

# **Exhibit L**

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA CLARA

**CERTIFIED  
TRANSCRIPT**

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)  
) Santa Clara  
ANTELOPE VALLEY GROUNDWATER CASES, ) Case No.  
) 1-05-CV-049053  
) VOLUME IV

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TRIAL TESTIMONY OF JOSEPH SCALMANINI  
THURSDAY, JANUARY 13, 2011  
WALNUT CREEK, CALIFORNIA

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TRIAL TESTIMONY OF JOSEPH SCALMANINI,  
taken at 2001 North Main Street, Suite 390,  
Walnut Creek, California, commencing at  
10:30 a.m., Thursday, January 13, 2011,  
before Janis L. Jennings, Certified Shorthand  
Reporter No. 3942, CLR, CRP.

1 MR. ZIMMER: Relevance.

2 THE WITNESS: Okay. There are seven  
3 appendices labeled A through G. A is a short  
4 summary of who the preparers of the report are.

5 B is entitled "Geology and Aquifer 13:32:26  
6 System-Additional Geologic Cross Sections," and  
7 it's, for lack of a better term, a repository for  
8 those geologic cross sections which were not used  
9 for main report purposes; mainly in the main body of  
10 the report. 13:32:48

11 The bibliography that we discussed at  
12 some length as Exhibit 100 is also contained in  
13 Appendix B.

14 And -- oh, and you asked about preparers.  
15 And so our office is responsible for those 13:33:05  
16 additional geologic cross sections and the  
17 preparation of the bibliography that's contained  
18 in Appendix B.

19 Appendix C is entitled "Precipitation  
20 Runoff and Natural Groundwater Recharge" and was 13:33:19  
21 prepared by Tim Durbin.

22 Appendix D, "Land Use Water Requirements  
23 and Water Supplies" discusses those topics which we  
24 talked about with various exhibits over the last  
25 couple of days and was prepared by us. 13:33:35

1 Appendix E is entitled "Groundwater Levels  
2 Storage and Natural Recharge" and was prepared by  
3 Mark Wildermuth.

4 Appendix F is entitled "Sustainable  
5 Groundwater Basin Yield" and was prepared by us. 13:33:52

6 And Appendix G is entitled "Recycled  
7 Water" and was prepared by Pete Leffler in its  
8 original form which extended through 2005 and  
9 updated by us through 2009.

10 BY MR. DUNN: 13:34:12

11 Q. Mr. Scalmanini, when you use the term  
12 "us," who are you referring to?

13 A. Luhdorff & Scalmanini Consulting  
14 Engineers.

15 Q. That's your engineering firm, obviously? 13:34:20

16 A. That's correct, yes.

17 Q. All right. Now, in the body of the report  
18 itself, Exhibit 101, is it divided into chapters?

19 A. Yes.

20 Q. Okay. And my question for you, sir, is: 13:34:30  
21 Who are the author -- who is the author or authors  
22 of each of the chapters indicated in Exhibit 101?

23 A. Well, there are -- well, I'll just walk  
24 through them. The introduction, a -- I'll say a  
25 first and a final draft of that chapter were written 13:34:53

1 that would collect domestic wastewater from  
2 typically inside water use; meaning inside the  
3 house, and routed to a wastewater treatment plant.

4 And then ultimately -- and we also looked  
5 at measured deliveries of water supply to M&I 13:54:34  
6 entities, or by M&I entities and/or purveyors, and  
7 then metered inflows and outflows at wastewater  
8 treatment plants to ultimately conclude that  
9 approximately 70 percent of the publicly-served  
10 areas in the valley are also served by sewer 13:54:57  
11 agencies that would route wastewater to treatment  
12 plants.

13 So we analyzed looking at water use  
14 records on a month-by-month basis how much water is  
15 approximately used inside the house versus how much 13:55:15  
16 water is used for landscaping or irrigation purposes  
17 outside the house and estimated return flows from  
18 the irrigation outside of the house. And in the  
19 case of sewerred entities, routed all the inside  
20 water used to a sewer and to a wastewater treatment 13:55:31  
21 plant from which it was then treated, you know, as  
22 ultimately recycled water or treated wastewater.

23 For the non-sewerred areas then we  
24 considered those to be served by so-called onsite  
25 waste treatment systems, individual onsite waste 13:55:51

1 treatment systems.

2 Q. Like a septic tank?

3 A. Yeah. In fact, you took the words out  
4 of my mouth. Yeah, basically a septic tank and  
5 leach field combination. Which means that assuming 13:56:03  
6 outside water use is the same as it is in sewerred  
7 areas, that a fraction of that water would route as  
8 deep percolation back to the water table. But the  
9 inside water use instead of being routed to a sewer  
10 is routed to a septic tank and in turn flows to a 13:56:17  
11 leach field which constantly recharges the ground,  
12 or the groundwater.

13 And so based on an interpretation of how  
14 much water arrives at wastewater treatment plants,  
15 et cetera, and looking at monthly distribution of 13:56:32  
16 water use, we concluded that about 45 percent of all  
17 water use in the Antelope Valley is used inside the  
18 house and about 55 percent is used outside the  
19 house.

20 And so in the case of onsite waste 13:56:47  
21 disposal systems, we took that 45 percent inside  
22 water use, in effect routed it to a septic tank and  
23 in turn to a leach field and deep percolated it to  
24 the ground.

25 So if you take -- or into the ground. 13:57:00

CERTIFICATE OF REPORTER

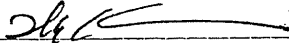
I, JANIS L. JENNINGS, a Certified  
Shorthand Reporter of the State of California, do  
hereby certify:

That the foregoing proceedings were taken  
before me at the time and place herein set forth;  
that any witnesses in the foregoing proceedings,  
prior to testifying, were placed under oath; that a  
verbatim record of the proceedings was made by me  
using machine shorthand which was thereafter  
transcribed under my direction; further, that the  
foregoing is an accurate transcription thereof.

I further certify that I am neither  
financially interested in the action nor a relative  
or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date  
subscribed my name.

Dated: January 25, 2011

  
Gail E. Kennamer, CSR No. 4583

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