I can get you to read the notice.

14 MR. THOMPSON: Thank you.

15 By notice published on December 30th, 2024,
16 this time and place been set for a customer service
17 hearing in Docket 20240032-SU. The purpose of the
18 hearing is set forth more fully in the notice.

19 CHAIRMAN GRAHAM: Okay. Let's take
20 appearances.

21 MR. FRIEDMAN: Martin Friedman on behalf of
22 Environmental Utilities.

23 MR. VOGEL: Robert Volpe on behalf of Little
24 Gasparilla Island Preservation Appliance, Inc.

25 MS. CHARTIER-HOGANCAMP: Valerie

1 Charier-Hogancamp on behalf of Little Gasparilla
2 Island Preservation Appliance.

3 MR. KELSKY: Brad Kelsky on behalf of Palm
4 Island Association -- Palm Island Estates
5 Association, Inc. Sorry.

6 MS. COTHERMAN: Linda Cotherman, Pro Se.

7 MR. THOMPSON: Major Thompson and Daniel Dose
8 on behalf of Public Service Commission staff.

9 MS. HELTON: And Mary Anne Helton here as your
10 Advisor.

11 CHAIRMAN GRAHAM: Okay. Once again, my name
12 is Art Graham, and I am bookended by my colleagues
13 Commissioner Clark and Commissioner Passidomo
14 Smith. I will allow them to say a couple of words,
15 because they sat through all of this yesterday and
16 they, themselves, also behaved, and I -- they just
17 want to have a couple of comments to speak to you
18 why they are here.

19 Commissioner Clark.

20 COMMISSIONER CLARK: Thank you, Commissioner
21 Graham.

22 It's tough to sit for four or five hours and
23 not get to say anything, but I just want to take a
24 second to thank all of you for taking the time out
25 of your schedule to be here with us today. This

1 has been one of the most cordial audience and
2 groups that I have met with in my seven years on
3 the Commission, and I just want to take my hat off
4 to you for the responsibility that you show and the
5 manner in which that you have conducted yourselves.

6 I just want to remind you, as Commissioner
7 Graham said, everybody was so respectful yesterday.
8 We, as the Commission, are a decision-making body.
9 We are not the utility company. We are not
10 enforcing anything on you. This is a decision that
11 we are weighing out based on the facts and the
12 evidence that are presented to us with the laws
13 applied to them. So it's a fairly complicated
14 process, and there is a lot of factors that have to
15 be taken into consideration as these decisions are
16 made.

17 But I just really want to say, I really do
18 appreciate the respect that you have given to this
19 hearing these last two days, and I look forward to
20 hearing your comments today.

21 Thank you.

22 CHAIRMAN GRAHAM: Commissioner Passidomo
23 Smith.

24 COMMISSIONER PASSIDOMO SMITH: Thank you.

25 I just want to ditto Commissioner Clark as

1 well. I appreciate so much how this last night's
2 meeting went. And the only thing that I kind of
3 wanted to expand upon, we had a comment at the very
4 end last night basically saying -- asking, is this
5 decision already made? And I want to assure all of
6 you that that's far from the truth. We are really
7 actually at the beginning stages here.

8 Yesterday was the technical hearing. We were
9 presented a lot of evidence. The record is
10 building. We will take that evidence and weigh it
11 all out, including all of your comments that are
12 submitted in writing, and that are made here last
13 night and then today, and then we will render a
14 decision in the future.

15 But this is far from being made. We have a
16 lot to consider as applied -- the facts that are
17 presented to us applied to the law that we operate
18 under. So just know that, you know, this is -- we
19 are still at the beginning stages here, and I
20 appreciate all of you being here today.

21 Thank you.

22 CHAIRMAN GRAHAM: Okay. Let's do opening
23 statements.

24 MR. FRIEDMAN: We waive opening statement.

25 CHAIRMAN GRAHAM: Sounds fantastic.

1 Little Gasparilla?

2 MS. CHARTIER-HOGANCAMP: Ditto.

3 MR. KELSKY: Ditto.

4 MS. COTHERMAN: Ditto.

5 CHAIRMAN GRAHAM: All right. Man, you guys
6 are already putting a smile on my face.

7 Okay. Do we have any elected officials in the
8 audience? I like to -- elected officials, anybody
9 elected here that wants to speak? I always like to
10 pull them up because they have been elected to
11 speak for groups of people.

12 Seeing that there is none. I am going to
13 swear in everybody that wants to speak. If I can
14 get you to raise your right hand. Stand up. If
15 you can stand up.

16 (Whereupon, Chairman Graham administered the
17 oath.)

18 CHAIRMAN GRAHAM: I do.

19 (Chorus of I do.)

20 CHAIRMAN GRAHAM: Thank you.

21 Okay. We are going to call you up three at a
22 time. There is be going to be a person at the
23 microphone, there is going to be someone the chair
24 the left, the chair to the right. That way, we
25 kind of move pretty quickly. Most of you have been

1 here yesterday, so you saw it.

2 Remind you again how the light switch works
3 over here. Everybody is given three minutes. It
4 starts at green. When it turns yellow, you know
5 you have a minute left. And when it turns red your
6 time is up. So I hate cutting people off, you will
7 see it turn red. I will give you a second or two
8 to kind of finish what you are saying, but please
9 don't prolong it all.

10 And once again, if there is something more you
11 want to say, you can always email us, you can
12 always send us a snail mail, or you can call and
13 leave us a message.

14 And the hand out that Cindy Muir is handing
15 out in the back, it's got all of that information
16 on there.

17 So that all being said, staff have I forgotten
18 anything before we start calling up witnesses?

19 MR. THOMPSON: No.

20 CHAIRMAN GRAHAM: When you come up here, after
21 your three minutes, you may be asked a question by
22 one of the parties. And let me just go ahead and
23 put this out there now. If you would please, when
24 you are up there, when you give your name and
25 address, tell Mr. Friedman if you are part of the

1 two groups --

2 MR. FRIEDMAN: Thank you.

3 CHAIRMAN GRAHAM: -- PIE or Little Gasparilla,
4 because he is going to ask anyway. So if you say
5 that, we can cut off about another 30 seconds of
6 all of that stuff, okay?

7 Thank you very much.

8 Commissioner Passidomo Smith.

9 COMMISSIONER PASSIDOMO SMITH: All right. So
10 the first three names, Lisa Haney, you are up
11 first. Kay Sponseller, you will be second, and
12 third is Richard Chafe.

13 PUBLIC COMMENT

14 MS. HANEY: Good morning. My name is Lisa
15 Haney. I am an island resident for almost 11 years
16 now. I am also a member of the Bocilla Islands
17 Conservancy, recently elected President. Big shoes
18 to fill. Our stepping-down president wrote a
19 position letter back in June. I support that, as
20 well as the board continues to support that by
21 vote.

22 We have close to 400 members. For a small
23 island chain, that's big. My heart and my passion
24 is our nature and our habitat. The storms
25 decimated us. Gopher tortoises, we were discussing

1 the other day, we haven't seen a rabbit since
2 September. That's big. We don't need more
3 decimation.

4 The Conservancy supports our eco -- sensitive
5 ecosystem through many programs, education and
6 furthering being good stewards of our environment.
7 I stand here today to tell you we don't need this.
8 There has been no proven documentation that this is
9 a need. The islanders and residents don't want it.
10 We implore you, please deny this application. It's
11 frivolous.

12 Thank you.

13 CHAIRMAN GRAHAM: Ma'am, thank you for your
14 testimony.

15 Questions?

16 MS. HANEY: I am a member of PIE.

17 MR. FRIEDMAN: Thank you.

18 COMMISSIONER PASSIDOMO SMITH: Ms. Sponseller.

19 PUBLIC COMMENT

20 MS. SPONSELLER: Good morning. I am Kay
21 Sponseller, 10 Lemon Bay lane.

22 We love Knight Island. We have been there a
23 long time. My husband and I are both teachers of
24 70 years plus together. We live modestly. We have
25 long been conservation-minded water people. With

1 this system, we would be charged for water that
2 they do not process. We already pay for water
3 through Bocilla Utilities. Why would we choose to
4 take on another monthly bill? We already have to
5 pay for water, and electricity, and garbage
6 recycling pickup, when we only use them for six
7 months of the year. Why would anyone want to take
8 on another monthly bill when they have already paid
9 thousands for their own system?

10 Thank you for listening.

11 CHAIRMAN GRAHAM: Excuse me, ma'am. Question
12 for you.

13 MR. FRIEDMAN: Are you a member of PIE or
14 LGIPA?

15 MS. SPONSELLER: I'm sorry?

16 MR. FRIEDMAN: Are you a member of PIE or --

17 MS. SPONSELLER: No. No.

18 MR. FRIEDMAN: Thank you.

19 COMMISSIONER PASSIDOMO SMITH: Mr. Chafe, you
20 are up. John Brandenburger, you will be on deck.
21 Rod Lovell, you are third.

22 PUBLIC COMMENT

23 MR. CHAFE: Okay?

24 CHAIRMAN GRAHAM: Yes.

25 MR. CHAFE: My name is Richard Chafe,

1 full-time resident of LGI.

2 There is a lot of questions that have not been
3 answered. One of them is the line extension that
4 feeds the potable water pump is on the mainland,
5 but our line extension on LGI feeds -- will feed
6 the proposed EU pumps. That systems go down all
7 the time. We are constantly without power,
8 especially after hurricanes.

9 So what you are going to have is you are going
10 to have these pumps pumping effluent through a
11 system, the pipes break all the time out there
12 because the island moves, so no considerations were
13 taken for that.

14 The other thing is no one has considered the
15 calculated load on FPL. As a state licensed master
16 electrician, I don't know where the power is coming
17 from. They would have to redo the whole grid.
18 Most of the homes out there are 150-amp. They will
19 have to be upgraded to 200-amp to handle this
20 system. That's a very expensive ordeal, somewhere
21 in the ballpark about \$10,000, only because they
22 are stilt homes. None of this stuff is in any of
23 the engineering plans that I have read. I can't
24 find it. So I am -- I am very much opposed to the
25 system because I think it's a bad idea for the

1 island.

2 CHAIRMAN GRAHAM: Thank you, sir.

3 MR. CHAFE: I am not affiliated with anybody.

4 MR. FRIEDMAN: Thank you.

5 COMMISSIONER PASSIDOMO SMITH: Rod Lovell, you
6 are on deck. Barb Dwyer, you are after.

7 PUBLIC COMMENT

8 MR. BRANDENBERGER: Good morning. My name is
9 John Brandenburger. I have been a resident,
10 business owner and property owner in the Placida
11 area for over 40 years. I started coming to Little
12 Gasparilla and Palm Islands approximately 40 years
13 ago, and, man, have I seen some changes.

14 There -- when we first started arriving and
15 enjoying the habitats and the fishing and the
16 environment out there, there weren't very many
17 people. Just the brave-hearted folks who wanted to
18 camp out and come for the weekend. Now it's a
19 tourist designation, and along with all of that
20 future -- all of that growth comes a lot of impact
21 on the island and on the infrastructure.

22 So I am in favor of extending the wastewater
23 collection service because of that impact that's
24 coming. We see more and more growth. We see more
25 and more people come to Florida, and we know that

1 that impact is going -- it won't impact these folks
2 as much today, but tomorrow, and going forward, we
3 are going to need to take care of that problem.

4 On the mainland, Rotunda, when it was
5 initially established, the State of Florida
6 required them to put in a low pressure system. And
7 I am very familiar with the low pressure system in
8 many of the Rotunda subdivisions, and over the last
9 15 years, there has been no incidents of damage,
10 spillage, any be problems that have been reported.

11 So I think that this would be a win-win for
12 everybody for the future. I know that it will be a
13 little bit of problem for people today, but for the
14 future of the island and the ecosystem, I think it
15 would be a very positive move on your part to
16 approve that application.

17 I think if it's good enough for the County and
18 the State to require the mainland areas, such as
19 Rotunda, which has a very low elevation and a very
20 high water level, it would be good enough for the
21 islands to have that same approval. So thank you.

22 I am not affiliated with anybody.

23 CHAIRMAN GRAHAM: Thank you, sir.

24 PUBLIC COMMENT

25 MR. LOVELL: Good morning. My name is Rod

1 Lovell. I know you can hear me. I can hear myself
2 real well. My name is Rod Lovell, 9126 Little
3 Gasparilla Island. I have owned on LGI for 26
4 years. I am a permanent resident. Retired early
5 and decided to come to paradise to finish out my
6 life.

7 I have a perfect working septic system. It's
8 built right. I maintain it based on what Martin
9 Septic taught me a long time ago, how to take care
10 of it, and I feel confident that my good working
11 septic system is okay.

12 And I have don't -- personally you should know
13 that I have been neutral. My islander friends that
14 know me, I have been neutral on this from the
15 beginning. I talked to Jack at length. Actually
16 helped Jack, hoped he would say that, in the
17 beginning that he needed to communicate some more.
18 We spent a long time on the phone trying to
19 understand, because I am just somebody that didn't
20 understand this.

21 And of recent, after I looked through that
22 camera and looked at you guys all day long, I was
23 real impressed with this room. And what I found
24 out was -- I am going to say it like this: Why are
25 we here? 90 percent of the customers yesterday,

1 and I appreciate you calling us that, do not
2 support this. I don't know -- Jack, I got all the
3 respect in the world for you, but we don't want
4 this. Why are you doing this to us?

5 I did the math. From now to the end of my
6 life, me and my wife, this is going to cost me
7 \$100,000, okay. I have don't need that expense.
8 It's not in my financial plan. It's messing up my
9 retirement.

10 I love the estuary. Plain and simple. I am
11 one of those guys, that's why I was neutral. I
12 absolutely love the estuary.

13 I am going to talk about land mass. The
14 islanders know what I talk about when I say the
15 Placida condos to Slow Puppy, there is a large land
16 mass there. It's probably half a mile. Currently
17 there is 14 homes on that mass. There is four
18 septic tanks being used regularly, permanent. We
19 don't need this. We need good septic systems that
20 are above the water table. You have heard all the
21 technical stuff. It's that simple.

22 I love our estuary. We need to protect it
23 with good septic systems. We don't need this. And
24 all the other stuff I earned yesterday, I am
25 absolutely supporting Little Gasparilla Island,

1 whatever you call it, the septic folks -- there you
2 go. Thank you. But I support this -- support
3 them. I support not doing this. And it's too bad,
4 I sure hope you wouldn't approve this.

5 Actually, what should happen is Jack should
6 take his own application out, because nobody wants
7 it, Jack. You decline it, please. You know what,
8 you should decline it. We don't want this.

9 That's all I got to say. Thank you for your
10 time. I am real impressed with you guys all day
11 longing go through this. Good job. Thank you.

12 Thank you, sir.

13 MR. FRIEDMAN: Are you a member of PIE or
14 LGIPA?

15 MR. LOVELL: As of this moment, I am a member
16 of whatever this is. I think that's LGI, whatever
17 it's called. All those -- all those letters, I
18 have a septic system, and that's what I want to
19 keep. I don't want anything else.

20 MR. FRIEDMAN: So you are not a formal member
21 of either --

22 MR. LOVELL: I think I am. I think I signed
23 up. I do not -- I haven't given them a dime. I
24 probably will today --

25 MR. FRIEDMAN: Okay.

1 MR. LOVELL: -- but up to this point, I
2 haven't.

3 MR. FRIEDMAN: Okay. Thank you.

4 MR. LOVELL: We don't need this, folks.
5 Please don't do this.

6 CHAIRMAN GRAHAM: Thank you, sir.

7 COMMISSIONER PASSIDOMO SMITH: Stewart Saad,
8 you are on deck. Jerome Sponseller, you will be
9 after.

10 PUBLIC COMMENT

11 MS. DWYER: Good morning. My name is Barb
12 Dwyer. I am a full-time resident of Hideaway Bay
13 Beach Club Condos, Unit G8. I am a member of
14 LGIPA.

15 I homestead this property. It is my only
16 home. I was surprised by Jack Boyer's testimony
17 yesterday that the wastewater transmission main was
18 changed from the original location at Don Pedro
19 State Park to Hideaway.

20 On May 13th, 2024, EU's attorney sent a letter
21 to Hideaway Bay's lawyer, Nick Porter, stating that
22 Hideaway Bay was excluded from the scope of this
23 project. That's document number 030012024. There
24 has been no notification of any of the owners at
25 Hideaway, board -- no board members or the Hideaway

1 attorney has been notified that there has been a
2 change in this project. Running a wastewater
3 transmission line to Hideaway is a substantive
4 change to this project. How can a change be made
5 of this magnitude without notification of the
6 people directly involved in hide away?

7 Hideaway has a DEP permitted waste treatment
8 plant for the 102 owners at Hideaway, and the 30
9 condo owners at Placida Beach. We neither want nor
10 need to be hooked up to EU's proposed sewers.

11 The Hideaway community is still trying to
12 recover from damage sustained from Hurricane Ian.
13 Our insurance company is refusing to settle our
14 claim. Even after participating in a mediation
15 process, we are entering into litigation with the
16 company trying to claim the remainder of the amount
17 due us, about \$8 million.

18 Hurricanes Ian and Hurricanes Helene and
19 Milton added another level of damage to our
20 property. Due to five feet of storm surge on our
21 property, we lost our mainland dock, our parking
22 lot, our island tool shop, tractor, utilities,
23 lawnmowers, other major equipment. Most everything
24 in my condo area was destroyed, including my
25 personal golf cart, grill tools and other personal

1 items. None of this stuff is covered by flood
2 insurance. All must be paid for out-of-pocket, or
3 by the HOA assessment, which has yet to be
4 determined.

5 There are no costs in this application for the
6 132 condo owners to hookup to the sewer system.
7 This places an additional unknown and undue burden
8 on my financial situation. I am a single homeowner
9 on a fixed income. Using the figures given in the
10 PSC rate case overview, my monthly bill for sewer
11 would be \$131.88 per month based on my average
12 water usage of about a thousand gallons. My cost
13 for the operation, maintenance and insurance for
14 Hideaway Wastewater Plant is \$54.37 per month.
15 This is a 242-percent increase essentially for the
16 same service. I don't consider this fair and
17 reasonable cost.

18 There have been many inconsistencies, changes
19 and missing information in the information
20 submitted by EU. Please deny this application for
21 sewer certification.

22 CHAIRMAN GRAHAM: Thank you.

23 MS. DWYER: Thank you for listening.

24 CHAIRMAN GRAHAM: Thank you.

25 MR. FRIEDMAN: I have a question.

1 MS. DWYER: Yes.

2 MR. FRIEDMAN: Ma'am, do you live in Hideaway
3 Bay?

4 MS. DWYER: Yes.

5 MR. FRIEDMAN: Do you understand that Hideaway
6 gay is excluded from this application, and that
7 those rates and charges will not apply to Hideaway
8 Bay, do you understand that?

9 MS. DWYER: You have told -- Jack Boyer
10 testified that the wastewater transmission line was
11 coming to Hideaway yesterday.

12 MR. FRIEDMAN: All right. Well, we are
13 talking --

14 MS. DWYER: That -- that indicates to me that
15 Hideaway is a part of this system.

16 MR. FRIEDMAN: Okay. And I am telling you
17 that look at the application, like you said you
18 did, and Hideaway Bay is excluded. Those rates and
19 charges do not apply to you. All this discussion
20 you had about what your rate, how that's going to
21 impact you, and you are own fixed income, is not
22 going to apply because those -- you are not going
23 to have to connect because you have got your own
24 wastewater treatment plant.

25 MS. DWYER: What are the costs of the

1 transmission line to Hideaway going to put on my --
2 in my financial situation?

3 MR. FRIEDMAN: It's not going to cost you
4 anything. You are not --

5 MS. DWYER: You are bringing it into my home
6 property. How can you say it's not going to cost
7 me anything?

8 MR. FRIEDMAN: That's a whole different issue,
9 ma'am.

10 MS. DWYER: Who's going -- who's going to pay
11 for the transmission line to Hideaway?

12 MR. FRIEDMAN: Well, luckily I get to ask the
13 questions, but if you would read the engineering
14 information, the Hideaway Bay line -- I mean, the
15 line to the mainland is being paid as a part of
16 this project. You are not a part of this project.
17 Hideaway Bay, this has no financial impact on you.
18 You are not going to have to pay the rates and
19 charges that you thought you had to pay.

20 And I wanted to make sure that you understood
21 that so that -- so that you and your neighbors
22 would know that because Mr. Porter asked for y'all
23 to be excluded, we filed the appropriate
24 documentation with the PSC to exclude Hideaway Bay
25 from the application and, thus, Hideaway Bay, will

1 not be subject to paying any of these connection
2 charges or monthly rates.

3 Thank you.

4 MS. DWYER: I disagree with what you are
5 saying, because bringing a transmission line to
6 Hideaway property will affect my quality of life.
7 It will affect my --

8 CHAIRMAN GRAHAM: Okay. Okay. Listen, let's
9 carry on this conversation during the break. You
10 guys can get on the side and talk about this.
11 Let's just go through the rest of this hearing.

12 MS. DWYER: My apologies.

13 CHAIRMAN GRAHAM: That's okay.

14 MS. DWYER: Thank you will for listening.

15 CHAIRMAN GRAHAM: That's okay.

16 COMMISSIONER PASSIDOMO SMITH: Jerome
17 Sponseller, you are on deck. George Pettengill,
18 you will be after.

19 PUBLIC COMMENT

20 MR. SAAD: Good morning.

21 CHAIRMAN GRAHAM: Good morning, sir.

22 MR. SAAD: Hello. My name is Stewart Saad. I
23 own three properties on Palm Island, and in
24 addition to myself, I have proxy for five other
25 properties on the island, so I am collectively

1 representing eight properties and four property
2 owners today.

3 Professionally, I am the CEO and principal
4 owner of a business called Electrical Engineering
5 Enterprises. What we do is service critical
6 electrical infrastructure across the state. Our
7 customers include Duke, TECO, FMPA, OUC, Tampa Bay
8 Water, City of St. Petersburg, Plantation, Collier
9 County, Hillsborough County, et cetera. So I am
10 particularly familiar with the role that the Public
11 Service Commission serves in delivering critical
12 services in the form of utilities to the
13 communities and the state.

14 I am here today to talk about the utilities
15 that you deliver to our island ecosystem. So it
16 includes telephone. It includes cable TV. It
17 includes electrical, and it includes domestic
18 water.

19 The volumes of domestic water currently
20 delivered to our island system, I believe, is
21 around 50 million gallons per year, is that
22 correct? So you are responsible in regulating the
23 delivery of 50 million gallons of water, which
24 becomes wastewater fluent evidence effluent, and
25 then is drained, in whatever form, flushed into

1 1,264 privately owned wastewater treatment systems.

2 So my understanding of this application would
3 be that the certificate awards and gives the
4 correct entity, the Public Service Commission, the
5 obligation to properly regulate the 50 million a
6 year gallons of water that you currently deliver to
7 the island.

8 Now, look, I am an environmentalist. I am a
9 fisherman. I have owned property on the island for
10 25 years. We all love the ecosystem. We all love
11 our very unique and special sanctuary, right, of
12 passes, waterways, canals, basins, but to rely on
13 1,200 independently privately owned sewer systems
14 to properly treat the effluent is arguably just not
15 right. I could even say it's even negligent.

16 I know it's a hard project to swallow. The
17 island has been decimated. I am completely
18 sensitive to the costs of building a system and
19 maintaining a system, but the current system of
20 relying on 1,200 homeowners to properly maintain
21 the septic system is dramatically flawed.

22 So what I would like to see happen is, plan A,
23 issue the certificate, and then plan B would be get
24 the County involved, involve as much as you could
25 be involved, get the community associations

1 involved -- which I am not a part of any -- and get
2 a viable cost-effective reliable solution to
3 service this beautiful and critical ecosystem to
4 properly treat the 50 million gallons of effluent
5 that you deliver to the island today.

6 CHAIRMAN GRAHAM: Sir, thank you for your
7 testimony.

8 MR. SAAD: Thank you.

9 PUBLIC COMMENT

10 MR. SPONSELLER: My name is Jerome Sponseller,
11 at 10 Lemon Bay Lane.

12 First time I came over, I was -- drove across
13 on a bridge -- well, I didn't drive. I wasn't old
14 enough, but I have seen quite a bit of change. The
15 whole thing is that we have been there for these 55
16 plus years, and with proper maintenance and care of
17 the septic system, it works great. We have had no
18 problems whatsoever.

19 I will say that I have a photograph of a
20 seedling right next to the septic system, a
21 seedling palm that is now 25 feet tall, and so
22 everything is healthy. Everything is working just
23 fine.

24 For just a little bit of perspective, by
25 coincidence, our son manages a self-contained

1 system for an entire island in South Carolina. And
2 it's just interesting that on Fripp Island, they
3 are able to do this for \$80 every three months. So
4 thank you.

5 CHAIRMAN GRAHAM: Thank you, sir. A question
6 for you.

7 MR. FRIEDMAN: Sir, are you a member of PIE or
8 LGIPA?

9 MS. SPONSELLER: No, I am not, because they
10 are not dog friendly is the only reason.

11 MR. FRIEDMAN: Thank you.

12 COMMISSIONER PASSIDOMO SMITH: Heather Stout,
13 you are on deck. And then Teegah. It just says
14 Teegah, you will be third.

15 CHAIRMAN GRAHAM: Welcome, sir.

16 PUBLIC COMMENT

17 MR. PETTENGILL: George Pettengill, 9400
18 Little Gasparilla Island, Unit J7, better known as
19 Hideaway, and I am a member of LGIPA.

20 I spoke against EU receiving approval to
21 install a central sewer system during the February
22 2022 hearings. That was Docket 20200226. I became
23 involved at that time because EU's plan showed
24 Hideaway land being used for a pumping station, and
25 also the Hideaway back road being used to run a

1 transmission line through our barge landing to the
2 mainland. At no time had EU approached Hideaway
3 about their plans to use our property.

4 During those hearings, EU assured Hideaway
5 that those priorities were old, and there would be
6 no impacts to Hideaway. EU's counsel made a point
7 of confirming I was from Hideaway after I spoke, so
8 I could be shown as a non-impacted party.

9 In the information EU disseminated before this
10 hearing, Hideaway was also led to believe we were
11 exempt from being involved in the sewer plans. But
12 yesterday, we found out that new plans have a
13 transmission line going through the back of
14 Hideaway. Once again, no attempt was made to
15 contact Hideaway by EU.

16 If EU is allowed to move ahead with their
17 plans, it could have severe impacts at Hideaway.
18 The stipulation that requires a 15-foot easement
19 for their line that cannot be driven over
20 effectively would shut down the barge landing at
21 Hideaway -- that has been granted to Hideaway
22 through our submerged land lease. The lease number
23 is 0800 -- or 8000, rather, 9305, and allows
24 Hideaway to have a barge landing primarily to bring
25 a pump-out truck to the island to pump out sludge

1 from our water treatment plant.

2 The barge landing and back road is being
3 heavily used currently as Hideaway brings in
4 sliders, windows and other construction materials
5 needed for the reconstruction from Hurricane Ian
6 that was two-and-a-half years ago. To think
7 hurricane construction may not be necessary again
8 would be naive.

9 I would ask also does this mean FPL will no
10 longer be able to bring in their trucks to service
11 the power lines that run along that same road?

12 The barge landing and road are lifelines to
13 keep Hideaway running, and we can't afford to have
14 them rendered useless. I ask the Commission to
15 take the impacts of the proposed plan to the 102
16 owners of Hideaway and deny EU's sewer application.

17 Thank you very much for your time.

18 CHAIRMAN GRAHAM: Sir, thank you very much for
19 your testimony. He already said --

20 MR. FRIEDMAN: I had another question.

21 MR. PETTENGILL: Yes.

22 MR. FRIEDMAN: Let me ask you, are you aware
23 that there is already an easement granted for
24 utilities through Hideaway Bay?

25 MR. PETTENGILL: You have not communicated

1 with Hideaway at all about any of this, so I had
2 basically less than 12 hours to prepare something
3 for today.

4 MR. FRIEDMAN: Okay. Thank you.

5 CHAIRMAN GRAHAM: Thank you, sir.

6 Good morning.

7 PUBLIC COMMENT

8 MS. STOUT: Good morning, Commissioners. My
9 name is Heather Stout. I live at 400 Bocilla Drive
10 on Don Pedro Island.

11 I am scared. I am a single mother raising an
12 amazing son. I manage two HOAs on the island. I
13 work for a vacation rental business on the island,
14 and I run my own little golf cart business on the
15 island. Yes, I work hard, but I get to raise
16 Teegan in one of the safest, most beautiful places
17 in all of Florida.

18 I am scared because if you approve this
19 private sewer, it will change all of that. I am
20 scared because a private utility has no off button.
21 Best estimates have the monthly sewer bills
22 starting in the 200s. I say best estimate, because
23 we all know how private utilities work. Guaranteed
24 to go up every year a certain percentage point, and
25 on top of that, they come to the PSC for

1 significant rate hikes quite religiously.

2 Despite what we are being told by EU, I have
3 found no grants for rural customers of private
4 utilities on the State of Florida's own Water
5 Quality Improvement Grant Program website. The
6 installation costs projected at 17, to 30, to
7 40,000, it will be more. We all know it. EU has
8 zero experience in the sewer business, so there
9 will be costly mistakes and overruns.

10 The system proposed is riddled with problems,
11 expensive problems. Despite what salesman of the
12 systems would have you believe, they are not cheap
13 to run. They have a horrible reputation for costs
14 and upkeep. And I would like to point out, after a
15 significant water event, they will likely be gone.
16 And if they are there, they will still not be
17 working. My gravity system did, which allowed me
18 to return to my home and back -- after back-to-back
19 hurricanes.

20 Commissioners, I am also scared because of our
21 beautiful island environment. From my rental job
22 perspective, when we have a power outage on the
23 island, and we do frequently, do I run around with
24 30 generators and give them all to the renters, and
25 tell them don't use the property -- or the bathroom

1 unless you have got the generator running? They
2 don't know how to work that. Are we going to store
3 30 generators, store the gasoline for 30
4 generators? Trust me, this is not an
5 environmentally sound practice. Once again, it
6 shows that EU's lack of critical thinking for this
7 very critical topic.

8 Commissioners, please respect and protect my
9 ability to raise my son in the most safest
10 environment that we could find, and that we all
11 love. Please deny, for the second time,
12 Environmental Utilities' environmentally unneeded
13 and financially unacceptable sewer proposal.

14 Thank you.

15 MR. FRIEDMAN: Ma'am, are you a member of PIE
16 or LGIPA?

17 MS. STOUT: No, sir.

18 MR. FRIEDMAN: Thank you.

19 CHAIRMAN GRAHAM: Thank you for your
20 testimony.

21 COMMISSIONER PASSIDOMO SMITH: Teegan, I am
22 sorry I mispronounced your name.

23 MR. STOUT: That's all right.

24 COMMISSIONER PASSIDOMO SMITH: Jeanie Adams,
25 you are on deck. Martin Guffey, you will on third.

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PUBLIC COMMENT

MR. STOUT: My name is Teegan Stout. I live at 400 Bocilla Drive. I am 13 years old, and I have been on the island since I was three years old. I have worked with the gopher tortoise team to protect the tortoises during the island building. It's a very significant project, and I am proud to be a part of our island conservation.

My mom has raised me to be careful and mindful of our environment. She sometimes makes me go out to the trash and pull out recyclable material that I may have made a mistake on. She's serious.

I have watched my mom budget for our septic system to be pumped and make sure that we are doing our part. I am also homeschooled. So she has made sure that I not only understand algebra and statistics, but she also wants me to understand and real life math.

I have done the math, and my mom works four jobs on the island, and shown me how to make a budget. I have had to factor in her mortgage, property taxes and insurance, contributing to my college fund, contributing to her retirement fund, as well as making sure that we have an emergency fund as we need it during the hurricanes that we

1 just experienced.

2 My mom asked me to figure out how much extra
3 money per month she would have to save just for
4 this sewer project, if you approve the sewer
5 project. If the cost was \$30,000 divided by 12,
6 she would have 365 days to make this happen. That
7 means she would have to save an extra \$2,000 --
8 \$2,500 per month. If it was \$40,000, she would
9 have to save an extra \$3,333 a month. Does that
10 account come from my college says, her retirement?
11 It has to come from somewhere.

12 My mom and I have discussed that sometimes
13 projects don't always include all costs. Sometimes
14 that was on purpose --

15 CHAIRMAN GRAHAM: Teegan -- Teegan.

16 MR. STOUT: Yes?

17 CHAIRMAN GRAHAM: Take a deep breath. I --
18 the only reason I say that is because the court
19 reporter is doing it and she can't keep up with
20 you. Just slow down a little bit. You are
21 doing -- Teegan, how old are you?

22 MR. STOUT: 13.

23 CHAIRMAN GRAHAM: 13. What grade is that?
24 Seventh?

25 MR. STOUT: Eighth.

1 CHAIRMAN GRAHAM: Eighth. You are doing a
2 phenomenal job. Just slow down just a little bit.

3 MR. STOUT: Okay.

4 CHAIRMAN GRAHAM: Thank you.

5 MR. STOUT: My mom and I discussed that
6 sometimes projects don't always include all costs.
7 Sometimes that is on purpose. Sometimes it's a
8 mistake. I don't believe that Environmental
9 Utilities has accounted for our electrical panel
10 upgrade and a plumber. I hope that was a mistake.
11 The extra monthly bill will start at \$200 times 12
12 months, which is an additional \$2,400 per year.
13 It's too much money for us.

14 I get to play with my friends on the island.
15 My mom feels very safe letting me do that. Some
16 days, by the time I get home, three of her friends
17 have told her where I was and where I was headed.

18 Commissioners, I am asking that you deny
19 Environmental Utilities. I love my home. I love
20 my island family. I don't want to leave. Please
21 don't let our island be ripped up. Don't let the
22 gopher tortoises be hurt, and don't make it unsafe
23 for me to ride my scooter. Please don't let my mom
24 not be able to afford our home.

25 Thank you.

1 CHAIRMAN GRAHAM: Thank you, sir. You did
2 very well.

3 PUBLIC COMMENT

4 MS. ADAMS: That's a tough one to follow.

5 My name is Jeanie Adams, and for the past nine
6 years, my husband and I have owned two units in
7 Savannah House, located at 221 North Gulf Boulevard
8 on Don Pedro Island.

9 We are retired from the oil industry and enjoy
10 the peace, serenity and safety that the island
11 offers. We consider this unique island one of the
12 last unspoiled places in the United State.

13 Our house is one of the closest to the water's
14 edge, and it takes a beating with every hurricane
15 starting with Hurricane Irma. We have also
16 experienced Idalia, Ian, Debby, Helene, and the
17 devastating Milton. Even with severe damage to our
18 house from Ian and Milton, after each of these six
19 hurricanes, our septic system worked perfectly.

20 Hurricane Milton destroyed all of our incoming
21 and outgoing plumbing under the house. But once
22 the plumbing was reinstalled, the septic system
23 worked just fine and needed no repairs. We feel no
24 need for the EU's proposed sewer system.

25 The list of reasons why EU should not be

1 granted this application is long, and I am in
2 agreement with everyone that has spoken in
3 opposition to the sewer. So I ditto all their
4 remarks.

5 I have spoken for my husband and I, but now I
6 would like to speak for some other residents on our
7 property. George, Matilda and Little George. They
8 are three gopher tortoises that have lived there
9 for at least 30 years. The gopher tortoise earned
10 its name because it digs a bureau in the ground
11 like a gopher. It has a life span of 40 to 70
12 years, and reaches sexual maturity at age 20.

13 Little George is six, and, hence, our
14 approximate guess at how long George and Matilda
15 have lived at Savannah House. We haven't seen
16 George or Little George since Hurricane Helene, but
17 Matilda still wanders around the property every day
18 looking for food and a little attention.

19 The gopher tortoise is classified as
20 vulnerable to extinction by the International Union
21 for the Conservation of Nature. The species main
22 threat is loss of habitat. If the sewer was to be
23 installed on our property, it would cross Matilda's
24 burrow and destroy her house. She has already lost
25 her family, and I would hate to see her lose her

1 home too.

2 In conclusion, please don't grant this
3 application to EU. Please don't try to fix
4 something that's not broken.

5 Thank you very much for your consideration.

6 CHAIRMAN GRAHAM: Thank you for your
7 testimony. You got a question.

8 MR. FRIEDMAN: Ma'am, are you a member of
9 PIE --

10 MS. ADAMS: I am a proud member of PIE.

11 MR. FRIEDMAN: Thank you.

12 COMMISSIONER PASSIDOMO SMITH: Malcolm
13 Collingwood, you are on deck. George Paskert, you
14 are after.

15 PUBLIC COMMENT

16 MR. GUFFEY: My name is Martin Guffey. I own
17 Martin Septic Service. We do a lot of work on
18 Little Gasparilla Island. We pump for Hideaway
19 Bay. We have put in a lot of these wonderful
20 systems that work so well.

21 There is different types of systems, there is
22 different levels of --

23 CHAIRMAN GRAHAM: Mr. Guffey, if I can get you
24 to trait straighten that mic up a little bit. It's
25 kind of hard for back behind to hear you.

1 MR. GUFFEY: It's going to fall. I think it
2 is. You guys are really making me nervous now.

3 We do a lot of work out there. We put in a
4 lot of advanced treatment systems, probably more on
5 this coast than anybody. And what I mean by
6 advanced treatment is aerobic treatment units. And
7 aerobic treatment units are different levels of
8 treatment --

9 CHAIRMAN GRAHAM: Closer -- hold it closer.

10 MR. GUFFEY: -- basically different levels of
11 treatment. The thing that each of us expel every
12 year is eight pounds of nitrogen. That's mother
13 enabling. And that nitrogen is the miracle grower,
14 the fertilizer everything wants to many grow to
15 that actually hurts systems.

16 The newer systems are installed with drip
17 irrigation, and the emitters are impregnated with a
18 herbicide that doesn't let the roots interfere with
19 them. So it's a much more bulletproof system. But
20 environmentally sensitive areas like Little
21 Gasparilla Island, you know, the levels of
22 treatment is different levels of money. So when
23 you get into the higher levels of treatment, you
24 get into higher dollar amounts. And to put in one
25 of those systems, you could be \$20,000 to \$40,000.

1 And I guess, just looking at that, versus -- I
2 don't know what Jack's price is for the sewer
3 system, but, you know, with advanced treatment, you
4 have maintenance policies. You have operating
5 permit from the State. So there is costs in those
6 on-site systems, the advanced systems, versus a
7 baseline system regular septic tank has no cost.
8 They are a passive system.

9 I don't know what else to say.

10 CHAIRMAN GRAHAM: Well, sir, thank you for
11 your testimony.

12 MR. GUFFEY: Thank you.

13 CHAIRMAN GRAHAM: Just lay it down there.
14 Thank you, sir.

15 PUBLIC COMMENT

16 MR. COLLINGWOOD: Good morning. My name is
17 Malcolm Collingwood. I am representing Lemon Bay
18 Conservancy this morning.

19 Last week, we couriered a letter up to
20 Tallahassee to the Public Service Commission. I
21 thought it would be useful if I attend this
22 morning and actually read out the contents of that
23 letter. It's very short. Just one page.

24 Lemon Bay Conservancy, or LBC as we call
25 ourselves, is a 501(c)(3) nonprofit organization

1 that works to protect the wildlife and natural
2 habitats of Lemon Bay, Gasparilla Sound and the
3 watersheds through land preservation and
4 restoration, water quality initiatives,
5 environmental education and advocacy for
6 sustainable conservation policies.

7 LBC was founded in 1971. We own -- we
8 currently own 13 lots, 13 parcels on Thornton Key,
9 which is part of Knight Island in Charlotte County.
10 We pay non ad valorem taxes on all of those
11 prompts.

12 These lots are currently zoned BBI, or
13 bridgeless barrier island, with a future landuse of
14 coastal residential. However, any of residential
15 development on these lots, and any lots owned in
16 the future by LBC on Thornton Key will be
17 impossible, as any such development is contrary to
18 the mission of LBC, reinforced by conservation
19 easements that have been applied to the majority of
20 the lots, and the density units have also been
21 removed from these lots. As such, any assumption
22 that LBC should or will help pay for sewers is
23 wrong. Further -- conservation properties for
24 sewers that they would not use discourages
25 conservation.

1 Assumptions made by Environmental Utilities
2 about the economic feasibility of sewers in the
3 future are clearly wrong, as the likely use for
4 properties on Thornton Key in the future are for
5 conservation, not for residential development.

6 Furthermore, the assumption that a centralized
7 sewer system will be -- will significantly reduce
8 nitrogen loading to Lemon Bay is unfounded.
9 Charlotte County Utilities facilities -- well,
10 their facilities currently lack advanced wastewater
11 treatment. Without committed plans and a timeframe
12 for advanced wastewater treatment implementation, a
13 centralized sewer system would merely shift the
14 nitrogen burden.

15 Why not remove wastewater from the barrier
16 islands, much of nitrogen will be redistributed
17 back into the coastal environment through Lemon Bay
18 through the application of reclaimed water.

19 Thank you.

20 CHAIRMAN GRAHAM: Thank you, sir, for your
21 testimony.

22 MR. FRIEDMAN: I have one question. Sir, do
23 you realize that Thornton Bay is not included in
24 this application -- or Thornton Key is not included
25 in --

1 MR. COLLINGWOOD: My understanding is that
2 Knight Island includes Thornton Key. It's not
3 defined in the hearing notification. My
4 understanding is Thornton Key is part of Knight
5 Island.

6 MR. FRIEDMAN: So it's your understanding that
7 it's included in the service area?

8 MR. COLLINGWOOD: Yes.

9 MR. FRIEDMAN: Okay. Thank you.

10 CHAIRMAN GRAHAM: Thank you, sir.

11 COMMISSIONER PASSIDOMO SMITH: Sample
12 McCallie, you are on deck. Ric Weibley, you will
13 be after.

14 PUBLIC COMMENT

15 MR. PASKERT: Good morning.

16 CHAIRMAN GRAHAM: Good morning.

17 MR. PASKERT: It was a long day yesterday, and
18 we are moving forward, so it's a process. Can you
19 hear me?

20 CHAIRMAN GRAHAM: Yes.

21 MR. PASKERT: Okay. My name is George
22 Paskert, 9674 Privateer Road, Little Gasparilla
23 Island. I came down here in 38 -- almost 38 years
24 ago in Hideaway. In fact, the man that spoke a
25 little bit ago, John Brandenberger, is one that

1 recommended me to take a look at it. So it's kind
2 of memory lane this morning.

3 We were at Hideaway for 12 years. We were the
4 first unrelated person to buy at Hideaway. The
5 developers had units. The guy that built the pool,
6 the drywall guy, the banker, an investment buddy of
7 theirs, and we were just kind of dumb people walked
8 in off the streets and said what have we found? It
9 was great, and we loved it. 12 years later, we
10 bought a house. We have been at the house for 25
11 years.

12 My wife, very much -- both of us very much
13 involved with -- fell in love with Hideaway, with
14 the island, actually. The HGTV was mentioned
15 yesterday. My wife is the one that did it. She
16 was contacted in Tampa to do one up there, and they
17 found out about Hideaway -- found out about Little
18 Gasparilla Island and wanted to take a look at it,
19 and wound up doing three more down here. Anyway,
20 that was unrelated, but her love of the place was
21 just unrelenting. Times have changed.

22 I met Jack 38 years -- 37 years ago on a
23 Friday afternoon -- evening about nine, 10 o'clock
24 at night. I was a new owner in K building and
25 didn't have any water. I grabbed a flashlight in

1 one hand and a beer in the other, decided to walk
2 around and see what I could find. I found this guy
3 in a hole with a shovel, a bottle of glue and some
4 PVC, he looked up, and says, who are you? I said,
5 I am George. I am a Hideaway K building, and I
6 don't have any water. Who are you? He says, I am
7 Jack. I own the water company. Shine the light
8 over here, help me fix this and we will have a
9 beverage. I did, we finished. He blessed me, and
10 we have been friends since.

11 I backed him on the water deal, but not on
12 this one. This is bigger. The downsides are way
13 different. If the water breaks, you got clean
14 stuff going around. This, you have a problem, you
15 have got a big problem.

16 Power outages. I just finished 94 days
17 without power at my house on the island. That's
18 kind of -- I don't have a generator, but the septic
19 worked. That was a good thing.

20 Mentioned was made, a mention yesterday that
21 named that environmental was a good name, and it
22 is. It kind of gives everybody a warm and fuzzy
23 feeling, but the rest of the name says LLC. This
24 is what's bothersome to me. I think that means
25 limited liability corporation. That means, I

1 think, that we, as landowners, would have unlimited
2 liability. We are on the wrong side of that deal.

3 CHAIRMAN GRAHAM: Sir, thank you for your
4 testimony. Thank you.

5 MR. FRIEDMAN: Are you a member of PIE or
6 LGIPA?

7 MR. PASKERT: The answer would be yes.

8 MR. FRIEDMAN: Which one?

9 MR. PASKERT: LGI.

10 MR. FRIEDMAN: Thank you.

11 CHAIRMAN GRAHAM: Thank you, sir.

12 PUBLIC COMMENT

13 MR. McCALLIE: They have to do this for us.

14 First of all, I would like to thank everybody
15 for listening to us, and also the people showing
16 up. My name is Sam McCallie. This place has been
17 in my family for about 35 years. I am supposed to
18 be stoic about this, but I am not.

19 Anyway, my father, a small town dentist from
20 Tennessee, and my mother, a school teacher, bought
21 50 percent interest in a property 35 years ago.
22 And I was -- happened to be deployed during the
23 Gulf War at the same time. It was a nice
24 homecoming present.

25 I could go on about the future costs,

1 environmental impacts and the reliability, but I
2 think something else needs to probably be put up
3 front, and it's opinionated, I will be honest with
4 you, but I -- being here for so long, I think it
5 holds a little bit of water.

6 There is a well-known statement in the Field
7 of Dreams, build it and they will come. I kind of
8 think that EU's mantra is build it and they will
9 pay. But what they are not doing -- what they are
10 doing is not illegal. It is arguably unethical.
11 And ethical behavior comes from integrity.
12 Integrity is defined as what you do when nobody is
13 looking.

14 So I am a career government servant, and I am
15 intimately familiar with the process, the formal
16 process of application, coordination and review.
17 But there is also the informal process.
18 Networking, lobbying, handshake deals, passive
19 agreements, I totally understand it. And I am
20 pretty certain that the latter has occurred.

21 But anyway, research shows that areas with low
22 lying and frequent high tides are particularly
23 susceptible for sewage backups from low pressure
24 sewer systems. And I have seen the statistic that
25 50 percent of the spills we had during the last

1 hurricanes were from low pressure systems. So
2 exactly why again are we advocating for this kind
3 of system? And more importantly, what have they
4 been doing with what we and you people have not
5 been looking?

6 So I will close that with please reconsider
7 your endorsement of their certificate. Thank you.

8 MR. FRIEDMAN: Sir, are you a member of PIE or
9 LG --

10 MR. McCALLIE: I was supposed to precede this
11 with yes.

12 MR. FRIEDMAN: Thank you.

13 CHAIRMAN GRAHAM: Thank you, sir, for your
14 testimony.

15 COMMISSIONER PASSIDOMO SMITH: Melissa Stead
16 or Stead, you will be -- you are on deck. Terrie
17 Weibley, you are after.

18 CHAIRMAN GRAHAM: Yes, sir.

19 PUBLIC COMMENT

20 MR. WEIBLEY: Good morning. Thank you all for
21 listening to us, and for your patience with us.

22 My name is Ric Weibley. I own a home LGI
23 since 2003, and I have been a full-time resident
24 since 2016, when I retired from the practice of
25 medicine. I am a member of the LGIPA, being

1 married to my wife, there was no choice.

2 And I have listened to all the testimony
3 yesterday, last night, the personal statements.
4 And it's my opinion that the EU proposal, while
5 expensive, does not provide a clear justification
6 needed to approve it. After considering what I
7 have read and I heard, I believe it is a solution
8 in search of a problem.

9 Imagine, if you will, a town that decides to
10 install a brand new sewer system. That's what we
11 are talking about now. The decision is not made
12 because the old system is clearly failing or
13 inadequate, but simply because the County
14 Commission believed that it might be a good idea.
15 A solution in search of a problem.

16 This current system, though not perfect,
17 functions well. Yet, despite this, the town
18 embarks on a costly and destructive construction
19 project to replace what already works.

20 Now, let us draw a parallel to the realm of
21 health care. Picture a patient who is perfectly
22 healthy, yet their doctor prescribes a series of
23 medical treatments and interventions. The patient
24 has no symptoms, no underlying conditions and no
25 medical history that calls for such treatment, yet

1 the doctor, like the town council, believes that it
2 might be a good idea to administer the treatments
3 just in cases there a problem. A solution in
4 search of that problem.

5 Just as the unnecessary sewer installation
6 disrupts the town, causes noise, environmental
7 disruption and financial strain, unnecessary
8 medical treatments disrupt the patient's life.
9 They often come with side effects that were
10 unintended. They produce financial burdens and
11 they cause mental strain.

12 Furthermore, just as the town could have
13 allocated resources to more pressing issues, such
14 as secondary wastewater treatment. If we are
15 reselling distribution to golf courses, which not
16 only removes nitrogen, by the way, it also removes
17 pharmaceuticals. The health care system could have
18 directed its resources to patients in genuine need
19 of care. Both scenarios highlight a critical
20 point, the importance of discern and necessity.
21 And in the case of the sewer system, the town has
22 to evaluate whether the current infrastructure is
23 insufficient before committing to a new project. I
24 don't feel that they have done that, because they
25 haven't done the necessary testing in our

1 particular area. They are using generalizations
2 from information in other places, not unique to our
3 specific environment.

4 So at this point, I feel that the application
5 should be denied, and instead, maybe look at ATUs
6 that have been described.

7 CHAIRMAN GRAHAM: Sir, thank you for your
8 testimony.

9 MR. WEIBLEY: Oh, yeah, I am a member.

10 PUBLIC COMMENT

11 MS. STEAD: Hi. Good morning, everyone.

12 CHAIRMAN GRAHAM: Good morning.

13 MS. STEAD: I am a member of LGIPA, and we
14 reside at 8890 Gulf Street.

15 My husband -- or I am Melissa Stead. My
16 husband and I live and work in Tampa, but his
17 family purchased the home in '96. I am speaking
18 today in opposition of the Environmental Utilities'
19 application due to three major areas of concern,
20 environmental impacts, economic and affordability
21 issues and infrastructure and safety risks.

22 First, the environmental concerns. The
23 construction of a central sewer system on LGI would
24 disrupt critical and natural habitats in the
25 wetlands. These areas are vital for water

1 filtration and serve as nurseries for marine life.
2 Even SFWMD acknowledged in 2020 in their report
3 that low pressure grinder sewer systems present
4 significant leak detection issues. They
5 specifically state, as all pipe work is under
6 pressure, a break in the pipe may leach -- lead to
7 large spills, and this type of system is not
8 suitable for environmentally sensitive areas like
9 ours or LGI.

10 This is why it makes clear that we should be
11 concerned about the risks of using a system in our
12 sensitive environment. Why would we trust a system
13 that hasn't been proven? Especially when SFWMD
14 says it's not suitable for our area.

15 Secondly, the economic and affordability
16 issues are significant. My family, like many
17 others in the area, are dealing with the aftermath
18 of Hurricane Ian, and now we are facing additional
19 costs due to damage caused by Hurricanes Helene and
20 Milton, and we simply cannot afford a \$40,000
21 hookup.

22 I teach kindergarten, and we know Florida
23 ranks last in salaries. My family cannot bear this
24 additional financial burden, especially when our
25 current system is functioning properly and works.

1 Lastly, the infrastructure and safety risks
2 cannot be overlooked. Maintaining a sewer system
3 on a bridgeless barrier island is logistically
4 challenging and expensive. The risk of raw sewage
5 spilling from low pressure lines, which are prone
6 to breakage, would be an ecological disaster. And
7 we have seen in other areas the potential for
8 sewage overflows during storms and systems risk --
9 system failures would be a public health and
10 environmental catastrophe. This is a risk I cannot
11 support, and it's a risk that could affect everyone
12 on the island and beyond.

13 Furthermore, the EU's application fails to
14 address key concerns, such as water quality
15 testing, and does not comply with the 2023 House
16 Bill 1379, which directs resources where they are
17 needed most. And our area is not part of the basin
18 management area plan, which is aimed at addressing
19 water quality.

20 The application does not meet Charlotte
21 County's 2050 Comprehensive Plan, which stresses
22 both affordability and protection -- environmental
23 protection. Excuse me.

24 In conclusion, we understand that the storms
25 are an unfortunate part of life in Florida, but we

1 cannot afford to gamble the health of our community
2 and our environment. The risks associated with
3 this system are just too high, and we strongly
4 oppose this application.

5 Thank you for your time and consideration for
6 concerns of our community.

7 CHAIRMAN GRAHAM: Thank you, ma'am. Thank you
8 for your service as a teacher.

9 MS. STEAD: Oh, thank you. I love the little
10 ones. I am nervous in front of you guys.

11 CHAIRMAN GRAHAM: Andrea Illiano, you are on
12 deck. Gerry Illiano, you are following.

13 PUBLIC COMMENT

14 MS. WEIBLEY: Stand on tiptoes. If I touch
15 this, you know what's going to happen. Thank you.
16 Wonderful. Thank you. Okay. Great.

17 Hey, I am Terrie Weibley. And, yes, LGIPA is
18 where I belong. And you mentioned yesterday
19 something about a couple could just write one
20 letter. In this day and age, women do have their
21 own opinions.

22 Okay. I want to say thank you to you for
23 coming, and it is really an honor to us that you
24 would take the time and the trouble to come all
25 this way. Lots of people behind me took real big

1 steps to get here today too, and I know you know
2 that, but I want to give you a little bit of the
3 color of what Little Gasparilla is really like.

4 First I have to say, I heard testimony that
5 Dr. Lapointe, for EU, was paid 40K, or thereabouts.
6 Our experts were not compensated.

7 Now, it takes 20 to 40 minutes to come or
8 leave the island, depending on where you live on
9 the island, on LGI. If you have a home there, you
10 don't leave much. And if you do leave, it's
11 probably for groceries. We eat well. And I want
12 to tell you that when I am heading back in my boat
13 after I have been to the grocery and I load
14 everything in the car, and then I load it into the
15 boat, it's already been a workout. And when I am
16 heading back, and I hit the channel and I am on the
17 water, every single time for the last nine years
18 that I have lived there full time, I say, it just
19 comes out in me, thank you, God, that I get to get
20 my groceries this way. It's so wonderful. Now, if
21 I have to go to Walmart, I am texting my husband
22 and saying, oh, my God, there is so much sensory
23 overload here. It just spoils you for places like
24 that. You can't do it anymore.

25 Also, we want to live near the earth and water

1 on Little Gasparilla Island. We love bare ground,
2 we like our bare feet on the ground. If we were
3 walking on sewage, we would not like it. I have
4 never done that in all my time there. I haven't
5 come close.

6 In fact, there is a few legendary men we could
7 name, most of us on LGI, who never wear shoes
8 except to weddings or funerals. This is honestly
9 true. In better days, you didn't wear shoes to the
10 beautiful chapel on the island to church. In fact,
11 you could bring your dog, and they don't wear them
12 either.

13 It's an absolutely wondrous old Florida place.
14 I didn't know that the people on Palm Island named
15 their gopher tortoises too, but ours are Yerttle
16 the Turtle, Myrtle, Little Yert and Twink. And
17 maybe they should have a meet-up sometime. I don't
18 know.

19 But anyway, nature is our doorstep. It's
20 absolutely precious and wonderful here. We aren't
21 posh. We don't care to impress anyone, and we say
22 that women here -- I am finishing -- become
23 increasingly feral over time. We are out tying our
24 lines in the middle of the night, checking our
25 boats, and what have you. We know what's going on,

1 and I am telling you, our septic work.

2 Thank you.

3 CHAIRMAN GRAHAM: Thank you, ma'am, for your
4 testimony.

5 PUBLIC COMMENT

6 MS. ILLIANO: Good morning, Commissioners, and
7 thank you for being here. Thank you, everyone
8 behind me, for being here and supporting our
9 wonderful Palm Island and LGI.

10 No, I am not a member of PIE or an LGI
11 organization. I am an independent retired New York
12 teacher, and I have chosen Palm Island to be my
13 home, and I am very much an environmentalist.

14 CHAIRMAN GRAHAM: What's your name, ma'am?

15 MS. ILLIANO: I am sorry. I forgot to say
16 that. My name is Andrea Illiano. I live at 46
17 Tarpon Way on Palm Island. I apologize for that.

18 We are certified by the County to maintain our
19 own septic system, Miami husband Gerry and I have
20 done that. We have been full-time residents for
21 over 10 years. We moved to Palm Island in 2008,
22 and have experienced the major hurricanes that we
23 have just been through. We are boaters, as well as
24 environmentalists. And I always used to say, you
25 know, we are living on their land, not the other

1 way around. So I am very sensitive to the
2 environment and the inhabitants that are there way
3 before we have come.

4 I want you to deny this application to the EU
5 because it goes against everything I feel and I
6 feel my fellow environmentalists are about. The
7 septic system has worked through all three of these
8 major hurricanes, and we have been just very strong
9 advocates to try to maintain our septic system. We
10 submit reports every six months to the County, and
11 have to apply for applications. And we are very
12 vigilant about the type of things that we use in
13 our septic system, and have maintained of it
14 successfully for all of the years that we have
15 lived there.

16 This would be a tragic, a tragic situation for
17 many families. The economic quest of over \$200 a
18 month for just the wastewater and the septic -- the
19 sewer system is something that we have just not
20 accounted in our budget, so it would really be a
21 distrust economic situation for us.

22 We have been very vocal about maintaining the
23 island, and trying to keep our septic system and
24 environment in pristine condition, and I think we
25 have done that. And through all three hurricanes,

1 that has been the most reliable system. The septic
2 system has worked beautifully. We have the aerobic
3 system, and it has been something that has worked
4 well for us and my family.

5 I implore you, please deny this application.
6 Unwanted, unnecessary and environmentally tragic.
7 Thank you.

8 CHAIRMAN GRAHAM: Thank you, ma'am, for your
9 testimony.

10 MS. ILLIANO: You are welcome.

11 COMMISSIONER PASSIDOMO SMITH: Scott Morrison,
12 you are on deck. Meighan Kerr, you are after.

13 PUBLIC COMMENT

14 MR. ILLIANO: Hello, my name is Gerry Illiano.
15 I live at 46 Tarpon Way, and I think my wife just
16 said everything I was going to say, but I will just
17 add to that a little bit.

18 I have an aerobic Delta Whitewater system
19 which I have been maintaining for the last 10
20 years. Everything works fine. Every four years,
21 approximately four years, I have a pump-out come
22 from a reputable company. And all I could say is
23 that sewer lines would not be a great idea on the
24 island. I mean, it would -- it would hurt the
25 gopher tortoises. It would hurt the environment.

1 And I think my system just works fine the way it
2 is.

3 Anyway, that's about it.

4 CHAIRMAN GRAHAM: Thank you, sir, for your
5 testimony. I think we have a question for you.

6 MR. FRIEDMAN: Did you ever say whether you
7 were a member of PIE or LGPI -- LGIPA?

8 MR. ILLIANO: No, I am not.

9 MR. FRIEDMAN: Thank you.

10 CHAIRMAN GRAHAM: Thank you, sir.

11 MR. ILLIANO: Thank you.

12 PUBLIC COMMENT

13 MR. MORRISON: Okay. Good morning, and thank
14 you, ladies and gentlemen of the Florida Public
15 Service Commission and your staff, for this
16 opportunity to come and speak before you today.

17 My name is Scott Morrison, and my family's
18 home is at 9862 Little Gasparilla Island, or dock
19 number 139. We are near the south end of LGI, and
20 have been coming to Little Gasparilla Island since
21 the early 1960s. We are members of the LGIPA.

22 Like so many of our neighbors, we were still
23 rebuilding from the damage caused by Hurricane Ian
24 when we were hit by Helene and Milton back-to-back.
25 Now comes the proposal from Environmental

1 Utilities, a private and for-profit company that
2 wants to build an unnecessary and unwanted low
3 pressure central sewer system on Little Gasparilla
4 Island. The proposed mandatory hookup charge,
5 forecast to be between \$40,000 and \$50,000 per
6 home, would be an onerous burden on the homeowners
7 on LGI, who have already been through so much.

8 The environmental damage resulting from this
9 proposal would also be costly. There are many
10 protected species that call Little Gasparilla
11 Island home, some protected species of vegetation
12 will also be negatively impacted by this proposed
13 project. Most notably sea oats and sea grapes,
14 which play a critical role in soil retention, and
15 mangroves, which not only also play a part in soil
16 retention, but also provide an essential marine
17 habitat for multiple marine species.

18 Additionally, if a catastrophic spill were to
19 occur, it would be impossible to bring the
20 equipment needed to clean it up due to the wait
21 limits on the barges that would needed to bring
22 them over to the island.

23 Our entire family is ardently opposed to this
24 project and urge you to deny approval to
25 Environmental Utilities and their proposal for a

1 central sewer system on Little Gasparilla Island.

2 Again, thank you very much for your time.

3 CHAIRMAN GRAHAM: Thank you, Scott, for your
4 testimony.

5 COMMISSIONER PASSIDOMO SMITH: Ben Fertic, you
6 are on deck. Mike Riley will be after.

7 PUBLIC COMMENT

8 MS. KERR: Good morning. My name is Meighan
9 Kerr, I own a home at 18 Bayshore Circle on Knight
10 Island, which is in the proposed service area. I
11 have owned that for eight years. I am a CPA and a
12 business owner, and a member of PIE.

13 We don't want this private sewer. I oppose
14 this because of all the reasons everyone else has
15 already stated, so I will get real personal for
16 this one.

17 My personal perspective is I have faced four
18 hurricanes, four major hurricanes in two-and-a-half
19 years, and my septic is fine. I had an estimated
20 \$350,000 of damage from Hurricane Ian. \$900,000
21 later, I am still not done. I am still not in my
22 home, and I have tapped every bit of equity I have,
23 but my septic is fine. The only part of my entire
24 house that did not have damage was my septic.

25 I am currently trying desperately figure out

1 how to finish the repairs so that I can have a home
2 on the island again. I am not sure yet how I am
3 going to do it. Another major required
4 construction cost is unfathomable, because my
5 septic is fine.

6 In my research, unfortunately, this feels like
7 nothing but a money grab from Environmental
8 Utilities. My septic is fine.

9 Thank you very much for your time.

10 CHAIRMAN GRAHAM: Thank you, ma'am, for your
11 testimony.

12 COMMISSIONER PASSIDOMO SMITH: Ben Fertic, you
13 are up. Mike Riley, you are on deck. Michele
14 Carroll, you will be after.

15 PUBLIC COMMENT

16 MR. FERTIC: Hi, Ben Fertic. I have a house
17 on Palm Island. There is a lot of amazing expert
18 testimony that was given yesterday by engineers. I
19 had no idea they were so many engineers on the
20 island that oppose this application, and I am right
21 there with them.

22 A couple of interesting points that I just
23 kind of picked up from last night's testimony that
24 I kind of want to touch on.

25 First of all, my septic tank did not leak

1 during the storm. How do I know that? Because I
2 took a salinity reading before and after Milton.
3 It was consistent basically with septic water.

4 People talk about testing Lemon Bay now.
5 Well, the state has lost 300 million gallons of
6 sewer water that have been dumped into our
7 waterways, 20 million gallons from one lift station
8 in Hillsborough County. The current on our coast
9 was north to south, and that is all coming here
10 eventually, if it's not already here.

11 If a septic system pops out of the ground,
12 it's likely that it was empty. 99 times out of
13 100, it's because the tank was emptied.

14 There is a lady who testified yet from LGI who
15 said she had septic issues, and she was smelling,
16 and she wanted the lines to be run because she was
17 sick of the smell. I am not sure, that's a state
18 failure. That's a county failure. There should be
19 County representatives right there right now
20 addressing the problem on what is going on with
21 that lady's septic system.

22 The ferry lines. The ferry line is routinely
23 an hour long, I mean, routinely an hour long. If
24 you approve this application, it will be a master
25 class case study and government overreach

1 incompetence and mismanagement. The questions will
2 invariably be asked, how could you approve this
3 type of system knowing that there is, within the
4 previous six months of this hearing, there is so
5 many documented cases of failures of this system.

6 And then when those questions are asked, there
7 will be some government bureaucrat who will answer,
8 we had no idea this could happen. The system was
9 totally overwhelmed. We had no idea. It wasn't
10 designed for this, but what was designed for this?
11 My septic system that you are going to make me take
12 out, because it didn't leak.

13 So in closing, this is a solution where there
14 exist no problem, but you are guaranteed to create
15 a problem if you do this. And by the way, I am
16 also an engineer.

17 CHAIRMAN GRAHAM: Thank you, sir. Thank you
18 for your testimony.

19 COMMISSIONER PASSIDOMO SMITH: Michele
20 Carroll, you are on deck. Cheryl Smith, you are
21 after.

22 PUBLIC COMMENT

23 MR. RILEY: My name is Mike Riley. I live at
24 20 -- 220 Kettle Harbor Drive on Don Pedro Island,
25 which is the EU service area.

1 My wife and I have lived on the island for
2 over 15 years. I am a member of PIE. I am a
3 former treasurer for eight years of the Conservancy
4 and retired CPA and business owner.

5 We are vehemently opposed to this application
6 to establish centralized sewer. I agree with, but
7 do not want to merely repeat objections already
8 voiced, and only want to describe my personal
9 experiences.

10 Regarding the cost to construct object island
11 versus mainland, and EU's expert witness territory
12 this said it will only be 10 percent higher,
13 including the ferry fees. I owned and maintained a
14 residential rental off island and my house on
15 island for several years. My cost for repair of
16 electrical, plumbing, heating, air conditioning,
17 specifically was approximately 25 percent higher on
18 island because of the island access problems they
19 encountered, the ferry and delays.

20 In recent years, this cost deviation has
21 increased significantly. I just finished the
22 repairs to my home from Hurricane Ian, and I spent
23 approximately 50 percent more than my insurance
24 company paid me. And the insurance company refused
25 to use an add-on percentage of 10, or 25, or 50

1 percent, and would only reimburse me for actual
2 ferry costs of the contractors that came over.

3 In addition to the normal traffic, or what's
4 become the normal ferry traffic, approximately an
5 hour wait most times, the tides have been a
6 significant problem for high profile and heavy
7 loads. This month alone, Waste Management has
8 missed two weekly trash pickups because they could
9 not get their smallest trash truck in their fleet
10 off the island due to the weight and low tides.
11 For construction equipment movement to and from the
12 island, this could greatly impact EU's construction
13 cost estimate, and delay time by weeks or months.

14 In listening to the technical session, EU's
15 attorney questioned several witnesses about septic
16 construction and repairs, actual depth of how deep
17 they are, quality of fill used underneath them, all
18 of these things, and tried to make the fact that
19 specifically on our islands, septic systems are not
20 properly maintained, and older ones allow effluents
21 to flow freely in the water table. EU argued
22 specifics about our island septic tanks, but has
23 yet to dollar specific water testing of our islands
24 to prove a service is actually needed.

25 I arrived on island 10 days after Hurricane

1 Milton. After seeing one beach front septic drain
2 field uncovered, and hearing a couple other septic
3 filled with sand, I had my septic system inspected
4 and the sludge removed. It had no damage, no sand,
5 and worked properly. My septic is fine.

6 Thank you.

7 CHAIRMAN GRAHAM: Thank you, sir, for your
8 testimony.

9 PUBLIC COMMENT

10 MS. CARROLL: Good morning. I think it's
11 still morning, right? My name is Michele Carroll,
12 and my deceased husband and I bought a lot on Don
13 Pedro Island at 300 Kettle Harbor in 2002. Our
14 dream was always to build our island home, and in
15 January of 2020, I finally started that process.
16 So anyone who has built on this barrier island will
17 tell you, it is a labor of love, and it is not for
18 the faint of heart for just a house, not a sewer
19 system.

20 So here we are four years later, and 40
21 percent over my budget, but I am almost ready. I
22 almost have a house and a CO. Well, this, of
23 course, includes a brand new septic system. It's
24 up to code, as is the remainder of my home. And
25 all of a sudden I get this letter in the mail from

1 Environmental Utilities saying, hey, we plan to
2 install a sewer system. Forget about the fact that
3 yours is not even through your financial inspection
4 yet and brand new, you can just disregard that.
5 Ours is going to cost you more to install, and then
6 we are going to charge you a monthly fee on top of
7 that. Oh, and by the way, we plan to place an
8 easement on your property, and essentially take a
9 portion of your lot, up to 15 feet the length of
10 your property -- and the length of your property to
11 do this. Lastly, you really don't have any choice
12 but to hook up.

13 So my lot is 80 by 130 on paper. With
14 erosion, it's more like 80 by 110 feet. So this
15 easement is 14 to 19 percent of my property.
16 That's theft. I am sorry, I have paid for that
17 lot, and I have paid taxes all these years to
18 finally get to build this home, and now I have to
19 give up such a large portion of my lot for a sewer
20 system that I do not need.

21 I want to thank my neighbors for being as
22 outraged as I am, and being here -- my future
23 neighbors -- for being as outraged as I am in
24 coming here today. What I heard is there is no
25 data that says the septic system in our area is

1 polluting the waterways.

2 This is a for-profit project which with costs
3 to residents grossly understated. The septic
4 system is not the right system. The profit company
5 has zero experience, and brings no capital of their
6 own to the table. And hurricanes have depleted the
7 residents both mentally and financially, so,
8 please, I would like you, our Florida Public
9 Service Commission, to deny this request.

10 Thank you.

11 CHAIRMAN GRAHAM: Thank you, ma'am, for your
12 testimony.

13 COMMISSIONER PASSIDOMO SMITH: Lindsay Yates,
14 you are on deck. Robert -- oh, ma'am, you are up.
15 Yeah, I'm sorry. Ms. Smith, yeah, you are up.

16 MS. SMITH: Batter up. That's me. I have
17 been on deck.

18 COMMISSIONER PASSIDOMO SMITH: Robert Nistig
19 -- I am sorry, it's hard to read that. You are
20 after.

21 PUBLIC COMMENT

22 MS. SMITH: Good morning. My name is Cheryl
23 Smith. My island neighbors know me as Duffy, and
24 my husband, Mike Smith, and I reside at 8894 Gulf
25 Street on Little Gasparilla Island as full-time

1 residents. We are both members of the LGIPA.

2 We both have read and researched a great deal
3 of information. We sat through the entire 12 hours
4 yesterday hoping things might become a little bit
5 more clear. They are still about clear as the
6 sludge in the bottom of my septic tank, which is
7 only one inch.

8 There is not a need for central sewer. The
9 need has not been clearly and resoundingly
10 established. The majority of the homeowner
11 community has not requested a need. The majority
12 has opposed a need.

13 Of the 320 homes on Little Gasparilla Island,
14 221 properties are opposed. That's 70 percent. A
15 project of this scope of construction and magnitude
16 of cost to individual homeowners must be 100
17 percent absolutely proven without a trace of a
18 doubt. I assure you it is not there. I trust you
19 and your staff will see this clearly, and come to
20 the same conclusion. The need has not been
21 established.

22 The magnitude of the cost and the rates are
23 disturbing, again, not to definitive information.
24 Environmental Utilities you cost to hook up the
25 systems were 15, then 18, now 19, plus the

1 electrical and plumbing, which could easily reach
2 another 6,000 to 8,000. The expert testimony
3 yesterday by Mr. Shaw and Mr. Hull quoted 46,000 to
4 50,000, quite a disparaging difference. I may need
5 Teegan now to help me with the rest of this math.

6 So let's take one is low -- one is too low and
7 one is too high, let's just assume that. Split the
8 difference, and that's about 33,000, so while the
9 cost on the mainland homeowners is 11,500. These
10 are not fair and just costs by any means.

11 My monthly rate at a full-time resident -- as
12 a full-time resident, using approximately 4,000
13 gallons a month, would be \$184 a month versus
14 Charlotte County average is 74. These are not just
15 and fair costs. This is just not my opinion. Just
16 and fair costs are determined by calculations from
17 the Charlotte County Master Sewer Plan. These are
18 not anywhere near the just and fair costs. The
19 hookup fee and monthly rates are clearly an undue
20 burden to homeowners. This all adds up to
21 excessive hardship, and not in the best interest of
22 the community.

23 CHAIRMAN GRAHAM: Thank you, Ms. Smith, for
24 your testimony.

25 MS. SMITH: Thank you, sir.

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PUBLIC COMMENT

MS. YATES: Good morning. My name is Lindsay Yates. I wish I were a good extemporaneous speaker, which I am not, and I wish I could speak as fast as Teegan Stout. I can't do that either.

I have lived on Don Pedro Island as a full-time resident for approximately 17 years. I am opposed to this application.

I am a member of PIE. It seems to be so important. I don't know why we have to differentiate ourselves like that. But in view of that, I would like one of our representatives here to be asking those opposed speaking in opposition to ask whether the speaker is a member of the Boyer family. Because last night, Kevin O'Rourke spoke, very nicely and -- Nick, I am sorry, Nick, sorry -- and was asked afterwards if he was related to the applicant, which he was. It's great. No problem. Earlier, Brittany Essig had spoken in opp -- in support of the plan, but it wasn't brought out that she was a member of his family, and I expect that other members will be speaking today, so I would like if we have to identify ourselves as part of a group, that they also need to.

I have been submitting letters and speaking at

1 hearings for two years now, my well has run pretty
2 dry regarding come up with anything new or
3 particularly intelligent to say on the subject,
4 except is this never going to end? And that's not
5 original to me.

6 In regard to the need for service, Mr.
7 Friedman yesterday referred to the, quote, vocal
8 minority, unquote, a term that Mr. Boyer also used
9 when lobbying the Charlotte County Commissioners.
10 I think it's quite evident from the turnout
11 yesterday and today that those opposed to this
12 application are very vocal, but hardly minority.

13 Mr. Boyer stated in his testimony yesterday
14 that 79 letters requesting sewer service were
15 submitted with EU's application. It's a bit
16 overstated. In fact, nine letters reflecting
17 ownership of 29 lots were submitted with the
18 application. Of these 29 lots, 21 are owned by
19 three companies with common ownership, who, by the
20 way, is a developer.

21 Since the submittal of the application,
22 approximately 35 letters in support of the
23 application have been submitted to the PSC. Of
24 these, four were written by family members, and six
25 appear to be from people who have no ownership

1 interest or involvement with the islands.

2 In reference to Mr. Friedman's questioning of
3 Ms. McCully yesterday as to the number of letters
4 sent by the McCullys to the PSC, he kept referring
5 to 12 letters being submitted by Amy and her
6 husband Nick. I am not sure -- and he referred to
7 that also with other people. I don't understand
8 what he is trying to say. It was like -- it
9 appeared to me that he wanted to prove that the
10 point was that there was a nefarious scheme on the
11 part of PIE to have the number of people writing in
12 opposition.

13 CHAIRMAN GRAHAM: Ma'am, thank you for your
14 testimony.

15 MS. YATES: Oh. See, I need to talk like
16 Teegan Stout.

17 COMMISSIONER PASSIDOMO SMITH: Jeff Provost,
18 you are on deck. Debra Reinke, you will be after.

19 MS. CHARTIER-HOGANCAMP: Mr. Chairman, can I
20 ask a point of clarification?

21 CHAIRMAN GRAHAM: Sure.

22 MS. CHARTIER-HOGANCAMP: As that member of
23 LGIPA requested, is it possible that if folks that
24 are associated with the applicant can identify
25 themselves, so that we don't have to ask everyone

1 and attempt to guess at it?

2 CHAIRMAN GRAHAM: I don't have a problem with
3 that. I think that will speed the process up a
4 little bit. You want to know if they are related
5 to the applicant?

6 MS. CHARTIER-HOGANCAMP: Associated with the
7 applicant.

8 CHAIRMAN GRAHAM: What does that mean?
9 Because half the people on the island are
10 associated with the applicant, I thought everybody
11 was friends.

12 MS. CHARTIER-HOGANCAMP: Fair enough.

13 CHAIRMAN GRAHAM: So you want to know if they
14 are a member of PIE, LGIPA, or related to the
15 applicant?

16 MS. CHARTIER-HOGANCAMP: Yes, please.

17 CHAIRMAN GRAHAM: Is that clear to the crowd?
18 I am just trying to expedite this process, because
19 one of the attorneys over here is going to ask that
20 question anyways, so I do appreciate it.

21 Sir, you have the microphone.

22 PUBLIC COMMENT

23 MR. NISTICO: Thank you very much. My name is
24 Robert Nistico. My wife, Cynthia, and I reside in
25 our homestead at 66 Palm Drive. We have been on

1 island for approximately 12 years now, if I do the
2 math correctly. We love our island, and we
3 appreciate everyone's comments today. And for the
4 record, I am not -- we are not associated with PIE
5 or any organization. We are individual property
6 owners.

7 I wanted to recognize and appreciate the
8 difficulty of the work that the Commissioners have
9 to do on this thing, because my background is
10 business, not environmental law, or environmental
11 business, or construction. But I have run very
12 small companies up to multi billion dollar
13 companies. The key decision here today, and
14 through this process to me is really what's in
15 question. It's a difficult thing.

16 I personally, for the record, agree with
17 virtually every one of the islanders on both
18 sections of the island that oppose this project,
19 and that's for the record. But then I go back to,
20 you know, what you all are dealing with, and it's
21 -- you know, if you are running an organization, a
22 county, a business, whatever it is, and you have
23 this obligation to make a decision, that's really
24 challenging. And what happens during that process
25 in my mind is, first, there has to be an issue and

1 a need.

2 They clearly have not established -- the
3 people opposed to this project have not established
4 that in anything that I have read that's clear.
5 And you also want an impartial group to manage that
6 project. And if there is -- in a situation if
7 there is a portion of a county, or the county can't
8 do it, eventually maybe it's a profit -- I am
9 sorry, I have stitches inside my face right now and
10 it's hard for me to talk -- you know, regardless of
11 who ends up with the project, it doesn't matter.

12 And forgive me, you know, I know there are
13 people here with financial hardships, that's a
14 consideration. But at the end of the day that
15 doesn't matter to me. What matters if there is a
16 need for this project that has not been
17 established, and it's being offered up by a
18 for-profit company. And that's not evil. I am a
19 capitalist, right? I run businesses myself. But
20 is it the best decision possible? And is that --
21 the speed for a decision is driven by the crisis,
22 and that's true of a county business, that's true
23 of a private business or a public business.

24 We don't see a crisis. Our septic system,
25 like everybody else that's testified today, has

1 been maintained to code, and every permit and
2 servicing that we have done has been on time. We
3 have been through five hurricanes now. Not one
4 issue with our septic system. So, you know, that
5 doesn't mean all of them are working properly.

6 But don't forget -- if there is any
7 environmental lawyers here, I am sure you are well
8 aware -- these are longshore drift islands. They
9 move. That's a big deal. That's a big deal for
10 stationary equipment.

11 And the last point I want to make, and even if
12 you decide that there is a need for this, or
13 someone proves there is a need for this, this is an
14 antiquated system. I believe a guy from on the
15 island, who is in construction, is tearing one out
16 in Tampa right now, testified that in writing. He
17 is actually physically tearing out a system like
18 this because they failed. So, great, if there is a
19 need. But let's take our time. Slow it down.
20 Explore really what needs to happen.

21 Those are my comments. Thank you for
22 listening. I appreciate you.

23 CHAIRMAN GRAHAM: Thank you for your
24 testimony, sir.

25 We are going to do two more speakers and we

1 are going to take about a five-minute break. Next
2 two speakers.

3 COMMISSIONER PASSIDOMO SMITH: Mr. Provost,
4 you are up first. Sorry.

5 PUBLIC COMMENT

6 MR. PROVOST: Good morning. Thank you very
7 much. Full-time resident 121 Bocilla. I am a
8 member of PIE, was a member of PIE prior to the
9 sewer fiasco; 40 years as a business owner,
10 mechanical and structural designer, have done
11 marine design, manufacturing, installation,
12 construction, municipal, commercial, residential,
13 either a preferred or sole source contractor for
14 three states.

15 My relative experience is in the municipal and
16 commercial sewer disposal and pump-out systems for
17 marinas. I have never seen a pressurized system
18 used over an environmentally sensitive area. This
19 island is that, just like a marina. Those systems
20 are all vacuum. You want to expel and get rid of
21 the effluent. You don't want it sitting on the
22 island. A vacuum system will evacuate that.

23 And I am not proposing that. I am not
24 recommending that. But it's far superior, and it
25 is what is deemed by most states to be the only

1 recommended environmental way to remove sewage in a
2 sensitive area such as a marina.

3 The pump-out systems are different for boats
4 and marinas, but they are -- in that aspect, but
5 not in the real-life aspect of what you are doing
6 with the effluent. You have two ways to treat the
7 effluent. You either treat it at the source, as
8 Mr. Martin was trying to explain, with an advanced
9 system. I have experience in that.

10 I own a manufacturing facility. We treat
11 about 10,000 gallons a day with advanced sewage
12 treatment systems. That is located in the state of
13 Vermont, which is probably the one of the most
14 environmentally sensitive states on the planet.
15 You can actually put them on rock and in clay, it
16 will treat the sewage. And the outcoming water
17 effluent is cleaner than any municipal system is
18 going to provide. Restaurants use it. Resorts use
19 it. Marinas use it. All sorts of uses use it
20 around sensitive areas on some of the cleanest
21 lakes in the country. I own several of those
22 systems. Our manufacturing facility uses those
23 systems. They are not cheap, but they are a lot
24 cheaper than what the applicant is proposing, and
25 it doesn't have a monthly fee connected to it. So

1 there is definitely different ways and better ways
2 to handle this.

3 I got to know Jack a little bit on the front
4 end of this project three years ago, because I was
5 interested to get educated. I recommended these
6 systems to Jack. His comment back was how do I
7 monetize that? That's when I left ways with Jack.

8 So That's all I have to say. Thank you.

9 CHAIRMAN GRAHAM: Thank you for your
10 testimony, sir.

11 PUBLIC COMMENT

12 MS. REINKE: Thank you for giving me the
13 opportunity to speak today. My name is Debra
14 Reinke, and my husband, Tom, and I live at 181
15 North Gulf Boulevard. We also own a home on Kettle
16 Harbor Drive. These are private homes, and they
17 are not rented. We have been islanders for over 25
18 years. We are against EU and its proposal for
19 several reasons.

20 One, I hate to keep going over this, but there
21 has been no evidence that properly working septic
22 systems are polluting the waterways.

23 Number two, we are adamantly against private
24 ownership and a for-profit system. With private
25 ownership, the islanders have no say to the system,

1 the operation, the cost, anything. With a
2 for-profit ownership, the company owner will have
3 complete control over charges, and the company
4 owner has no incentive to keep the costs down,
5 because the homeowners are going to be paying for
6 it all, every aspect of this business. And our --
7 the homeowners will be subjugated to the dictates
8 of EU.

9 Please do not -- please do not permit this
10 travesty to go forward. If you remember anything
11 that I say today, please remember no. No to EU.
12 No to private ownership. No to for-profit.

13 You made the right decision a couple years
14 ago, and I am confident that you are going to make
15 that right decision again.

16 Thank you so much for your time and
17 consideration. God bless you, and God bless
18 America.

19 CHAIRMAN GRAHAM: Thank you, ma'am, for your
20 testimony.

21 I have 11:11. Let's take a five-minute break.
22 We will come back at 11:16.

23 (Brief recess.)

24 CHAIRMAN GRAHAM: We are on the final stretch.
25 To ahead and --

1 COMMISSIONER PASSIDOMO SMITH: Yeah. Kelly --
2 Kelly Lyons, you are up. Kelly Lyons. Kelly
3 Lyons, you are up. And then Meryl Schaffer, you
4 are on deck. And Dr. Lisa Tyler, you will be
5 third.

6 CHAIRMAN GRAHAM: Stir, you got the mic.

7 PUBLIC COMMENT

8 MR. LYONS: Okay. Kelly Lyons, 8944 Gulf
9 Street. I am not an expert on sewer systems. I am
10 not a lawyer, but -- I got it. I got it. Yeah.

11 I just apparently had a whole misunderstanding
12 of how the statutes they are applying here were
13 originally intended. Always my understanding that
14 these statutes were originally established for a
15 situation where someone has a property, and over
16 the years, the natural normal growth of the
17 community results in what used to be an orange
18 grove next door and a cow field across the street
19 is now a housing development and a shopping center.
20 And as a result of that development, the sewer
21 system was extended to service those projects. And
22 now my project, my property with the septic system
23 on it, has a sewer pipe right within reach, or
24 right adjacent to my property, so now I am required
25 to connect to that. That's what I always thought

1 these rules were about.

2 But apparently, if I am a utility contractor,
3 I can wake up in the morning, get a cup of coffee,
4 sit down at my computer, get on Google, locate a
5 cluster of houses and say, hum, that looks like a
6 good opportunity. I am going to go apply for a
7 septic permit right there, because if I get that
8 permit approved, the State is going to outlaw every
9 one of their septic systems. It's going to make
10 them pay to their destruction, and then I am going
11 to get to charge them 20, 30, \$40,000 a piece to
12 hook up to my system, and I get to petition the
13 government for the maximum amount of monthly fees I
14 can get. I don't think that's the scenario that
15 these rules were meant to apply to. But I will
16 leave that up to you.

17 I just think this is an abuse of Florida's
18 clean water initiative and these statutes in
19 general. And it's going to result in my septic
20 system being outlawed, and the government forcing
21 me to spend thousands of dollars that I really
22 think is totally unnecessary.

23 Thank you.

24 CHAIRMAN GRAHAM: Than you for test -- thank
25 you, sir, for your testimony.

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PUBLIC COMMENT

MS. SCHAFFER: My notes are a mess crossing off what everybody else has been saying.

Good morning, Commissioners. And I think thank you for being here. My name is Meryl Schaffer, and I am the source of your gastric distress. That's because I am the former president of PIE. I wrote the email that was discussed yesterday.

And let me first clarify that PIE is a voluntary homeowners' association. It's not mandatory. We are mostly a social and a civic group. Although, we did set up -- years ago, we had a lot of environmental programs, and we set up a septic batch pump-out program with two local companies to encourage islanders to maintain their septic systems, and to arrange for them to cost share the barging fees, and that still goes on today.

When I wrote that email to the membership in July, it was really nothing more than a call to action that every association does when it's necessary. And, yes, I am the reason you got spammed by our membership with emails. It was a quick copy/paste from the last go-round. And I was

1 grateful that you did not change your emails. That
2 would have been embarrassing.

3 Okay. Somebody else spoke about that, so I am
4 going to go on to -- I believe that Mr. Watson
5 yesterday testified that the County considers
6 \$11,500, amortized over 20 years, a just, fair and
7 reasonable cost. Now, we also know even with EU's
8 underestimated costs, the connection fee will be
9 over \$20,000. The County itself estimates that its
10 future cost per hookup will be \$30,000, and Mr.
11 Shaw gave us number around 40,000. I don't
12 necessarily think this is fair, just and
13 reasonable.

14 And if the Board of County Commissioners was
15 so hot on this project, why aren't they here? Why
16 isn't someone here?

17 Finally, on a personal note, I don't want to
18 ask you if you have ever lived in a disaster area,
19 because I really hope that that answer is no. Lots
20 of folks have talked about this, but it's really
21 hard to convey, one day, your life is normal. The
22 next day, you are picking up rubble. And all you
23 want more than anything else is for everything to
24 be normal again.

25 After the hurricanes, we lost friends who

1 moved away because they had no home anymore. Some
2 couldn't bear the cost of rebuilding. Some just
3 got weary of the fight. And if this certificate is
4 granted, we will lose many more of our friends and
5 neighbors because they simply can't afford it.

6 Now, nothing, nothing has changed here since
7 the last time we stood before you, except for these
8 storms. And this proposal would be an overwhelming
9 burden to our community. There is no need for this
10 service. We don't want this service, and I
11 respectfully ask you to deny this application.
12 Thank you.

13 CHAIRMAN GRAHAM: Meryl, I have a question for
14 you. Your group PIE, do you guys get involved in
15 politics at all?

16 MS. SCHAFFER: We are a civic organization.
17 We represent our membership when necessary. We
18 have likely been before the County Commission. We
19 have an action committee that responds to programs
20 and projects that are established for our community
21 that our community either wants to support or
22 oppose.

23 CHAIRMAN GRAHAM: So you guys don't get
24 involved in, like, picking candidates and that kind
25 of stuff?

1 MS. SCHAFFER: Oh, gosh. No.

2 CHAIRMAN GRAHAM: I was just kind of curious.

3 MS. SCHAFFER: Thank you.

4 CHAIRMAN GRAHAM: Thank you.

5 MS. SCHAFFER: Thank you for your question.

6 Oh, yes, I am a member of PIE.

7 CHAIRMAN GRAHAM: Yes. You started with that.

8 MS. SCHAFFER: Thank you, Commissioner.

9 CHAIRMAN GRAHAM: Thank you for your
10 testimony.

11 COMMISSIONER PASSIDOMO SMITH: Janice
12 Schroder, you are on deck. Darwin Blix, you are
13 following.

14 PUBLIC COMMENT

15 DR. TYLER: Good morning. My name is Dr. Lisa
16 Tyler. My husband and I are weekend residents of
17 Palm Island at 83 Palm Drive, and have lived here
18 since 2018. I am a member of PIE.

19 My concerns were addressed yesterday pretty
20 ably by multiple times, including costs,
21 environmental risk, EU's inexperience with
22 wastewater, and the complexity of the system, among
23 others.

24 I am a doctor. At took a day-and-a-half off
25 from work and traveled three hours for these

1 meetings.

2 I heard yesterday that the Charlotte County
3 Commissioners are all in favor of EU's proposal,
4 and why not? The cost is borne by the homeowners
5 on the islands, and there is very little risk for
6 the County. In addition, they can say to the EPA,
7 we are working towards cleaning up the water, when
8 they are really not. It's all being done by EU and
9 on the backs of the island homeowners.

10 EU is attempting to use the force of law to
11 compel the owners -- landowners on the island to
12 pay for a business they have no experience running,
13 and they will charge exorbitant fees to hook up and
14 rates over two times what's paid on the mainland.

15 Mr. Boyer is attempting to use the force of
16 law to compel the island landowners to pay for a
17 new business he has no experience running. He is
18 guaranteed an eight-percent profit. As a small
19 business owner myself, I would welcome a guaranteed
20 eight-percent profit every year.

21 The sewer project is something that was not
22 requested by the island residents. There is no
23 definitive evidence that a central sewer system is
24 needed. If it is, then Charlotte County, an entity
25 with experience doing wastewater work and with no

1 profit motive, is the entity to do the job. If
2 it's unnecessary, then leave us alone.

3 Please deny the EU's application. Thank you.

4 CHAIRMAN GRAHAM: Thank you, ma'am, for your
5 testimony.

6 COMMISSIONER PASSIDOMO SMITH: Janice Schroder
7 is up. And then Darwin Blix and after, and then
8 Dan McMaster, you are third.

9 PUBLIC COMMENT

10 MS. SCHRODER: Good morning. My name is
11 Janice Schroder. I live on Alborado Road on Little
12 Gasparilla Island. I think I am a member of LGIPA
13 because I did give them a donation, but I am not
14 absolutely sure.

15 The proposed sewage system is substandard and
16 expensive. I understand that among other hookup
17 expenses, I will be required to have a pump to
18 force the waste away from my property. The pump
19 requires electricity to operate. We often have
20 power outages. What happens when the outage goes
21 on for several days?

22 As islanders, we have said no to this proposed
23 system once before. I wonder how many times do we
24 have to say no. I respectfully ask the Commission
25 to decline the EU application.

1 Thank you.

2 CHAIRMAN GRAHAM: Thank you, ma'am, for your
3 testimony.

4 PUBLIC COMMENT

5 MR. BLIX: My name is Darwin Blix. I am an
6 owner of property on Palm Island. I am not a
7 member of the association, but I see that I need to
8 be, and will be.

9 I -- as I said, I have owned the property for
10 three-and-a-half years. I am an engineer. I have
11 an engineering background, and then was a
12 builder/developer for 30 years, and I am doing
13 something else that I will mention to you at the
14 end of my little discussion here.

15 When I first bought the property, I was told,
16 actually warned, you know, be careful, your water
17 is very expensive here. And I understand it some
18 of the most expensive water that there is in the
19 country.

20 I am very strongly in favor of free
21 enterprise, but I am very concerned about monopoly
22 in the free enterprise. And we have already seen
23 our water being very expensive. And as testimony
24 has shown, the sewer will be very expensive, and
25 probably continue to get more expensive.

1 And as an engineer, I have not heard or seen
2 of the urgent necessity at all. I -- to my
3 judgment, from what I have heard, that the likely
4 is there will be no improvement to the environment
5 for doing all of these things.

6 I currently am in an assisted living facility
7 in downtown Sarasota that we own and administer.
8 And during Irma, we had to evacuate. We have had
9 to evacuate other times -- truthfully,
10 unnecessarily, but that's another issue. And we
11 went through a -- since places that we are supposed
12 to go would tell us, oh, sorry we don't -- now we
13 don't have any room when, you know, a couple weeks
14 ago they said we could do that. So at any rate, we
15 went to a gymnasium of a church, and it was very
16 nice and -- but then that night, you know, the
17 lights started to dim. The air conditioning went
18 out and, you know, fine. We opened doors and
19 things a little bit so that we were all very
20 comfortable there. But I will tell you, all heck
21 broke out when I started to smell stuff. And right
22 away, I understood the smell was sewer. So what
23 happened was, is we lost the lift station for the
24 sewer system. And truthfully, that was absolutely
25 a nightmare with the sewer.

1 I had a discussion with the City Manager, who
2 was so upset with Florida Power & Light that they
3 did not have power to his lift stations for the
4 City of Sarasota.

5 So I am saying, after experience, you know,
6 between water and electric, and a place for your
7 sewer, above all, I would pick a place for the
8 sewer.

9 And we have -- I don't live in my house in
10 Palm Island, but a lot of people do. And I can see
11 how, because of not having sewer, they could live
12 without power, we can bring water in, but we can't
13 live without sewer, and that's much more likely to
14 happen with the sewer system than it is with our
15 septic tanks.

16 CHAIRMAN GRAHAM: Sir, thank you for your
17 testimony.

18 COMMISSIONER PASSIDOMO SMITH: Buzz Mallett,
19 you are on deck. Laura Roberts, you will be after.

20 CHAIRMAN GRAHAM: Sir, before you start --
21 over here. Before you start, were you sworn in
22 when you started today?

23 MR. McMASTER: I was.

24 CHAIRMAN GRAHAM: Okay. Is there anybody in
25 the audience that got hereafter we swore everybody

1 in?

2 If I can get you to stand and raise your right
3 hand, please. Is that everybody? So everybody
4 else that plans on speaking other than these five
5 have already been sworn, correct?

6 (Whereupon, Chairman Graham administered the
7 oath to the remaining speakers.)

8 CHAIRMAN GRAHAM: I didn't mean to cut you
9 off. I just wanted to find where that was before
10 my attorney here told.

11 PUBLIC COMMENT

12 MR. McMASTER: Good morning, Commissioners,
13 Dan McMaster from 8550 Little Gasparilla Island.
14 We are members of -- my wife and I, Margaret Main,
15 of the homeowners group and of the Preservation
16 Society.

17 A strike against us, we are Canadians, and I
18 hope that our opinion is still valued. We are
19 strongly opposed to the application. And we have
20 an ATU system, it's inspected twice a year. Works
21 great.

22 Thank you.

23 CHAIRMAN GRAHAM: Sir, are you a member of
24 either one of those two groups?

25 MR. McMASTER: I am, yes.

1 CHAIRMAN GRAHAM: Yes, you said?

2 MR. McMASTER: LGIPA Homeowners and the LGIPA
3 Preservation Society.

4 CHAIRMAN GRAHAM: Thank you.

5 PUBLIC COMMENT

6 MR. MALLETT: Good morning, and thanks for
7 being here. I am a member of PIE. My name is Buzz
8 Mallett. I live at -- I have lived on Pointe
9 Bocilla for to the last 11 years on Don Pedro. I
10 am currently building a house on Palm Drive on
11 Knight Island. And I first bought property here in
12 1978. Moved here full time in 1986. And I have
13 been here for 22 of the last 40, what is it? 42
14 years, I guess.

15 I am a semi-retired general contractor, and
16 have been in the land development business for 50
17 years, and have worked for large and small
18 companies, have had experience with all these
19 septic and sewer elements we are talking about.

20 And my current job, it's kind of interesting.
21 I have worked -- my partner and I have a contract
22 with Public Works for Charlotte County, and we
23 maintain almost four miles of sand and shell roads
24 on Don Pedro and Knight Island.

25 And the reason I am bringing that up is

1 because every week, I get on my tractor and I grade
2 the roads. I do a grading cycle. So that means I
3 drive by virtually every septic tank and drain
4 field on the island every week and after storms --
5 more like three times a week.

6 And I was thinking about that, and, you know,
7 if a septic system is failing, you can smell it.
8 If a tank is out of the ground, you can see it. If
9 there is raw sewage on the ground, it will go to
10 the edge of the road and you would see it.

11 So what I can say is in all of the seven years
12 that I have been doing this, I have seen one septic
13 tank pop out of the ground but did not contaminate
14 the surrounding area. I have been amazed at how
15 well the drain fields have withstood these storms.
16 And I am sure they need some repair, a little bit
17 of touching up. Maybe a tank is dislodged. But
18 they survive them and are repairable. And I think
19 that's important.

20 And this morning, I was on the Department of
21 Health website, and I was interested in -- of
22 course, I took a note of it and put it on my iPad,
23 and then because of my age, I forgot my iPad. So
24 what I believe it said was in their -- on their
25 front page of their septic division, that septic

1 system -- septic tanks and septic systems -- I
2 forget what they call them. There is a long
3 acronym -- are a safe and effective way to treat
4 sewage. So that's still the State's as opinion.

5 And as far as testing -- oh, one thing I
6 wanted to say. When I was working for developers,
7 I was -- the last guy I worked for had this process
8 called a fatal flaw analysis. So you would get a
9 project, maybe one like this, or a piece of
10 property, and you would -- they would say, Buzz,
11 figure out what the fatal flaw on this property or
12 project is. Why does this not work? And this one
13 is cost, I think, and need to service.

14 But Charlotte County's rates for 4,000 gallons
15 are 54 bucks a month. Florida's average is 43
16 bucks a month, and we are looking at an average --
17 a cost coming out of the box of \$211 a month.

18 CHAIRMAN GRAHAM: Buzz, thank you for your
19 testimony today.

20 MR. FRIEDMAN: I have -- I do have a quick
21 question.

22 CHAIRMAN GRAHAM: Buzz, a question for you.

23 MR. McMASTER: Yeah.

24 MR. FRIEDMAN: You said you grade roads?

25 MR. McMASTER: Yes.

1 MR. FRIEDMAN: How many miles of road did you
2 say you graded?

3 MR. McMASTER: Almost four, 3.67 to be exact.

4 MR. FRIEDMAN: And at the request of the
5 County?

6 MR. McMASTER: Yes.

7 MR. FRIEDMAN: So those are County roads?

8 MR. McMASTER: They are County roads.

9 MR. FRIEDMAN: Okay. Thank you.

10 COMMISSIONER PASSIDOMO SMITH: Mic McCully,
11 you are on deck. Leo Swederski, you will be
12 following.

13 PUBLIC COMMENT

14 MS. ROBERTS: Hi. Good morning. My name is
15 Laura Roberts. I am a Florida resident, and I am a
16 PIE member. We live at 450 South Gulf Boulevard on
17 Don Pedro Island. We have owned our residence on
18 Don Pedro Island since 2005. We started out in
19 what is called Colony Don Pedro. It is a condo
20 development of duplex houses, so we decided eight
21 years ago to purchase a single family house. Once
22 again, everybody else has said this. Our island is
23 unique, and that is why we chose to live here.

24 We consider ourselves environmentally
25 friendly, and we maintain our property and our

1 septic system, and we are very respectful of our
2 delicate ecosystem here.

3 I walk on the beach every morning, along with
4 three of my wonderful friends. Typically, a part
5 of our walk includes some beach cleanup.
6 Obviously, there is much more to do after our
7 latest rounds of hurricanes, but that being said,
8 not once have I ever come across or smelled raw
9 sewage. And I have never, ever seen a septic
10 system out of the ground on the beach.

11 I am not an expert on the proposed system of
12 grinders and lift stations, but I do have some
13 experience with those. Our summer home in
14 Wisconsin is on this type of system, and I wanted
15 to point out that we cannot put anything in our
16 grinder and lift station. They fail. They do fail
17 also. If you put something down there it doesn't
18 like, it's going to stop working.

19 Our system in Wisconsin is shared by three
20 homes of which we are only the only part-time
21 residents. Our lift station is also a concrete
22 pit. It's about four feet across and 20 feet deep.
23 It has a fiberglass cover. And because of the
24 topography of the land, our waste is pumped up
25 about 45 feet to the road level where it connects

1 with the main sewer line, and then it is gravity
2 fed, going through large grinders along the way
3 before it reaches the wastewater treatment plant,
4 approximately seven miles from our home.

5 This system was put in place in the 1970s by a
6 group of people who studied the water quality, and
7 after documenting a need, a sanitary district was
8 formed. It is overseen by three elected board
9 members who are all residing within the boundary of
10 the sanitary district.

11 Fortunately for us, all of our board members
12 have mechanical skills and are very good at
13 replacing grinder pumps. This keeps our costs down
14 considerably, because these grinders fail.

15 Since all of our board members are required to
16 live inside the sanitary district, a problem can be
17 addressed in minutes if necessary. The sanitary
18 district maintains all equipment associated with
19 the system, including any power to the lift
20 stations and any grinding stations along the sewer
21 route.

22 Our costs are about \$1,400 per homeowner a
23 year to maintain, not only our sewer system, but
24 this also includes our weekly garbage pickup and
25 recycling disposal.

1 I would like to state my main concerns with
2 the proposed system. Do we really need this? I
3 sat through the testimony yesterday, and one of the
4 biggest concerns was the testing was not done on
5 our island.

6 What will the response time be when we have a
7 failure -- oh, I am going that out of order. What
8 will the response time be when we have a failure?
9 Some of our roads were impassable after the recent
10 hurricanes, and they were not passable for several
11 weeks afterwards. Some are still waiting to this
12 day to have power restored.

13 Many -- many of the septic issues after these
14 past hurricanes had to do with the sand in the
15 tanks because the lids were blown off during the
16 storm surge and the sand was allowed to enter. Can
17 you guarantee that this is not going to happen with
18 your smaller lift holding tanks?

19 CHAIRMAN GRAHAM: Ms. Roberts, thank you for
20 your testimony.

21 MS. ROBERTS: Oh, darn. I thought I was doing
22 good.

23 PUBLIC COMMENT

24 MR. McCULLY: Awesome. So I am Mic McCully.
25 I live at 61 Kettle Harbor on Don Pedro Island. I

1 am a member and on the board of BICI. I am a
2 member and on the board of PIE. I am officially
3 the first man of PIE, which is why my security
4 detail has to follow me. I will give you a little
5 bit of my background first, so -- because I used
6 this to set it up.

7 I grew up with not a lot of money in Kansas,
8 right. Been employed since I was 14. Was able to
9 evacuate Kansas and spent the last, you know, after
10 that 20 some years in Chicago. But then four years
11 ago, was able to escape the polar vortex that is
12 Chicago to make it down here. Love the area. Love
13 the island.

14 As part of growing up too, I put myself
15 through college. I am a mechanical engineer. I am
16 a nerd, just like it sounds like quite a few of the
17 rest of the islands on here. But what's also very
18 interesting is most of my life revolves around
19 science, logic and reasoning. Matter of fact,
20 Commissioner Clark, like, I almost gave you the
21 heart hands this morning when you said facts in
22 evidence this morning, because I did get to -- I
23 work for a living, so I had to jump in and out of
24 the live stream in order to see some of the
25 testimony yesterday. But there were two pieces of

1 evidence that didn't sit well with me, or
2 testimony, more likely, not evidence. Lack of
3 evidence is probably the more important part. One
4 was the term extrapolation. When I heard that, I
5 was like that -- that's just scientific guessing.
6 That's not evidence. That's not proof.

7 And one of the expert witnesses also used the
8 term -- or the judgment associated with making the
9 determination whether or not the island truly
10 needed sewer was based upon walking around the
11 island. That's not evidence and facts either.
12 These are simply guessworks and through
13 observation.

14 It would be a completely different
15 conversation here if we had literal facts and
16 evidence to back up sort of this conversation. If
17 definitive testing and data was here that was
18 inrefutable -- unrefuteble, then we would be having
19 different conversations. We would be talking about
20 the best approach. I think even talking about the
21 approach, we are getting ahead of ourselves.

22 The approach still has many problems and
23 issues associated with it, but that's sort of the
24 next step. Once we get there, then you also have
25 to understand, does the solution actually solve the

1 problem. We have had discussions around these
2 wastewater treatments that won't even solve the
3 problem. So now it's like all we are doing is
4 simply moving it back and forth.

5 One other last thing that I want to make sure
6 is not overlooked, Teegan actually did a really
7 good job talking about the savings associated with
8 it. I wish I was smart enough to say save, but I
9 don't do that as well as I should. I looked at it
10 from the other perspective.

11 It's very intriguing to me that in the United
12 States there is a lot of effort to making minimum
13 wage \$15 an hour. If you take that and extrapolate
14 \$15 an hour somebody making minimum wage over a
15 year, that gives an average salary of \$31,000.
16 That's the entire amount of money that -- it's more
17 money that that to pay for this sewer. So that
18 means I need a part -- full-time job, and, by the
19 way, the government cannot take any of my taxes or
20 withholdings associated with that, just to pay for
21 this. It's a significant burden. I think it needs
22 to be considered.

23 CHAIRMAN GRAHAM: Thank you, sir, for your
24 testimony today.

25 COMMISSIONER PASSIDOMO SMITH: Shannon

1 Roberts, you are on deck. Jim Luscombe, you are
2 after.

3 PUBLIC COMMENT

4 MR. SWEDERSKI: I want to thank you for this
5 opportunity. I live at 160 South Gulf Boulevard.
6 We moved here four years ago from Wisconsin. And
7 my name is Leonard Swederski. Thank you for this
8 opportunity again.

9 And I have been living in rural homes with
10 septic systems my entire life. Most of it has been
11 in Wisconsin, 90 percent of it. We have sandy
12 soils in Wisconsin very similar to the soils we
13 have on the island. We have glaciated sand. It
14 came from a little different, rather than ground up
15 seashells, you know, we have the glaciers that
16 deposit in the sand dunes and all that throughout
17 the state of Wisconsin, so our soils are similar.

18 One of the things I want to compare here is
19 Wisconsin has septic systems. I have had septic
20 systems everywhere I have lived, including on Don
21 Pedro. In Wisconsin, there is septic inspections
22 required by the state. They are required at the
23 transfer of sale of property. They are required at
24 pump-out inspections. There are licensed
25 inspectors that does the pump-outs in the state of

1 Wisconsin. They drop a camera in the tank at every
2 pump-out, and they look at the bottom of the tank
3 for residue, for sand that might have washed in
4 there, and it's clean at the time of pump-out. A
5 great time to do the inspections.

6 And so Wisconsin has a good process in there
7 to make sure septic systems are working well. The
8 state of Florida, in 2010, passed a law requiring
9 septic system inspections throughout the state. In
10 2012, the state Legislature revoked that, and they
11 turned it over to the DEP, because they were
12 getting a lot of pressure from wherever, similar to
13 what might be here. The inspections work.

14 In Wisconsin, you had thousands of lakes,
15 rivers, streams, including it's surrounded on three
16 sides by water. Similar to a lot of our island.

17 You know, I live on Bocilla Lagoon. It's a
18 very pristine piece of water. I love it in there.
19 We have been there four years. I have seen
20 starfish. I have seen seahorses. You know, conchs
21 all over. The dolphins are in there. The last
22 thing I want to see is our waters damaged by
23 effluents coming out of the septic system.

24 So I am all for making sure we have good clean
25 water on the island, but I am not for just

1 mandatory putting a septic -- or a sewer treatment
2 system in that might not be necessary.

3 Again, I have lived on septic system my entire
4 life. Our drinking water comes from the ground,
5 the well right next to our septic system. We don't
6 have city water coming in like we do on the island.
7 We never -- I have never seen issues.

8 You know, it's -- there is failed systems.
9 There is failed systems in Wisconsin. There is
10 failed systems down here on the islands.
11 Inspections can identify those. And with those
12 inspections, we can get them repaired. That's
13 where the mandatory government should step, you
14 know, rules should step in. Not just we are
15 bringing in a sewer system to fix the problem that
16 everybody is going to pay for.

17 If it's a house that's got a failed system
18 because it he hasn't properly been pumped timely or
19 inspected timely, that's the problem. It belongs
20 to that homeowner to get that system up and running
21 properly.

22 You know, we have always -- where I have
23 lived, we have always been very careful what goes
24 into our toilets and our sinks, because it does
25 affect our septic system, and if a homeowner is

1 responsible for the maintenance and repairs of
2 their own septic system, they are going to be
3 conscious of what they put down their toilets and
4 sinks with chemicals and whatever.

5 CHAIRMAN GRAHAM: Thank you for your testimony
6 today.

7 MR. SWEDERSKI: Thank you very much. I
8 appreciate it.

9 COMMISSIONER PASSIDOMO SMITH: Jim Luscombe,
10 you are on deck. Candyce Cohen, you are after
11 that.

12 PUBLIC COMMENT

13 MS. ROBERTS: Hi. I am Shannon Roberts, and I
14 live on Don Pedro Island.

15 CHAIRMAN GRAHAM: Shannon, if I can get you to
16 turn that mic up. Thank you.

17 MR. ROBERTS: I am Shannon Roberts, and I live
18 on Don Pedro Island.

19 Nothing has changed since the last proceeding.
20 There is no need, no customers have requested this,
21 and there has been no testing.

22 We are -- my husband and I have a development
23 and a construction company in Denver, and we have
24 put in subdivisions and wastewater systems. To do
25 that, there is several requirements that you need

1 to do. Testing is obviously the first step.

2 Where is the County? The last proceeding they
3 were absent. They are absent in this proceeding.
4 I don't know how that document was obtained for
5 this proceeding. But if this was so important, you
6 would think they would show up now.

7 Hurricanes are a certainty. We have had three
8 or four. They are going to happen. This
9 construction is going to go on for several years.
10 There is going to be additional costs with the
11 damage that's going to happen during construction.
12 Those will be passed on to us. So during the
13 process, when they have vehicles and equipment and
14 product over on the island, what's going to happen
15 when the hurricane hits? A lot of other
16 contractors could not get their equipment off to
17 the island fast enough due to barge issues. We
18 will bear that cost. Then, when the systems are
19 in, we will be bearing the cost of the damage and
20 the grinder pumps just swirling around all over the
21 island with our couches and refrigerators.

22 The barge cost is underestimated by, I don't
23 know, thousands and thousands of dollars. We built
24 a house about five years ago on Don Pedro. Our
25 barge cost was \$75,000 for a 2,500 foot home, and

1 they are quoting 600,000, I hear.

2 How many utilities do we need for a small
3 island? I think there is maybe four now, so we are
4 going to add a fifth?

5 Then I see on EU's website, and I will quote
6 this passage: Knight Island is a not-for-profit
7 utility operated by a board of directors which has
8 a DEP permitted sewer treatment plant. EU will be
9 open to discuss connecting after the CSA has been
10 obtained.

11 So does that mean once the certificates are
12 issued, they will then talk to them about becoming
13 customers? Well, why aren't those discussions
14 happening now? Because wouldn't they be customers
15 like us? Wouldn't servicing the resort affect all
16 of the fees and costs? Perhaps is there more going
17 on here? Is it perhaps the intention to actually
18 save the resort system on the backs of all the
19 islanders who cannot afford this system and will be
20 pushed out of their homes?

21 CHAIRMAN GRAHAM: Ma'am, thank you for your
22 testimony.

23 MS. ROBERTS: Can I -- I do have an exhibit I
24 would like to submit.

25 CHAIRMAN GRAHAM: Sure. We can do that.

1 MS. ROBERTS: Okay. Can I say what it is?

2 CHAIRMAN GRAHAM: Sure. Please.

3 MS. ROBERTS: Okay. This document are a
4 series of public service announcements from the
5 barge, and it will show how many times construction
6 vehicles have been turned away due to low tides and
7 other reasons. You will see a passage in there
8 where it actually says: We request that building
9 contractors start carpooling when using the barge.
10 That is just on March 21st. There is passage after
11 passage. I hope you will read it.

12 CHAIRMAN GRAHAM: We will give this Exhibit
13 No. 75.

14 MS. ROBERTS: Thank you.

15 (Whereupon, Exhibit No. 75 was marked for
16 identification.)

17 CHAIRMAN GRAHAM: And the witness was Ms.
18 Roberts, Shannon Roberts, and we will call it barge
19 exhibit.

20 MS. HELTON: PSAs from the barge.

21 CHAIRMAN GRAHAM: There you go. PSAs from the
22 barge.

23 Sir, you of the microphone.

24 PUBLIC COMMENT

25 MR. LUSCOMBE: Thank you.

1 First of all, I would like to thank the PSC
2 for making the trip down here from Tallahassee
3 today. It means a lot to the islanders to have a,
4 hopefully an impartial, honest face listening to
5 us.

6 My name is Jim Luscombe. I am a full-time
7 resident of Palm Island. I was introduced to our
8 island about 30 years ago by Chris Doubles, whose
9 parents built the house we live in. They bought
10 the properties back in the '60s, built the houses
11 in the '70s, and it's become our permanent home
12 since 2014.

13 We own a couple of businesses on the island.
14 I am in the vacation rental business and we are in
15 the pool service business. So we have got a lot of
16 experience with -- we touch a lot of different
17 parts of the island every day. We are on the
18 island working the island. We are not just here
19 for one or two days a week, or two weeks a year.
20 We are here and around the island all the time. We
21 love this island. We are committed to it.

22 I consider myself kind of like Nick, a nerd
23 and a scientist. And when I approach problems
24 throughout my life, I have done something really
25 simple, and I think everyone does it. You put a

1 plus and minus list together. You know, you have
2 got a problem, whether it's where do we go on
3 vacation? Do we buy a car? Do we do this or that?
4 Pluses and minuses. It's really simple. It takes
5 a complex problem and turns it into a relatively
6 simple matrix that you look at and decide. It
7 takes all of the emotion from the equation.

8 This is absolutely the simplest matrix I have
9 ever looked at in my life. There are no pluses.
10 Everything is a minus. Everything. And I am not
11 going to -- I don't want to waste my few minutes
12 here talking about the need, because there isn't
13 one; and the science, because there is none; and
14 the system that is absolutely, in my opinion,
15 deplorable that we would be even considering a low
16 pressure system that the County has already quit
17 using because they are too expensive.

18 I have seen sewage overflows in my daily runs
19 around the islands, I have seen them twice. In
20 both cases they were on Lemon Bay Lane, 36 and 41
21 Lemon Bay Lane used to be in my property program.
22 Both of them are on low pressure systems. Both of
23 them over the five years I was involved had to have
24 literally everything replaced, pumps, flow switches
25 and electronics.

1 Picture a guest arriving at one of these homes
2 on a busy July 4 weekend, and I get a call on
3 Sunday saying, Jim, there is poop flowing down the
4 driveway. There is effluent going into the canal.
5 How do you get it fixed on a Sunday on an island?
6 That's a challenge. Multiply that problem times
7 hundreds, and that's what you are -- that's what
8 you are asking for here.

9 The other big thing that I just -- I want to
10 touch on that I haven't heard in all of the
11 discussions here so far.

12 This program is being sold as a -- cloaked as
13 an environmental benefit. I challenge that. The
14 effluent -- what's being built here isn't a sewage
15 plant. Let's get it straight. It's a conveyer
16 system for poop. It's going to take the effluent
17 from each of our houses, put it in a pipe and send
18 it on a two-mile journey to the Englewood Water
19 Treatment Facility. We are not building a plant.
20 We are not doing anything new and wonderful.

21 The water treatment facility is one of the
22 oldest, least technology advanced systems in the
23 county. The phosphate nitrogen levels, when it
24 leaves the plant and gets processed, is the same as
25 it goes in. Most of that ends up as reclaimed

1 water on golf courses in different subdivisions
2 around our area. And ultimately -- excuse me,
3 ultimately in the aquifers and the estuaries and
4 the water system.

5 So by doing this, we are really not -- if we
6 had a problem, which he don't believe we do, we are
7 not fixing it. We are not even coming close it
8 fixing it. All we are doing is shifting the
9 problem from our little island to the mainland so
10 it can then go back into the water system.

11 CHAIRMAN GRAHAM: Jim, thanks for your
12 testimony.

13 MR. LUSCOMBE: You're welcome.

14 MR. FRIEDMAN: Let me ask this gentleman one
15 question if I might?

16 CHAIRMAN GRAHAM: Okay.

17 MR. LUSCOMBE: Card carrying member of PIE and
18 Bocilla Island Conservancy.

19 MR. FRIEDMAN: Are you in the real estate
20 business?

21 MR. LUSCOMBE: Yes, sir.

22 MR. FRIEDMAN: Wouldn't you agree that the
23 rental market in -- on the island is thriving?

24 MR. LUSCOMBE: Absolutely not. You could not
25 be more wrong, sir.

1 MR. FRIEDMAN: All right. Let me -- did
2 you --

3 MR. LUSCOMBE: Sir, I make a living doing this
4 by owning one of the largest rental companies on
5 the island.

6 MR. FRIEDMAN: Did you file a letter with PSC
7 on April 23rd?

8 MR. LUSCOMBE: April 23rd, yes.

9 MR. FRIEDMAN: Did you make the statement:
10 Our island has a thriving --

11 MR. LUSCOMBE: Absolutely, I did.

12 MR. FRIEDMAN: Okay.

13 MR. LUSCOMBE: That was -- when was the last
14 hurricane, sir?

15 MR. FRIEDMAN: I get to ask the questions,
16 sir. Thank you.

17 MR. LUSCOMBE: I think it's a relevant
18 question to ask.

19 MR. FRIEDMAN: Well, you can answer whatever
20 you would like, sir, but I don't have to ask it.

21 MR. LUSCOMBE: Well, let me answer a question
22 for you.

23 CHAIRMAN GRAHAM: Jim, thank you.

24 MR. LUSCOMBE: I am sorry.

25 CHAIRMAN GRAHAM: Thank you for your

1 testimony.

2 COMMISSIONER PASSIDOMO SMITH: Lee Roberts,
3 you are on deck. Natalie Coburn, you will be
4 after.

5 PUBLIC COMMENT

6 MS. COHEN: Good morning, Commissioners.

7 CHAIRMAN GRAHAM: Good morning.

8 MS. COHEN: I am Candy Cohen. I live on
9 Pointe Bocilla and Don Pedro Island, and I am
10 bumped because I have my speech here and Jim just
11 took my lines. Everything.

12 So I will start with, I spoke before this body
13 three years ago, I want to say. And at that point,
14 I cited facts, stacks, bills. I had a handout. I
15 emailed it to everyone. Today, I am just going to
16 tell you my island story and ask once again that
17 the EU application be denied.

18 My husband and I worked holidays and weekends
19 finally buying a little tiny place on Don Pedro
20 back in 1990. We went full-time in '95. My
21 parents lived with us until they passed as happy
22 islanders, and my 87-year-old father-in-law joined
23 us in 2022. By the way, just before Hurricane Ian.
24 He's a trooper.

25 Like most here, the cost of hurricane repairs

1 have eaten away at our retirement savings. We are
2 PIE members. We adore our extended island family,
3 but this is this absurd upfront 45,000 plus cost
4 and the ongoing monthly costs proposed by the
5 solution that may force us to move from our island
6 home. We are financial analysts, and focus on
7 getting the best alpha, the best product or return
8 for the least beta, the least risk.

9 There is risk in these unwanted efforts to
10 centralize all our crap into a low pressure line
11 traversing the ICW heading to what Jim just talked
12 about, that conventional oldest Westport facility.

13 I will say that the Westport facility, since
14 it's not treating, the reclaimed water goes back to
15 many golf courses that line Lemon Bay. So when the
16 testing actually took place, when Dr. Lapointe was
17 out here testing, he said, it's definitely from
18 those septic tanks. It's got to be those septic
19 tanks. But you are testing with reclaimed water
20 that has the same amount of nitrates and medicines,
21 everything else that hasn't been removed, going
22 into the waters.

23 So we are being asked basically to spend all
24 this money now. We are not going to see
25 improvement until that facility is updated to

1 advanced wastewater. Right now, for me, that's a
2 whole lot of risk of spillage without a lot of
3 reward of cleaner water. We heard yesterday, that
4 was not slated until 2034.

5 So Dr. Lapointe says, no, no, no, it's the
6 septic tanks. But Dr. Lapointe's paper, his bought
7 and paid for paper, has a purpose to provide
8 published scientific research, and I quote, to
9 support a proposed wastewater infrastructure.

10 Dr. Robbins shared what we know, science
11 interprets actual data and doesn't try to gather
12 data to support a specific narrative. I am hoping
13 this commission can see through to actual
14 scientific analysis.

15 Thank you for your consideration. I once
16 again ask you to deny, and I do have a handout.

17 CHAIRMAN GRAHAM: Okay. We will give this
18 Exhibit No. 76.

19 (Whereupon, Exhibit No. 76 was marked for
20 identification.)

21 MS. COHEN: Any questions?

22 CHAIRMAN GRAHAM: What is the handout?

23 MS. COHEN: It is -- actually it's talking
24 about --

25 CHAIRMAN GRAHAM: Microphone.

1 MS. COHEN: It's talking about the -- it's
2 from CHNEP, and it's talking about some of the
3 water flow into Lemon Bay.

4 MS. HELTON: CHNEP water flow.

5 CHAIRMAN GRAHAM: Sounds like a good title to
6 me. Okay.

7 PUBLIC COMMENT

8 DR. ROBERTS: Good morning, Commissioners. I
9 apologize for my voice. I am a -- I work in
10 pediatrics, and my kids don't always take nice
11 things back to me.

12 My name is Dr. Lee Roberts and I, along with
13 my family, own a home at 8302 Little Gasparilla
14 Island.

15 I rise in opposition to the central sewer
16 system proposed by Jack Boyer and Environmental
17 Utilities. I am a member of LGIPA. I ask the
18 Public Service Commission to deny that application.

19 It's appalling to me that the citizens might
20 be subjected to this request again after it was
21 rejected by the Public Service Commission less than
22 two years ago. I question the need for the
23 proposed service. Mr. Boyer has previously
24 suggested that Charlotte Harbor could have
25 increased algae counts based on an article "Science

1 Supports a Septic-to-Sewer Conversion on the
2 Barrier Islands of Charlotte County", by Brian
3 Lapointe, Ph.D.

4 I introduced myself with my medical background
5 to be able to make this point. Dr. Lapointe's work
6 has been published in non-refereed journals. This
7 simply means he has no oversight on what he does or
8 how he reports it. If this were truly a medical or
9 scientific issue, as Mr. Boyer seems to want to
10 imply, why no oversight or review for accuracy or
11 truth?

12 In the medical and science community, all
13 research is reviewed by scientific -- by multiple
14 experts in the field, and is not accredited until
15 that occurs to that research.

16 I am most concerned about the lack of
17 oversight for this project. It is my understanding
18 that there will be no, quote, contract, and no
19 single point of general oversight.

20 Even with highway projects, there are bonds
21 set up to protect the public from someone walking
22 away from a project. EU is not a contractor that
23 has won a bid to install a sewer. There is no
24 performance bond required, and we have no single
25 point of recourse in the event of cost overruns or

1 project failures.

2 My father worked in the paving and excavation
3 business for years. He was never able to walk in
4 with a plan and not have at least one other bid
5 placed to look at where his proposal was viable and
6 cost-effective. Why is this not the policy in this
7 case as well?

8 Additionally, I question Jack's installation
9 process and dishonest PR campaign. Both the
10 startup and a monthly costs are infathomably high.
11 When we looked at this two years ago, it was around
12 13,000. I am given numbers now as high as \$50,000.
13 This is an astronomical amount of money for
14 homeowners to come up to -- up front, with supposed
15 ability to get tax breaks, which has been stated
16 already, we don't know where we find them.

17 The proposed rate would make our sewer rates
18 come up to just over \$200 a month -- I am sorry,
19 sewer and water together. That is ridiculous.
20 There is no way that anyone should be paying that
21 kind of money.

22 The final point I want to make is that, you
23 know, as we look back at this, the -- there are
24 work plans in Charlotte County. One of them looks
25 at coastal services plan. And in there, in policy

1 1.5.1, Coastal Construction, all construction
2 activity is prohibited seaward of the coastal
3 construction line, control line, CCCL, except as
4 permitted by -- under beach and shore preservation.

5 This sewer is not beach preservation. Many
6 homes on that island are seaward of that CCCL. In
7 fact, the CCCL has moved back due to the previous
8 two hurricanes. Therefore, putting a sewer system
9 in at this point would not be feeble.

10 CHAIRMAN GRAHAM: Thank you, sir, you for your
11 testimony.

12 DR. ROBERTS: Thank you.

13 COMMISSIONER PASSIDOMO SMITH: Karen Flatau,
14 you are on deck. Bruise Kelsky -- Kelsey, you will
15 be after.

16 PUBLIC COMMENT

17 MS. COBURN: Hello. My name is Natalie
18 Coburn. I am a full-time resident of Little
19 Gasparilla Island. I own a condo at 9400 Little
20 Gasparilla Island, which is Hideaway Beach Club. I
21 also serve on the Board of Directors as
22 Vice-President at HBBC. I also own land on Gulf
23 Street, 8904 Gulf Street. And I am building a home
24 currently, one of two that I am aware of that
25 actually decided to continue to build a home on

1 Little Gasparilla Island given all of the
2 challenges, including this one.

3 Personally, I am probably a little different
4 than everyone else here because I only have a
5 four-year history with Little Gasparilla Island. I
6 moved straight from Akron, Ohio, to an island, a
7 barrier bridgeless island right off the coast of
8 Florida, never driven a boat a day in my life. So
9 getting to the island, my safest way for my both --
10 my even age daughters, who were then 11 and 14 at
11 the time, planned on going to school every day
12 across the bay, was to move into Hideaway and get
13 comfortable, utilize the ferry until, you know, I
14 can learn how to drive a boat. So we came to the
15 island for an adventure and, boy, have we had one
16 over the last four years.

17 I have to say that I have lived in a disaster
18 area, as someone else so eloquently put it, full
19 time with no other home but my condo for
20 two-and-a-half years.

21 As you all have heard from George Pettengill
22 and Barb Dwyer, you know, our situation at Hideaway
23 has been pretty much just standstill since Ian. We
24 have gotten very little accomplished until the last
25 two months. We have made, you know, been able to

1 make no headway due to our legal parties matters
2 with Citizens Insurance and bad contractors.

3 So we are kind of the area that stood still on
4 the island for a very long time, and I am just now
5 getting things back up and going, and getting doors
6 and windows, for example, post Ian.

7 I think some of you all may think that this is
8 application does not affect Hideaway, but I beg to
9 differ. There, you know, there is -- this -- what
10 was spoke about yesterday, the lines coming through
11 Hideaway, potentially near our barge landing,
12 anything that runs through Hideaway, even though we
13 do not particularly have a financial burden in this
14 game, we have, you know, other burdens to bear when
15 you have something like this running through our
16 property.

17 In addition, my lot on 8904 Gulf Street, you
18 know, I love the island so much, I decided to
19 build, and I am trying to do that. It's been
20 setback after setback. I am finally getting things
21 started this week, and note, I am the
22 owner/builder. So I am my own general contractor,
23 and I am taking this on.

24 And so obviously, the costs have gotten
25 exorbitant post storms, three storms, to be able to

1 do so, so not many are doing it, but, you know, the
2 biggest financial pressure I have is septic. It's
3 what keeps me up at night. How can I put an
4 automated unit, which is what I chose to put in,
5 you know, after six months of the Florida Health
6 Department reviewing it, finally I got approval
7 last May. It's a relatively new approval to put a
8 septic in, ATU system in.

9 What keeps me up at night is I will put this
10 system in and I will have to turn around and
11 understood tear it out. The costs are, you know,
12 30,000 and up for installation. And then I will
13 have to turn around and remove that system. And
14 with the costs of building here on the island, at
15 least 30 to 40 percent more than on the mainland,
16 this is what keeps me up at night.

17 I am raising two kids. I am looking for my
18 next home -- this will be for my forever home, to
19 build on the island, but this process has made it
20 almost impossible for anyone over to the next two
21 years to even consider building on Little
22 Gasparilla Island.

23 Thank you.

24 CHAIRMAN GRAHAM: Thank you, ma'am.

25 COMMISSIONER PASSIDOMO SMITH: Bruce Kelsey,

1 you are on deck. Marjorie Kelsey, you will be
2 after is that.

3 PUBLIC COMMENT

4 MS. FLATAU: My, name Karyn Flatau, and I live
5 at 9148 Grand Avenue.

6 I am going to change the tone a little bit
7 because I --

8 CHAIRMAN GRAHAM: Ma'am, hold on.

9 MR. VOLPE: I believe Ms. Flatau spoke
10 yesterday.

11 CHAIRMAN GRAHAM: That's fine.

12 MR. VOLPE: Okay.

13 MS. FLATAU: Yeah.

14 MR. VOLPE: I didn't understand.

15 CHAIRMAN GRAHAM: Yeah.

16 MS. FLATAU: So anyway, I am here to read --
17 some of my neighbors have asked them to read their
18 names, give proxy. They have written letters, but
19 they wanted their names to be heard.

20 So I have Don Reynolds, who owns 9128 Grand
21 Avenue, and he has six more lots, and his wife's
22 name is Susan.

23 And then Frank Campoamor was here last night.
24 He spoke, but he never mentioned his wife Kelly's
25 name, so he would like her name mentioned, and they

1 are 9148 Grand Avenue -- 9114 Grand Avenue.

2 And then I have a neighbor David Thaxton, who
3 lives at 9168 Grand Avenue, unmarried.

4 And then I have Michael and Jennifer
5 Strashinsky, who are currently building a home at
6 9140 Carter Street and Grand Avenue, on the corner.

7 And then I have William and Shelly Suehr, 914
8 -- 9152 Grand Avenue. They are currently building
9 a house.

10 And then I have John and Gail McNair, and they
11 live at 9040 Grand Avenue.

12 And then I do have -- I do have a property
13 owner, a homeowner, that actually is for it, but
14 he's -- it's sad. He is afraid to give his name
15 because of the backlash that he will get.

16 But then I just wanted to speak a little bit
17 about Jack and what he is doing here. I know that
18 everybody don't -- does not want this right now,
19 but if at some time the State decides to mandate
20 and push their Clean Water Act through, we are
21 going to get a company we don't know where they
22 will be from. That's my biggest fear. They won't
23 know the island.

24 Right now our island has -- we have sand on
25 our roads again. The vegetation is gone away. A

1 lot of the trees have gone away. This might be the
2 perfect time to put in a wastewater system and lay
3 pipes, as opposed to going through vegetation and
4 trees. We already lost 45 homes from storms.

5 And I just thank you. That's all I have to
6 say.

7 CHAIRMAN GRAHAM: Thank you, ma'am. Thank you
8 for your testimony.

9 PUBLIC COMMENT

10 MR. KELSEY: Okay. Can you hear me?

11 CHAIRMAN GRAHAM: I can.

12 MR. KELSEY: Okay. I am another one of those
13 engineering nerds, okay. And we and -- I have some
14 of my family with me today.

15 CHAIRMAN GRAHAM: Sir, what's your name?

16 MR. KELSEY: Bruise Kelsey.

17 CHAIRMAN GRAHAM: Thank you.

18 MR. KELSEY: 9798 Little Gasparilla Island.
19 Dock number 127.

20 Okay, we were a little bit late getting here
21 today, because we all had trouble last night, our
22 printer wouldn't work, couldn't redo our speech
23 today. And then we got up, we had to come across
24 in the boat. And by the time we got up to the boat
25 ramp, we had to leave our boat trailer there

1 because we couldn't bring it here, our boat with
2 us, so we had to pull the boat out of the water,
3 but there was about six boats ahead of us trying to
4 get out, and two barges loaded with all kinds of
5 construction material that we had to wait on before
6 we could get the boat out of the water. So I am a
7 little late, and I am a bit disorganized because of
8 that, because I didn't get a chance to reprint my
9 thing.

10 Okay. I have owned property on Little
11 Gasparilla Island for 54 years. I used to be a
12 registered engineer, professional engineer, State
13 of Florida for 35 years. And I have experience
14 with phosphate pipelines in the phosphate industry
15 for about 15 years. In my opinion, this system is
16 not suited for the island, as other people have
17 discussed.

18 Now, let's see where I got next here. And
19 like other people have said, concentrating all of
20 that sewer into one pipeline is a far greater risk
21 to the environment than all these septic tanks
22 spread all over the place that might have a few of
23 them fail at one time. A leak would be a disaster
24 on our island, and would put contamination right
25 into the inland waterway.

1 I would actually -- I would be in favor of
2 some kind of a nitrogen system, or aerator system,
3 or what are maybe some newer better system at each
4 local home. That would be the best way to solve
5 this thing.

6 And so I agree with everything that was said
7 yesterday. I am not going to repeat all of that
8 stuff, but I would like to emphasize a few points.

9 The conceptual design for this system and
10 justification consider the barrier islands
11 predominantly consist -- let me get that straight.
12 The conceptual design and justification did not
13 consider that the barrier islands predominantly
14 consist on weekend homes and vacation homes. And
15 just do the simple math, they are probably only
16 occupied about one-third of the time.

17 Now, Mr. Boyer did mention yesterday that
18 there is about seven percent of the island are
19 full-time. Does that mean 93 -- and he said the
20 other -- the rest of them are vacation rentals.
21 Does that mean 93 percent of the island are
22 vacation rentals? I don't think so. I guarantee
23 it's not. And perhaps we could ask that rental man
24 if he thinks it's 93 percent of the people are
25 rentals.

1 But it just all goes to show if they are
2 rentals, they are not full time, they are not going
3 to be able to use it as much as on the mainland.

4 Okay. So most of the homes, then, are going
5 to be vacant most of the time. That the means that
6 the sewer system is going to be dormant most of the
7 time. And from my experience in pipelines, that
8 don't work. Those lines are going to get -- you
9 are not going to have the grinder pumps supplying
10 the pressure to the system, and those lines are
11 going to have -- going to be dormant, sediment it
12 going to build up.

13 CHAIRMAN GRAHAM: Mr. Kelsey, thank you for
14 your testimony.

15 MR. KELSEY: Okay. Thank you.

16 COMMISSIONER PASSIDOMO SMITH: Sean Kelsey,
17 you will be after -- I am sorry, Marjorie, you are
18 up, and then Shawn is after you.

19 PUBLIC COMMENT

20 MS. KELSEY: Okay. Thank you. I also have a
21 handout. Would you like me to give it at the end?

22 CHAIRMAN GRAHAM: You can give it now. That's
23 fine.

24 MS. KELSEY: Give it now? Okay.

25 CHAIRMAN GRAHAM: Can you tell us what the

1 handout is?

2 MS. KELSEY: Do you want to know what it is?
3 Yes, it is a -- from the Florida Fish and Wildlife.
4 It's a Seagrass Mapping and Monitoring Summary
5 Report for the Charlotte Harbor Region.

6 CHAIRMAN GRAHAM: Ma'am, what's your name
7 again?

8 MS. KELSEY: Marjorie Kelsey.

9 CHAIRMAN GRAHAM: Thank you.

10 MS. KELSEY: Little Gasparilla Island, a
11 member of the LGIPA.

12 CHAIRMAN GRAHAM: So we will name this Exhibit
13 77. The speaker is Ms. Kelsey. And, Mary Anne,
14 what's the title?

15 MS. HELTON: The Seagrass Monitoring Report.

16 CHAIRMAN GRAHAM: Sounds good to me.

17 (Whereupon, Exhibit No. 77 was marked for
18 identification.)

19 CHAIRMAN GRAHAM: Okay. Ms. Kelsey, you can
20 begin.

21 MS. KELSEY: Sure. I am a real estate
22 investor with a marine biology background. I have
23 contracted to the Army Corps of Engineers managing
24 my team and monitoring various marine constructions
25 for their impacts on endan -- marine endangered

1 species. My family has owned on the island since
2 1968.

3 I listened to Dr. Lapointe's remarks about the
4 seagrass loss in Gasparilla Sound, particularly
5 noting the mention of 2018. I believe those dates
6 may have been selectively chosen. The
7 comprehensive data from the Seagrass Integrated
8 Mapping and Monitoring Program that I just handed
9 you actually shows a different story over the
10 long-term.

11 From 2006 to 2014, there was a significant
12 gain of 825 acres of seagrass in Placida. While
13 it's true that there has been some loss observed
14 between 2018 and 2022, once you examine the map I
15 have given you, it's clear that much of this loss
16 is concentrated around the Coral golf course area.
17 I don't think that our septic systems are causing
18 seagrass loss between the golf course area on the
19 mainland.

20 Yesterday, I heard a lot of bantering about
21 the water quality of our waters, especially
22 questions about the proper testing of waters. So I
23 have some testing to present to you that has been
24 accomplished.

25 The waterway adjacent to Little Gasparilla

1 Island is a part of lower Lemon Bay, designated by
2 the Florida Department of Environmental Protection,
3 FDEP, as an aquatic preserve, and is recognized
4 under the additional protective status of special
5 waters.

6 Furthermore, it is classified by the State of
7 Florida, Division of Environmental Assessment and
8 Restoration as an outstanding Florida water by
9 their definition, quote, water design -- designated
10 worthy of special protection, a designation
11 intended to protect existing good water quality.

12 Furthermore, the Department -- the Florida
13 Department of Agricultural and Consumer Services
14 has identified these waters as a conditionally
15 approved area for shellfish harvesting, which
16 underscores its economic and environmental value,
17 and the existing good water quality.

18 So according to the State of Florida, who
19 tests regularly, there was no need. This
20 application proposes to collect and send our
21 wastewater to Charlotte County, who is not
22 providing the advanced treatment, as been stated
23 before. And I understand their output is roughly
24 70 mills per liter -- per liter for nitrogen. Then
25 this water is sold as reclaimed water to such

1 locations as these golf courses. And this nitrogen
2 rich water reenters the waterways as runoff from
3 the very areas that are seeing degradation of the
4 seagrasses, as I have documented in the mapping I
5 gave you. From there, it's going to flow seaward
6 right back to the very islands where you collected
7 it in the first place.

8 So even if you believe there are water quality
9 problems, you cannot infer that any or all of the
10 problems are septic causation. But again, the
11 State of Florida, who does test, indicates high
12 water quality standards.

13 To retain these high water quality standards,
14 there are options besides central sewer systems.
15 There are systems that reduce nitrogen levels to 15
16 to 20 milligrams per liter, which is substantial
17 less than the 70 that we see at the Charlotte
18 County wastewater.

19 So why are we not discussing these systems and
20 comparing central systems to these other options
21 that are located individually on homeowners'
22 prompts? Why is only one very questionable option
23 on the table? It doesn't make any sense.

24 CHAIRMAN GRAHAM: Ms. Kelsey --

25 MS. KELSEY: -- so I am.

1 CHAIRMAN GRAHAM: -- thank you for your
2 testimony.

3 MS. KELSEY: Okay. Thank you.

4 CHAIRMAN GRAHAM: Sir.

5 PUBLIC COMMENT

6 MR. KELSEY: I have a handout to give out,
7 please.

8 CHAIRMAN GRAHAM: Sure. We will label this
9 Exhibit 78.

10 Sir, can you tell us what this handout is?

11 MR. KELSEY: Yes. There is several items in
12 it. First off, there is a picture on the front of
13 it, which is a party that's annually done, and
14 Charlotte County says 20,000 people attend that
15 party annually. There used to be seagrass on the
16 sandbar where the party is. And I am proposing
17 that since I have lived on -- or not lived on --
18 our family has had property on LGI for 55 years,
19 that the degradation of seagrass is not from septic
20 tanks. It's from all the more people that are
21 showing up to go enjoy the waters there. I have
22 witnessed that for myself over 55 years.

23 Secondly, I would like to also say if a big
24 sewer spill --

25 CHAIRMAN GRAHAM: Sir, what is your name?

1 MR. KELSEY: Oh, I am sorry. Sean Kelsey.

2 CHAIRMAN GRAHAM: Sean Kelsey.

3 MR. KELSEY: If a big sewer spill was to
4 happen on Little Gasparilla Island, the current
5 barge that services the island ran by Robert Hill
6 can concurrently carry 30,000 pounds. A septic
7 spill, to clean it up, requires bringing in
8 multiple septic trucks to suck the water off the
9 surface. Those trucks empty weigh 4,000 -- excuse
10 me, a 4,000 gallon truck weighs 42,000 pounds
11 empty, and 72,000 pounds full. Meaning that the
12 barge only carries 30,000 pounds. If there was a
13 major spill, there is no infrastructure in place on
14 LGI to remediate an environmental emergency.

15 I would like to switch now to -- yesterday
16 there was some testimony given here to the effect
17 that Marty Friedman did not write the proposal from
18 the County Commissioners, Resolution 23-155. I am
19 going to read an email here that's in public
20 record, it was a public records request, dated
21 March 29, 2023.

22 Jeannette, attached is a proposed resolution
23 which I would like you to consider to support the
24 conversation of septic tanks to central sewer on
25 the island. Magnitude and opposition and lack of

1 strong support from the County Commissioners is why
2 prior applications were denied. I believe that any
3 new application will meet with the same resistance,
4 so it is imperative that County Commissioners
5 express strong support. As I mentioned previously,
6 City and County Commissioners frequently testify in
7 PSC proceedings to indicate the city's or county's
8 position without being a factual witness. Please
9 do not hesitate to give me a call if you have any
10 questions. Thank you, Marty.

11 March 29, 2023, the attachment appears to me
12 to be Resolution 2023-155, which is the County
13 Commissioners' support for this whole thing. Now I
14 ask, is any of the County Commissioners here today?

15 CHAIRMAN GRAHAM: We have asked that question
16 already.

17 MR. KELSEY: Yes.

18 Okay. How do I enter this document into the
19 exhibit for this hearing, because unfortunately I
20 have one.

21 CHAIRMAN GRAHAM: We can get you to email it
22 to the Clerk.

23 MR. KELSEY: Very good.

24 CHAIRMAN GRAHAM: And we can enter it that
25 way.

1 MR. KELSEY: Very good. Very good.

2 CHAIRMAN GRAHAM: And we will give that
3 exhibit -- should we give that exhibit number --

4 MS. HELTON: How about we call 78 Kelsey
5 composite exhibit?

6 CHAIRMAN GRAHAM: Okay.

7 (Whereupon, Exhibit No. 78 was marked for
8 identification.)

9 MR. KELSEY: Okay. And I had one last thing
10 too was that --

11 MS. HELTON: And then Exhibit 79 --

12 CHAIRMAN GRAHAM: Okay.

13 MS. HELTON: -- will be the Public Records
14 Request email. And can you email that now to our
15 lawyers on the case so that we will have that on
16 hand, and also from Mr. Friedman will need to, and
17 the other parties will need to get a copy, so we
18 can all --

19 MR. KELSEY: I can email that today. I am not
20 real good on phones.

21 MS. HELTON: Maybe one of our young lawyers
22 who is probably really good on phones can help you
23 do that.

24 CHAIRMAN GRAHAM: We only have one or two
25 speakers left, so we will do that after we are done

1 with the last speaker.

2 MS. HELTON: Okay.

3 CHAIRMAN GRAHAM: And that will be Exhibit No.
4 79.

5 (Whereupon, Exhibit No. 79 was marked for
6 identification.)

7 CHAIRMAN GRAHAM: You have got about 30
8 seconds left. What else did you want to say?

9 MR. KELSEY: Very good.

10 Attached to the application for the sewer
11 system was a letter by Freedom Holdings Manatee
12 suggesting that they will fund 75 percent of the
13 cost of this proposal, and the Boyers will fund 25
14 percent of the cost. That was based on a proposed
15 cost of about 20 million for the project. We have
16 heard a lot of testimony here about whether the
17 system is going to be 50 million or 20 million. So
18 I would ask the Commission to, in the unfortunate
19 event this was to pass, to pre-qualify Freedom
20 Holdings Manatee and the lawyers for that
21 additional amount which is not part of the
22 application.

23 CHAIRMAN GRAHAM: Thank you, sir. Thank you
24 for your testimony.

25 MR. KELSEY: Thank you.

1 COMMISSIONER PASSIDOMO SMITH: Okay. Our
2 final speaker is Diane Boyer.

3 PUBLIC COMMENT

4 MS. BOYER: My name is Diane Boyer. I am the
5 applicant. My son-in-law, and who you heard last
6 night, Nick, and my daughter Karress, have lived on
7 the island raising their kids for six years. I
8 have been on the island for 40 years. I have
9 raised four kids there. I raised my kids on Palm
10 Island, and we have been on Little Gasparilla for
11 about 11 years. So therefore, that is the why of
12 all of this.

13 When we moved to the island, there was no
14 barge. There was no Waste Management. There were
15 no cars. Talk about change in the last 40 years.

16 I just want to address the letter campaign
17 which Meryl talked about. Many individuals wrote
18 way more than seven letters, and to PIE's
19 initiative, which is great, they were very
20 successful. They asked families, spouses,
21 children, as we heard today, and even
22 grandchildren, to write letters. But after reading
23 and rereading and printing every single letter for
24 the last year, it comes to a bottom line. 167
25 homes ultimate of the 1,200 something proposed area

1 are opposed. 16 homes are not opposed to
2 wastewater. They just wanted the County to do it.
3 And despite the fact that the essential service,
4 what most everybody is so opposed to is a
5 for-profit.

6 Ironically, the islands, all islands, one
7 island, has FPL, Bocilla Utilities, Little
8 Gasparilla Utilities, septic companies, Comcast,
9 CenturyLink, Suncoast Broadband, property
10 managements, real estate agents, rental agents,
11 multiple landscaping, barge services, all
12 for-profit. All for-profit.

13 86 residents, and it's all in the dockets,
14 have written in favor of wastewater, along with
15 request for services. There is a developer that
16 has 17 lots, and then he has 30 other units
17 requesting service, totaling 73 property owners
18 that have requested service. All in the dockets.

19 One of the most important things about all
20 these letters is that they were written before the
21 hurricanes. I too, like everybody else, have been
22 affected by all these hurricanes. But the reality
23 today is way worse than the original concerns that
24 we had.

25 We heard some testimony that perhaps maybe

1 didn't see, Little Gasparilla Island for sure, like
2 many people have said, the whole entire island was
3 covered by eight- to 10-foot surge. We have lost
4 35 to 40 homes. There are over 306 septic tanks in
5 and on the water's edge. Y'all have those pictures
6 and John Cole's testimony. They will still be
7 there for probably the next 10 years, so you are
8 welcome to Google Earth it, and you will certainly
9 see them. It's -- don't take my word for it.

10 You heard the sand-filled septic tanks.
11 Obviously, if you have a surge, the sand filled up
12 all these tanks. They are not usable. Marty,
13 Martin Septic, has told many homeowners, you have
14 got to replace your tank.

15 There is a real estate, a rental agency that
16 told people, for 25 bucks, we can -- you can dig it
17 out. And that's what they are doing, because they
18 have got rentals coming, so they are trying to get
19 their --

20 CHAIRMAN GRAHAM: Ms. Boyer, thank you for
21 your testimony.

22 MS. BOYER: Okay.

23 MS. CHARTIER-HOGANCAMP: I just have
24 additional one question.

25 CHAIRMAN GRAHAM: Sure.

1 MS. CHARTIER-HOGANCAMP: So --

2 CHAIRMAN GRAHAM: Can you grab the microphone,
3 please? I just want to make sure the court
4 reporter has got it.

5 MS. CHARTIER-HOGANCAMP: Thank you.

6 So you summarized the opposition on the docket
7 as coming down to 167 homes, is that correct?

8 MS. BOYER: Correct -- homes, or a person that
9 owns. It could be a lot. It could be a home.

10 MS. CHARTIER-HOGANCAMP: Okay. And then you
11 said 86 residents are in --

12 MS. BOYER: Homes.

13 MS. CHARTIER-HOGANCAMP: You meant homes?

14 MS. BOYER: Homes. Lots. Yes. I am not
15 counting two-and-a-half people per home.

16 MS. CHARTIER-HOGANCAMP: I just want to make
17 sure we heard it.

18 MS. BOYER: Okay.

19 MS. CHARTIER-HOGANCAMP: Thank you.

20 CHAIRMAN GRAHAM: Was that the last speaker?

21 COMMISSIONER PASSIDOMO SMITH: Yes.

22 CHAIRMAN GRAHAM: Okay. Once again, we have
23 been at this for about 15-and-a-half-hours. I --
24 15 hours. I thank you all for your time and your
25 patience.

1 You got to consider -- I want to thank my
2 staff. They got here at least two to three hours
3 before that clock is started, and they will
4 probably be here two to three hours packing all
5 this stuff and moving it out afterwards, so thank
6 you guys all for being here, for helping and doing
7 this.

8 You guys have been great. It's amazing to me
9 how well-informed most of you are. I know this is
10 a very personal issue for all of you. Whichever
11 direction you are going, understand, we still have
12 a lot to do. We still have to wait for briefs to
13 come in. We still have to sift through all that
14 stuff. It's probably going to be about four or
15 give months before there is an answer, but just to
16 let know, there will be an answer one way or the
17 other.

18 That all being said, thank you very much for
19 your partici --

20 MS. HELTON: Mr. Chairman, we need to move
21 these exhibits in.

22 CHAIRMAN GRAHAM: Thank you so much for your
23 participation, and I wish you guys to be safe
24 heading home.

25 Staff, we need to put the exhibits.

1 UNIDENDIFIED SPEAKER: Can we clap now for you
2 and for everybody?

3 (Applause.)

4 CHAIRMAN GRAHAM: Thank you.

5 We have Exhibits 74, 75, 76, 77, 78, and I
6 don't know if we have 79 yet.

7 MS. HELTON: Marty, are you good with us
8 putting 79 in?

9 CHAIRMAN GRAHAM: 79 being the email to the
10 attorney.

11 MR. FRIEDMAN: Oh, yeah.

12 MS. HELTON: Are you okay with us putting 79
13 in, although it's --

14 MR. FRIEDMAN: I'm okay. I have got problems
15 with the other ones, because I haven't been able to
16 cross-examine them on the stand.

17 MS. HELTON: We can put it in and give it all
18 the weight --

19 MR. FRIEDMAN: That's right. I understand
20 that. I just don't want it to be on record that I
21 think that that appropriate to do. But I
22 understand there will be in spite of my --

23 CHAIRMAN GRAHAM: Okay. So we will enter 74
24 through 79 into the record.

25 (Whereupon, Exhibit Nos. 74-79 were received

1 into evidence.)

2 CHAIRMAN GRAHAM: Is there any other last
3 minute things before we adjourn, Mr. Friedman?

4 MR. FRIEDMAN: Not from me.

5 CHAIRMAN GRAHAM: Okay. That all being said,
6 Commissioners, we are adjourned. Please everybody
7 travel safe.

8 (Proceedings concluded.)

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CERTIFICATE OF REPORTER

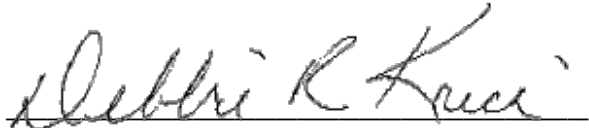
STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, Court Reporter, do hereby
certify that the foregoing proceeding was heard at the
time and place herein stated.

IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that the
same has been transcribed under my direct supervision;
and that this transcript constitutes a true
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties, nor
am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED this 23rd day of February, 2025.


DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH575054
EXPIRES AUGUST 13, 2028