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EXEMPT FROM FILING FEES
[Gov. Code, § 6103]

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

11
12 **Coordination Proceeding
13 Special Title (Rule 3.550(c))**

14 **ANTELOPE VALLEY GROUNDWATER
15 CASES**

Included Actions:

16 **Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.
17 Superior Court of California County of Los
Angeles, Case No. BC 325 201**

18 **Los Angeles County Waterworks District
19 No. 40 v. Diamond Farming Co.
Superior Court of California County of
20 Kern, Case No. S-1500-CV-254-348**

21 **Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
22 Lancaster, Diamond Farming Co. v.
Palmdale Water Dist. Superior Court of
23 California, County of Riverside,
consolidated Actions, Case Nos. RIC 353
24 840, RIC 344 436, RIC 344 668**

25 **AND RELATED ACTIONS.**
26

Judicial Council Coordination
Proceeding No. 4408

Santa Clara Case No. 1-05-CV-049053

**DECLARATION OF JEROME R.
MARCOTTE P.E. ON BEHALF OF
STATE OF CALIFORNIA,
DEPARTMENT OF TRANSPORTATION
PURSUANT TO CASE MANAGEMENT
ORDER FOR PHASE IV TRIAL**

[Assigned for All Purposes to the Honorable
Jack Komar]

Trial Date: May 28, 2013

OSC re: Approval of Stipulations:
March 15, 2013

Time: 9:00 a.m.
Dept: 1

Action Filed: October 26, 2005

1 I, JEROME R. MARCOTTE P.E. declare as follows:

2 1. I am a Senior Sanitary Engineer for the California Department of Transportation
3 (Caltrans), an agency of the State of California, one of the parties hereto. I have a Bachelor of
4 Science degree in Civil Engineering from Worcester Polytechnic Institute in 1978. I am
5 employed in the Office of Electrical, Mechanical, Water and Wastewater Engineering of the
6 Division of Engineering Services of Caltrans. I have been employed in that position since July
7 2005. Prior to that position, I held the position of Senior Transportation Engineer with Caltrans
8 from March 2000 through June, 2005.

9 2. I am a Registered Civil Engineer in the State of California and I have more than seven
10 years of experience calculating water demand for rest areas, maintenance stations and other
11 transportation facilities across the State. I am authorized to make this declaration for and on
12 behalf of Caltrans. If called as a witness, I could and would competently testify to the
13 information set forth in this declaration.

14 3. Caltrans is one of ten State agencies that own property within the Antelope Valley
15 Adjudication Area. This declaration is made on behalf of Caltrans only.

16 4. Caltrans owns, occupies or controls significant land holdings in the Antelope Valley
17 Adjudication Area, including State Highways 14, 58 and 138 on which water is used for highway
18 maintenance. State parcel numbers or other identifying descriptions have been provided in the
19 Declaration of Nancy Escallier, a Right of Way Agent for Caltrans, for these significant land
20 holdings. In addition, the following are specific properties in the Adjudication Area for which
21 ownership information has been provided in the Declaration of Nancy Escallier:

22 A. Boron Safety Roadside Rest Areas (SRRAs) (Eastbound and Westbound), Highway
23 58 PM 138.917 (232-022-1136, 232-022-1137), Boron, District 9, State's parcel number 1136 and
24 1137.

25 B. Claymine Road Overcrossing, Boron, District 9, State's parcel number 1625.

26 C. Rosamond Interchange, District 9, State's parcel number 976, 977, 978, 979, 980,
27 981, 982, 983, 1000, 1001, 1002, and 1003.
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1 D. Lancaster Maintenance Station, 44023 Sierra Highway, Lancaster (3132-140-091),
2 District 7.

3 E. Little Rock Wash, Mitigation Parcels, Highway 138 at PM 52.5 (3050-009-014 and
4 3050-009-021), District 7, State's parcel number 76357 and 76359.

5 F. Lancaster Park and Ride, 1601 K Ave. & SR 14, District 7.

6 G. Palmdale Park and Ride, District 7, State's parcel number 69396.

7 5. Caltrans owns three wells within the Adjudication Area and pumps groundwater
8 from these wells. The uses of the water at these properties include domestic use for visitors,
9 landscaping, safety and highway maintenance.

10 6. The **Boron SRRAs (Eastbound and Westbound)** maintain two active wells. In
11 order to determine present water usage for 2012, I utilized and estimated, along with a consultant
12 and other staff at Caltrans, water demand estimates for the Boron SRRA .

13 7. With respect to water usage for toilets, urinals, sinks, and drinking fountains, I
14 utilized an estimated water demand ranging from 2.5 to 5 gallons per person per visit for the years
15 of 2003-2008 and 1.54 to 3.76 gallons per person per visit for 2009-2012. Utilizing an Eastbound
16 (EB) Ramp average daily traffic (ADT) count of 790 vehicles per day or 634,370 vehicles/yr for
17 data collected in 2003, the water usage was calculated at approximately 4,433 gallons per day or
18 4.97 acre feet/year for the time period of 2003-2008 and 2,750 gallons per day or 3.08 acre
19 feet/year for the time period of 2009-2012. Utilizing a Westbound (WB) Ramp ADT count of
20 640 vehicles per day or 327,040 vehicles/year, the water usage was calculated at approximately
21 3,639 gallons per day and 4.08 acre feet/ year for the time period of 2003-2008 and 2,276 gallons
22 per day and 2.55 acre feet/ year for the time period of 2009-2012. I estimated that the water
23 usage for toilets, urinals, sinks and drinking fountains per year was approximately 9.05 acre
24 feet/year for the time period of 2003 and 5.63 acre feet/year for the time period of 2009. (Exhibit
25 1) Escalating this amount by 2.5 percent per year, the water use was 10.23 acre feet/year in 2008
26 and in 2012 the estimated water use was 7.03 acre feet/year.

1 8. With respect to water use for landscaping (i.e. sprinkler system usage) at the Boron
2 SRRAs, I reviewed and agreed with calculations from R. Steve Miller, District Landscape
3 Architect. He calculated water use by adding each sprinkler station in gallons per minute. The
4 total usage is 2,571,480 gallons per year (0.13368 cubic ft/gallon)/ (43,560 cubic ft/acre foot). He
5 calculated the water use for landscaping at approximately 8 acre feet per year.

6 9. The visitation estimates at Boron SRRAs were determined as follows: In 2003,
7 Caltrans Traffic Data Branch conducted and published the traffic counts at the Boron SRRAs.
8 From these counts, the average daily traffic counts were 640 for WB and 790 for EB and were
9 multiplied by 365 days/year to obtain EB and WB vehicle totals/year. The total vehicles/year
10 were then multiplied by 1.4 person/vehicle (SRRA Wastewater Data Needs and Collection
11 Interim Report, Document No. CTSW-RT-12-282.XX.1D, Caltrans, June 1, 2012) to get the total
12 estimated people/year for each direction.

13 10. The total water use estimate for the Boron SRRAs for 2008 is approximately 18.23
14 acre feet/year and for 2012 is approximately 15.03 acre feet/year. This estimate is based upon the
15 number of visitors, toilets, urinals, sinks and drinking fountains as well as the amount of
16 landscaping necessary for visitors. Utilizing an escalated 2012 water demand estimate for the
17 Boron SRRA based upon 2.5% growth per year, I estimate that the 2012 water demand will
18 increase by 7.36 acre feet/year to approximately 22.39 acre feet/per year in 2041. Utilizing an
19 escalated 2008 water demand estimate for the Boron SRRA based upon 2.5% growth per year, the
20 escalated water demand will increase by 10.88 acre feet/year to approximately 29.11 acre feet/per
21 year in 2041.

22 11. Substantially all the water used at the Boron SRRAs is discharged to the ground
23 onsite and returned to the groundwater aquifer either by irrigation or sewage leachfields.

24 12. **Claymine Road Overcrossing** in District 9 has a well located within the freeway
25 right of way in the area between the westbound lanes and the westbound onramp at Claymine
26 Road overcrossing on Route 58 at approximately post mile 131.8. Caltrans Maintenance uses the
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28

1 well located at the Claymine Road Overcrossing to provide water for roadway and roadside
2 maintenance activities, and fire and dust suppression.

3 13. With respect to the amount of water used at the Claymine well, I reviewed and agreed
4 with the estimate prepared by John Fox, District Maintenance Engineer, a Registered Civil
5 Engineer in the State of California with over 24 years of experience at Caltrans. Maintenance
6 staff fill up a 2,000 gallon truck mounted water tank for landscape irrigation and dust control.
7 The water use is estimated at 5 water trucks per day for 20 days a year generating 200,000 gallons
8 or 0.61 acre feet/year in 2012.

9 14. **Boron SRRAs and Claymine Road Overcrossing:** The estimate of water use at
10 Boron SRRAs and Claymine Road Overcrossing in District 9 is approximately 18.84 acre
11 feet/year for 2008 and 15.64 acre feet/year for 2012.

12 15. **Rosamond Interchange:** The water usage numbers for two meter locations at the
13 Rosamond Interchange for landscaping irrigation for 2012 from the Rosamond Community
14 Service District were 109 units/year (748 gallons per unit) or 0.25 acre feet/year and 95 units/year
15 or 0.2 acre feet/year for a total of 0.45 acre feet/year. (Exhibit 3). All records prior to 2012 were
16 purged by the Community Service District.

17 16. **The Little Rock Wash Mitigation Parcels,** District 7, within Route 138 do not
18 currently require water, but historically, the parcels were part of a Route 138 widening project
19 that was successfully revegetated.

20 17. **Lancaster Maintenance Station,** District 7. The Lancaster Maintenance Station
21 purchases water from the Los Angeles County Water District Waterworks 40 and based upon
22 invoices from February, 2008 through December, 2012, the average amount of water purchased
23 was 1.22 acre feet/year with the following ranges from 2.05 acre feet/year in 2008 to 0.89 acre
24 feet/year in 2009. (Exhibit 2).

1 18. At the present time, it is my understanding that there is no pumping or purchase of
2 water in District 7 at either the Lancaster Park and Ride or the Palmdale Park and Ride, but
3 additional information regarding historic use is still being gathered. .

4 19. Water Usage for 2012: I estimate Caltrans present use of water is 17.31 acre feet for
5 all facilities and property within the Antelope Valley Adjudication Area. The greatest year
6 (2008) of estimated water usage is estimated at 21.34 acre feet/year.

7 20. Caltrans lists above water purchased in lieu of pumping and maintains it has a right
8 to pump that water from the groundwater basin as an overlier, but has chosen to purchase the
9 water in order to preserve the aquifer of an overdrafted basin.

10 21. Caltrans is also claiming future unexercised rights to water in the groundwater basin.
11 Caltrans intends to expand its facilities as needed for increased demand at its SRRAs and future
12 operations at maintenance stations and based upon this expansion seeks an additional 7.36 acre
13 feet per year for the Boron SRRAs for a total of approximately 24.67 acre feet/year based upon
14 2012 usage or 10.88 acre feet per year for the Boron SRRAs for a total of approximately 32.22
15 acre feet/year based upon 2008 usage.

16 22. Caltrans is seeking a water right in the amount of approximately 32.22 acre feet/year
17 of water, including 1.75 acre feet/year for in lieu pumping required for the uses set forth above.

18 23. Caltrans is not claiming return flow credits.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct.

21 Executed on January 31, 2013, in Sacramento, California.

22
23
24 By: Jerome Marcotte

25 JEROME MARCOTTE

26 Senior Sanitary Engineer

27 California Department of Transportation
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