



MEDIA RELEASE

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Lytton Rancheria Tribe Ends Discussions on Agreement for Town Wastewater Services

Windsor, California – The Lytton Rancheria Tribe recently informed the Town of Windsor that it is ending negotiations that called for the Town to provide wastewater treatment services to residential homes and community facilities on tribal lands located outside of the Town’s Urban Growth Boundary. The decision by the Tribe ends the agreement reached between the Town and the Tribe in May of 2020 allowing the Tribe to connect to the Town’s wastewater system to avoid construction of a wastewater treatment plant at the edge of town next to an existing residential neighborhood. The agreement was intended to protect the community from potential impacts associated with the operation of a wastewater treatment plant, including odors and water contamination. Further, the agreement enabled the Tribe to avoid the cost of building and operating its own treatment facility and would have freed up additional land for the Tribe to meet the housing needs of its members. As part of the 2020 agreement, the Tribe was to pay the Town \$20 million to provide funding for a future community benefit project and for improvements to the Town’s wastewater treatment plant.

Following months of collaboration on the technical details for implementation of the May 2020 agreement, the Tribe surprised the Town in March 2021 with a request to change the agreement to allow for construction of the wastewater treatment plant that the agreement was intended to prevent. The Tribe advised the Town that the change was needed to accommodate development of a planned resort on tribal lands near Eastside Road and that there was no other acceptable location for a wastewater treatment plant on the 511 acres of tribal lands in the area.

Upholding its commitment to residents to work to avoid construction of a wastewater treatment

plant at the edge of town, the Town countered the Tribe's request with a proposal to allow the resort to also connect to the Town's wastewater system – subject to a binding vote by Windsor voters which is required to extend Town services to a commercial operation such as a resort outside of the Town's Urban Growth Boundary. The Town proposed a payment of \$10 million in consideration of the Town having to prepare environmental review documents required by the California Environmental Quality Act, prepare potential policy amendments to the Town's General Plan, and taking on administrative responsibilities and costs associated with placing a measure on the ballot. In addition, the Town asked that the Tribe offer \$20 million to offset impacts of the resort and to support a future community benefit project. The \$20 million payment would only be due if the ballot measure was successful.

The Tribe rejected the Town's counteroffer and informed the Town that it was ending discussions on the agreement and proceeding with construction of a wastewater treatment plant on tribal lands. Following this action by the Tribe, the Town offered to sponsor a ballot measure that would allow the Tribe to connect the resort to the Town's wastewater system and prepare required environmental review documents at no cost to the Tribe contingent on the Tribe agreeing to proceed with the agreement to connect the residential development to the Town's wastewater treatment plant. The Town would also agree to accept a reduced total payment of approximately \$16.5 million to connect both the residential development and resort development to the Town's wastewater treatment plant. The Tribe did not accept this offer.

“The Town is surprised and disappointed that after negotiating in good faith with the Tribe they suddenly reversed course and ended discussions on what would have been a win-win agreement. The Town worked very hard to prevent a wastewater treatment plant being built adjacent to the Deer Creek subdivision and to help the tribe avoid having to build and operate a new treatment plant,” said Town Manager Ken MacNab. MacNab also stated that the Town remains open to continuing discussions with the Tribe.

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