

Antonia Hover

From: Antonia Hover on behalf of Records Clerk
Sent: Wednesday, April 24, 2024 3:56 PM
To: 'Mike Riley'
Cc: Consumer Contact
Subject: RE: RE. Docket #20240032-SU

Good Afternoon, Michael Riley.

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

Thank you!

Toni Hover

*Commission Deputy Clerk I
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
Phone: (850) 413-6467*

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From: Mike Riley <mikenriley@comcast.net>
Sent: Wednesday, April 24, 2024 2:54 PM
To: Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Chairman La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>; Office of Commissioner Fay <Commissioner.Fay@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>
Cc: 'Meryl Schaffer' <merylschaffer@hotmail.com>; 'Linda Cotherman' <lcotherman@yahoo.com>; 'Meighan Kerr' <meighank@coloradomaterialsinc.com>
Subject: RE. Docket #20240032-SU

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My name is Michael Riley

I am a Florida resident and property owner of 220 Kettle Harbor Drive, Don Pedro island, which is within the boundaries of the proposed service area of Environmental Utilities, Inc. (EU) application for waste water service.

I have lived at this address for over 15 years.

I object to the proposal under docket #20240032-SU and ask the Public Service Commission to deny the application for original certificate of authorization for this proposed central sewer system.

Basically there is no proven need to do a 'septic to sewer' conversion in this service area. The water quality around our bridgeless barrier islands is good and the issues with the Lemon Bay water quality (high level of nutrients) has been found to be caused primarily by Charlotte County Utilities Recycle Water system which does not meet federal recycle water standards. Many forward thinking coastal counties have instituted a moratorium on septic to sewer conversions until each county can bring their own contaminating recycle water within federal standards. This process takes from 3 to 10 years to accomplish, yet Charlotte County has not seen fit to do a moratorium on conversions, and is in support of this private party septic to sewer conversion, which I do not understand – clean your own house before blasting others without proven need.

Our Islands are blessed with having a population of people that are environmentally conscious. We have the Bocilla Islands Conservancy, Inc. (BICI) to thank for implementing various programs to help maintain our islands attitude for nature and education on environmental issues.

BICI has a Gopher Tortoise relocation program to safely relocate this endangered species on new home sites. They also help residents build a Tortoise berm to provide habitat, and honor those with 'Tortoise Friendly Yards' (a unique and celebrated program by the Florida Fish and Wildlife Conservancy Commission).

BICI got our islands certified as a 'Community Wildlife Habitat' per below certificate. 'Palm Island' consists of Don Pedro and Knight islands as well as Thornton Key. Construction of the sewer system will devastate our certification and damage our wildlife habitat.



COMMUNITY WILDLIFE
HABITAT[™]



Palm Island is now a **Certified Community Wildlife**

Leading a nationwide trend in community concern, Palm Island has been officially designated as a NW Wildlife Habitat by the National Wildlife Federation.

Palm Island is a unique barrier island that is home to a variety of wildlife, native & migrating birds, endangered species, tortoises, interesting insects, bob cats, seasonal sea turtles, and our abundance of fish & marine life. All of these animals contribute to the health & quality of our fragile environment. Some are pollinators while others balance the food chain.

Bocilla Islands Conservancy strives to protect island preservation of green space, and ongoing education

BICI also has sponsored the 'Mini-reef' program on our islands. These are mini-reefs that are placed under docks to clean our waters as well as provide a safe habitat for fish and marine life. This is part of the 10,000 reef challenge that many communities along the Florida coast have adopted with great success. BICI also helps remove invasive species of plants and encourages plantings of native or Florida friendly plants and flora.

One of my major concerns is the devastation to our roadways, trees, landscaping, wildlife habitat, etc. with the proposed sewer system. We enjoy and properly maintain septic systems, sand roads, open spaces, parks, trails, etc. which make living on our islands peaceful and tranquil. One of the downsides of living on these bridgeless barrier islands is ferry access furnished by the Palm Island Transit, Inc., or private boat. Because of Hurricane Ian and all the rebuilding by contractors that do not live on island, our ferry wait times have been an hour or so to leave or regain access to our homes. This proposed multiyear sewer construction project would lengthen these wait times even longer causing frustration and additional cost to EU – eventually passed on to the homeowners in rates.

Another major concern is an environmental spill of wastewater from these tanks and the intra-coastal waterway. With our current septic systems, they continue to operate efficiently and environmentally sound without electricity. I and the other island residents maintain our septic systems with routine sludge removal and inspections to ensure proper operation, replacing when deemed necessary and Charlotte County continues to supply permits for rebuild or replacement. The proposed system would be reliant on electricity to operate the pumps to move the wastewater off island. If the power fails for a period of time (a frustratingly regular occurrence and definitely when there is a hurricane or high winds creating no ferry service), we would be subject to the possibility of a wastewater environmental spill (only a small 60 gallon storage tank without a septic field) which would have a devastating effect on wildlife, wildlife habitats, and also our residents. By taking the wastewater off island through a subaqueous line in the intra-coastal waterway, there is the potential of a horrible environmental disaster in our waterways.

Why does the application allow EU a non-compensated easement for each resident to place their tank on our property near our house and allow them 24 hour access without homeowner permission. EU should have to purchase the easement from each homeowner because granting an easement without compensation goes contrary to real property ownership laws in Florida. This oversteps the boundaries of eminent domain without adequate legal proceedings or representation. It is basically granting access and ownership of private property to another entity without due process.

The cost to Homeowners for this wastewater system is tremendous, especially considering the fact of having to rebuild from Hurricane Ian. Our insurance costs are out of sight, again because of Hurricane Ian and the States position on insurance programs. This proposal would cost each Homeowner slightly less than \$15,000 up front with no pay over-time option. The monthly cost of around \$250 (or \$3,000 per year) is unconscionable for the removal of wastewater only – no sludge. The additional 'homeowner' costs of electrical panel installation, electricity, and sludge removal from the storage tank are too much. The costs estimated by EU have proven to be inaccurate or only estimates and the actual cost could and probably would be significantly higher. We can't afford uncontrolled spiraling costs to force many to move from the islands. This application also **requires mandatory** hookup by each resident – no exceptions, even if they recently replaced their septic system with a new, permitted, latest code system at a cost of \$10-20,000. The newest septic systems being installed are highly efficient and have been proven to clean wastewater to levels that exceed current federal and state levels, so why create potential problems building an expensive sewer system when septic systems can and will work adequately for bridgeless barrier islands without environmental issues.

Septic systems retard high density development where sewer systems encourage it. Our bridgeless barrier islands need to remain an environmentally balanced residential area of Florida that seems to be disappearing state wide on a daily basis.

This application is a repeat attempt to do 'private' sewers on our islands without support of the homeowners or a proven need. The prior application from 2020 was denied by the PSC because no need for service was justified or proven. The 2024 proposed private sewer system design is the same as the old denied proposal. There is already a private sewer system (Knight Island Utilities, Inc.) to handle the Palm Island Resort, which trucks its wastewater and sludge off island via the ferry. I would assume that the Resort would prefer to use the proposed subaqueous intra-coastal wastewater crossing of EU to remove their wastewater, but does not want to pay the same initial hookup and monthly fees as the rest of the service area homeowners. EU has designed their system to handle this Resort's additional volume (at the cost of the proposed service homeowners), but does not include the Resort in their service area and does not provide for any bulk transmission rates or other commercial rates in their application. This question was not answered in the prior case and needs to be addressed immediately.

Bottom line – This application needs to be denied immediately and not allowed to proceed.

I cannot put into words all the objections I have for this unwarranted and unwanted attempt to force a high cost, unjustified, inadequate wastewater removal service, by a politically astute/active 'private' party (with a big profit incentive) down our throats.

Again, I object to the proposal under docket #20240032-SU and ask the Public Service Commission to deny the application for original certificate of authorization for this proposed central sewer system.

Thank you

Michael Riley
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