

Exhibit L

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF SANTA CLARA
3

4 **CERTIFIED**
5 **TRANSCRIPT**

6)
7) Santa Clara
8 ANTELOPE VALLEY GROUNDWATER CASES,) Case No.
9) 1-05-CV-049053
10) VOLUME IV
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15 TRIAL TESTIMONY OF JOSEPH SCALMANINI
16 THURSDAY, JANUARY 13, 2011
17 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

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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-sewered 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

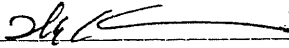
I, JANIS L. JENNINGS, a Certified
Shorthand Reporter of the State of California, do
hereby certify:

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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