

# Mono County Community Development Department

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Date: August 3, 2019

**RE: Comment period for the Tioga Inn Subsequent Environmental Impact Report set to close on August 21, 2019**

Thank you to everyone who submitted requests to extend the comment period for the Tioga Inn Draft Subsequent Environmental Impact Report (DSEIR). The Mono County Community Development Department understands the concerns shared by community members and while the requests cannot be accommodated in their entirety, **the 60-day comment period closure date has been set at August 21, 2019.**

Please note, **the public is invited to comment until a final decision is made regardless of the closure date of the DSEIR comment period.** Comments can be submitted after the close of the DSEIR comment period and County staff commits to providing a response, even though not required, through public hearings before the Planning Commission and Board of Supervisors. Therefore, the public continues to have the opportunity to comment on and potentially affect the outcome of the project until the final decision.

## Explanation and Rationale

In order to ensure a fair and equitable process, the Mono County Community Development Department follows established standards and procedures for every project. The California Environmental Quality Act (CEQA) states the environmental impact report (EIR) review period shall not be less than 45 days when reviewed by state agencies, as in this case, nor should it be longer than 60 days except under unusual circumstances (CEQA §15105). In anticipation of the issues cited in the extension requests, including complexity and scale of the project and environmental analysis, potential community impacts, library hours, and intense public interest, a 45-day comment period was not even considered and the maximum 60-day comment period was offered from the start. The notice of EIR availability was posted in the community (per CEQA §15105) on June 14, 2019, and an email was sent to the Mono Basin Regional Planning Advisory Committee (RPAC) email distribution list on June 17, 2019. A notice was published in a newspaper of record on June 22, 2019.

In order to extend the public comment period and maintain a fair process not only for this project but also for other projects with an EIR, unusual circumstances must exist. As noted above, the issues cited in the request letters were already accounted for in the initial comment period extension from 45 days to 60 days. Unusual circumstances warranting an addition extension could include, for example, extensive holidays such as the Christmas/New Year's period, or an event that disrupts daily life such as a wildfire evacuation.

The Community Development Department takes public engagement and interest in the project very seriously and would love to accommodate any and all public requests; and the Department also has an obligation to maintain a fair process based on established standards. Unfortunately, in this case, no situation exists to warrant an extension beyond 60 days. However, in practice, the Department also strives to coordinate the initiation of the comment period with the publication of a notice in the newspaper. In this case, the newspaper notice was published a week after the comment period opened and therefore, if June 22 is considered the opening of the comment period, the closing date of a 60-day comment period would be August 21.

While this solution is the Department's best attempt to say "yes" while remaining true to established standards and a fair process, we recognize the community is unlikely to be satisfied. We hope it can be recognized that the Department has heard the public's input even if we cannot grant the exact request within the constraints of established process.

For those interested in details of public review for an EIR, the County is obligated to publish a notice within a newspaper of record, OR mail a notice to owners and occupants contiguous to the project site, OR post a notice on-or off-site near the project to open an EIR comment period (CEQA §15087). On June 14, 2019, a notice was posted in the following locations: Mono Mart, Tioga Mart, Lee Vining post office, June Lake post office, and the Community Development Department office in Mammoth Lakes. Hard copies of the DSEIR were made available at the county libraries, including the Lee Vining public library (on June 17), and the Mono County offices in Mammoth Lakes and Bridgeport. A notice was published in a newspaper of record (The Sheet) on June 22, 2019. In addition to meeting the minimum CEQA requirements, the notice was also posted on the County webpage, an email notification was sent to the Mono Basin Regional Planning Advisory Committee (RPAC) distribution list on June 17, a workshop on the project was posted on the Planning Commission agenda and sent to the email distribution list on June 14, and the Planning Commission workshop was held in Mammoth Lakes and Bridgeport on June 20.

For more information on the project, please contact Michael Draper (760-924-1805, [mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)) or Gerry LeFrancios (760-924-1810, [glefrancois@mono.ca.gov](mailto:glefrancois@mono.ca.gov)). Project documents are available at all County libraries and the Mono County Community Development Department offices in Mammoth Lakes and Bridgeport, and digital copies are available online at <https://www.monocounty.ca.gov/planning/page/tioga-inn-specific-plan-seir>. Printed copies may be requested for the cost of reproduction, and CDs can be requested at no charge.

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