

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
FOR THE CENTRAL VALLEY REGION

In the Matter of:

TENTATIVE CEASE AND DESIST
ORDER R5-2015-XXXX FOR VALLEY
WATER MANAGEMENT COMPANY'S
RACE TRACK HILL FACILITY AND
FEE 34 FACILITY, EDISON OIL FIELD,
KERN COUNTY

**DECLARATION OF LARRY BRIGHT IN
SUPPORT OF VALLEY WATER
MANAGEMENT COMPANY'S SUBMISSION**

I, Larry Bright, do hereby declare as follows:

1. The following is based upon personal knowledge except for those matters for which I declare on information and belief. I have personal knowledge of the following facts and am competent to testify as to their truth if called as a witness.

2. I am the manager of Valley Water Management Company ("Valley Water") and have been in this position since 1980. My business address is 7500 Meany Avenue, Bakersfield, California, 93308.

3. I am responsible for operations at Valley Water. My job duties include overseeing day to day operations, compliance and personnel. I have a bachelor's degree from California State University at Fresno.

4. Valley Water is a not-for-profit oilfield produced water storage, management and

1 disposal company, which has served and continues to serve many companies, including small,
2 and in several instances family-owned, independent oil companies in Kern County for almost 33
3 years. The oil companies that utilize and rely upon Valley Water's services at this location
4 include: Atlantic Oil Company; Bud's Oil Company; Hathaway LLC; Morrison Oil Company,
5 LLC; Petro Capital Resources, LLC; Petro Resources, Inc.; Premier Oil Company; Pyramid Oil
6 Company; River Canyon Partners, LP; Sequoia Exploration, Inc.; Sun Mountain Oil and Gas;
7 Vaquero Energy, Inc.; Naftex; and Verjill Oil Company. Valley Water is the only local company
8 available for this service.

9 5. Valley Water has several facilities located in Kern County's oilfields, many that
10 have been permitted for decades; some since the 1950s. Valley Water currently owns and
11 operates the Fee 34 Facility and the Race Track Hill Facility in the Edison Oil Field area in Kern
12 County (together referred to as "Facilities"). These Facilities are regulated and regularly inspected
13 by the Regional Water Quality Control Board for the Central Valley Region ("Regional Board").
14 For the most part, the inspections over the decades have found no violations of the applicable
15 permits for these facilities. However, without Valley Water managing its facilities any differently
16 or dropping out of compliance, the Regional Board changed its inspection and enforcement
17 practices in the mid-2012 and began issuing numerous Notices of Violation ("NOVs") against
18 Valley Water's Facilities in 2013. Where feasible, Valley Water immediately corrected the minor
19 issues raised in those NOVs and provided timely responses to each of the notices.

20 6. The Race Track Hill Facility sits on a 240 acre property and activities there are
21 currently regulated by a Waste Discharge Requirements ("WDR") No. 58-349, a permit which
22 has not been updated for nearly 57 years, since September 18, 1958. Portions of this facility have
23 been in place since the late 1950s. Valley Water worked with the Regional Board to plan this
24 activity and selected boron and salinity-resistant vegetation to allow for irrigation and
25 evapotranspiration of the produced water. Valley Water has been using its sprinkler irrigation
26 system at this facility for decades with no complaints from any neighbors about adverse impacts
27 related to runoff or groundwater.

28 7. Suddenly, in late 2012/early 2013, Valley Water was first told that its irrigation

1 system, which has been in place at the Race Track Facility for nearly six decades, is somehow
2 violating the WDRs. Based on the regulatory and inspection history, and its understanding of the
3 WDR's requirements, Valley Water disagrees that its irrigation practices violate the WDRs or
4 have caused a nuisance or pollution. However, Valley Water voluntarily committed to undertake
5 the studies necessary to compile the information needed for a comprehensive Report of Waste
6 Discharge ("ROWD") so its 1958 WDR may be updated. However, Valley Water requested the
7 time needed to conduct and complete studies to determine the area's background hydrogeology,
8 identify the beneficial uses and background quality of ground water within and near the facility so
9 that any new WDR adopted would take into account the site specific conditions of Section 24,
10 and provide clarity and reasonable assurance that Valley Water could continue to safely use its
11 sprinkler systems to enhance evapotranspiration of its produced water without continuing fear of
12 enforcement actions alleging non-compliance for this activity. Despite this voluntary
13 investigation, the Regional Board continued to pursue enforcement, including a proposed Cleanup
14 and Abatement Order, Water Code section 13267 Orders, numerous NOV's, and this proposed
15 Cease and Desist Order ("CDO"), proposed Order No. R5-2015-XXXX.

16 8. The Fee 34 or C-Plant facility is currently regulated by WDR No. 92-11037, which
17 constitutes a Notice of Applicability for coverage under general Order No. 92-110, a permit
18 which has not been updated for over 23 years, since May 29, 1992. Because the salinity limits
19 could not be met, on May 24, 1996, Valley Waste Disposal Company, the predecessor of Valley
20 Water, submitted a "Drilling and Data Acquisition Report, Race Track Hill District, Edison Oil
21 Field, Kern County, California" to the Regional Board pursuant to Order No. 92-110, Discharge
22 Specification B.2.c. In the transmittal letter for that report, Valley Water stated "[i]f a public
23 hearing is necessary to demonstrate that this facility does not pose a threat to ground water
24 quality, then please consider this letter to be a request for that hearing."

25 9. Regional Board staff later, in a 2013 email, acknowledged that this 1996 report
26 had been submitted. Notwithstanding this acknowledgement and Valley Water's clear request for
27 a hearing, no hearing was ever held and no technical response letter was ever provided by the
28 Regional Board.

1 10. Even though Valley Water fulfilled the permit’s requirements regarding actions to
2 be taken if produced water effluent exceeded the specified limitations, the Regional Board failed
3 to undertake its responsibility to hold a public hearing to timely effectuate the intent of the time
4 schedule in the permit. Furthermore, the next 15 years of inspections failed to indicate any
5 violations of the permit. For these reasons, Valley Water takes issue with the Regional Board’s
6 unsupported allegations in the proposed CDO that discharge of high salinity produced water to
7 sumps at the facility is a violation of the WDRs and poses a threat to groundwater. This
8 allegation is contrary to evidence presented in the *Drilling and Data Acquisition Report* that the
9 surface impoundments “do not pose a threat to ground water quality,” and the more recent
10 evidence confirming these conclusions.

11 11. Valley Water met with the Regional Board in October of 2013 and January of
12 2014 to discuss the Facilities and proposed plans for voluntary Phase 1 field work at both
13 Facilities. The Phase I investigation was to characterize vadose zone and groundwater conditions
14 beneath Race Track Hill and Fee 34 facilities, and to provide an initial assessment of potential
15 impacts of oil field produced water storage and discharge on underlying groundwater and soil.

16 12. Notwithstanding the voluntary investigation being conducted under an approved
17 work plan, Regional Board staff had initially proposed a draft Cleanup and Abatement Order, and
18 then issued a Water Code section 13267 Order unreasonably requiring a 15 January 2015
19 deadline for completing all Work Plan investigations of the Facilities. Valley Water was forced
20 to appeal the terms of the 13267 letter to the State Water Board due to the unreasonable
21 timeframes that could not be reasonably met given the difficulty of timely getting drilling rigs
22 during the on-going drought. No response to this petition for review was received, except an
23 acknowledgement of filing.

24 13. A draft CDO was provided to Valley Water for comment on April 30, 2015.
25 Valley Water provided detailed comments and red-lined changes on May 11, 2015, and
26 respectfully requested that the Regional Board defer issuance of any further enforcement orders
27 until the results of the Phase 2 Workplan were submitted in the near future. Ignoring this
28 reasonable request, the Regional Board Prosecution Team issued the public draft version of the

1 CDO on May 18, 2015.

2 14. The requirements contained in CDO are also unreasonable because they are
3 unnecessary. Prior to its receiving a 13267 Order from the Regional Board on July 1, 2014,
4 Valley Water had already begun voluntarily pursuing extensive investigations at the Facilities in
5 an effort to both hasten the analyses and to work cooperatively with the Regional Board. The
6 costs of these investigations and analysis thus far have exceeded \$600,000. Preparation for this
7 upcoming hearing will add at least another \$100,000. All of this when there is no credible
8 evidence of an imminent threat from these Facilities to surface or ground waters.

9 15. The CDO should be deferred or, at the very least, the time schedules contained in
10 the proposed CDO should be issued as a 13267 Order with a modified Monitoring and Reporting
11 Program. Any time schedule imposed should be substantially extended to allow Valley Water
12 adequate time to explore several viable yet potentially costly alternatives, including: 1) providing
13 water to the Arvin Edison Water Storage District to blend with irrigation water; 2) treating water
14 to provide for other uses, including use on the nearby Rio Bravo communities' open space areas
15 and the Rio Bravo Country Club golf course that recently lost its water supply; 3) obtaining an
16 underground injection permit to dispose of the water subsurface; and/or 4) creating a Salt
17 Management Plan through the CV-SALTS process to continue to operate the Race Track Facility
18 with reasonable assurances that any groundwater impacts will be limited and not adversely affect
19 any wells serving facilities or homes utilizing groundwater supply.

20 16. The current CDO schedule, particularly with the inclusion of a requirement to
21 cease all irrigation by August 15, 2015, will likely shutter oil field producer members of Valley
22 Water and will dry up financial resources that could be utilized to plan and implement one or
23 more of the potential alternatives. Valley Water hopes that the Regional Board can see a win-win
24 solution is possible if Valley Water is given more time to explore and implement its options.

25 17. This declaration authenticates the following evidentiary exhibits and policy and
26 regulatory attachments included with Valley Water's submission.

27 18. Exhibit 32 provided with Valley Water's submission of evidence contains a true
28 and correct copy of the Technical Report drafted by Valley Water's experts in this matter, entitled

1 “Valley Water Management Company Technical Evidence and Edison Oilfield Subsurface
2 Investigations, Phase 2 Final Report.”

3 19. Exhibit 33 provided with Valley Water’s submission of evidence contains a true
4 and correct copy of the letter from California Regional Water Quality Control Board, 4 April
5 1988, Re: Notice of Noncompliance.

6 20. Exhibit 34 provided with Valley Water’s submission of evidence contains a true
7 and correct copy of the letter from California Regional Water Quality Control Board, 19 April
8 1988, revoking April 4, 1988 Notice of Noncompliance.

9 21. Exhibit 35 provided with Valley Water’s submission of evidence contains a true
10 and correct copy of the letter from California Regional Water Quality Control Board, 8 April
11 1991, Re: Request for Technical Report/Report of Waste Discharge Application - Edison Oil
12 Field, Kern County.

13 22. Exhibit 36 provided with Valley Water’s submission of evidence contains a true
14 and correct copy of the letter from Valley Waste Disposal Company, 21 June 1991, Re: Oil Field
15 Wastewater Disposal Information Forms.

16 23. Exhibit 37 provided with Valley Water’s submission of evidence contains a true
17 and correct copy of the letter from California Regional Water Quality Control Board, 11 February
18 1992, Re: Inspection Reports – Race Track and Fee 34 Facilities – Edison Oil Field Area, Kern
19 County.

20 24. Exhibit 38 provided with Valley Water’s submission of evidence contains a true
21 and correct copy of the letter from California Regional Water Quality Control Board, 17 June
22 1992, Re: Transmittal of Adopted Waste Discharge Requirements for Edison Oil Field Operators,
23 Oil Production Wastewater Discharges, Kern County. (This exhibit includes some of the same
24 documents as Exhibit 2).

25 25. Exhibit 39 provided with Valley Water’s submission of evidence contains a true
26 and correct copy of the letter from California Regional Water Quality Control Board, 1 July 1993,
27 Re: Report of Recent Inspection – Fee 34 Facility, Edison Oil Field – Kern County.

28 26. Exhibit 40 provided with Valley Water’s submission of evidence contains a true

1 and correct copy of the letter from California Regional Water Quality Control Board, 31 August
2 1993, Re: Inspection Report, Race Track Facility, Edison Oil Field Area, Kern County.

3 27. Exhibit 41 provided with Valley Water's submission of evidence contains a true
4 and correct copy of the letter from California Regional Water Quality Control Board, 14 October
5 1994, Re: Inspection Reports – Valley Waste Disposal Facilities – Kern County.

6 28. Exhibit 42 provided with Valley Water's submission of evidence contains a true
7 and correct copy of the letter from California Regional Water Quality Control Board, 8 June
8 1995, Re: Inspection Reports – Valley Waste Disposal Facilities – Kern County.

9 29. Exhibit 43 provided with Valley Water's submission of evidence contains a true
10 and correct copy of the Central Valley Regional Water Quality Control Board, 16 August 1996,
11 Inspection Report on Race Track Hill Area, Section 24 Disposal Area Kern County.

12 30. Exhibit 44 provided with Valley Water's submission of evidence contains a true
13 and correct copy of the Central Valley Regional Water Quality Control Board, 16 August 1996,
14 Inspection Report on Race Track Hill Area, C-Plant (Fee 34), Kern County.

15 31. Exhibit 45 provided with Valley Water's submission of evidence contains a true
16 and correct copy of the letter from California Regional Water Quality Control Board, 11 April
17 2001, Re: Inspection Reports – Valley Waste Disposal Facilities – Kern County.

18 32. Exhibit 46 provided with Valley Water's submission of evidence contains a true
19 and correct copy of letter from California Regional Water Quality Control Board, 20 June 2002,
20 Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern County

21 33. Exhibit 47 provided with Valley Water's submission of evidence contains a true
22 and correct copy of the letter from California Regional Water Quality Control Board, 23 April
23 2003, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
24 County.

25 34. Exhibit 48 provided with Valley Water's submission of evidence contains a true
26 and correct copy of the letter from California Regional Water Quality Control Board, 20 May
27 2004, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
28 County.

1 35. Exhibit 49 provided with Valley Water's submission of evidence contains a true
2 and correct copy of the letter from California Regional Water Quality Control Board, 24 May
3 2005, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
4 County.

5 36. Exhibit 50 provided with Valley Water's submission of evidence contains a true
6 and correct copy of the letter from California Regional Water Quality Control Board, 6 June
7 2006, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
8 County.

9 37. Exhibit 51 provided with Valley Water's submission of evidence contains a true
10 and correct copy of the letter from California Regional Water Quality Control Board, 7 May
11 2007, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
12 County.

13 38. Exhibit 52 provided with Valley Water's submission of evidence contains a true
14 and correct copy of the letter from California Regional Water Quality Control Board, 14 May
15 2008, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
16 County.

17 39. Exhibit 53 provided with Valley Water's submission of evidence contains a true
18 and correct copy of the letter from California Regional Water Quality Control Board, 27 May
19 2009, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
20 County.

21 40. Exhibit 54 provided with Valley Water's submission of evidence contains a true
22 and correct copy of the letter from California Regional Water Quality Control Board, 2 June
23 2010, Re: Valley Waste Disposal Company Inspection Reports, Edison Facilities, Kern County.

24 41. Exhibit 55 provided with Valley Water's submission of evidence contains a true
25 and correct copy of the letter from California Regional Water Quality Control Board, 6 June
26 2011, Re: Inspection Reports – Valley Waste Disposal Company – Edison Facilities Kern
27 County.

28 42. Exhibit 56 provided with Valley Water's submission of evidence contains a true

1 and correct copy of the letter from California Water Boards – Central Valley Regional Water
2 Quality Control Board, 28 June 2012, Re: Notice of Violation and Inspection Report – Valley
3 Water Management Company - Edison Fee 34 Facility, Edison Oil Field, Kern County.

4 43. Exhibit 57 provided with Valley Water’s submission of evidence contains a true
5 and correct copy of the letter from Valley Water Management Company, 31 July 2012, Re: Plan
6 and Time Schedule required by 6/28/12 NOV.

7 44. Exhibit 58 provided with Valley Water’s submission of evidence contains a true
8 and correct copy of the email from Ryan West at California Water Boards, 21 August 2013, Re:
9 Race Track C Plant – Response to Angle Borings to Detect Pond Leakage.

10 45. Exhibit 59 provided with Valley Water’s submission of evidence contains a true
11 and correct copy of Valley Water Management Company-Waste Water Disposal Facilities, 9
12 October 2013, Re: Meeting Agenda.

13 46. Exhibit 60 provided with Valley Water’s submission of evidence contains a true
14 and correct copy of the letter from California Water Boards – Central Valley Regional Water
15 Quality Control Board, 9 October 2013, Re: Notice of Violation and Inspection Report – Valley
16 Water Management Company, Race Track Hill Facility Edison, Kern County.

17 47. Exhibit 61 provided with Valley Water’s submission of evidence contains a true
18 and correct copy of the letter from California Water Boards – Central Valley Regional Water
19 Quality Control Board, 9 October 2013, Re: Notice of Violation and Inspection Report – Valley
20 Water Management Company, C-Plant Facility Edison, Kern County.

21 48. Exhibit 62 provided with Valley Water’s submission of evidence contains a true
22 and correct copy of the letter from Valley Water Management Company, 8 November 2013, Re:
23 Response to Notice of Violation for Racetrack Hill Facility.

24 49. Exhibit 63 provided with Valley Water’s submission of evidence contains a true
25 and correct copy of the letter from Valley Water Management Company, 8 November 2013, Re:
26 Response to Notice of Violation for C-Plant Facility.

27 50. Exhibit 64 provided with Valley Water’s submission of evidence contains a true
28 and correct copy of the letter from Downey Brand, 28 February 2014, Re: Comments on

1 Administrative Draft Cleanup and Abatement Orders.

2 51. Exhibit 65 provided with Valley Water's submission of evidence contains a true
3 and correct copy of the letter from A. Shannon Grove, 10 March 2014, Re: Issuance of Cleanup
4 and Abatement Orders to Valley Water Management Company.

5 52. Exhibit 66 provided with Valley Water's submission of evidence contains a true
6 and correct copy of the letter from Kennedy/Jenks, 13 March 2014, Re: Phase 1 Work Plan at Fee
7 34 facility, and copy of Phase 1 Work Plan for Subsurface investigations at the Fee 34 Facility
8 and Race Track Hill Area.

9 53. Exhibit 67 provided with Valley Water's submission of evidence contains a true
10 and correct copy of the letter from Regional Board, 4 April 2014, Re: Review of Phase 1 Work
11 Plan for Subsurface Investigations, Valley Water Management Company.

12 54. Exhibit 68 provided with Valley Water's submission of evidence contains a true
13 and correct copy of the letter from Valley Water Management Company, 18 April 2014, Re:
14 Comments on Policy for Variances and Exceptions from Water Quality Objectives for Salinity.

15 55. Exhibit 69 provided with Valley Water's submission of evidence contains a true
16 and correct copy of the letter from Valley Water Management, 6 June 2014 Re: Draft California
17 Water Code §13267 Order for Valley Water Management Fee 34 and Race Track Facility.

18 56. Exhibit 70 provided with Valley Water's submission of evidence contains a true
19 and correct copy of Valley Water Management Company's Petition for Review of 13267 Order,
20 filed 31 July 2014.

21 57. Exhibit 71 provided with Valley Water's submission of evidence contains a true
22 and correct copy of Kennedy Jenks Cover Letter for Phase 1 Investigation (investigation included
23 as Exhibit 26), 1 August 2014. .

24 58. Exhibit 72 provided with Valley Water's submission of evidence contains a true
25 and correct copy of State Water Resources Control Board Acknowledgment of Petition received,
26 25 September 2014.

27 59. Exhibit 73 provided with Valley Water's submission of evidence contains a true
28 and correct copy of the News Article printed in the Bakersfield Californian, "Environmental

1 group pushes to close oil wastewater sumps,” 19 November 2014.

2 60. Exhibit 74 provided with Valley Water’s submission of evidence contains a true
3 and correct copy of the letter from Valley Water Management Company, 11 May 2015, Re:
4 Comments on Draft CDO/MRP Fee 34 Facility and Race Track Hill, including redlined CDO
5 documents.

6 61. Exhibit 75 provided with Valley Water’s submission of evidence contains a true
7 and correct copy of the letter from Valley Water Management Company, 13 May 2015, Re:
8 Response to April 10, 2015 NOV for C-Plant Facility.

9 62. Exhibit 76 provided with Valley Water’s submission of evidence contains a true
10 and correct copy of the letter from Valley Water Management Company, 13 May 2015, Re:
11 Response to April 10, 2015 NOV for Race Track Hill Facility.

12 63. Exhibit 77 provided with Valley Water’s submission of evidence contains a true
13 and correct copy of the letter from Valley Water Management Company, 15 June 2015, enclosing
14 Technical Report presenting analytical data requested in 1 April 2015 13267 Order.

15 64. Exhibit 78 provided with Valley Water’s submission of evidence contains a true
16 and correct copy of the Grant Deed for the Race Track Hill Facility, 11 December 1958.

17 65. Exhibit 79 provided with Valley Water’s submission of evidence contains a true
18 and correct copy of the a letter from Mobil Oil Corporation, 8 September 1983, Re: Race Track
19 Hill Facility Land Exchange.

20 66. Exhibit 80 provided with Valley Water’s submission of evidence contains a true
21 and correct copy of the estimated Time Schedules for the Four Alternatives

22 67. Exhibit 81 provided with Valley Water’s submission of evidence contains a true
23 and correct copy of the resume for expert witness Gary Carlton. P.E.

24 68. Exhibit 82 provided with Valley Water’s submission of evidence contains a true
25 and correct copy of the resume for expert witness Dr. Stuart Childs.

26 69. Exhibit 83 provided with Valley Water’s submission of evidence contains a true
27 and correct copy of the resume for expert witness Dee, Jaspar, P.E.

28 70. Exhibit 84 provided with Valley Water’s submission of evidence contains a true

1 and correct copy of the resume for expert witness Dr. Ken Schmidt.

2 71. Exhibit 85 provided with Valley Water's submission of evidence contains a true
3 and correct copy of the resume and testimony summary for expert witness Jim Waldron.

4 72. Exhibit 86 provided with Valley Water's submission of evidence contains a true
5 and correct copy of the San Joaquin River Restoration Program's Technical Report, entitled
6 "Produced Water in the San Joaquin Valley, Cost Appendix," dated November 2014.

7 73. Attachment A provided with Valley Water's submission contains a true and
8 correct copy of the Water Quality Control Plan for the Tulare Lake Basin (2nd Ed. Jan. 2004),
9 available online at http://waterboards.ca.gov/centralvalley/water_issues/basin_plans/tlbp.pdf, last
10 accessed on June 25, 2015.

11 74. Attachment B provided with Valley Water's submission contains a true and
12 correct copy of the State Water Resources Control Board's Enforcement Policy adopted in 2009
13 and approved for state law purposes on May 20, 2010 (available on SWRCB's website at
14 http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/enf_policy_final111709
15 [.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/enf_policy_final111709.pdf), last accessed on June 24, 2015).

16 75. Attachment C provided with Valley Water's submission contains a true and correct
17 copy of the State Water Resources Control Board Resolution No. 68-16; Statement of Policy with
18 Respect to Maintaining High Quality Waters in California (on SWRCB's website at
19 http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1968/rs68_016.pdf,
20 last accessed on June 24, 2015).

21 76. Attachment D provided with Valley Water's submission contains a true and
22 correct copy of the State Water Resources Control Board Resolution No. 88-63; Adoption of
23 Policy Entitled "Sources of Drinking Water" (available on SWRCB's website at
24 http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1988/rs1988_0063.p
25 [df](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1988/rs1988_0063.pdf), last accessed on June 24, 2015).

26 77. Attachment E provided with Valley Water's submission contains a true and correct
27 copy of the State Water Resources Control Board Resolution No. 2015-0010, approving
28 amendments to the Tulare Lake Basin Plan to Add Policies for Variances and Exceptions from

1 Implementation of Water Quality Objectives for Salinity, Central Valley Regional Board
2 Resolution R5-2015-0074 (March 17, 2015), (available on SWRCB's website at
3 [http //www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/rs2015_0010.p](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/rs2015_0010.pdf)
4 [df](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2015/rs2015_0010.pdf), last accessed on June 15, 2015).

5 78. Attachment F provided with Valley Water's submission contains a true and correct
6 copy of the Regional Board's Information Sheet, Valley Waste Disposal Company, et al
7 regarding Kern Front No. 2 Treatment Plant – Reservoir B, Kern County, accessible at:
8 [http://www.swrcb.ca.gov/centralvalley/board_decisions/tentative_orders/0612/valley_waste/valle](http://www.swrcb.ca.gov/centralvalley/board_decisions/tentative_orders/0612/valley_waste/valley_waste-info.pdf)
9 [ywaste-info.pdf](http://www.swrcb.ca.gov/centralvalley/board_decisions/tentative_orders/0612/valley_waste/valley_waste-info.pdf), last accessed on June 24, 2015).

10 79. Attachment G provided with Valley Water's submission contains a true and
11 correct copy of SWRCB Order No. 86-8 (available on SWRCB's website at:
12 [http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/1986/wq1986_08.](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/1986/wq1986_08.pdf)
13 [pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/1986/wq1986_08.pdf), last accessed June 24, 2015).

14 80. Attachment H provided with Valley Water's submission contains a true and
15 correct copy of the Response to Comments by SWRCB on Variance Policy at p. 10 (accessible at
16 http://www.waterboards.ca.gov/board_info/agendas/2015/mar/031715_3_rtc_r5_variance.pdf,
17 last accessed June 24, 2015).

18 81. Attachment I provided with Valley Water's submission contains true and correct
19 copies of the California Governor Jerry Brown's Proclamations and Executive Orders (E.O.)
20 related to drought emergency, including E.O. B-21-13 (May 20, 2013); Proclamation of
21 Continued State of Emergency (April 25, 2014); E.O. B-28-14 (December 22, 2014); E.O. B-29-
22 15 (April 1, 2015), all last accessed at <http://gov.ca.gov> on June 19, 2015.

23 I declare under penalty of perjury pursuant to the laws of California that the foregoing is
24 true and correct.

25 Executed this 29th day of June, 2015 at Bakersfield, California.

26
27
28



Larry Bright, Declarant