

07-56564

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CITY OF LOS ANGELES, ET AL.,
Plaintiffs/Appellees

v.

COUNTY OF KERN, ET AL.,
Defendants/Appellants

Appeal From A Judgment Of The United States District Court
For The Central District Of California
Judge Gary A. Feess

**MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE IN
SUPPORT OF APPELLEES**

KEITH J. JONES*
GENERAL COUNSEL
NATHAN GARDNER-ANDREWS
COUNSEL
National Association of Clean
Water Agencies
1816 Jefferson Place, NW
Washington, DC 20036
202/833-2672
Attorneys for Amicus Curiae

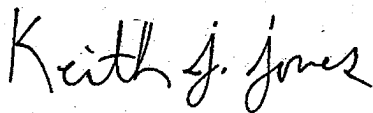
* Counsel of Record

The National Association of Clean Water Agencies (NACWA) respectfully requests this Court, under Federal Rule of Appellate Procedure 29, for leave to file the attached brief as *amicus curiae* in support of the Plaintiffs/Appellees. As more fully explained in the brief, NACWA is a national trade organization representing the interests of the nation's publically owned wastewater utilities and has an interest in this case because many of its members located within the Ninth Circuit and across the country use land application as the primary method to manage biosolids produced during the wastewater treatment process.

NACWA believes this brief is desirable because it will provide the court with a valuable national perspective on the importance of land application of biosolids to municipal clean water utilities and explain how the current federal regulations regarding land application have been developed to ensure that the practice is a safe method of biosolids management. Many NACWA member agencies have been engaged in the safe and beneficial recycling of biosolids through land application for many years and the perspective offered to the Court in the attached brief is directly relevant to the disposition of the case.

DATED: June 2, 2008

Respectfully Submitted,



KEITH J. JONES*

GENERAL COUNSEL

NATHAN GARDNER-ANDREWS
COUNSEL

National Association of Clean
Water Agencies

1816 Jefferson Place, NW

Washington, DC 20036

202/833-2672

Attorneys for Amicus Curiae

* Counsel of Record

PROOF OF SERVICE

I am over eighteen years of age, not a party in this action, and employed in the County of San Francisco, California at Three Embarcadero Center, San Francisco, California 94111. I am readily familiar with the practice of this office for collection and processing of correspondence for mail/fax/hand delivery/next business day delivery, and they are deposited that same day in the ordinary course of business.

On June 2, 2008, I served the attached:

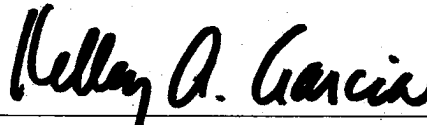
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(EXPRESS MAIL/OVERNIGHT DELIVERY) by causing a true and correct copy of the document(s) listed above to be delivered by Federal Express in sealed envelope(s) with all fees prepaid at the address(es) set forth below.

See Attached Service List

I declare under penalty of perjury under the laws of California and the United States of America that I am employed in the office of a member of the bar of this court at whose direction this service was made, that the foregoing is true and correct. Executed at San Francisco, California.



Kelley A. Garcia

SERVICE LIST

Bernard C. Barmann, Sr., Esq.
County Counsel
Stephen D. Schuett, Esq.
Assistant County Counsel
County of Kern
1115 Truxtun Ave., 4th Floor
Bakersfield, CA 93301

*Attorneys for Defendants-Appellants
County of Kern and Kern County
Board of Supervisors*

Michael J. Lampe, Esq.
Law Offices of Michael J. Lampe
108 W. Center Avenue
Visalia, CA 93291

*Attorneys for Plaintiffs-Appellees
Shaen Magan, Honey Bucket Farms,
Tule Ranch/Magan Farms and
Western Express, Inc.*

Daniel V. Hyde, Esq.
Paul J. Beck, Esq.
Lewis Brisbois Bisgaard & Smith LLP
221 N. Figueroa St., Suite 1200
Los Angeles, CA 90012

*Attorneys for Plaintiff-Appellee
County Sanitation District No. 2 of
Los Angeles County*

Michael M. Hogan, Esq.
Hogan Guiney
225 Broadway, Suite 1900
San Diego, CA 92101

*Attorneys for Defendants-Appellants
County of Kern and Kern County
Board of Supervisors*

Roberta L. Larson, Esq.
Jonathan R. Schutz, Esq.
Somach Simmons & Dunn
813 6th St., 3rd Floor
Sacramento, CA 95814-2403

*Attorneys for Plaintiff-Appellee
California Association of Sanitation
Agencies*

Bradley R. Hogin, Esq.
Ricia Hager, Esq.
Woodruff, Spradlin & Smart
555 Anton Blvd., Suite 1200
Costa Mesa, CA 92626

*Attorneys for Plaintiff-Appellee Orange
County Sanitation District*

Greg L. Johnson, Esq.
John S. Poulos, Esq.
Pillsbury Winthrop Shaw Pittman LLP
400 Capitol Mall, Suite 1700
Sacramento, CA 95814-4419

*Attorneys for Intervenor Kern County
Water Agency*

Amelia T. Minaberrigarai, Esq.
General Counsel
Daniel Raytis, Esq.
Assistant General Counsel
Kern County Water Agency
3200 Rio Mirada Drive
Bakersfield, CA 93308

*Attorneys for Intervenor Kern County
Water Agency*

Luke Cole, Esq.
Brent Newell, Esq.
Center on Race, Poverty & The
Environment
450 Geary St., Suite 500
San Francisco, CA 94102

*Attorneys for Intervenor Association
of Irrigated Residents*

James B. Slaughter, Esq.
Beveridge & Diamond P.C.
1350 I. St., N.W., Suite 700
Washington, D.C. 20005-3311

*Attorneys for Plaintiffs-Appellees City
of Los Angeles, Responsible Biosolids
Management, Inc.; R&G Fanucchi,
Inc. and Sierra Transport, Inc.*

Barbara L. Croutch, Esq.
Pillsbury Winthrop Shaw Pittman LLP
725 S. Figueroa St., Suite 2800
Los Angeles, CA 90017-5406

*Attorneys for Intervenor Kern County
Water Agency*

Ingrid M. Brostrom, Esq.
Caroline Farrell, Esq.
Center on Race, Poverty & The
Environment
1302 Jefferson St., Suite 2
Delano, CA 93215

*Attorneys for Intervenor Association of
Irrigated Residents*

Scott K. Kuney, Esq.
Steven M. Torigiani, Esq.
The Law Offices of Young
Wooldridge, LLP
1800 30th St., 4th Floor
Bakersfield, CA 93301

*Attorneys for Intervenor Kern Water
Bank Authority and Arvin-Edison
Water Storage District*

Gary J. Smith, Esq.
Beveridge & Diamond P.C.
456 Montgomery St., Suite 1800
San Francisco, CA 94104-1251

*Attorneys for Plaintiffs-Appellees City
of Los Angeles, Responsible Biosolids
Management, Inc.; R&G Fanucchi, Inc.
and Sierra Transport, Inc.*

Jerome B. Falk, Jr, Esq.
Steven L. Mayer, Esq.
Adam M. Polakoff, Esq.
Howard Rice Nemerovski Canady
Falk & Rabkin
Three Embarcadero Center, 7th Floor
San Francisco, CA 94111-4024

*Attorneys for Defendants-Appellants
County of Kern and Kern County
Board of Supervisors*

James J. Dragna
Thomas S. Hixson
Marc R. Bruner
Bingham McCutchen LLP
355 South Grand Avenue, Suite 4400
Los Angeles, CA 90071

*Attorneys for Plaintiffs-Appellees City
of Los Angeles, Responsible Biosolids
Management, Inc.; R&G Fanucchi, Inc.
and Sierra Transport, Inc.*