

**Charlie Smith**

**From:** Charlie Smith on behalf of Records Clerk  
**Sent:** Tuesday, April 23, 2024 2:16 PM  
**To:** 'leerobertsdpt@gmail.com'  
**Cc:** Consumer Contact  
**Subject:** RE: Docket #20240032-SU

Good afternoon William Lee Roberts, Candace Anderson Roberts, Willie Vance Brewer and Cathy Marie Brewer,

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

Best regards,

*Charlie Smith II*

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
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850-413-6770

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**From:** leerobertsdpt@gmail.com <leerobertsdpt@gmail.com>  
**Sent:** Monday, April 22, 2024 10:39 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>  
**Cc:** Office of Chairman La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>; Office of Commissioner Fay <Commissioner.Fay@psc.state.fl.us>  
**Subject:** RE: Docket #20240032-SU

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Dear Public Service Commissioners:

My name is Lee Roberts and I, along with my family, own a home at 8302 Little Gasparilla Island. I write this letter in opposition to the central sewer system proposed by Jack Boyer via Environmental Utilities (EU). I ask the Public Service Commission (PSC) to deny EU's application for wastewater service. It is appalling to me that the citizens in my area are being subjected to this request again after it was rejected by the PSC when it was last brought up less than two years ago.

My opposition is based on many issues. My family has owned our residence since 1985. We greatly enjoy the "old Florida" feel of the island. Unfortunately, Jack Boyer has tried to edge out that feel in preference to his

desire to monetarily benefit from the citizens on the island. Several years ago, Mr. Boyer was able to convince the Charlotte County Board of County Commissioners to change their own planning document, Charlotte 2050 Comprehensive Plan (Charlotte 2050), for future safe growth in the county in favor of Mr. Boyer and Gasparilla Water Utility. After that decision, the PSC awarded Mr. Boyer the highest water meter (base) rates in the entire state of Florida by almost double the nearest rate for another utility. Public counsel at that time advised against doing this.

We are now forced to work with EU again trying to put in a sewer system on the island. Mr. Boyer has never installed a sewer system and based on his previous installment issues with water, I am very concerned. As I stated in previous letters, Mr. Boyer seems to believe that he has “eminent domain” to go wherever he wants in installing his systems. His lack of trust from many on the island is of grave concern with regards to his intentions. From the aforementioned Charlotte 2050 plan, I refer you to several areas which should preclude consideration for this proposed sewer system. In the subsection referring to Coastal Services Planning, **CST Policy 1.1.3: Protection of Coastal Planning Area** states that “The County shall not approve projects that adversely impact the social, economic, or environmental productivity, integrity, or values of natural resources in the CPA” (Coastal Planning Area). In the second section of this planning is **CST Policy 1.2.3: Barrier Island Protection** which states that “The County shall require that all construction activities on or off the shore of the barrier islands shall not detrimentally impact the barrier island system and shall support local and State regulations pertaining to construction seaward of the Coastal Construction Control Line (CCCL). And in the fifth section of that area of the plan is **CST Policy 1.5.1: Coastal Construction** which states that “All construction activity is prohibited seaward of the CCCL except as permitted by the FDEP under Beach and Shore Preservation, Chapter 161, F.S.” Many homes are seaward of the CCCL and could not be served by a sewer project nor a water system.

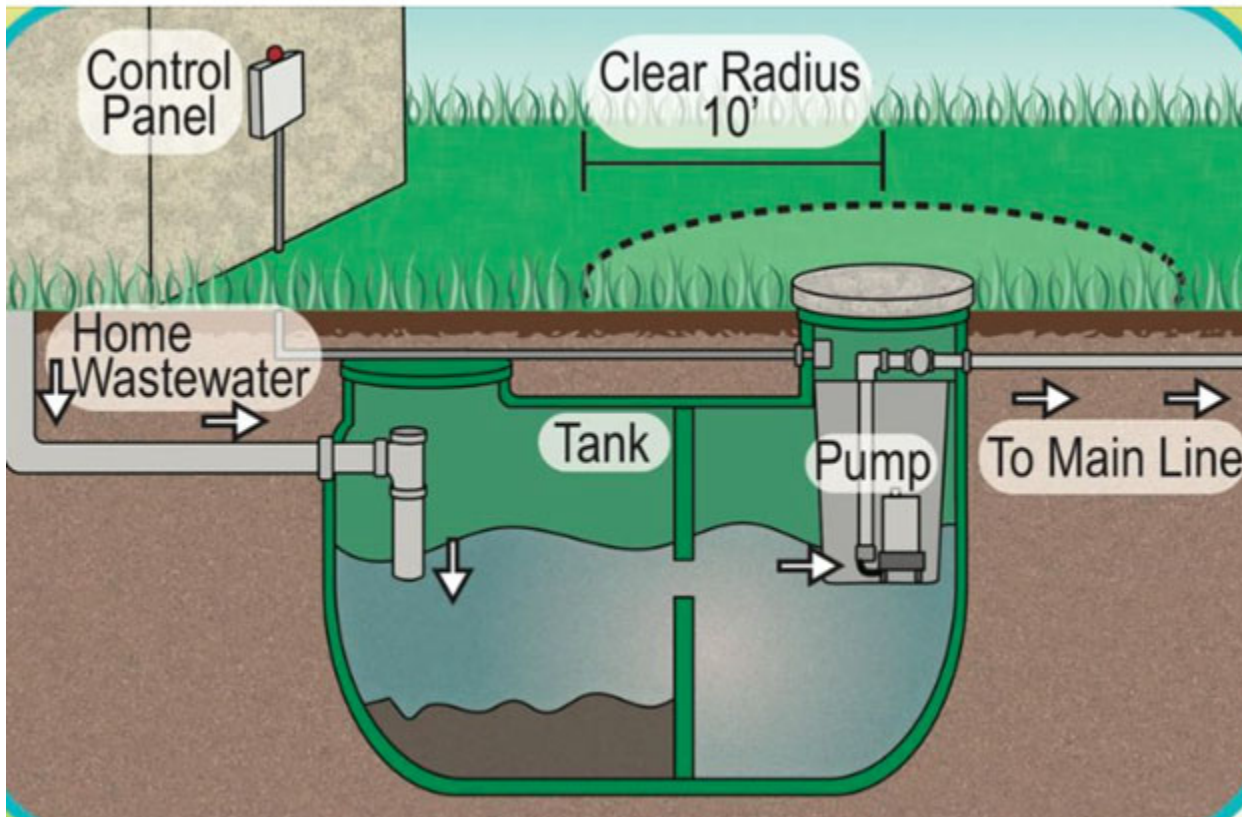
Moving forward to the section on Future Land Use, you will find numerous other policies that preclude central sewer installation on the island. The explanation for subsection three denotes that “To protect the existing rural character of those areas of the County within the Rural Service Area (FLUM Series Map #3) and thereby ensure this lifestyle is preserved for existing residents and remains available to future generations.” On FLUM Series Map #3, Little Gasparilla Island is designated as a Rural Service Area. This policy is further strengthened in **FLU Policy 3.2.4: Limitation on the Extension of Urban Infrastructure** where it clearly states “Infrastructure such as water and sewer utilities and stormwater facilities within the Rural Service Area shall reflect a rural level of service and shall not be modified to the point that it allows for urban development. The County shall prohibit the provision of water and sewer infrastructure within the Rural Service Area and shall: 1. Continue to rely primarily upon individual on-site wells as the method of providing potable water to the residents and other occupants; 2. Continue to rely primarily upon individual on-site septic systems as the method of disposal of wastewater; 3. Require that new development shall not be designed nor constructed with centralized potable water or sanitary sewer systems with the following exceptions: a. Rural Community Mixed Use community; or b. It is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. 4. Not require developments to connect to any central potable water or sanitary sewer services if these services are extended into the area except in those situations listed in 3. above.” My question is why would the PSC even consider this proposal when land use policy for Charlotte County is already in place stating that it will not be allowed. If “residents” or “owners of property” on the island come forward in favor of this request, I would suggest that the PSC mail each of those persons at their home addresses to verify their support thereby ensuring integrity for any requests. Please examine document 01108-2024.pdf and you will see that many of the letters asking for sewer installation are not home/land owners on Little Gasparilla Island and I have verified this by looking them up on the Property Appraiser’s website. I have spoken to no one who is in favor of this proposal.

I question the need for the proposed service as well. Mr. Boyer has previously suggested that the Charlotte Harbor “could” have increased algae counts based on an article that examined the water quality in the Indian River Basin on the east coast of Florida. He is now pushing a study, Science Supports a Septic-to-Sewer Conversion

on the Barrier Islands of Charlotte County, Florida by Brian E. Lapointe, Ph.D. Ironically, most of Dr. Lapointe's work has been on the east coast of Florida including the Indian River Basin and in the Keys. His research is severely flawed in that it attributes all of the algal blooms, etc. in Charlotte Harbor to septic tanks. If Dr. Lapointe were to look a few miles east he would see the discharges from Lake Okeechobee into the Charlotte Harbor. These same discharges have been directly linked to algal blooms and Red Tide in the Gulf of Mexico. Other than this report, and another one which he was paid to complete by the Charlotte County Commission, there is no direct link from those blooms back to septic systems. This is an example of poor research based on a wrong hypothesis. Additionally, as a medical provider, I value research that is published in peer-reviewed journals where validity is therefore assured. I do not see where any of Dr. Lapointe's articles are in peer reviewed journals. I would like to ask the commission to inquire as to who or whom paid Dr. Lapointe for this study as he does not list his financial agreements in the content of the report.

In addition to his questionable installation practices and dishonest PR campaign, the fees he is proposing, both start up and monthly, are unfathomably high. Mr. Boyer, in his current proposal for this system, has stated that hookup fees will be \$13000 with the expectation that this would be paid up front, in full, by the homeowner. This is an astronomical amount of money to expect homeowners to pay for a project up front, especially one that most of us oppose. This ridiculous start-up cost isn't the only exorbitant financial expectation of the homeowners. There is an additional \$1097 for sewer lateral installation fee (the charge to un the pipe from the road the location of the equipment). The proposed base rate for the sewer is \$107 monthly, and that is if the system is completely unused. The average monthly bill for a homeowner on Little Gasparilla Island for water and sewer if this proposal is approved will be \$183.08. That rate is more than double or even triple what other utility providers are charging. For example, just across the bay in Englewood, the average homeowner bill for both water and sewer is \$48. How can this be considered fair and equitable to homeowners? It simply cannot.

Additional costs are also noted that will lead to further financial hardship for the homeowners. The system proposed by EU requires a separate electric panel, installed by a licensed electrician at the expense of the homeowner to power the pump. There is discussion about the homeowner needing a generator for the system in the event of power disruption. Add to that the cost of tree/brush removal to access the septic area as well as the cost to bring in someone to crush and fill the septic tank. All of these expenses are to be covered by the homeowner in addition to the hookup fees, bringing the actual start-up costs for this project to upwards of \$20K at a minimum. This also does not solve anything. On the graphic below regarding low pressure sewer systems provided on the Charlotte County website, the tank with solid products will still need to be pumped out again at additional cost to the homeowner.



For me personally, having the past experiences with Mr. Boyer that I have had, I am most concerned about the lack of oversight for this project. It is my understanding that there will be no “contract” and no single point of general oversight. Even with highway projects, there are bonds set up to protect the public from someone walking away from a project. EU is not a contractor that has won a bid to install sewer. There is no performance bond required, and we have no single point of recourse in the event of cost overruns or project failure. I would suggest that the PSC conduct a survey of all residents/landowners to ascertain their preferences. My father worked in the paving and excavation business for years. He was never able to walk in with a plan and not have at least one other bid placed to look at whether his proposal was viable and cost effective. Why is this not the policy in this case as well?

Little Gasparilla Island is a beautiful place that many people have grown up calling home. It is a retreat from the hustle and bustle of most other beaches in Florida. For a long time, it was an affordable place to own a home and vacation. My kids grew up visiting here. They learned to fish, swim, star gaze and find shark teeth. My grandkids are starting to do the same. If this new requirement passes, our family will not be able to afford the new system and will likely have to sell, as will other people who have called this place home for decades. Some homeowners will be forced to rent to cover costs or will sell to people who intend to rent, bringing more people and environmental impact to this beautiful barrier island. Mr. Boyer’s proposal has huge negative implications to the people who live here and to the environment. The costs are exorbitant, unnecessary, and frankly only benefit him.

With all of these concerns, I ask the PSC to deny EU’s proposed central sewer system.

Thank you for your time.

William Lee Roberts  
Candace Anderson Roberts

Willie Vance Brewer  
Cathy Marie Brewer

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