

Jungo and County Commission reach proposed settlement



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Wednesday, December 15 2010 17:09

WINNEMUCCA — Jungo Land & Investments and the Humboldt County Commission have reached a proposed settlement that could end the company's federal lawsuit. The commissioners must still vote on the issue, and the matter is on their Monday, Dec. 20 agenda.

The proposed settlement would restore Jungo's CUP, which was necessary for the construction of a class 1 landfill on Jungo Rd, but would also address some of the environmental concerns raised by the public.

The terms of the proposed settlement are as follows:

The Humboldt County Regional Planning Commission's extension to Jungo's CUP is affirmed effective April 5, 2010 and will remain valid through Dec. 20, 2015;

Jungo shall amend its application to NDEP for a solid waste disposal site permit; ("Application") to remove asbestos and sewage sludge from the wastes permitted for disposal.

Jungo shall fund the county's retention of a qualified independent consultant acceptable to NDEP to inspect the project three times during construction of the landfill liner and then once per month for five years once shipments of waste starts to arrive on site. Inspection reports shall be submitted to the County, NDEP, and Jungo;

Jungo shall fund the County's retention of a qualified independent consultant to review, evaluate and comment on Jungo's Application at a cost not to exceed \$50,000;

The parties shall negotiate a host agreement in good faith on commercially reasonable terms;

Jungo agrees to dismiss its lawsuit against all defendants, in its entirety, with prejudice, with each party to bear its own attorney's fees and costs.

Recology Spokesman Adam Alberti commented, "We believe that the proposed settlement is in the best interests of all parties. These terms were the result of extensive negotiations between the parties under the oversight by the federal magistrate judge."

The commissioners may comment, if they choose, at Monday's meeting.

Jungo filed suit earlier this year after the commissioners voted to revoke the five-year extension to the company's conditional use permit (CUP) previously granted by the Humboldt County Regional Planning Commission. At the time, the commissioners found the company had not acted in good faith to get through the permitting process and begin construction on the class 1 landfill.

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