



## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Pacific Regional Office  
2800 Cottage Way  
Sacramento, California 95825

**JUL 10 2008**

Kristen T. Castaños, Esq.  
Stoel Rives LLP  
980 Ninth Street, Suite 1900  
Sacramento, CA 95814

**RE: Cortina Integrated Waste Management Project/Alternate Mitigation Measures**

Dear Ms. Castaños:

This letter is written as a follow up to our meeting held at our office on June 12, 2008, wherein as counsel for Colusa County, you asked for clarification of my letter of April 28, 2008, to Nicholas C. Yost, Esq., regarding additional mitigation measures for the proposed Cortina Rancheria Integrated Waste Management Project (Project). In our April 28, 2008 correspondence, we agreed it is appropriate to implement additional mitigation measures that are consistent with the Environmental Impact Statement (EIS) and Record of Decision (ROD). As such, our April 28, 2008 correspondence should not be considered a final agency decision.

We noted that use of an alternate route to access the Project requires additional study, as identified by a report by DKS Associates, regarding roadway design and improvements. We are also informed that additional analysis of the alternate route will be undertaken by Colusa County, which published a Notice of Preparation of a Draft Environmental Impact Report for the Cortina Landfill Access Road Improvements Project on June 6, 2008. The results of the analyses are likely to confirm whether additional or alternate mitigation measures are appropriate, including the measures set forth in our April 28<sup>th</sup> correspondence. Hence, the use of an alternate route may proceed only after further study reveals whether impacts and effects of the alternate route may be appropriately mitigated.

As further clarification, we note the County's objection to the measure calling for mitigation of safety concerns on Spring Valley Road by requiring Project trucks to come to a full stop at the Marsh barn as approval of such a measure is within the jurisdiction of Colusa County. Perhaps, if use of the alternate route is determined to be more appropriate than the Project access route originally identified, the County can identify measures to address safe truck traffic movement on Spring Valley Road.

If you have any future questions or need additional information, please contact John Rydzik, Chief, Division of Environmental Cultural Resource Management and Safety at (916) 978-6051.

Sincerely,



Dale Morris  
Regional Director

cc: Mark Marshall, Supervisor, Colusa County  
Kim Vann, Supervisor, Colusa County  
Timothy M. Taylor, Esq., Stoel Rives LLP  
Henry Rodegerdts, Esq., County Counsel, Colusa County  
Elaine Patterson, Chairperson, Cortina Band of Wintun Indians  
Timothy Humphrey, Esq., Cortina Band of Wintun Indians  
Nicholas C. Yost, Esq., CIWMI  
Anthony Cohen, Esq., CIWMI  
Elizabeth Forsyth, U. S. Environmental Protection Agency  
Superintendent, Central California Agency  
Regional Solicitor, DOI