

EXHIBIT A

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

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

Continued Deposition of JOSEPH SCALMANINI,
taken at 301 North Lake Avenue, 10th Floor,
Pasadena, California, commencing at 9:29 a.m.,
Tuesday, November 16, 2010, before Janice
Schutzman, CSR No. 9509.

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1 other than saying generally it doesn't turn on and
2 off immediately; right?

3 A. I can't recall the data instantly myself,
4 no. There were piezometers and extensometers
5 installed in the field out there that were monitored 11:49AM
6 for a period of time. I have looked at that. I
7 don't know whether it's being actively monitored
8 today.

9 Q. Right. And that's not my question either.
10 My question is -- 11:49AM

11 A. Okay.

12 Q. -- you do not have any data, as you sit
13 here today, beyond 1992 with regard to subsidence;
14 therefore, as an expert, as an engineer, you cannot
15 say that subsidence has occurred since 1992; 11:49AM
16 correct?

17 A. Not right this second, no.

18 Q. So my statement's correct?

19 A. Today, I'd have to say it's correct, yes.

20 Q. Okay. Going back to the undesirable 11:50AM
21 results, you said level -- water levels declining,
22 storage space declining.

23 Was there anything else in terms of
24 undesirable results that you'd like to add to that
25 list as the basis for your conclusion that the water 11:50AM

1 all and went into the database. So Joe Dokes
2 brought data to the meeting, and it was shared. Joe
3 Dokes's opinions or how he worked on something or
4 what he thought about it all and stuff was treated
5 as privileged. 03:28PM

6 So what I'm struggling with from memory is
7 because Wildermuth did the change in storage from
8 compaction, so that kind of took possession of the
9 subsidence topic in terms of writing it up too.

10 I can't from memory recall, you know, the 03:28PM
11 fate of the active extensometers and piezometers
12 that are associated with those, that were installed
13 by the USGS as part of an investigation and whether
14 that data comes forward in time. I just don't
15 remember. 03:28PM

16 So I intend to go back and look. But it's
17 not part of my chapters, so to speak, you know. So
18 I'm not walking around with it in my memory.

19 Q. So the expert most knowledgeable about
20 subsidence would be Wildermuth; is that correct? 03:29PM

21 A. In terms of testifying experts, yes, but I
22 think, you know, that Andy Malone did a lot of the
23 subsidence-related work within his shop.

24 Q. And so you mentioned the extensometer?

25 A. Plural, more than one. 03:29PM

1 Q. There's more than one extensometer?

2 A. Yes. How many, I don't remember, but I
3 know more than one.

4 Q. And do you know whether they're currently
5 functional?

03:29PM

6 A. That's my point.

7 Q. You don't?

8 A. I don't. Not from memory.

9 Q. You --

10 A. I want to say -- I'm sorry. I probably
11 oughtn't say it on the record, but it seems like
12 there were, you know, budget issues. There was a
13 study. The study, you know, ran out. So, you know,
14 GS staffing was not dedicated to ongoing operation,
15 you know, reading, et cetera, but I'm not sure.
16 That's what I need to go check. It just wasn't on
17 my radar screen, as I said a minute ago, so I'm just
18 not up to snuff on that.

03:29PM

03:30PM

19 Q. But, to your knowledge, the extensometer
20 facilities are at least still there?

03:30PM

21 A. I would be amazed if they weren't
22 because -- I mean, you know, you've seen the dual
23 setup in Chino; right? You've been there?

24 Q. Yeah.

25 A. Yeah. No small effort to remove them.

03:30PM

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1 Q. And why is that? Could you describe an
2 extensometer very briefly, very briefly?

3 A. In effect, like a well, you know, boring
4 into the subsurface, anchored at depth with cables
5 or rods, depending, they're not all the same, you 03:31PM
6 know, over a very sensitive measuring device at the
7 ground surface which can observe, as that whole
8 string moves, what the small movement is.

9 Mr. Wildermuth would probably throw rocks
10 at me for that description, but you said briefly, 03:31PM
11 and so I did it quick.

12 Q. And so to the best of your knowledge, if
13 it's not operational, it's because of funding
14 issues?

15 A. Well, the irony is that it could be 03:31PM
16 operating just fine and nobody is going out to
17 measure anything, you know. I mean, I have
18 experience with that having happened in the
19 Sacramento Valley.

20 So, you know, the topic, although, 03:31PM
21 ironically, most of the subsidence in the Sacramento
22 Valley is elastic, meaning the ground flexes a
23 little bit during the summer, fall, winter as it's
24 pumped and then it relaxes during the irrigation
25 seasons. 03:32PM