

*DOCKET NO.:* 020745-WS - Application for Certificate  
to Provide Wastewater Service in Charlotte County by  
Island Environmental Utility Inc.

*WITNESS:* Direct Testimony of David A. Tomasko, Ph.D.  
Appearing on Behalf of the Staff of the Florida Public  
Service Commission.

*DATE FILED:* December 15, 2003

DOCUMENT NUMBER DATE

13021 DEC 15 8

FPSC-COMMISSION CLERK

1 DIRECT TESTIMONY OF DAVID A. TOMASKO, Ph.D.

2 Q. Please state your name and business address.

3 A. David A. Tomasko, Ph.D., Southwest Florida Water Management District,  
4 7601 Highway 301 North, Tampa, Florida 33637.

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

7 A. B.S. in Biology from Old Dominion University. M.S. in Biology from  
8 Florida Institute of Technology. Ph.D. in Biology from the University of  
9 South Florida. Post-doctoral fellowship at the University of Texas Marine  
10 Science Institute.

11 Q. By whom are you presently employed?

12 A. The Southwest Florida Water Management District (SWFWMD).

13 Q. How long have you been employed with the SWFWMD and in what capacity?

14 A. I have been employed by the SWFWMD for 13 years. I began employment by  
15 the Sarasota Bay National Estuary Program (SBNEP), the program was  
16 administered by the SWFWMD, thus making me an actual employee of the SWFWMD  
17 since 1990. In 1984, I began working as a biologist. In 1995, I started  
18 working half time with the SBNEP and half time with the SWFWMD. In 1997, I  
19 started working full time for the SWFWMD.

20 Q. What are your general responsibilities at the SWFWMD?

21 A. My responsibilities include coordinating and/or conducting work for  
22 developing pollutant loading assessments, water quality monitoring projects,  
23 and the development of pollutant load reduction goals in the Surface Water  
24 Improvement Management priority water bodies such as Tampa Bay, Sarasota Bay,  
25 Lemon Bay and Charlotte Harbor.

1 Q. Can you summarize the purpose of your testimony?

2 A. Island Environmental Utility, Inc. (Island) plans to serve Knight  
3 Island, Don Pedro Island and Little Gasparilla Island. My testimony will  
4 include a discussion of the SWFWMD's 1999 Technical Report and the latest  
5 study of this area, the classification of Lemon Bay and comments on the Lab  
6 report from Sanders Laboratories, Inc. (Sanders Lab) listed as Exhibit LBB-2  
7 of Ms. Bamfield's testimony.

8 Q. Are you familiar with application of Island proposed wastewater system  
9 in Charlotte County?

10 A. Only to the extent that they propose to provide central wastewater  
11 collection service to Knight Island, Don Pedro Island and Little Gasparilla  
12 Island.

13 Q. Are you familiar with the SWFWMD's 1999 Technical Report?

14 A. Yes.

15 Q. Can you comment on the test results from the SWFWMD's 1999 Technical  
16 Report?

17 A. The report included two relevant reports that were funded and carried  
18 out by District staff, with assistance from faculty and staff from the  
19 University of South Florida. These reports focused on an assessment of  
20 pathogen abundances in nearshore waters of Charlotte County. The report found  
21 several areas where indicator bacteria (i.e., fecal coliform bacteria) were  
22 elevated above established thresholds for protecting human health. A  
23 potential link between contaminated surficial groundwater in areas of high  
24 septic tank densities was investigated. The report also found that indicators  
25 that were more specific to humans as a point of origin (enteroviruses,

1 enterococci bacteria) were typically elevated in these same locations.

2 Q. Has the SWFWMD conducted any recent studies for contaminants, such as  
3 fecal coliform bacteria, in the Lemon Bay area?

4 A. The District does not sample for indicator bacteria in either Charlotte  
5 Harbor or Lemon Bay. Recent work in Lemon Bay (2001 paper in the journal  
6 "Estuaries") focused on the potential role of stormwater runoff, baseflow,  
7 rainfall and septic tank systems on the nitrogen loads coming into Lemon Bay.  
8 Stormwater runoff was the primary source of nitrogen loads to the bay.

9 Q. Can you explain how the waters of Lemon Bay are classified in terms of  
10 shellfish harvesting?

11 A. The waters of Lemon Bay from Forked Creek down to the Charlotte County  
12 line are classified as Class II waters, meaning they are conditionally  
13 approved for shellfish harvesting and consumption.

14 Q. What are water quality standards for fecal coliform bacteria for  
15 harvesting and consumption of shellfish for Class II waters?

16 A. The water quality standards for fecal coliform bacteria for Class II  
17 standards are the median value cannot exceed fourteen (14) colony forming  
18 units (cfu) per 100 milliliters (ml) of water; not more than 10% of values can  
19 exceed forty-three (43) cfu/100 ml, and no value can exceed 800 cfu/100 ml.

20 Q. Can you describe the test results used by Sanders Lab, which was listed  
21 as Exhibit LBB-2 of Ms. Bamfield's testimony?

22 A. The results from Sanders Lab that were sent to me have a reported  
23 detection limit of 100 cfu/100 ml for fecal coliform bacteria. A level of 100  
24 colony forming units (cfu) per 100 ml is above the level considered safe for  
25 consumption of shellfish. The "never to exceed" value for bodily contact

1 (Class III waters) for fecal coliform bacteria is 800 cfu/100 ml. It is not  
2 known if samples had levels of 1 cfu/100 ml (safe for swimming and shellfish  
3 consumption) or 99 cfu/100 ml (safe for swimming, but not for shellfish  
4 consumption). Laboratory results with a minimum detection limit of 100  
5 cfu/100 ml (such as those presented from Sanders Lab) would only be able to  
6 detect "never to exceed" values for fecal coliform bacteria for Class II  
7 waters. To determine if those portions of Lemon Bay classified as Class II  
8 waters are meeting their designated uses, laboratory results with a detection  
9 limit quite a bit lower than 100 cfu/100 ml would be appropriate. Results  
10 with a lower detection limit might be worth pursuing.

11 Q. Do you have anything further to add?

12 A. No, I do not.

13

14

15

16

17

18

19

20

21

22

23

24

25

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for  
certificate to provide  
wastewater service in Charlotte  
County by Island Environmental  
Utility, Inc.

DOCKET NO. 020745-WS

FILED: December 15, 2003

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Direct Testimony of David A. Tomasko, Ph.D. has been furnished to the following individuals, by U.S. Mail, on this 15th day of December, 2003.

Martin S. Friedman, Esquire  
Rose, Sundstrom & Bentley LLP  
600 S. North Lake Blvd., Ste. 160  
Altamonte Springs, FL 32701

Mr. Daniel Nolan  
156 Bayview Avenue  
POB 23-S4  
Port McNicoll, Ontario L0K 1R0  
Canada

Mr. Ronald A. Koenig  
8006 Lago Vista Drive  
Tampa, FL 33614

Ms. Linda Bamfield  
P.O. Box 5063  
Grove City, FL 34224-0063

Janette S. Knowlton  
Assistant County Attorney  
Office of the County Attorney  
18500 Murdock Circle  
Port Charlotte, FL 33948-1094

  
\_\_\_\_\_  
ROSANNE GERVASI, STAFF COUNSEL

FLORIDA PUBLIC SERVICE COMMISSION  
Gerald L. Gunter Building  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Telephone No. (850) 413-6224  
Facsimile No. (850) 413-6225

I:\020745\Testimony-Tomasko.wpd