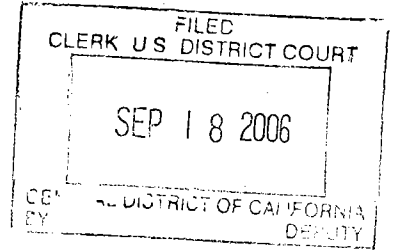


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14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA

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 MARK  
LUTREL IN SUPPORT OF  
PLAINTIFFS' MOTION  
FOR A PRELIMINARY  
INJUNCTION**

Date: October 16, 2006  
Time: 9:30 a.m.  
Place: 255 Temple Street  
Room 740  
Los Angeles, CA  
Judge: The Honorable  
Gary A. Feess

1 I, Mark Lutrel, declare as follows:

2 1. I am President, Chief Executive Officer and majority  
3 shareholder of Sierra Transportation Inc. ("Sierra Transport"), a family trucking  
4 business based in Kern County. I have worked in the trucking industry for the past  
5 30 years.

6 2. I submit this declaration in support of Plaintiffs' motion for a  
7 preliminary injunction. The facts stated in this declaration are based on my  
8 personal knowledge, and I could and would testify competently to these facts if  
9 called upon to do so.

10 3. On June 6, 2006, the voters of Kern County adopted Measure  
11 E, an initiative ordinance that purports to prohibit land application of biosolids at  
12 the City of Los Angeles' Green Acres Farm ("Farm" or "Green Acres") within six  
13 months of the ordinance's effective date. As explained below, the new Kern  
14 biosolids ordinance (the "Kern Ban") will impose substantial and irreparable  
15 burdens on Sierra Transport and its employees.

16 **BACKGROUND REGARDING SIERRA TRANSPORT**

17 4. In accordance with a contract with Responsible Biosolids  
18 Management ("RBM"), which contracts with the City of Los Angeles ("City") to  
19 administer the land application of biosolids at Green Acres, Sierra Transport is  
20 responsible for transporting the biosolids generated by the City from the City's  
21 wastewater treatment facilities to Green Acres in Kern County. Sierra Transport  
22 has hauled City biosolids to Green Acres since 1998.

23 5. Sierra Transport employs a staff of 34 men and women,  
24 including drivers, shop workers and administrative staff.

25 6. Each and every day of the year, Sierra Transport hauls roughly  
26 700 tons of biosolids from Los Angeles to Green Acres. On average, this work has  
27 required 28 truckloads per day (with an average of approximately 26 truckloads  
28 per day in 2006).

