

PRESENTATION TO FT. PIERCE PLANNING BOARD – JULY 9 2019

BY: ANNE MARIE BODE (9 HARBOUR ISLE EAST PH-03 AND AMB LAND, 10 HARBOUR ISLE EAST, #306; AND OWNER OF FREEDOM PROPERTY CARE, LLC.)

GOOD EVENING..

MY NAME IS ANNE MARIE BODE, AND I AM THE OWNER OF 2 PROPERTIES IN HARBOUR ISLE EAST FOR ALMOST TEN YEARS. I HAVE LIVED HERE AS A FULL TIME, COMMUNITY INVOLVED RESIDENT FOR 5 OF THOSE YEARS, I AM A SMALL BUSINESS OWNER IN THE CITY OF FT. PIERCE, AND ENJOY LIFE HERE ON SOUTH HUTCHINSON ISLAND .

I HAVE MANY OBJECTIONS TO THE PROPOSED CUMBERLAND FARMS RELOCATION.

THIS EVENING IT IS MY INTENTION TO SPEAK ABOUT LEAKING UNDERGROUND STORAGE TANKS (ALSO KNOWN AS UST'S), AND THE INSURANCE INDUSTRY..

THE FOLLOWING INFORMATION WAS COMPILED BY MYSELF WITH THE ASSISTANCE OF A FELLOW HARBOUR ISLE EAST RESIDENT, DENNIS DEVIVO, A LONG-TIME LICENSED INSURANCE AGENT IN NEW YORK AND FLORIDA; AND AS SUCH HAS FIRST HAND KNOWLEDGE CONCERNING IRREVERSIBLE EFFECTS CONCERNING LEAKING UST'S WITHIN FUELING STATIONS.

THE TECHNOLOGY OF PHYSICAL UNDERGROUND STORAGE TANKS HAS IMPROVED SIGNIFICANTLY OVER THE YEARS, HOWEVER, THE PREVALENT CAUSE OF LEAKS AND INSURANCE CLAIMS REMAINS THE RUBBER SEALS AND PIPING THAT FEED INTO/OUT OF THE TANKS THEMSELVES, REGARDLESS OF HOW THEY ARE STRAPPED DOWN.

THE UST'S WHICH WILL BE LOCATED AT THE PROPOSED CUMBERLAND FARMS WILL BE SEATED IN A 'BOGGY' SUBTERRANEAN ATMOSPHERE. THIS 'SOIL' CONTAINS A HIGH

CONCENTRATION OF SALTY SEAWATER, AS THE WATER TABLE WITHIN THE AREA IS UNAVOIDABLY HIGH. HARBOUR ISLE IS BUILT ON 'FILL', DUG UP DURING THE CONSTRUCTION OF THE INLET, AND THEN BUILT UP BY ADDITIONAL FILL TRUCKED IN TO THE SITE. THIS IS A MUCH DIFFERENT BASE COMPARED TO THE EXISTING CUMBERLAND FARMS AND THE CHEVRON STATION DOWN THE ROAD ON SEAWAY DRIVE.

BECAUSE THE WATER TABLE IS NATURALLY HIGH, AND IS CONTINUALLY CHANGING DUE TO STORMS, TIDES, AND HURRICANES; THE RUBBER SEALS CONNECTING TO THE UST'S ARE SUBJECT TO PREMATURE FAILURE, AS SALT WATER HAS CORROSIVE EFFECTS ON THESE SEALS. ADDITIONALLY, BECAUSE THE SOIL IS SUBJECT TO HIGH WATER TABLES, THE STABILITY OF THE UST'S, PIPING, AND SEALS (DESPITE THE STRAP DOWN CONNECTIONS), MUST BE QUESTIONED, AS THEY MAY SHIFT DUE TO RISING AND FALLING WATER TABLES AND FLOODING, PLACING STRESS ON THE PIPING FROM THE FUEL PUMPS, DOWN THROUGH THE SOIL AND TO THE UST'S. MANY INSURANCE CLAIMS ARE BASED ON THESE FAILURES.

ACCORDING TO THE EPA, A FLOOD CREATES AN ELEVATED LEVEL OF RISK FOR ENVIRONMENTAL DAMAGE FROM UST'S. FOR EXAMPLE, A UST SYSTEMS MAY BECOME DISPLACED AND RELEASE THEIR CONTENTS INTO THE ENVIRONMENT, CAUSING SOIL, SURFACE WATER, AND GROUNDWATER CONTAMINATION.

CASE IN POINT, THE MOST RECENT 2017 DEVASTATION CAUSED WHEN HURRICANE MICHAEL HIT THE FLORIDA PANHANDLE AREA. I URGE YOU ALL TO CONSIDER CAREFULLY THE IMMEDIATE AND LONG TERM EFFECTS OF SUCH A STORM AS IT PERTAINS TO UST'S AND LEAKS.

*.RECENT REPORTS FROM MEXICO BEACH, FLORIDA - WHERE THE UST'S WERE
COMPROMISED DURING HURRICANE MICHAEL:*

TAMPA BAY TIMES MAY 29, 2019: *MEXICO BEACH FLA STILL HAS NO GAS STATION.*

TRAVEL WEEKLY, MAY 30, 2019: *THE NEAREST GAS STATION IS 15 MINUTES AWAY..*

NBC NEWS MAY 29TH, 2019: *THEY (MEXICO BEACH) STILL DOES NOT HAVE A GAS STATION*

*THE ENVIRONMENTAL DEFENSE FUND NOTED THAT FLORIDA RECEIVED MORE THAN \$14
MILLION IN EPA GRANT FUNDING FROM 2012 TO 2016 TO ADDRESS THE PROBLEM. THE EDF
STATES:*

*“EPA SUPPORT IS ESSENTIAL TO FLORIDA PROGRAMS TO MONITOR UST'S, DETECT LEAKS
OF PETROLEUM PRODUCTS, ADDRESS THE CAUSES, REPAIR ANY DAMAGE TO SOIL OR
GROUNDWATER AND HOLD POLLUTERS RESPONSIBLE OR PAY FOR CLEANUP IF THE
RESPONSIBLE PARTY CAN'T BE FOUND OR IS NO LONGER IN BUSINESS”*

*IT IS WORTH NOTING THAT ACCORDING TO THE OIL PRICE INFORMATION SERVICE, THE
WESTBOROUGH, MASS.-BASED CUMBERLAND FARMS HAS RECENTLY HIRED BANK OF
AMERICA TO EXPLORE ITS OPTIONS CONCERNING SALE OF ITS BUSINESS AFTER 80 YEARS AS
AN INDEPENDENT, PRIVATELY OWNED ESTABLISHMENT.*

*IF CUMBERLAND FARMS SELLS, WHO THEN, I ASK, IS RESPONSIBLE IF THERE IS A LEAK?
ONE CAN FORSEE A LOT OF FINGERPOINTING WHILE WE HERE ON SOUTH HUTCHINSON
ISLAND AND THE SHORELINE OF FORT PIERCE ARE SUFFERING THE CONSEQUENCE OF A
FUEL LEAK.*

ACCORDING TO USA TODAY SEPT 5, 2017: *GASOLINE, OIL AND OTHER CONTAMINANTS
THAT THREATEN GROUNDWATER ARE SEEPING FROM THOUSANDS OF UST'S ACROSS*

FLORIDA, BUT THE FEDERAL AID THAT HAS HELPED ADDRESS THE PROBLEM COULD SOON START DRYING UP.

THE TRUMP ADMINISTRATION IS PROPOSING TO SLASH FUNDING FOR THE LEAKING UST PROGRAM BY NEARLY HALF NEXT YEAR — FROM ALMOST \$92 MILLION IN 2017 TO ABOUT \$47 MILLION IN 2018. THE RECOMMENDED CUT IN THE LUST PROGRAM IS PART OF THE PRESIDENT'S PROPOSAL TO REDUCE THE EPA BUDGET BY 31 PERCENT NEXT YEAR.

NO STATE WOULD FEEL THE PINCH MORE THAN FLORIDA, WHERE SOME 10,000 TANKS AND THE UNDERGROUND PIPING SYSTEMS CONNECTED TO THEM HAVE BEEN IDENTIFIED FOR CLEANUP. FLORIDA HAS MORE LEAKING TANKS THAN ANY OTHER STATE, REPRESENTING ABOUT 15 PERCENT OF THE MORE THAN 70,000 TANKS THAT DOT THE NATION.

I ASK YOU TO REFER TO THE FT. PIERCE COMPREHENSIVE PLAN, MAP 1-8: AND LOOK AT THE AREA IN QUESTION.. IT IS LABELED AS A COASTAL HIGH HAZARD AREA.

THE CITY OF FT PIERCE WEB SITE HAS A SECTION LABELED “ FLOOD PROTECTION” .. THERE IS A RED ‘BOX’ THAT BRINGS AN INTERESTING FACT TO OUR ATTENTION.. THE RED BOX SAYS “NEARLY 25% OF FLOOD INSURANCE CLAIMS COME FROM AREAS THAT ARE IN LOW TO MODERATE FLOOD RISK AREAS”.

IT'S OBVIOUS THAT THE CITY OF FT. PIERCE PRIDES ITSELF IN PRESERVING THE WELL BEING OF IT'S RESIDENTS. IN FACT, **THE CITY ORDINANCE CODE SECTION 22-73 CLEARLY STATES THE FOLLOWING: “IT IS THE PURPOSE OF THIS SECTION TO PROTECT THE PUBLIC SAFETY AND WELFARE, AND ENHANCE THE CITY'S BEAUTY AND PROTECT PROPERTY VALUES BY REGULATING THE LOCATION OF FILLING STATIONS AND DESIGN OF NEW OR REMODELED STATIONS.**

THE FORT PIERCE CITY PLANNING COMMISSION HAS A DUTY, AS STATED WITHIN THE COMPREHENSIVE PLAN OF THE CITY OF FORT PIERCE, TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE OF ITS CITIZENS.

ONE CAN ONLY ASSUME THAT THE FACT THAT 2 STATIONS EXIST HERE ON SEAWAY DRIVE IS PROBABLY BECAUSE THEY WERE BUILT SO LONG AGO, AND AT THE TIME THE BUILDING PERMITS WERE GRANTED THESE IMMINENT HAZARDS WERE NOT FULLY UNDERSTOOD.

PERHAPS WE CAN'T DO ANYTHING ABOUT THEIR EXISTENCE. TODAY WE CAN MAKE INFORMED DECISIONS CONCERNING THE FUTURE LOCATIONS OF FUEL STATIONS. YOU, MUST CONSIDER THE HEALTH, SAFETY, AND WELFARE OF OUR RESIDENTS, AND ONLY APPROVE NEW FUEL STATIONS WHICH ARE BUILT OUT OF HARMS WAY, SPECIFICALLY US1 OR WEST OF US1.

BASED ON THE ISLANDS' HISTORY OF HURRICANE DAMAGE COUPLED WITH THE UNDERSTANDING THAT WE WILL INEVITABLY BE HIT BY FUTURE STORMS, ON BEHALF OF THE SOUTH HUTCHINSON ISLAND PRESERVATION GROUP, I IMPLORE THE FORT PIERCE CITY PLANNING COMMISSION TO DENY THE APPLICATION BY CUMBERLAND FARMS OR ANY FUTURE FUEL STATION APPLICANT WHEN THE APPLICATION IS FOR A NEW FUEL STATION PROPOSED IS TO BE LOCATED HERE ON SOUTH HUTCHINSON ISLAND.

