

ORIGINAL

MEMORANDUM

MARCH 11, 2004

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COMMISSION
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TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (FLEMING) *KEF*

RE: DOCKET NO. 021256-WU - APPLICATION FOR CERTIFICATE TO PROVIDE WATER SERVICE IN VOLUSIA AND BREVARD COUNTIES BY FARMTON WATER RESOURCES, LLC.

Attached is the DIRECT TESTIMONY OF RICHARD H. BURKLEW on behalf of Commission Staff to be filed in the above-referenced docket.

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FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide
water service in Volusia and Brevard Counties
by Farmton Water Resources, LLC.

DOCKET NO. 021256-WU
DATED: MARCH 11, 2004

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT TESTIMONY OF
RICHARD H. BURKLEW on behalf of The Florida Public Service Commission has been
furnished to the following, this 11th day of March, 2004:

Rose Law Firm
Marshall Deterding, Esquire
John Wharton, Esquire
2548 Blairstone Pines Way
Tallahassee, FL 32301

Brevard County
Scott Knox
2725 Judge Fran Jamieson Way
Viera, FL 32940

St. Johns River Water Mgt. District
Mary Ellen Jones, Esquire
P. O. Box 1429
Palatka, FL 32178

Rich Burlew, P. G.
St. Johns River Water Mgt. District
525 Community College Parkway, S. E.
Palm Bay, FL 32907

de la Parte Law Firm
Edward P. de la Parte, Jr.
P. O. Box 2350
Tampa, FL 33601-2350

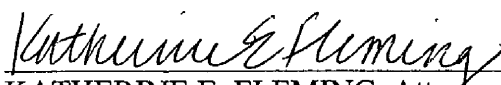
Farmton Management, LLC
410 North Michigan Avenue
Room 590
Chicago, IL 60011

Farmton Water Resources, LLC
1625 Maytown Road
Osteen, FL 32764

City of Titusville
555 South Washington Avenue
Titusville, FL 32796-3584

Charles Gauthier, AICP
Dept. of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399

Volusia County
William Bosch
123 W. Indiana Avenue
DeLand, FL 32720-4613


KATHERINE E. FLEMING, Attorney
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6218

DOCKET NO. 021256-WU – Application for certificate to provide water service in Volusia and Brevard Counties by Farmton Water Resources, LLC

WITNESS: **Direct Testimony of Richard H. Burklew**, representing the St. Johns River Water Management District, appearing on behalf of the Staff of the Florida Public Service Commission

DATE FILED: March 11, 2004

DOCUMENT NUMBER-DATE

03386 MAR 11 2004

FPSC-COMMISSION CLERK

DIRECT TESTIMONY OF RICHARD H. BURKLEW

1 |
2 | Q. Please state your name and business address.

3 | A. My name is Richard H. Burklew, Jr. My business address is 525 Community College
4 | Parkway, S. E., Palm Bay, Florida 32309.

5 | Q. By whom are you employed?

6 | A. I am employed by the St. Johns River Management District (SJRWMD) as a
7 | Supervising Regulatory Hydrologist in the Division of Water Use Regulation in the Palm Bay
8 | Service Center.

9 | Q. Could you please summarize your educational background and work responsibilities?

10 | A. I graduated from the University of Florida in 1984 with a Bachelor of Science degree
11 | in Geology and in 1988 with a Master of Science degree in Geology. I have about 18 years of
12 | experience as a geologist and hydrogeologist and am a registered professional geologist.
13 | Please see Exhibit RHB-1 for a more detailed description of my current responsibilities, work
14 | history, and related experience.

15 | Q. What is the purpose of your testimony in this proceeding?

16 | A. To provide relevant information for the Public Service Commission (PSC) concerning
17 | the Farnton application.

18 | Q. Does Farnton currently have a consumptive use permit (CUP) with the SJRWMD?

19 | A. No. None of the wells or the minimal current water use on Farnton's site requires a
20 | CUP as provided in Rule 40C-2.041, Florida Administrative Code.

21 | Q. Would Farnton need to obtain a CUP to provide bulk raw water from wells in its
22 | proposed service territory?

23 | A. Yes, if the quantity to be provided would exceed one of the CUP thresholds. Under
24 | Rule 40C-2.041(1), Florida Administrative Code, the SJRWMD requires a CUP for any of the
25 | following:

- 1 (a) Average annual daily withdrawal exceeding one hundred thousand (100,000)
2 gallons average per day on an annual basis.
- 3 (b) Withdrawal equipment or other facilities which have a capacity of more than
4 one million (1,000,000) gallons per day.
- 5 (c) Withdrawals from a combination of wells or other facilities, having a combined
6 capacity of more than one million (1,000,000) gallons per day.

7 Q. Has Farnton applied for a CUP for the bulk raw water wells in its proposed service
8 territory?

9 A. No. The SJRWMD has not yet received an application from Farnton for a CUP. The
10 SJRWMD is aware of Farnton's PSC application, but the SJRWMD has been given no
11 indication of when, or if, Farnton will apply for a CUP to get legal authorization for the wells
12 and water use noted in the PSC application.

13 Q. Has any other entity applied for a CUP for bulk raw water wells within the area
14 Farnton has requested to serve?

15 A. Yes. The City of Titusville (City) applied to modify its existing CUP (#10647) on
16 March 9, 2001. The City proposed to install fifteen (15) wells within the right-of-way of an
17 abandoned Florida East Coast Railway line that lies within a portion of Farnton's property.
18 The City has requested an average daily withdrawal rate of 6.5 mgd from those 15 proposed
19 wells.

20 Q. What is the status of that application?

21 A. The City's CUP application is pending.

22 Q. What are the SJRWMD's concerns regarding the City's CUP application to install bulk
23 raw water wells and withdraw water from those wells?

24 A. The surficial aquifer and Upper Floridan Aquifer in this area are locally recharged by
25 rainfall and have limited quantities of good quality ground water available. Excessive

1 pumping can draw down the water table to the point where nearby wetlands can be adversely
2 impacted or induce salt water upcoming which degrades the water quality of the upper
3 Floridan aquifer.

4 Q. Would the SJRWMD have the same concerns if Farnton applies for a CUP?

5 A. Yes. The proposed wells are in the same area and hydrogeologic setting.

6 Q. Does this complete your testimony?

7 A. Yes, it does.

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RESUME

Richard H. Burklew, Jr.
4306 Hield Road
Palm Bay, Florida 32907

(321) 984-8496

EDUCATION Master of Science, Geology – University of Florida (1988) Thesis entitled *The Hydrogeologic System of Trail Ridge Above the Basal Clays Near Folkston, Georgia.*

Bachelor of Science, Geology – University of Florida (1984)

CERTIFICATION Professional Geologist , License No. 1453
State of Florida

EXPERIENCE Supervising Regulatory Hydrologist, SJRWMD, November 2002 to present. Currently supervise a consumptive use permitting and compliance staff of six in the Palm Bay Service Center. Our staff are responsible for permit review and compliance in Brevard, Indian River, Osceola, Okeechobee, and Volusia counties and also well construction oversight in all the above mentioned counties except Volusia. In addition to supervision and training duties, I have served on the Technical Advisory Committee (TAC) for injection well projects. I also have served on the Reuse Coordinating Committee, been called upon as an expert witness on several occasions, and am responsible for reviewing and making recommendations on the more complicated CUP applications in our area.

Hydrologist IV, SJRWMD, June 1995 to December 2002. Same duties as described above.

Hydrologist PE/PG, SJRWMD, October 1993 to June 1995. Same duties as described above except our office was not responsible for permit reviews in Volusia County or the Orlando area.

Hydrologist III, SHRWMD, October 1991 to October 1993. Same duties as described above except a reduced staff of four was supervised.

Consulting Hydrogeologist, RGS (USA) Minerals Inc., January 1990 to September 1991. Independent groundwater consultant responsible for heavy mineral mine feasibility studies in Virginia and North Carolina. Work involved supervision of a water quality sampling program; regional water resources investigations including water

budget determinations, well design and installation, aquifer testing and evaluation, and water table contour mapping; analytical modeling; and environmental permitting.

Principal Hydrogeologist, Integrated Environmental Solutions, Inc., June 1989 to January 1990. Water supply department manager/marketer. Project manager for mine plan hydrogeologic investigations.

Hydrogeologist III, G. Warren Leve, Inc., December 1988 to June 1989. Project manager of a pre-purchase environmental assessment, a groundwater monitoring plan for a wastewater treatment plant, a groundwater consumptive use hydrogeologic investigation, and numerous groundwater contamination assessments.

Contract Geologist, E. I. DuPont de Nemours, September 1986 to October 1988. Responsibilities included water table monitoring, water quality sampling, well design and installation, aquifer testing, data analyses, and geologic characterization of heavy mineral placer deposits.

Exploration Geologist, E. I. DuPont de Nemours, Cooperative Education Program, May 1985 to August 1986. Responsible for direction of a drilling program to characterize a heavy mineral placer deposit. Work included logging drill cuttings, locating and supervising the installation of monitor wells, conducting various laboratory analyses of samples collected, geologic mapping, and ore reserve calculations.

PERSONAL

Born January 19, 1962. Married with three children.

REFERENCES

Available upon request.