



Colusa County Citizens for Safe Water

PO Box 1807
Williams, CA 95987

March 26, 2009

The Honorable Dianne Feinstein
United States Senate
One Post Street, Suite 2450
San Francisco, California 94104

RE SUPPORT S. 338

Dear Senator Feinstein:

Senator Feinstein, CCCSW is encouraged to discover your recently introduced legislation (S.338) which attempts to close (a) loophole(s) within federal law regarding Indian Land Use. Since the environment doesn't recognize political boundaries, it is imperative that our land use laws are without prejudice.

Thank-you for your concern and attention to the political and environmental issues surrounding the Cortina Tribal Landfill Proposal! Outside developers are leasing Indian Trust Land for the purpose of importing loose garbage into steep canyons, upon unstable erosive soils which are prone to rain-induced landslides sitting atop 'clearly defined fault lines and geothermal and volcanic activity*', that seasonally flow into the Colusa-Yolo Basin emptying into the Sacramento River. Essentially, the plan which was drawn up by landfill developers, North Bay (Sonoma County) and Earthworks Industries (B.C., Canada), threatens to contaminate Sacramento Valley's water supply. This landfill plan endangers the public safety and environmental health of the entire region. And yet, as North Bay Garbage insists, "this is legal".

How can this be? The 443 acres (out of the 640 acres) of the Cortina Rancheria were leased (1995) to the developers before the Environmental Impact Statement was deemed complete in 2000 (and/or reviewed by the Tribe's Governing Board). The identified need for the band was to provide income for better living conditions on the Rancheria and to promote economic development. Along with this, the lessees promised to provide good jobs at the on-site

recycling center and included a composting business' for tribal members. Since then, both the plan and the situation has changed dramatically. No one wants to see the Indians turn their homeland into a landfill—is this really the best and/or only available option for the band's efforts toward economic development?

The current plan promises to import and dump 1500 + tons of loose garbage and unidentified wastes into the canyons daily. As of yet, there have been no provisions to relocate the Indians who live on the Rancheria. There are no safety fences around the dumping area to protect the children of the Rancheria and no job opportunities for the tribal members who live in the area. WEPA (Wintun Environmental Protection Agency) will fill the shoes of California EPA. As of yet, there has been very little cooperation and communication by tribal developers with the California EPA.

Even though WEPA employees will be paid by the garbage company, we are assured that this will not be a conflict of interest. Who is WEPA? This appears to be determined by the lessee (landfill companies) and the lessor (Cortina Tribe, BIA).

Since the Rancheria is located within Colusa County and the County is located within California, it seems both reasonable and responsible for both the County and the State to weigh in when making Indian land use decisions that will impact us all. Again, the Colusa County Citizens for Safe Water, www.cccsw.org applauds your efforts in finding solutions regarding Indian Land use issues within communities.

Sincerely,



Colleen Ferrini

www.cccsw.org

*Dames & Moore, Cortina Rancheria Monofill Project, Draft Environmental Assessment, April 1988
(Asbestos)