



BOARD OF COUNTY COMMISSIONERS

UTILITY SERVICES DEPARTMENT

Permitting Section
2725 Judge Fran Jamieson Way
Building A, Room 213
Viera, Florida 32940

August 16, 2024

VIA CERTIFIED MAIL

Space Florida
Attn: Rob Long, President & CEO
505 Odyssey Way, Suite 300
Exploration Park, FL 32953

Re: Response to Space Florida Letter dated August 13, 2024
Request to Connect to Brevard County's Sykes Creek Wastewater System

Dear Mr. Long,

I am in receipt of your letter dated August 13, 2024, regarding your request to connect to Brevard County's Sykes Creek Wastewater Treatment System. Brevard County Utilities remains committed to working together with Space Florida on the challenges associated with providing adequate wastewater treatment moving forward. During the last 6 years, we have had multiple meetings with Space Florida representatives and other organizations to discuss wastewater needs. Each request made to meet with County staff has been responded to expeditiously. These meetings have included representatives from Space Florida, NASA, Blue Origin and Space X. At each of these meetings initial conceptual discussions were undertaken focused on how to get additional treatment plant capacity. It has always been a goal of the County to be a good partner and supporter to growth within Space Florida. We welcomed a continuation in the dialogue with your staff to develop these initial discussions with hope of partnering on the due diligence needed to make available utilization of our system for short term needs of Space Florida. Regrettably, our experience over these 6 years has been long periods of time lapse between conversations without any follow up and repetition of items discussed during our initial conversations.

Throughout each of the discussions held, including those with Space Florida, the issue of limited treatment capacity has always been discussed. At each of the meetings held I shared that to take the initial conversation to the next step would require a due diligence. This pertains to the understanding what the wastewater quality would be generated from the Federal property and whether it would be compatible with the municipal wastewater treatment plant and the deep

injection well requirements that Sykes Creek is permitted with the Florida Department of Environmental Protection to accept.

Our concern remains expediting any project to meet timelines without this due diligence could leave the County responsible for not meeting State environmental compliance, resulting in State consent orders to the County. If Space Florida wants to continue exploring a request to connect, then I urge this due diligence analysis be coordinated with our office and be completed as soon as possible.

We share a desire to further strengthen a strong partnership between the County and Space Florida. To help move things along, to fast tract any request for an expediated process for connection to our treatment plant, we need to come to an agreement that this request would be short term and not intended to be a permanent solution. Additionally, any needed modifications to the Sykes Creek wastewater treatment plant and its deep injection wells must be paid at no cost to County Utility ratepayers. Our Sykes Creek plant was built with the capacity needed for connections within Merritt Island, not including any Federal property. Per recent State requirements, the State is requiring a plan of eliminating non and point sources of nutrient discharge within any Basin Management Action Plan (BMAP). All of Merritt Island is within a BMAP because of being adjacent to the Indian River Lagoon and Banana River. Currently, projects are underway to complete septic tank-to-sewer connections projects. In three independent reviews of when the Sykes Creek treatment plant will reach capacity, the results vary from 2033 to 2037. None of these reviews incorporated inflow and infiltration as part of the flow projections. As a result, the County is willing to work with Space Florida on the connection to the Sykes Creek Facility to meet short term needs, but Space Florida needs to understand that any long-term partnership needs to look at diverting flows to a future wastewater treatment plant facility in the Port St John region.

Let me take this opportunity to recommend a path forward. In conjunction with the technical due diligence and understanding of investments needing to be made to the County's wastewater system it would benefit us to also begin discussions on an agreement between Space Florida and the County related to the connection. This agreement would need to specify that any infrastructure investment needing to be made would be paid through Space Florida or other sources, not Brevard County Utilities ratepayers. The County Utilities' current 10-year capital improvement program is over \$600M. Much of this will be funded through debt service. Our current rate structure did not incorporate any investment needed for a Space Florida related connection. We also need to identify with whatever additional force main may be needed for Space Florida to connect to our system, and who will be responsible for that force main.

The County is clearly committed to reaching a long-term solution to the important wastewater issues we all face. At the May 17, 2024, meeting held at the Economic Development Commission

(EDC) office, which Space Florida was in attendance, we met with Bill Van Houten, Department of Defense, regarding EDC and the County partnering to submit a Military Installation Resilience (MIR) grant (\$700,000) to develop a plan on providing Space Florida with additional treatment capacity. The Phase 2 study is based on diverting flows from the NASA/CCSFS to a new facility in Port St John. This is a continuation to the initial report developed by Black & Veatch for the EDC dated June 28, 2023. It was the intent of our office to utilize this Phase 2 report to accomplish some of the due diligence and further investigation needed and explained above. County Utilities has shown our commitment to this long-term solution by approving to contribute \$1.717M which, combined with other funding, will fully fund the efforts of this study.

In summary, the County is committed and already actively working on solutions for the long-term needs of Space Florida. We are open to working together to provide Space Florida with a short-term solution. Hopefully the information provided herein clarifies what Brevard utilities believes is needed to continue moving forward with the short-term solution Space Florida is seeking. We welcome meetings on a regular basis to discuss approaches on achieving the goals of Space Florida and Brevard County. We are excited to be a part of a positive community development and growth and look forward to substantive and actionable cooperative efforts in this regard.

Sincerely,



Edward Fontanin
Utility Services Director

cc: Rita Pritchett, District 1 Commissioner
Tom Goodson, District 2 Commissioner
John Tobia, District 3 Commissioner
Rob Feltner, District 4 Commissioner
Jason Steele, District 5 Commissioner
Frank Abbate, County Manager
Morris Richardson, County Attorney
John Denninghoff, Assistant County Manager