

## STAFF REPORT

**DATE:** March 11, 2008  
**TO:** City Council  
**FROM:** Bill Emlen, City Manager  
**SUBJECT:** Resolution Opposing the Siting of a Solid Waste Landfill in Colusa County by the Cortina Band of Wintun Indians

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### **Recommendation**

Approve resolution.

### **Fiscal Impact**

There is no fiscal impact to approving the resolution.

### **Background and Analysis**

The Cortina Band of Wintun Indians plans to create a landfill on 443 acres within the rancheria. This solid waste landfill would have the capacity to accept 1500 tons of solid waste daily, with 104 to 112 round trips to the landfill. The facility would accept waste from several jurisdictions, including San Francisco and Sonoma counties.

The Cortina Band is a sovereign nation, not subject to state or local land use regulations. It is subject to oversight by the Bureau of Indian Affairs, and a lease for the landfill was approved by the BIA in 2000, after they commissioned an Environmental Impact Statement. Colusa County was concerned about inadequacies in the EIS and sued in federal court. In October of 2006, the County dropped the lawsuit because they did not have the funds to continue.

While the landfill will provide income to the tribe and a location for solid waste, it has many negative consequences.

- There is concern that materials entering the landfill will be monitored to prevent hazardous substances.
- Over one-hundred round trips will be made daily to dump waste at the landfill. Much of this traffic will likely need to travel through our region, increasing air pollution and truck traffic.
- The proposed dumpsites are in canyons where the watershed eventually empties into the Sacramento River at Knights Landing.
- The project calls for synthetic liners, which, if compromised, may leach to ground and surface waters.

Although the city of Davis is not located in Colusa County, leachate or runoff from the proposed landfill could potentially affect our region and community. Further, as the Cortina Band is a

sovereign nation, they are not required to adhere to the same standards required by other California jurisdictions to ensure that their landfill project is adequately sited, developed and monitored. For these reasons, staff recommends approval of the resolution to oppose the landfill.

Other groups to oppose the landfill include: the Sierra Club Yolano Group, the Family Water Alliance, Board of Supervisors of Colusa County,

**Attachments**

- Resolution

**RESOLUTION NO. 08-XXX, SERIES 2008**

**RESOLUTION OPPOSING THE SITING OF A SOLID WASTE LANDFILL  
IN COLUSA COUNTY BY THE CORTINA BAND OF WINTUN INDIANS**

WHEREAS there is currently proposed a solid waste landfill on approximately 430 acres located in Colusa County on the Cortina Rancheria which is earmarked for a capacity of 15 million tons of municipal waste; and

WHEREAS the project proponents proceeded over the objections of the residents in Colusa County, as evidenced by a November 1998 county measure where the residents of Colusa County overwhelmingly rejected the implementation of any new solid waste landfills to be located within the County; and

WHEREAS the site location of the proposed solid waste landfill would severely impact traffic patterns on unpaved county roads resulting in significant increases of particulate matter and fugitive dust in the Sacramento Valley Air Basin; and

WHEREAS air pollutants such as non-methane organic compounds, ozone, carbon monoxide, nitrogen oxides, sulfur dioxide, and particulate matter emitted by the solid waste landfill would adversely effect the Sacramento Valley Air Basin; and

WHEREAS the proposed site is located at the headwaters of a critical affluent stream with the potential to contaminate waters of the state, as well as waters of the United States in such a way that includes but is not limited to change in temperature, taste, color, turbidity, or odor of the waters, or such discharges of any liquid, gaseous, solid, radioactive, or other toxic substance which is contained in the proposed solid waste landfill; and

WHEREAS the down gradient aquifers are recharged by waters from the proposed project site area and would be negatively affected by any contaminants or any destructive action; and

WHEREAS the water resources of Colusa County are an asset to the health, agriculture, business and communities of the county and to ensure protection of all water resources, including water of the U.S.; and

WHEREAS the waters pertinent to contamination are used by municipalities, businesses, industry, federal government conservation programs and agriculture, such contamination would render relevant waters harmful, detrimental or injurious to public health, safety or welfare; and

WHEREAS the siting of a new solid waste landfill on tribal land is likely to impose significant direct and indirect costs to the region of influence; and

NOW THEREFORE BE IT RESOLVED that the City Council of the city of Davis declares its unequivocal opposition to the siting of a solid waste landfill proposed on the Cortina Rancheria; and

BE IT FURTHER RESOLVED that the City Council of the city of Davis urges the leaders of the Cortina Rancheria, and its members, to reconsider and withdraw their plans to locate a solid waste

landfill on the proposed site and engage in constructive dialogue to identify other opportunities for economic development; and

BE IT FURTHER RESOLVED that the City Council of the city of Davis requests the proposed site on sovereign land be held to the permitting standards that the United States Environmental Protection Agency deem as exiguous impacts to the environment; and

PASSED AND ADOPTED by the City Council for the City of Davis on this eleventh day of March 2008 by the following votes:

AYES:

NOES:

ABSENT:

Sue Greenwald  
Mayor

ATTEST:

Margaret Roberts, MMC  
City Clerk