

**Lisa Smith**

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**From:** Hannah Barker  
**Sent:** Monday, January 24, 2022 9:05 AM  
**To:** Commissioner Correspondence  
**Subject:** Docket Correspondence  
**Attachments:** Docket#20200226-SU; Docket #20200226-SU; Docket # 20200226-us; Little Gasparilla Sewer; Docket #20200226-SU; Docket #20200226-SU; Docket #20200226-SU Environmental Utilities Proposed Sewer; Docket #20200226-SU; Docket #20200226-SU; Little Gasparilla Island Sewer proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning,

Please place the attached emails in Docket No. 20200226.

**Hannah E. Barker**  
Executive Assistant to Commissioner Clark  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
(850) 413-6004

**Lisa Smith**

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**From:** Jamkelly5 <jamkelly5@aol.com>  
**Sent:** Sunday, January 23, 2022 4:06 PM  
**To:** Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Subject:** Docket#20200226-SU

Commissioners,

I am writing in regards to the proposed central sewer system application by Environmental Utilities (EU). We are seasonal residents and our home is fairly new. This will be our third winter on Palm Island. I'm sure you are aware of the cost of a new septic system for an individual home -not a small price. We followed all the rules and regulations requested by the state and county. Our system is properly maintained by a licensed septic contractor who is recognized by the state and county. Now you're saying that all of the time and money we've invested is for nothing? I failed to see how a central sewer line would benefit us and feel we are being blindsided by another huge unnecessary cost for a system we don't want or need.

Also the lack of information regarding the finances of EU is concerning. And the huge change in their estimated hook up cost is troubling. Does this company, which runs a water treatment plant, not a septic company, have the expertise to take on a project of this magnitude? There are so many unknowns with EU that are very concerning.

Also, there have been no environmental concerns regarding the existing septic systems on Palm Island, and this proposed line is not something the residents want or need.

Palm Island is a special place. The residents truly care about the beautiful environment in which they live, and the animals they share it with. The disruption the construction of a sewer line would cause could be devastating to some of those animals – particularly the gopher tortoise, a protected species. It will also be disruptive to the lives of the residents, who rely on small roads and a car ferry to access the mainland. Sharing that ferry and those roads with construction crews and equipment will be problematic.

We urge you to look at the facts, and listen to the voices of the residents on the island whose lives will be impacted, and deny EU a permit.

Thank You,

Jim & Lori Kelly  
189 N. Gulf Blvd.  
651-260-7449

Sent from the all new AOL app for iOS

**Lisa Smith**

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**From:** Dona Cabela <cdjean20@gmail.com>  
**Sent:** Sunday, January 23, 2022 3:47 PM  
**To:** Office of Commissioner Clark  
**Subject:** Docket #20200226-SU  
**Attachments:** Letter to PSC against island sewer.docx

Hello:

Please review my attached letter in regards to my formal request to deny the application for original certificate of authorization for the proposed central sewer system to Knights Island, Bocilla island and Don Pedro islands.

Thank you  
Respectfully

Chaz & Dona Cabela

**Lisa Smith**

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**From:** nelsondot@earthlink.net  
**Sent:** Sunday, January 23, 2022 2:30 PM  
**To:** Records Clerk  
**Cc:** Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Subject:** Docket # 20200226-us

Dear Clerk and Commissioner's,

This is Mary Dorothy Kirkland and I am a homeowner within the proposed service area on Little Gasparilla Island. I am formally requesting that the PSC deny EU's application for wastewater service.

Below are some concerns and impacts to us as owners:

**Average Residential Bill:** \$178.78, which is roughly twice the amount that a ratepayer on the mainland in Rotonda pays per month for water and wastewater combined. Note that the average cost to EU per customer per month is \$97.18.  
**Electric:** the system pump requires a separate electric panel, installed by a licensed electrician at the expense of the owner. **More electric:** If the owner has maxed out their main electric grid with pool equipment or other large-draw items, the panel will need an expensive upgrade to accommodate the new panel.  
**Generator:** the grinder pump has a limited capacity (60 gal) and in the event of a power outage will be unable to function for long. Homeowners will need a generator to keep the system running to avoid sewage back-up.  
**Tree removal:** Landscaping and hardscaping around the septic area will need to be cleared at the expense of the homeowner to gain access to crush & fill the septic tank.  
**No pay-over-time plan:** Ratepayers may need to take loans to cover the cost of connection  
**Mandatory Hook-up:** Charlotte County regulations require all homes to connect to central water and wastewater within 1 year of availability.  
**No grandfathering of septic systems:** regardless of age or condition.

I am concerned about financial hardship and ability as well as fair and equitable rates and charges.

Thank you for your attention to this serious issue.

Mary Dorothy Kirkland

**Lisa Smith**

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**From:** Nelson Kirkland <nelson@centralfloridamediagroup.com>  
**Sent:** Sunday, January 23, 2022 2:17 PM  
**To:** Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Cc:** Nelson & Dot Kirkland  
**Subject:** Little Gasparilla Sewer

I own a house on Little Gasparilla Island and I would like to voice my objection to the proposal and ask the PSC to deny the EU Application for Original Certificate of Authorization.

1. I question the need for the service.
2. I question the applicants financial ability to install and sustain, I mean shouldn't this be a government project if it's so vital?
3. Has the applicant any technical expertise or could the commission be responsible for a major environmental catastrophe if the applicant messes up.
4. The rates that have been tossed around for homeowners are ridiculous.

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Best regards,  
R . Nelson Kirkland  
9768 Little Gasparilla Island

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## Lisa Smith

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**From:** Candyce Cohen <candycecohen@gmail.com>  
**Sent:** Sunday, January 23, 2022 2:10 PM  
**To:** Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Subject:** Docket #20200226-SU  
**Attachments:** ATT00001.htm; ATT00002.htm; ATT00003.htm; ATT00004.htm; ATT00005.htm; ATT00006.htm; ATT00007.htm; PSC Letter Docket #20200226-SU .pdf; ATT00008.htm

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

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

### 1. NEED FOR SERVICE

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

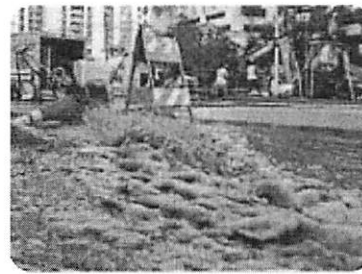
- The population density from Indian River and surrounding coastal counties are significantly greater running from 20% to 85% greater population density than Charlotte County.
- I also note the Indian River Lagoon is listed as the waterway with the 4<sup>th</sup> highest volume of untreated sewage spills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

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

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

While future local water quality studies may one day show some nutrient leakage from septic tanks, central sewer adds risk for environmental nightmares beyond an individual home's septic tank collapsing here and there. Checking Florida headlines and Florida DEP Public Notice of Pollution (PNP) tracking of sewage and wastewater spills[1] over the past few years[2]

In 2019, the Department of Environmental Protection reported **2,779 wastewater spills in Florida**, compared with **1,282 reported spills in 2007**. There was a large jump in 2017, the year of **Hurricane Irma**, of a reported **3,452 wastewater spills**. ... Pathogens in wastewater are known to cause lung and intestinal infections.



<https://projects.wuft.org/humanhazard/major-spills-fro...>

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

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

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

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

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

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

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

## **Aging infrastructure and storms contribute to massive spills**

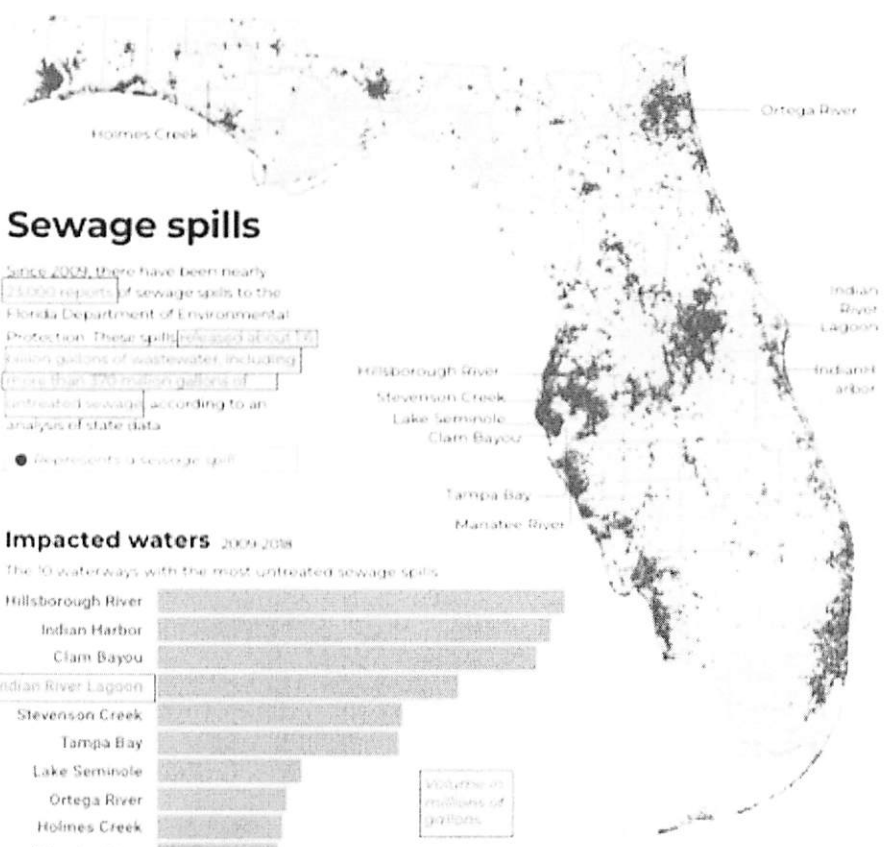
BY JOSH SALMAN, JENNIFER BORRESEN, DAPHNE CHEN  
AND DAK LE / GATEHOUSE MEDIA

, Sarasota Herald-Tribune

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

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

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



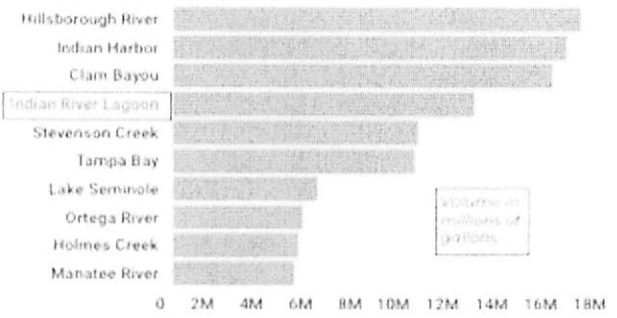
## Sewage spills

Since 2009, there have been nearly 23,000 reports of sewage spills to the Florida Department of Environmental Protection. These spills released about 1.5 billion gallons of wastewater, including more than 370 million gallons of untreated sewage, according to an analysis of state data.

● Represents a sewage spill

## Impacted waters 2009-2018

The 10 waterways with the most untreated sewage spills



SOURCE: Florida Department of Environmental Protection



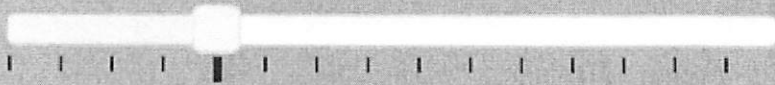
Rates Comparison

Characteristics

Links

Select residential bill and monthly consumption amount

Water Bill    Sewer Bill    Water + Sewer Bill



4,000 gallons  
535 cubic feet

**Monthly Sewer Bill: \$54.89**

Select comparison group:

Comparing to **all utilities in survey**



218 rate structures compared

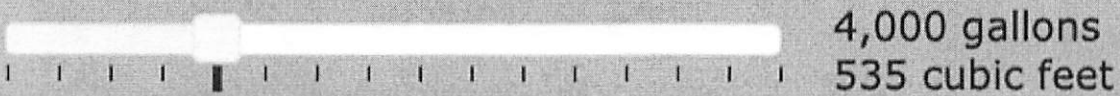
Rates Comparison

Characteristics

Links

Select residential bill and monthly consumption amount

Water Bill  Sewer Bill  Water + Sewer Bill



**Monthly Sewer Bill: \$55.18**

Select comparison group:

Comparing to **all utilities in survey**



218 rate structures compared

*Candice Cohen*

## Lisa Smith

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**From:** terymiklos@aol.com  
**Sent:** Sunday, January 23, 2022 1:24 PM  
**To:** Office of Commissioner Clark  
**Subject:** Docket #20200226-SU

Subject: Docket #20200226-SU

I am Terry Miklos property owner of 40 N. Gulf Blvd. on Palm Island in Placida, FL. This island is unique in that it is one of the few islands left with no bridge access. Residents may gain access to the island by boat or by car ferry. Once on island most vehicles are golf cart

I am formally requesting that PSC deny EU's application for wastewater service for the following reasons:

1. EU has absolutely no experience in this field.
2. As a result of this lack of experience EU has not been able to give us an accurate cost analysis break down of cost per owner or per unit.
3. As a result of this lack of experience EU has given a monthly estimate service fee of 178.78 per month which is almost twice as much as anyone on the mainland with no limit on any increases.
4. As a result of this lack of experience EU is going to tear up our streets and our island to an extent that would destroy the island and island life for an unspecified amount of time. Construction would disrupt ferry access by residents significantly resulting in hindering access to our homes day and night for an unspecified amount of time. In addition, construction will destroy our custom landscaping leaving homeowners to restore their landscaping to its prior condition at homeowners expense.
5. As a result of EU's lack of experience and potential funding EU is requiring all homeowners to hook up within a year at a significant estimated cost that cannot be financed making homeowners on fixed incomes unable to meet the requirement.
6. As a result of this lack of experience if the commission allows EU to lay large sewage pipes across the ICW it could result in an environmental disaster in the event they were to fail due to this lack of experience.
7. As a result of this lack of experience there is a huge concern as to who is overseeing this contract. Agencies such as County, DEP, or Army Corp are experienced, supervised, pull permits and are under a performance bond. What recourse do we the homeowners have for cost overruns or failure in the event they can't perform?
8. As a result of EU's lack of experience homeowners have not received any information in the event of a hurricane or power outage which could cause significant sewage backup into the system resulting in a sewage spill.
9. As the result of EU's lack of experience we have received no information outlining service and maintenance of the system.
10. As a result of EU's lack of experience they have not taken into consideration new, upgraded and well maintained septic systems installed at a significant expense. In addition, they have not provided information or cost analysis for the MANDATORY removal of these septic systems at the owners expense.

11. As a result of EU's lack of experience EU will claim ownership for an easement on my property without permission, compensation, or going through proper channels.

For all the reasons stated above EU is clearly not qualified to perform such a project and should not be considered for approval. I am formally requesting that the PSC deny EU's application for wastewater service.

Respectfully,

Terry Miklos

terymiklos@aol.com

**Lisa Smith**

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**From:** Dale Novak <dnovak@novakcreative.net>  
**Sent:** Sunday, January 23, 2022 1:21 PM  
**To:** Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Subject:** Docket #20200226-SU / Environmental Utilities Proposed Sewer

January 23, 2022

Florida Public Service Commission  
LaRosa, Clark, Passidomo  
Clerk of the Commission

Re: Docket #20200226-SU / Environmental Utilities Proposed Sewer

Dear Commissioners:

As I am sure you are aware, the barrier islands known as Don Pedro, Palm Island, Knight Island & Little Gasparilla, and the homeowners thereof, are in the process of being subjected to a central sewer system as proposed by Jack Boyer of Environmental Utilities (EU).

As a property and homeowner on Don Pedro Island, we are without reservation opposed to this proposal as detailed below.

- 1) There is absolutely no “environmental” need for the system. Most of the septic systems on the island have been updated and further, most are tested yearly to meet environmental standards (both state and county). There has also been numerous new homes built on the islands in the last several years. Those new homes have met or exceeded the requirements for an environmentally efficient waste disposal system.
- 2) Our water quality has NOT been effected by the septic systems on the islands. The primary driver of the pollution and water issues is flowing down the Caloosahatchee river via releases from Lake Okeechobee. This is well documented by Captains for Clean Water, an environmental group based in Fort Myers — of which we are Members.
- 3) The EU has no experience — and no track record for providing sewer service. How it is possible for a company to have no experience in a project of this scale and complexity, and be considered and approved to provide this service is beyond words. It seems so immensely illogical that it's akin to handing the controls of a 747 full of passengers to a person with no flying experience. It is absolutely absurd. Have the Commissioners considered the possible outcomes, or possible solutions, if the EU goes bankrupt during this process, or fails to meet any memorable timetable? Or, if the systems they are proposing simply fail to work? What happens if the system fails and dumps millions of gallons of waste water into our waterways? Will the EU be able to financially absorb and correct a failure of that magnitude — or will they just pass the cost on the the property owners? What about storm damage? Will the EU be able to restore service in a timely manner entirely at their

cost — or once again, is their plan to pass on those expenses to the property owners? It appears that the entire EU proposal is based on passing ALL OF THE COSTS on to the property owners. Imagine FPL doing that after every storm or failure of the electrical grid.

4) The EU has shown zero accountability to demonstrate their ability to reasonably finance their proposal other than to suggest that all the costs will be burdened to the property owners. It is absolutely implausible to think that every property owner on the barrier islands can simply write checks for unknown amounts in perpetuity. The response by the EU to this complexity thus far is for the property owner to simply “get a loan” to pay for it. Again, this is beyond any sort of logical explanation. We don’t own a money printing press.

5) Some homes have been recently built. The investment cost to install brand new septic systems could easily range from \$25,000 to \$50,000. These homes and builders have followed every rule and procedure, including permitting, to install these systems. Why does the Charlotte County continue to allow homes to be built, and for septic/drain fields to be added, if they are environmentally defective? It is incredibly irrational to think that a recently built home, or an older home with a brand new system installed, that was properly permitted, would now be asked to light a match to the money they spent on that system without compensation by the EU or County to remove it. Imagine if you purchased a brand new gasoline powered car for \$50,000 and were now being “dictated to” by Charlotte County and a private company that you must purchase an electric car — and your brand new car was to be crushed and sold for scrap. Does that sound reasonable and fair? That is exactly what’s happening here.

6) The EU has no technical expertise in the venture. Zero. This is a disaster just waiting to happen and Charlotte County will be on the hook for the accountability of their actions in this matter when the entire process starts to unravel and fail. The EU will NOT be able to recover financially from a mass failure of the system without passing on ALL of the costs to the property owners. This is a brand new “for profit” venture with no guardrails whatsoever.

7) The EU has not demonstrated or provided any forecast of service costs other to suggest some canyon size ranges of proposed costs. “We don’t know what it will cost yet” seems to be the answer — which is no answer of course. Plus, there is the connection cost which, again, seems to be a wide range from about \$10,000 to \$30,000 depending on the complexity. There’s also the question of property rights with no compensation for the homeowner and the intrusion to their property. The fact that this unproven system, by a start-up company with no experience, will dictate that every homeowner be required to hook up to the system seems unconstitutional to me — given that it’s a private company.

8) There seems to be a mandate that would also require every homeowner to install a back-up generator system to be able to prevent a back-up of the system in the event of a power interruption ... which happens often on the island. Again, the fact that a private company will “force” me to install a very expensive generator system just to ensure that their private system doesn’t fail is just piling on the absurdity. Does any of this seem logical — to anyone?

We love these barrier islands. It’s a unique lifestyle for sure. We understand that living out here is a personal choice. I think that the vast majority of property owners are uniquely in sync with our sensitive environment. We want what’s best for our waters, which we all enjoy. For us, we just don’t see the EU proposal to be based on any scientific fact, or more importantly, that they have zero experience in building or operating a sewer utility company. We all know what this entire proposal is actually about — the EU making money as a private company. It’s not about helping our waterways or environment. It’s about profit. It always is.

We ask, respectfully, that the State consider the property owners who choose to live on the islands, have a voice in this matter. In fact, we demand it. As such, we ask that the PSC deny the EU’s application for central

wastewater service.

Regards,

Dale & Julie Novak  
611 Bocilla Drive  
Don Pedro Island  
920.664.1088

**Lisa Smith**

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**From:** Brad Roberts <bradr@classiccoatings.com>  
**Sent:** Sunday, January 23, 2022 12:56 PM  
**To:** Office of Commissioner Clark  
**Subject:** Docket #20200226-SU

January 23, 2022

Dear Commissioner Clark,

My name is Brad Roberts and I am a resident at 450 S. Gulf Blvd in Placida Florida. We live on Don Pedro Island and are strongly opposed to allowing EU to proceed with the installation of sewers on our island. Not that we are opposed to sewers but we are opposed to EU and their owner to manage a project of this size given his lack of experience in this field.

It is my opinion that this is a job that the county should be doing if it needs to be done. The county has people on staff that have much more experience in this area than anyone at EU. Given Mr. Boyars record with the Little Gasparilla Water Company, I find it hard to believe that the county is even considering EU to apply for the Certificate of Authorization.

Please record my opposition to this matter and encourage you to vote down this Certificate of Authorization for EU.

***Brad Roberts***

*450 S. Gulf Blvd  
Placida Florida 33916  
Don Pedro Island*

Cell: 920-912-6906



**Lisa Smith**

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**From:** Gregory A. Hearing <Gregory.Hearing@gray-robinson.com>  
**Sent:** Sunday, January 23, 2022 12:45 PM  
**To:** Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo  
**Subject:** Docket #20200226-SU  
**Importance:** High

My name is Greg Hearing. I am a homeowner on Little Gasparilla Island (LGI). I am writing to express my strong opposition to the EU's application for wastewater service covering LGI and other local barrier islands.

LGI is a unique part of what little is left of old Florida. There are no roads, no commercial operations and no tourism on the LGI. It is important to keep LGI that way for generations to come. The EU's application would disturb the natural habitat of the island and start it down the inevitable road to commercialization. We islanders love the island and take very good care to preserve it, including annually servicing and inspecting our septic tanks. The County charges us a fee for our tanks and makes sure they are inspected and safe for the environment annually. In fact, we have yet to see any water quality study of LGI area water which indicates that we are harming the environment. We are more concerned that a subaqueous sewer pipe system crossing the bay from LGI to the mainland poses a much more significant threat to the area water quality than our septic tanks. One serious spill by a subaqueous pipe system will ruin the bay. Hundreds of small leaks along the pipeline would do the same and may not even be discoverable.

We believe the EU is only arguing that our septic tanks harm the environment for its own clear economic advantage. The EU, which didn't win the right to provide wastewater service to LGI by a public bid process, stands to make a lot of money off the islanders if its application is approved. The hookup fee alone will be devastating to the islanders not to mention that the monthly fee will be more than twice what it is on the mainland in Placida for water and wastewater combined. Moreover, islanders would have to use their own electric to run the system and many homes may not have the capacity to do so bringing the cost up for such islanders even more. We believe that the EU doesn't have the experience or the economic stamina to take on what is a classic local government function. If we have to go to a sewer system, the County should install and maintain it rather than letting an inexperienced private entity that is way in over its head financially and technically attempt to do it. The County would likely have to come in after the fact and clean up the mess. It is my understanding that the EU has never built out and/or run a sewer system. In contrast, the County is an expert at it. So, if LGI has to go to a sewer system due to environmental concerns, then the County should

install and operate it. That way, it will be handled well and be financially manageable for island residents.

Thank you in advance for your time and thoughtful attention to this important island issue.

Respectfully,

Greg Hearing  
9706 LGI  
Placida, Fl. 33946  
813-928-1334

**Gregory A. Hearing**

Shareholder

Board Certified in Labor and Employment Law,  
Education Law and Civil Trial by The Florida Bar

T 813-273-5000

F 813-273-5145



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**GRAYROBINSON**

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**Lisa Smith**

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**From:** Vicki Elsberry <vickielsberry@gmail.com>  
**Sent:** Sunday, January 23, 2022 12:09 PM  
**To:** Office of Commissioner Clark  
**Subject:** Little Gasparilla Island Sewer proposal

I have sent a letter to the commission and La Rosa can't figure out how to send a copy to you. I don't have time to retype it. Please see if it is possible for them to send you a copy. I feel very strongly about this issue. I am a fifth generation Floridian and seems like another way to exclude the average citizen from access to Florida beaches .  
Sincerely Vicki Elsberry

Sent from my iPad