

PREFILED TESTIMONY OF BENNIE T. SHOEMAKER

1 Q. Please state your name and business address.

2 A. Bennie T. Shoemaker, 2295 Victoria Avenue, Suite 364, Fort Myers,
3 Florida 33901.

4 Q. Please state a brief description of your educational background and
5 experience.

6 A. I have a B.S. in Civil Engineering from the University of Iowa, and 15.5
7 years of permitting experience.

8 Q. By whom are you presently employed?

9 A. I am employed by FDEP.

10 Q. How long have you been employed with FDEP and in what capacity?

11 A. Fifteen and a half years as a permitting engineer.

12 Q. What are your general responsibilities at the FDEP?

13 A. My responsibilities include the processing of permit applications,
14 issuance of permits/denials, and responding to governmental agencies.

15 Q. Are you familiar with the Florida Cities' Waterway Estates wastewater
16 system located in the Lee County?

17 A. Yes.

18 Q. Was this system inspected by you, or by FDEP staff under your
19 supervision?

20 A. Yes. I have inspected this system.

21 Q. Are any of the tanks or facilities at the treatment plant hydraulically
22 capable of handling a greater flow in excess than the requested permit
23 capacity of the 1.25 MGD plant now under construction?

24 A. Yes, based on FDEP files for Waterway Estates, present construction
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1 | permit number DC36-237227, the entire facility is hydraulically capable of
2 | handling 1.5 MGD which is the build-out capacity of the Waterway Estates
3 | franchise area. This facility is currently being limited to 1.3 MGD due to
4 | constraints on disposal capacity for the reuse system.

5 | Q. Can any of the tanks or facilities be re-rated at a greater capacity
6 | after historical data is presented showing a higher hydraulic capability?

7 | A. This is not known. The current permit number DC36-237227 is for 1.5 MGD
8 | which addresses the franchise area build-out for the Waterway Estates
9 | facility. However, if a detailed engineering study were performed by the
10 | utility's professional engineer that demonstrates that the facility is capable
11 | of handling a higher hydraulic load in compliance with applicable Section 62-
12 | 600.300(1) to (4)(t), F.A.C., a re-rating may be granted. The project
13 | applicant must submit a permit application with applicable fees and
14 | documentation that demonstrates compliance with DEP rules and Technical
15 | Guidance Manuals.

16 | Q. Has Florida Cities requested re-ratings of plant components in the past?

17 | A. Yes, although it is not certain for which facilities the utility has
18 | requested a re-rating of the plant components.

19 | Q. Were any re-ratings approved by the DEP?

20 | A. Yes. All re-ratings must be approved by the DEP based upon the
21 | satisfaction of the requirement contained in Section 62-600.300 Technical
22 | Guidance Manuals.

23 | Q. Is it likely that if Florida Cities meets criteria set forth by the DEP
24 | and demonstrates that its Waterway Estates plant can treat a greater hydraulic
25 | flow than 1.25 mgd and still achieve treatment standards, that a re-rating

1 | would be approved?

2 | A. Yes. Current construction permitted capacity for Waterway Estates is
3 | 1.5 MGD to accommodate future build-out of the facility's franchise area.

4 | Q. What criteria does the DEP have addressing plant re-ratings?

5 | A. DEP criteria for permit review is in Section 62-600.300(1) to (4)(t),
6 | F.A.C., General Guidance Manuals.

7 | Q. Does this conclude your testimony?

8 | A. Yes.

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