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CENTRAL DISTRICT OF CALIFORNIA
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14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA

16 CITY OF LOS ANGELES; ORANGE
COUNTY SANITATION DISTRICT;
17 COUNTY SANITATION DISTRICT NO. 2
OF LOS ANGELES COUNTY;
18 RESPONSIBLE BIOSOLIDS
MANAGEMENT, INC.; R&G FANUCCHI,
19 INC.; SHAEN MAGAN, both individually
and d/b/a HONEY BUCKET FARMS and
20 TULE RANCH/MAGAN FARMS;
WESTERN EXPRESS, INC.; SIERRA
21 TRANSPORT, INC.; CALIFORNIA
ASSOCIATION OF SANITATION
22 AGENCIES,

23 Plaintiffs,

v.

24 COUNTY OF KERN; KERN COUNTY
25 BOARD OF SUPERVISORS,
26 Defendants.

No. CV 06-5094 GAF (VBKx)

**DECLARATION OF LARRY
BAHR IN SUPPORT OF
PLAINTIFFS' MOTION
FOR A PRELIMINARY
INJUNCTION**

Date: October 16, 2006
Time: 9:30 a.m.
Place: 255 East Temple St.,
Room 740
Los Angeles, CA 90012
Judge: Hon. Gary A. Feess

1 I, Larry Bahr, declare as follows:

2 **EXPERIENCE, QUALIFICATIONS, AND SUMMARY OF OPINION**

3 1. I am the Regulatory Program Director for the Fairfield-Suisun
4 Sewer District (FSSD) and have been employed by FSSD for 14 years. The FSSD
5 provides wastewater treatment for over 130,000 citizens in central Solano County,
6 which is located approximately mid-way between Sacramento and the San
7 Francisco Bay area. As Regulatory Program Director, I am responsible for
8 insuring compliance with all federal, State, and local regulations and requirements
9 that govern the FSSD's operation. Establishing and maintaining a compliant
10 biosolids management program is a key aspect of these duties.

11 2. I submit this Declaration in support of Plaintiffs' motion for a
12 preliminary injunction. I have been asked to provide this Declaration by Plaintiff
13 California Association of Sanitation Agencies ("CASA") and am doing so without
14 compensation. The facts stated in this Declaration are based on my personal
15 knowledge and a review of reports and documents that are customarily relied upon
16 by professionals in my field. I could and would competently testify to the facts
17 stated in this declaration if called upon to do so.

18 3. My professional opinion is that the Kern County Biosolids Ban
19 ("Kern Ban") scheduled to take effect in January 2007 is now and will cause
20 increased prices and operational challenges for biosolids management for many
21 California sanitation agencies, including agencies other than the Plaintiffs and
22 agencies outside of Southern California. California sanitation agencies will face
23 greater difficulty finding and paying for land application services and for other
24 methods of biosolids management, such as composting and disposal in landfills.
25 These difficulties in securing sound and safe outlets for biosolids will harm many
26 of the member agencies of Plaintiff CASA and the ratepayers these agencies serve,
27 who must pay for increased costs for biosolids management. A preliminary
28 injunction that stays the effective date of the Kern Ban will lessen these impacts.

DECLARATION OF LARRY BAHR

