

Tioga Inn Specific Plan Amendment #3

Public comments received by 5:00 pm April 19, 2021.

## Michael Draper

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**From:** Paul Ashby <paul@DOBIEMEADOWS.COM>  
**Sent:** Sunday, April 18, 2021 9:19 PM  
**To:** CDD Comments  
**Cc:** paul@dobiemeadows.com  
**Subject:** comment for April 20, 2021 Board of Supervisors meeting on Tioga Inn proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Dear Supervisors,

I still find it difficult to accept that the revisions from late last year are the best that could be mustered, especially considering the thoughtful deliberation by (and unambiguous questions from) the Supervisors.

That response, ostensibly addressing both original and subsequent community and Supervisors' concerns, still fails to adequately address flaws in the amendment, then or now. Those proposed changes only result in more questions.

- The subsequent proposals didn't significantly respect -- or fully consult with -- the Kutzadika'a Tribe regarding the proposal's negative effects on the Tribe's ancestral lands.

- There remains no adequate response to clearly stated concerns by Lee Vining emergency personnel regarding fire safety and personnel capacity issues.

- There's no adequate response to pedestrian safety and connectivity; we are asked to accept studies at some vague later date. A subsequent EIR is necessary. Simply invoking the rhetorical dead-end of "unfeasible" no longer works. It's well past time for the proponent to apply some elbow grease to make this vital segment of the project feasible.

A shell game is being played with public safety (or lack thereof) in view of undeniable -- and, to a significant degree, admitted -- project impacts.

- Visual impacts remain understated, and, in some cases, have been misrepresented by the proponent at each step in the process. At one point we were asked to accept studies of sightlines from the South Tufa parking lot. This obfuscation actually reveals the studies did not include sightlines from the South Tufa \*shoreline\*. This discrepancy doesn't engender credibility regarding other proffered changes.

If this project is to have the support and respect of its neighbors and local agencies, it needs to pay for itself. It must not proceed in its present proposed state, which will leave safety, environmental, and financial burdens upon those it leaves in it profitable (for the proponent) wake.

Is the proponent hoping to wear everyone down in the process? This isn't just moving motels around on a Monopoly board. Everyone who lives here, works here, and visits here would be paying for Tioga Inn, as presented, for decades. And not in just cash.

Respectfully,

Paul Ashby

## Michael Draper

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**From:** Janet Barth <wesawone@gmail.com>  
**Sent:** Friday, April 16, 2021 3:27 PM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Tioga Inn Project

It is my understanding that nothing much has changed since the last time this project was before the board 4 months ago and that the same significant concerns from the Tribe, local residents, business owners, the Lee Vining fire Dept, and the Mono Lake committee still exist.

I would ask the Board of Supervisors *not* to approve the Tioga Inn Project until the Kutzadika'a Tribe's concerns have been heard regarding impacts to their cultural heritage. Safe connectivity for pedestrians and bicyclists from Tioga Inn to Lee Vining should be an integral part of this project and any adverse impacts to the Mono Basin Community should be addressed in the project's plans and mitigated by the project's proponent.

Janet Barth  
26241 Hyw 6  
Benton, CA

## Michael Draper

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**From:** Tom B <tom197774@live.com>  
**Sent:** Thursday, April 15, 2021 9:31 PM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Hello,

In regards to the tioga inn project... over several decades around the country I have seen so many mistakes made by many types of developments that do not complete a rigorous impact study. As we all know, in time, dozens of people place and things are impacted by the negligence of rushed projects. In this day and age, we are lucky to have the ability to properly plan our projects, but many seemingly overlook the preservation of the little uncommercialized land that so few can experience. Bringing tourism and other population densities to rural areas always ends up with garbage and noise. Correct me if I am wrong, but this whole tioga inn project will only enable what no mono lake local would consider beneficial.

My two cents.

Tom Berndt

Sent from your imagination

## Michael Draper

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**From:** Sharon Boies <sbmuzicmts@gmail.com>  
**Sent:** Sunday, April 18, 2021 10:24 PM  
**To:** CDD Comments; Bartshe Miller  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Attn: Michael Draper and the Mono County Board of Supervisors ,

Thank you for the opportunity to express my concerns regarding the Tioga Inn Project once again .

I am completely opposed to any expansion of the current business .

Some of my concerns are as follows ;

+ The unwanted creation of additional air, water, noise , light and night sky pollution that will occur, not only during construction but permanently as well.

Many species of wildlife in the region rely on the dark night sky too.

+ All the additional trash that will be created , where it will be disposed of and at who's expense .

+ Trash blowing into the surrounding environment and roadways, who will be responsible for picking it up ?

+ A world renowned , iconic view , here for ions, will become a landscape marred forever, it will be an unnecessary permanent eyesore for future generations to see instead of the magical view it is now and should always remain.

+ The loss of habitat and known safe corridors for passage for the existing wildlife .

+ Potential loss of known water sources to the existing wildlife.

+ The loss of the small town charm, feel and character of Lee Vining that we've all come to love and cherish and can't wait to get back to .

+ +The entire situation with the water. An additional incalculable amount will be required on a daily basis , besides what Lee Vining , Mono Lake and the fire department require now,

the project will need water for things such as the construction of the project itself , cleaning, cooking, bathing , laundry , toilets, dish washing , drinking and landscaping . How many gallons are they talking about taking away from others on a daily basis ? How much water pressure will the project require and what does the fire department need on hand at all times ?

Was there ever a study done on any of this and if so , when ? And by who ? What were they basing consumption and replenishment on?

Was it recent enough to have used the most current climate change forecasts and models we have available ? What about in times of extreme drought and minimal snowpack ? Will there be enough ?

+ The wastewater that will be created and it's treatment .

+ The stormwater runoff, locally to the site and downstream .

- + The erosion and the expanded impervious footprint on such fragile soil .
- + An unsafe additional exit , in case of fire , on to 395.
- + The creation of an unsafe traffic situation at 120 and 395.
- + The additional risk for fire and fire escaping into the town or the park. Also the possibility for more accidents and injuries.  
Lee Vining doesn't even have an ER medical facility.
- + Lee Vining doesn't have a bank, will one have to be built now too?
- + Creates an undue , unfair and expensive burden on the fire departments resources and personnel.
- + Creates an overcrowding situation at the schools .
- + Some of these children may qualify for free meals and may need other assistance using up limited resources available to the town now.
- + Creates additional water usage needs for the schools. Who's paying for that ?
- + A need for the construction of a pedestrian and bike path into town with a need to be maintained even in bad weather so children can get to school.

Who is going to pay for all of this ?

The existing tax base ? Seriously ?

How incredibly unfair is it to think the very businesses that could be financially harmed to the point of having to go out of business due to the new " Walmart " in town would be expected to shoulder the bill along with the towns residents by either paying higher taxes or by being charged a special assessment .

I would think the owner of the project would need to pay for all of the additional expenses the town would be incurring yet I haven't heard one word about that ?

Lee Vining is a seasonal town to begin with. Some of the existing businesses including Whoa Nellie Deli close part of the year due to unpredictable harsh winters causing a lack of business , the park being closed, fires and now covid . You're thinking about allowing full time costs to the town and permanent desecration of a landscape for part time use and occupancy of a business against people around the world and the towns residents and existing businesses wishes for the profit of one family and a developer .

Please , fill me in, what am I missing here ?

How is there even a possibility of this project moving forward ?

How many people have written to the Board of Supervisors saying Lee Vining needed another hotel or restaurant ?

How many people have written to the Board of Supervisors in opposition of this project ?

Why isn't the wishes of the large majority being heard , we don't want this. Who stands to gain from this project besides one family and a developer ? Look at everything there is to lose . We know better now . This does not have to be approved.

Late last year we learned of one of the most disturbing things about this project to date. Out of all of the disrespectful things and disregard for others concerns and feelings about this project , how is it possible that the Kutzadika'a Tribe was completely pushed aside ? Not even part of the conversation . They didn't matter. Their opinions , feelings and cultural heritage weren't even taken into consideration , not even for a minute. I figured they would have been consulted first, decades ago.

I find this to be completely unacceptable .

This project shouldn't have gone anywhere back in the 90's without all the appropriate surveys and studies of the area and consultations done back then and most importantly , the tribes approval.

Who knows what could have been and still could be lost .

This decision is about so much more than the approval of a mini town and hotel . This decision is about setting Mono County on a path forward by developing iconic landscapes and the loss of national treasures forever , some we know about and some we haven't discovered yet , or, by protecting these treasures forever for the betterment of all future generations to come.

You can always kick the can of development down the road but you can never take it back.

Please consider the magnitude and unintended consequences of your decision . The devastation will remain here long after we have left here , is that how you want your legacy to be written ?

Thank you for your time and consideration on my concerns regarding this project .

Very Sincerely ,  
Sharon Boies  
Columbia , MD



## Michael Draper

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**From:** Laurel Boyers <laurel.yose@gmail.com>  
**Sent:** Thursday, April 15, 2021 12:06 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

I have already commented in writing, so I hope all previous comments will be considered.

However, one issue just came up that hit commercial entities hard. This was the recent announcement of the re-establishment of the day use reservation in the Park. As you may or may not know, there are multiple resort complexes and hotel units which are in the works or have been built in the last few years. For instance, there are about 500 new hotel rooms just opening in Oakhurst on the south boundary, and ground has apparently been broken on another big resort (camping/hotel/restaurants) on Hwy 120 to the NW. As a life-long Yosemite resident, I am keenly aware of the increased day use, and while the covid pandemic provided a “good excuse” to implement day use restrictions, a more permanent establishment of a reservation system is likely in my opinion. Precedent has been set in other national parks (Grand Canyon, Zion, and a couple of others I can’t remember right now), so the National Park Service understands and is willing to mitigate the impacts of ever increasing demand. Business owners in Mariposa were “caught off guard” when it was announced the day use reservation system would be implemented again this summer. In my opinion, it is likely this will be the norm, if not next year probably soon after. The park, particularly the Valley, cannot take the consequences of unlimited development at all entry points.

I would guess most of the guests at Tioga Inn will be wanting to access the park, but may not be able to. The communities here on the west side are scrambling to find other activities to advertise for their guests. While it is tempting to only focus on the impacts to the immediate area around the new development, I would urge you to consider the impacts to a much broader geographic area as guests who can’t get access to the park may seriously affect other wonderful natural resources in a much greater area around you.

It might also seriously cut down on the amount of guests using the facility if folks can’t get a day use reservation. It doesn’t sound like a smart business move to build more accommodations now to me..

Thanks for the opportunity to comment.

Laurel Munson Boyers  
PO Box 55  
Yosemite, CA 95389

Kevin C. Brown  
PO Box 52  
Lee Vining, CA 93541  
kevin.brown723@gmail.com

Mono County Community Development Dept.  
Attn: Michael Draper  
PO Box 347  
Mammoth Lakes, CA 93546  
cddcomments@mono.ca.gov

April 17, 2021

*via email (no hard copy)*

Dear Mr. Draper:

I write to comment on the Tioga Inn Specific Plan Amendment under consideration by the Mono County Board of Supervisors this Tuesday, April 20. I am a full-time resident of Lee Vining, where I try to make a positive contribution to the community as a volunteer firefighter with the Lee Vining Fire Department.

While there are many questionable aspects of the Tioga Inn specific plan amendment—in particular the shameful lack of consultation with the Kutzadika'a Tribe—I will restrict my comment to one of the “significant unavoidable adverse effects of the project” identified within the SEIR itself: namely, the lack of safe pedestrian and cycling connectivity between the project site and the town of Lee Vining.

The SEIR lays the blame for this failure of pedestrian connectivity on “specific economic, legal, social, technological, or other considerations,” and it concludes that “the potential for adverse impacts on foot traffic between the project site and Lee Vining is therefore considered to be significant and unavoidable.”

As I write this letter I cannot help but recall political economist John Kenneth Galbraith's reflections on the “curious unevenness” of our blessings in the United States. Amidst private opulence we are surrounded by a kind of “public squalor” where needed public services and infrastructure go unfulfilled or unbuilt. Sadly, the lack of a safe connection for pedestrians and cyclists between this proposed project and Lee Vining seems to represent this dichotomy nicely: a developer stands to profit handsomely and the people will have to take their chances walking or riding along a route that is known to be unsafe.

Yet all is not yet lost. The Board of Supervisors has an opportunity to protect the public good by either (1) rejecting the project outright; or (2) requiring the Community Development Department to produce a plan for ensuring safe pedestrian connectivity between Lee Vining and the proposed project site *before* it votes on the merits of the Tioga Inn specific plan amendment. In my view, either of these options would send a clear message that future development projects in Mono County must do better for the public than what is presented in this current plan.

Thank you for recording this comment.

Sincerely,



Kevin C. Brown



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**Bishop Office:** 873 N. Main St., Suite 120, Bishop CA 93514  
Telephone: (760) 873-3581 ♦ Toll-free: (800) 736-3582 ♦ Fax: (760) 873-7461

March 24, 2021

## VIA ELECTRONIC MAIL

Mono County Board of Supervisors  
c/o Clerk of the Board, Shannon Kendall  
P.O. Box 715  
Bridgeport, CA 93517  
Email: skendall@mono.ca.gov

### Re. John Dondero Comments

Dear Mono County Board of Supervisors,

It has come to the attention of the Mono Lake Kutzadika'a Paiute Tribe (Tribe) that you received cultural-resource-specific oppositional comments from Mr. John Dondero. The Tribe respects every citizen's right to participate in this political process, but reminds the Supervisors that no individual can take a position on behalf of the Tribe without prior consent. This along with other safe guards prevents appropriation of the Tribe's community and culture.

John Dondero does not have authority to speak for, or on behalf of, the Tribe, which is, and necessarily must be, the authority on matters concerning cultural resources. As such, his comments do not reflect the Tribe's position regarding its cultural resources.

The Tribe declines to comment further on any related position he's taken, except to remind the Supervisors that they are not official Tribal positions on matters of cultural significance. The Tribe refers you back to prior official correspondence for topic-specific comments.

Respectfully,

A handwritten signature in blue ink that reads "Dorothy Alther".

Dorothy Alther  
CALIFORNIA INDIAN LEGAL SERVICES  
Counsel for the Tribe





# CALIFORNIA INDIAN LEGAL SERVICES

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March 30, 2021

## VIA ELECTRONIC MAIL

Bob Gardner  
Mono County Supervisor, District 3  
PO Box 564  
June Lake, CA 93541  
Email: bgardner@mono.ca.gov

### Re. Dennis Domaille Meeting at Tioga Inn Project Site

Dear Supervisor Gardner,

The Mono Lake Kutzadika'a Paiute Tribe (Tribe) appreciates your recent efforts to facilitate a purposeful and safe meeting between Tribal Elders and Tribal Leadership with Dennis Domaille on the site of the Tioga Inn Project.

We write on behalf of the Tribe to confirm its commitment to meet with Dennis Domaille on the Tioga Inn Project site, with the intention of holding the meeting during the first half of May 2021.

As previously discussed, the Tribe believes that for the meeting to be effective, the area should be free or mostly free of snow, and this has not occurred to-date. Additionally, the Tribe believes it is currently unsafe to gather for such a meeting due to the detrimental impacts that COVID-19 has had on the elderly. The Tribe is hopeful that these concerns will be alleviated come May.

Respectfully,

A handwritten signature in blue ink that reads "Dorothy Alther".

Dorothy Alther  
CALIFORNIA INDIAN LEGAL SERVICES  
Counsel for the Tribe



## Michael Draper

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**From:** Mimi Calter <m\_calter@hotmail.com>  
**Sent:** Thursday, April 15, 2021 10:40 AM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper - Tioga Inn comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

I understand the Tioga Inn proposal is again coming before the Board of Supervisors. However, nothing appears to have changed from the project's last appearance before the Board four months ago and significant concerns with the project remain. Broadly, my concerns are:

- The Kutzadika'a Tribe needs to be respected and adequately consulted regarding impacts to their cultural heritage.
- The project brings significant adverse impacts to the Mono Basin community including, but by no means limited to, dramatic impacts to the viewscape.
- There needs to be a strong pedestrian and bicycle connection between the project site and Lee Vining and this has been excluded from past EIR analysis.

The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better. I urge you to require the project to address these critical concerns.

Mimi Calter

April 18, 2021

Dear Mono County Board of Supervisors:

Once again, I am writing to oppose the Tioga Inn Project. Although I do not live in Mono County, I have loved, enjoyed and respected the natural beauty of Mono County each summer for decades on our family vacations. Yes, times have changed, but Mono Lake is one of the few beautiful, unpopulated, natural places left in California.

Several details of the Tioga Inn project seem to be left out of consideration in the presentation of this proposed project. First and foremost, in my mind, is the inclusion of a safe pedestrian and bicycle path between the project and Lee Vining. Residents and tourists deserve nothing less. An E.I.R. in this regard should also be completed since it has not been analyzed yet.

The Kutzadika'a Tribe needs to be consulted in regards to their cultural heritage and how it could be affected by the Tioga Inn project. It is the respectful thing to do.

It has become more evident that the proponent of this project stands to gain many private benefits, yet adverse impacts will have long-term effects on Mono Basin community, the local school district, Lee Vining's Volunteer Fire Department, Mono County, and Caltrans. Who will be paying for what? So many unanswered questions...

I feel that all aspects under consideration warrant further scrutiny. Both the developer and opponents need to further study this project in order for it to satisfy both sides of this issue.

To have such a major (urban-style) project in such a small and rural county would have long range effects that could set the tone for a path to urbanization which I feel Mono County does not want nor can afford.

Please consider the consequences of your actions before voting on this important Tioga Inn project.

Thank you very much for considering my opinion.

Sincerely,

Peggy Cecchetti

pmcecchetti@yahoo.com

## Michael Draper

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**From:** Beth Costanza <costanzabeth@gmail.com>  
**Sent:** Thursday, April 15, 2021 10:07 PM  
**To:** CDD Comments

**[EXTERNAL EMAIL]**

As longtime visitors to Mono lake, Lee Vining, June lake loop area, and Tioga my family and numerous friends have always been renewed by the open space, serene Sierra grandeur uncluttered by buildings. We are so lucky that the proposed development site has remained so beautifully unspoiled and it would be a travesty to allow a development to spoil such magnificence. We should honor the tribes who have understood and respected the sanctity of wild lands by rejecting any plans to tame or modify our great Sierra open spaces.

Sincerely,  
The Angelo and Beth Costanza family and friends

## Michael Draper

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**From:** Meredith Course <mmcourse@uw.edu>  
**Sent:** Thursday, April 15, 2021 9:56 AM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper re: Tioga Inn project hearing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Hi Michael and the Board,

I will be unable to make the next public hearing (4/20) on the Tioga Inn project, and so am submitting my comments here.

1. It is unconscionable to move forward with this project without a thorough and respectful consultation with the Kutzadika'a Tribe, who have resided in the area and cared for it since time immemorial.
2. This project must include firm plans for safe pedestrian passage between the site and the rest of the Lee Vining community, otherwise it puts lives at risk.
3. The private benefits of this project come at a major cost to the public (the county, school district, CalTrans, fire department, etc.), and therefore should include ways to mitigate these costs to public resources.
4. There is nowhere else on earth like Mono Lake, both in its beauty and peace. Please don't let this for-profit venture destroy it.

Thanks for your consideration,  
Meredith

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Meredith Course, PhD  
(she/her pronouns)  
Postdoctoral Fellow  
Medical Genetics  
University of Washington



## Michael Draper

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**From:** Lucinda Cox <lucindacox@sonic.net>  
**Sent:** Thursday, April 15, 2021 1:45 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Attn: Michael Draper

Please prevent further commercialization of the Mono Lake Basin.

This wildlife habitat area needs to be protected. Restore, preserve and conserve this unique landscape.

Thank you,

Lucinda Cox

February 24, 2021

Dear Mono County Board of Supervisors,

I am writing this letter in response to the Tioga Inn Specific Plan Amendment that Charlotte Lange had written the information in this letter that she had provided is false. I will start by saying she is wrong. All the natives have a territory where they are from and their surrounding area in this territory fishing, hunting, gathering, and trails and all resources especially sacred areas belong to us people of the Mono Basin and no other people from out of the area. There are many areas that were heavily used, there is also a few places like Mr. Damaille's that weren't used no resources or heritage nothing up until recent history.

There are no traditional trails or cry dance district on the project site. The cry dance district that they are referring to is my mother's family site and our heritage NOT THE TRIBES! Matter of fact when the tribe had the chance to help save my aunts home and cry dance site they did not help they knew what was going on. Our concerns are for our own people in the Mono Basin not somewhere else in 2018 where was the tribe when my mother's family home and cry dance site was being lost to the SCE. My aunt, uncle, and Mother were born and raised on that property. The family had been there for 88 years my aunt was the last to live there in 2018. The Lee Vining Historical Society tried to help save the property but it didn't work. Charlotte and her board did nothing, now they want the site for their own benefit. There are many reasons why I say our board is dishonest this is just one example. The fact is that no cry dance sites belong to the tribe. Each and every cry dance site belongs to the family of the departed, and individual families, the site belongs to the land holders the tribe was never involved. No tribe, not on tribal land, no Tribal Board or council has ever been in charge, a part of, or ever helped out. Ceremonies are not for all including other natives, there is a designated area for these ceremonies the Rush Creek Cemetery. I will say there are several Mono's have not had a cry dance, this is the responsibility of their family not because lack of where or land it was the lack of respect these people held for their elders and loved ones. Charlotte knows they never had a cry dance for her grandparents, her grandparents link her to our tribe, yet she speaks a good game on how a cry dance works, I never seen her at any cry dances held in the Mono Basin. Having a permanent cry dance site for all members is not our way, we don't mix our spirits, souls or our medicine. There is good and evil in every race. You religious people don't invite the devil to church do you? This is how we feel about our families cry dance sites. The fact is and sad to say if all our cry dance sites were destroyed that could not and will not stop our cultural practices or obligations to our loved one or ourselves.

In regards to the tribal cultural resource monitors they will not be natives from Mono Basin they will be relatives of our board members and be from somewhere else. The average driving time for them will be 21 hours every 7 days. If Charlotte was from Mono Basin she would know all of our small towns quadruple in size during the summer, also back in the 20's – 50's or so there were a lot more people then there is now. So in conclusion of this letter I will say 90% of our Tribal members are outsiders, they weren't born or raised and never lived in Mono Basin and they are all chasing money and recognition and they don't know or respect the Elders with knowledge, they have no honor.

Sincerely,

John Dondero

Our bylaws were adopted in 2003 Charlotte has been in charge ever since, many bylaws have been violated by our boards. Any honest person will not last long on any of our boards. Jerry Andrews a board member he always had a voice at meetings about everything and when it came down to meetings he was on point. September 2015 noticed our uncles personality changed, he got nicer, November and December 2015 he's been acting silly like he had a few cocktails.

2016 January, February, March, and April acting silly still not paying attention at meetings

May 2016 like he hit a wall he spoke very little and when he did speak it had nothing to do with the meetings.

June 2016 comes to the meetings but has no voice

July 2016 comes to meeting no voice, I asked him if he could write his name, he called me Steve my older brother and he said he could. He could not write his name it was scribbles then his girlfriend came over and grabbed the paper and put it in her purse.

August 2016 my uncle was diagnosed passed the mid stages of Alzheimer's

From September 2016 to November 2019 he went to meetings and had no voice. The board finally removed him after making a spectacle of him our board is not only dishonest they are disrespectful and shameful. I know for 2 1/2 years my uncle had no input, no voice could not write his name. Within these two years the board had to sign papers as a whole, I believe his girlfriend forged his name on Federal documentation, she does all his personal paperwork and if it wasn't her then who? I know the board would allow this because they are a tight group.

In 2020 he passed on.

The other so called people in our tribe don't know what's going on because they never show up at meetings.

*(Transmitted via email to CDD on March 3, 2021)*

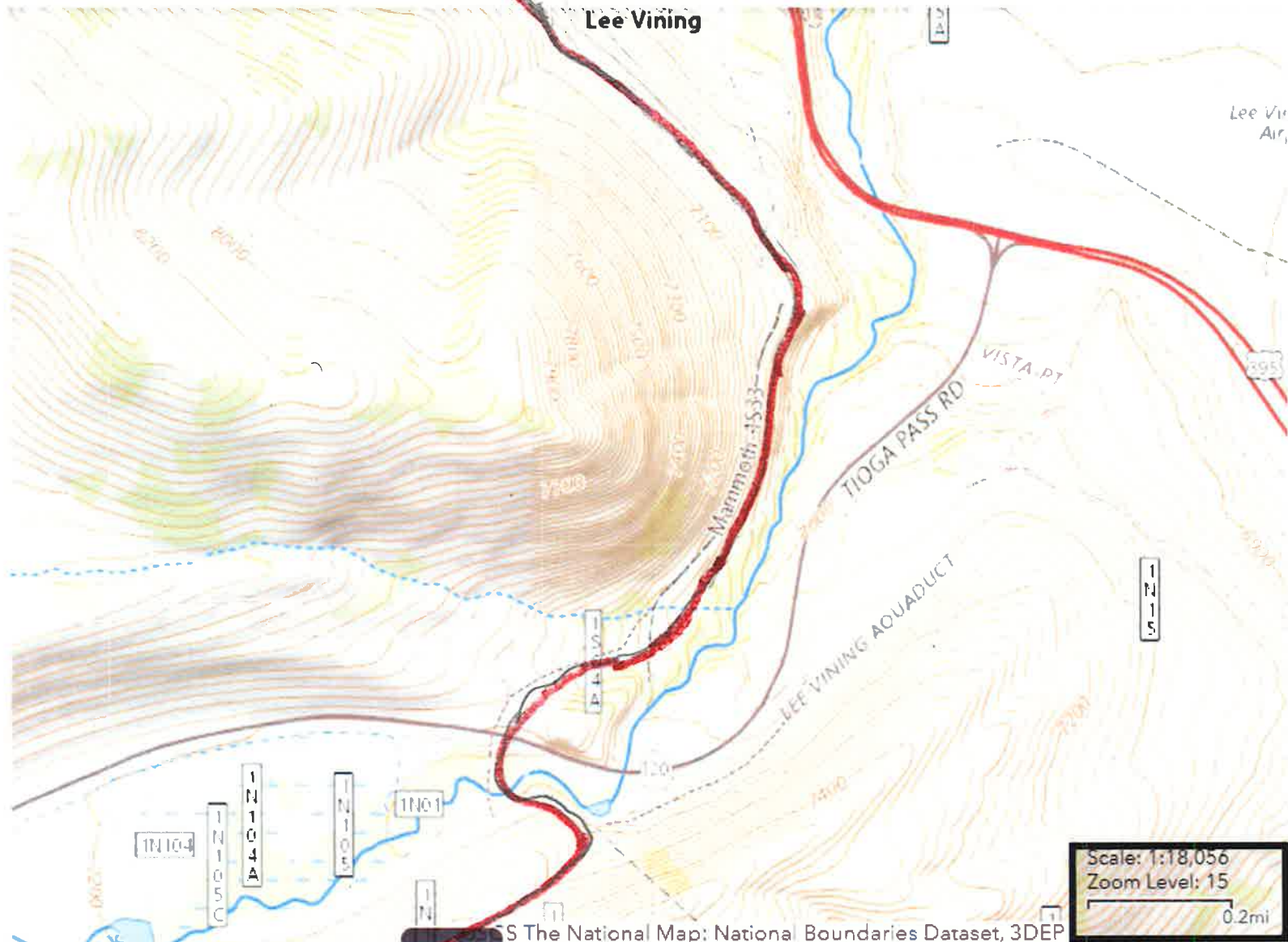
Dear Wendy,

Here is a revised paragraph from the first letter I sent you there is just a few errors. My Aunt, uncles and mother were born and raised on that property. And each and every cry dance fire belongs to the family of the departed, and individual families, the site belongs to the land holders the tribe was never involved.

And here is an additional part that I added. Charlotte Lange since the 60's her grandparents, uncles, mother, aunts and cousins. These are all of her ancestor people from the Mono Basin, none of them had a cry dance. The responsibility for the cry dance is the family of the departed, not the tribe. They have always had land to hold a cry dance they just never did, this shows you her and her family had no respect or obligation to their loved ones. It also shows that the cry dance heritage and history is not in her family. Mono Basin cry dance is the heritage of most families of the Mono Basin, some of the families did not believe in the cry dance or it was not a part of their family history. The Lange's and the Sam's families did not hold these ceremonies.

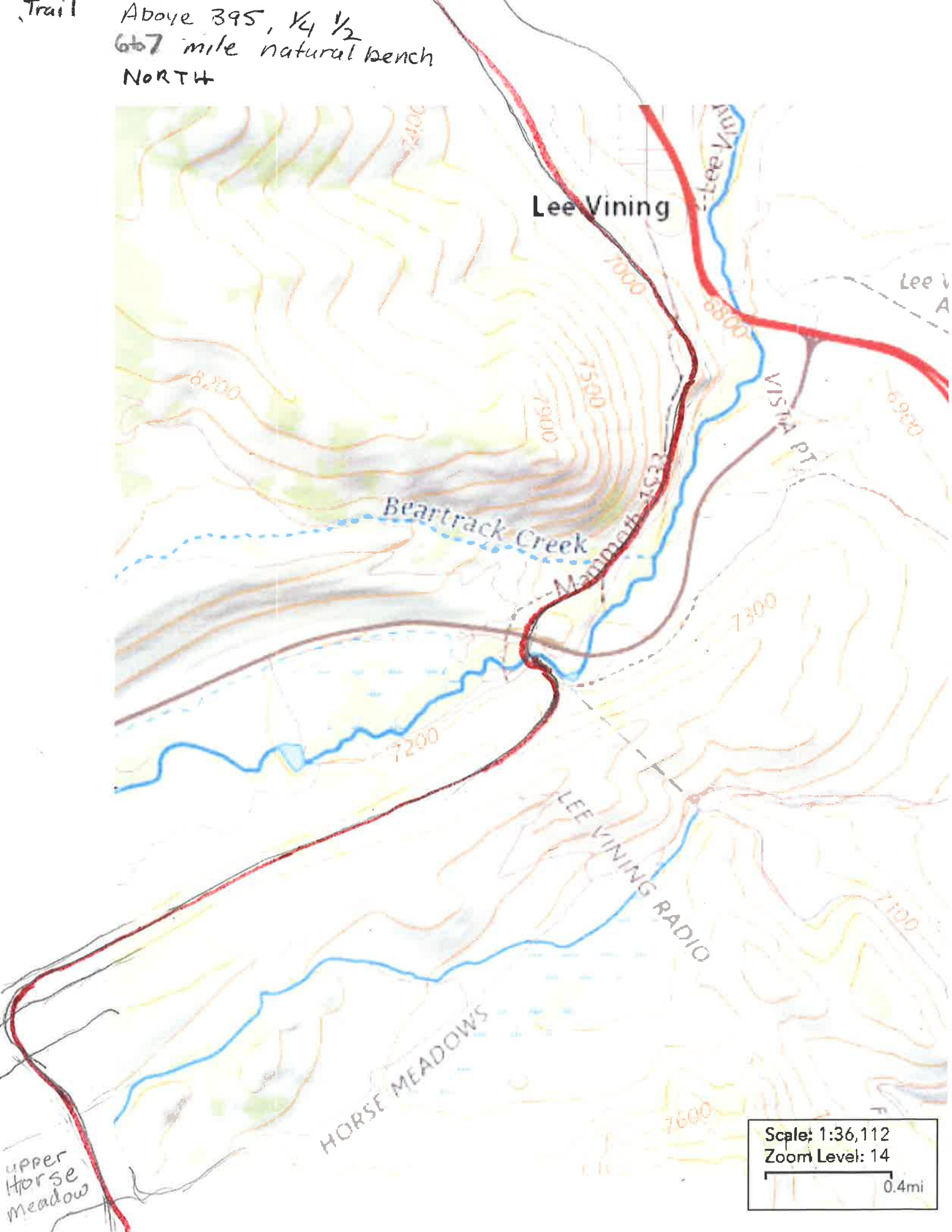
Sincerely,

John Dondero



© 2015 The National Map: National Boundaries Dataset, 3DEP  
<https://viewer.nationalmap.gov/advanced-viewer/>

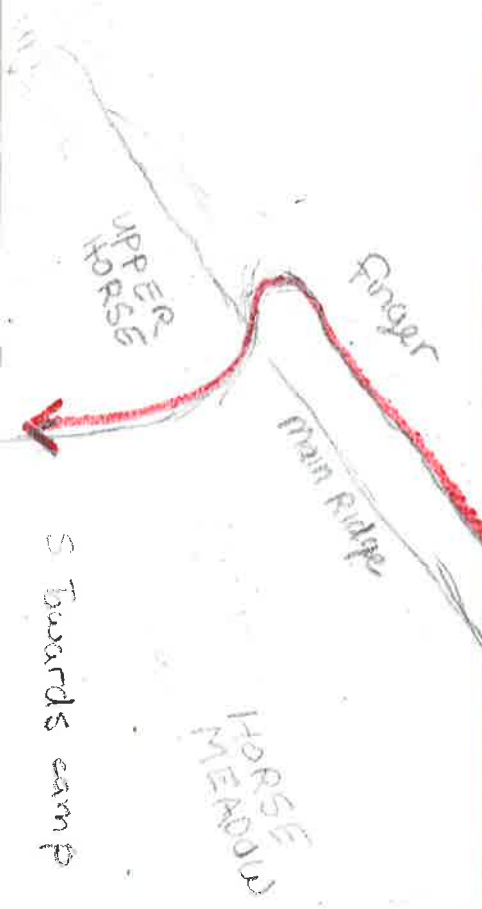
Trail Above 395, 1/4 1/2  
6 to 7 mile natural bench  
NORTH



Scale: 1:36,112  
Zoom Level: 14  
0.4mi

Upper Horse meadow





## Michael Draper

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**From:** Carol Enns <ennscarol@gmail.com>  
**Sent:** Monday, April 19, 2021 11:41 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project: Board meeting April 20, 2021

### [EXTERNAL EMAIL]

Dear Honorable Members of the Board:

In this day, it is well-known that respect should be paid to local Native tribes, yet, the Tioga Inn Project plan does no such thing.

My brother, as a water treatment board chairperson, was instrumental in the development of a water treatment plan on the central coast of California. He FIRST went to the native tribes and this was several years ago. The mitigation was to move a planned pipeline location thus avoiding sacred burial areas.

Please ask the Tioga Inn Project planners to do likewise.

I continue to be concerned about the impact of the project on the beautiful area of Mono Lake, as I wrote earlier in the planning process. While a developer can propose all of his or her "asks" it is up to the community to protect their interests and in this case, protect the interests you have for a remarkable natural resource in Mono Lake, the beautiful skies and long-range views. To meet half-way, consideration needs to be made for the financial impact of the project on your community services, in addition to enhancing your community with standard features now being introduced metropolitan areas such as bike and walking trails, "green space", and air quality considerations

The proposed project still inflicts unfair financial and environmental burdens on the local community so know that you have support to protect your treasured community and environment.

Sincerely,

Carol Enns  
1756 4th Avenue  
Sacramento, CA 95818



## Michael Draper

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**From:** Heidi Hall <easternsierraheidi@gmail.com>  
**Sent:** Saturday, April 17, 2021 12:55 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Specific Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

In an article published by the Mono Lake Committee Dennis Domaille was reported to have said that if the Tioga Inn lodging was built without the workforce housing the housing deficiency would only get worse. The MLC chose to describe this statement of fact as a "threat".

Yes. The truth is a threat to anyone who has an agenda based on the manipulation of facts.

Most people, especially those who visit Lee Vining a few times and write letters whenever the Mono Lake Committee whistles may be unaware how many people serving the tourist industry in the town of Lee Vining are living in cars and tents. I have personally known dozens of them. I nearly was one myself.

I attempted to work in Lee Vining. The first year I was unable to accept the job I was offered unless I was willing to live in my truck. I found a job elsewhere. The next year I was offered the same job and a place to live. My employer and landlord were one in the same.

Upon moving into the decaying motel which was to be my home for the next 6 months I had to don PPE and spray diluted bleach on the rodent droppings that covered nearly every surface in the rooms before I vacuumed. I attempted to clean the carpet but eventually gave up and bought several throw rugs to cover up what appeared to be a permanent puddle of motor oil in the middle of the room along with several other smelly stains whose source I didn't want to contemplate. The windows and their frames were broken, held together by nails and several layers of different types of tape and could not be opened. The local electrician referred to these buildings as a fire trap.

My ability to have a hot shower or wash dishes was dependent on how many people were sleeping in the “office” next door. Their hot water came from my water heater. I was obviously paying for the showers of the people sleeping in this “office” since my utility bills, estimated because there were no individual meters, were exorbitant. When I expressed my concern to my landlord/employer I was told no one is supposed to be living in the office and the cost of utilities, along with my rent, was taken directly from my paycheck. My only other choices were to live in my truck or quit my job.

I was offered the job again the next year but could not consider the expensive and filthy room for another season. I traded in my truck for a more economical car and tried to commute but an 11-12 hour day, including driving, was not sustainable and I had to resign.

An organization needs conflict in order to solicit money and the source of information on an issue is all too often the same organization which is making bank on the conflict. The MLC has no incentive to acknowledge the truth of the housing issue let alone help resolve it in spite of the fact that they were my employer/landlord mentioned above and they have offered/provided substandard housing to their seasonal employees for years. I first read about this development plan at the Tioga Inn from an MLC mailing. Along with some nonsensical graphics and several gross mischaracterizations of the impact of the project this mailing included a request for money. Of course it did.

In an article published in the June, 2020 newsletter the MLC included a photo they claimed was of a “small piece of glass” at the site of the proposed housing taken from “South Tufa” even though the proposed site cannot be seen unless one is on the water. In a more recent publication the object reflecting the light at the housing site was described as a 2' X 3' mirror. Now the MLC website is once again calling this 2' X 3' mirror a “small piece of glass”. This is only one of the “alternative facts” being touted by The Mono Lake Committee but this letter would become unreadably long if I listed and countered every single one of them.

In a just world anyone who chooses to create and distribute this kind of misrepresentation would be disqualified from any further influence on the issue. In addition the idea that working people should have to choose between homelessness, joblessness, a

disgustingly filthy rental or a long commute just so a handful of photographers won't have a small bit of reflected light in their picture is obscene.

In spite of my personal experience I stayed out of this conflict until I saw a couple of letters from MLC employees speaking of the Mountain View Fire in Walker, CA as a reason to force working people into homelessness, joblessness or a long commute. I live in Walker. I literally wanted to vomit. I cannot get the image out of my mind of these letter writer's eyes lighting up, saying; "we can use this!" in spite of the obvious difference between homes spread out on large agricultural parcels and the clustered development proposed at the Tioga Inn.

Also on the fire issue - a spokesperson for the Lee Vining Fire Department insists that an escape route needs to go "west" to the southbound lanes of 395. But Highway 395 is north and east of the Tioga Inn site. Do the opponents of this project know east from west and/or what other facts are being turned 180 degrees in their propaganda? I believe it is also appropriate to point out that this representative from the Lee Vining Fire Department is also a long time employee of the Mono Lake Committee.

And now the pedestrian/ bicycle route is back on the list of the MLC's demands. I cannot see how the developer can be held responsible for building a trail which is not on his land. Furthermore there is only a short stretch of Hwy 395 between the 120 intersection and the town of Lee Vining which lacks a sidewalk, but has a substantial shoulder. Most of the world lacks sidewalks. If I may be permitted a bit of sarcasm why not also demand world peace and free money? Or maybe the Walker community should demand that the MLC provide sidewalks for our town in exchange for attempting to appropriate the tragedy we are suffering from. See how easy it is to become absurd?

The housing is needed. Anyone who agrees but says "not in my backyard" needs to be honest about their reasoning and present a different plan for workforce housing in Lee Vining. Anyone who says this project is not needed is innocently ignorant, in denial, delusional or lying. And maybe they are keeping a real roof over their head by "protecting" Mono Lake from the people who serve food and sell books to tourists and go "home" to sleep in their car. In a world with a conscience this kind of inhumane exploitation and self serving opportunism would not be acceptable.

The Tioga Project should be approved.

Thank you for your time.

Heidi Hall

## Michael Draper

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**From:** Sharon Hawley <sjhawley@sbcglobal.net>  
**Sent:** Thursday, April 15, 2021 5:26 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Comments

[EXTERNAL EMAIL]

April 15, 2021

Attn: Michael Draper

Dear Mono County Planning Committee Members:

Another year has passed, and we are writing **again**, to oppose the approval of the current Tioga Inn Specific Plan and to ask that you respect and address the concerns expressed by the Lee Vining community, the Kutzadika tribal group, the community businesses, and the service providers that would suffer the impacts of this project as it stands.

**It is our belief that if improvements to the project and, positive steps toward resolution to the community concerns were made, a resolution could be found.**

We have been a frequent visitor to this area for over 22 years, and we love the scenic beauty and respect the efforts of the community to protect the natural environment. We are concerned about the Tioga Inn Project for several reasons. Each of the following issues is important to us:

As we arrive and leave from the area using Highway 120 the impact of increased traffic at the Highway 120 and Highway 395 junction is of concern to us. This issue will have an impact not only on vehicular traffic but also on **pedestrian, and bike traffic as well.**

From our perspective, the location of this project is of great concern. It will have a negative impact on the visual beauty of the area. Please consider the fact that and once the site is disturbed by this project it will forever be changed and the former beauty will never be recaptured.

Another issue that is important to us is the need to extend a respectful opportunity to address the concerns raised by the Kutzadika tribal group.

If the current plan is approved, who will bear the costs of the intended and any unintended consequences of the decision?

We know that this is a difficult decision and we hope that you will consider our issues as you deliberate. **The over-all goal should be a resolution that will benefit**

**everyone; the Lee Vining community, the tribal group, and the visitors to the area as well.**

Sincerely Yours,

Dana R. Crum & Sharon Hawley-Crum

## Michael Draper

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**From:** Carol Hirth <chirth@mac.com>  
**Sent:** Thursday, April 15, 2021 10:16 AM  
**To:** CDD Comments  
**Subject:** Attention: Michael Draper - Tioga Inn plans

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

As a concerned citizen and protector of the Mono Lake area, I urge you to consider the considerable weaknesses of the Tioga Inn project which needs to be greatly improved, minimizing any and all environmental and cultural impacts.

- The Kutzadika'a Tribe needs to be respected and adequately consulted regarding impacts to their cultural heritage.
- Safe connectivity in the form of a pedestrian and bicycle path between the project site and Lee Vining is feasible and Mono County as the lead agency must prepare a subsequent EIR because the path would reduce significant impacts and was previously excluded from analysis.
- If approved as is, the Tioga Inn project proponent will reap significant private benefits, while significant adverse impacts will be left to the Mono Basin community, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans to figure out and pay for.
- The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better.

Thank you,  
Carol Hirth, Berkeley, CA. 94702

## Michael Draper

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**From:** Ernest Isaacs <ernesti@pacbell.net>  
**Sent:** Sunday, April 18, 2021 7:11 PM  
**To:** CDD Comments  
**Cc:** elin@monolake.org  
**Subject:** the tioga inn project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Hello Board of Supervisors -

I would like you to reject any approval for the Tioga Inn Project in Lee Vining.

I am now 81 years old and have been coming to the Eastern Sierra since the late 60's and I have visited Mono Lake more times than I can count.

In the 70's and 80's, we would head south and backpack over the High Passes on the Sierra Crest. We would meet at Nicely's in Lee Vining to head south. Nowadays I am doing my hiking in the canyons from the Mono Basin, Twin Lakes, Lundy, etc.

The attraction of the Eastern Sierra has been the wide open sagebrush deserts, the mountains to the west, Mono Lake. It is what brings visitors like me coming back again. To allow this Inn to add light pollution at night and visual pollution in the daytime to this area destroys these values, to say nothing of the impact of so many more people in the area.

The town of Lee Vining has a unique small town ambiance which would no longer exist, even if the needed safety improvements were added to the project.

The Native Americans who have been stewards of his land until the white folks came along, the Kutzadika'a Tribe, are also not happy about their land being abused this way and their voices need to be heard.

The Tioga Inn Project is just wrong for this area. Please disapprove it.

Ernest Isaacs  
1077 Keith Ave.  
Berkeley, CA 94708  
(510) 526-0711



## Michael Draper

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**From:** jf\_iverson <jf\_iverson@comcast.net>  
**Sent:** Monday, April 19, 2021 7:28 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

I am writing as a concerned property owner of a cabin at Mono City. I am afraid that the concerns of the Kutzadika Tribe are not being respected by the developer of this project. The tribe must be consulted and their needs addressed if this project goes forward. The cost to the community will be significant regarding safety concerns for pedestrian and bicycle traffic, and to the agencies protecting the community especially the volunteer fire department. The developer has much to gain while the community of Lee Vining will be forever changed with more light pollution, traffic and negative impact on wildlife. Please consider what this project will do to the unique qualities that make Mono Lake so special. Frances and Jon Iverson

Sent from my iPad

## Michael Draper

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**From:** Venita Jorgensen <kvenitaj@att.net>  
**Sent:** Saturday, April 17, 2021 2:44 PM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper, Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

From: Kirke C Jorgensen, 4435 Mission Inn Ave, Riverside CA 92501

Please accept my input on the Tioga Inn Project. My wife is a native on Mono Inn/Lee Vining, so our family as spent many happy vacations in the Eastern Sierra.

If the project is to be approved, there must be a safe connective path for pedestrians and bicycles from the Project to Lee Vining. Having pedestrians walking the shoulders of Hwy 120 to Hwy 395 and then north into Lee Vining is completely unsafe. The solution is to approve the easement walkway path along the "old road". This will provide a shorter and safer passageway.

The merchants of Lee Vining have depended on Yosemite tourist traffic for their livelihood for may decades. Surely, they must all be in agreement a safe connective path is a must for their customers visiting the Tioga Inn Project.

I urge the County Supervisors to require a safe connective passage as part of the approval project, paid for by the developer.

Respectfully,

Kirke C Jorgensen, Riverside CA

## Michael Draper

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**From:** ek95014@aol.com  
**Sent:** Thursday, April 15, 2021 11:04 AM  
**To:** CDD Comments  
**Subject:** Comment on the Tioga Inn project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

To the Mono County Board of Supervisors,

Thank you for the opportunity to comment, once again, on the Tioga Inn project. Frankly, I am surprised that it is even up for discussion at this time. In December the Board voted to defer a decision until the developer and the tribe could meet to discuss the tribe's well-founded concerns about this project. That meeting is now scheduled to take place in May. We are still in April.

You have heard – repeatedly – the concerns of local residents about the impact of the proposed housing project on the community's infrastructure. The project's placement downwind of several campgrounds at the mouth of a canyon is a major concern for the Lee Vining fire department. The lack of a safe pedestrian and bicycle route connecting the project with Lee Vining concerns business owners and parents. While the project documents assert that this is something that cannot be achieved, CalTrans has indicated that it is feasible. The community deserves to hear that you will not make a decision without further information on this important issue.

Thank you.

Ellen King  
Mono City

## Michael Draper

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**From:** Kori Kody <kori.Kody@mindspring.com>  
**Sent:** Thursday, April 15, 2021 4:11 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project Concern

[EXTERNAL EMAIL]

Attn. Michael Draper,

As a frequent visitor and contributor to the Mono County economy, I'm concerned about the impact the proposed Tioga Inn project will have on the civic, cultural, and unique physical environment of the Mono Basin. If approved as is, the severe detrimental impacts will be the responsibility of the public institutions of the Mono Basin while the private developers will gain all the financial benefits. Of course, respecting the needs and cultural heritage of the Kutzadika Tribe is an additional point of concern. Please do not approve the project as is. It requires intense scrutiny. Your decision on this project will affect the entire Mono Basin. It's so important to respect the well being of the entire community.

Sincerely,  
Kori Kody  
Member Mono Lake Committee



April 18, 2021

Dear Board of Supervisors:

The Mono Lake Kutzadika Tribe remains in opposition to the Tioga Inn project until our concerns have been addressed. There are a number of outstanding issues that must be analyzed in order to properly mitigate the impacts of our cultural heritage. Our joint letter with the Mono Lake Committee outlines our Tribal concerns along with the shared concerns the Tribe has with the Lee Vining community. We feel that we as a larger community cannot be ignored by our elected officials; we must be heard.

The remaining issues include the loss of cultural heritage, including our trails and Cry Dance District which will be destroyed by the project. The Tribe is concerned about the lack of on going government to government consultation on this project. The Tribe is concerned about pedestrian safety and would like to work with Caltrans and the Mono Lake Committee to find a solution for keeping people safe.

With increased population as a result of the Tioga Inn project, the strain on the community must be taken seriously. If the County wants to increase the opportunities for affordable housing, the County must first invest in the infrastructure that would support an increase in population.

As many from the Lee Vining community have pointed out, this project is not about affordable housing for the community. When the project proponent was asked if Tribal members would be able to rent the housing, the answer was "No" as the housing is only for employees and no one else. This arrangement does not meet the affordable housing needs within the County.

In its present form the Tioga Inn project does not meet the needs of the Lee Vining community and will irreversibly destroy Tribal heritage. The Tribe requests that the Board of Supervisors vote to allow additional analysis and mitigation as requested by the Tribe and the Mono Lake Committee. If that request is denied by the Board, the Tribe requests that the Board of Supervisors vote to deny the project.

Respectfully,

*Charlotte Lange*

Charlotte Lange

Chair, Mono Lake Kutzadika Tribe

## Michael Draper

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**From:** Natalie Levine <natalielevine@hotmail.com>  
**Sent:** Thursday, April 15, 2021 10:45 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project: Attn Michael Draper

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

To the Mono County Board of Supervisors re Tioga Inn Project

As a long time and frequent visitor to Lee Vining and the Mono Lake area, including the old Tioga Inn, would like to contribute the following opinions to you about the Tioga Inn Project for the next week's hearing:

I hope you will approve a plan that:

1. Respects and protects the cultural heritage of the Kutzadika tribe
2. Creates a safe passage, in the form of a path for pedestrians and bicycles to connect Lee Vining and the project site. This is important for locals as well as for tourists visiting the area.
3. Lessens the financial burden on the many public stakeholders while the developer reaps significant private benefits.

The developer and Mono Country can do this!

Respectfully,

Natalie and Joe Levine

## Michael Draper

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**From:** Patty Linder <patty4282@gmail.com>  
**Sent:** Saturday, April 17, 2021 8:25 AM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper re: Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Mr. Draper,

I believe the developer and Mono County can, and should, put forth a better proposal. As it stands now, the project proponent will gain significant private benefits while the significant negative impacts will fall on the Mono Basin community, the Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County and Caltrans to absorb and pay for - this is not right.

In addition, the Kutzadika'a Tribe must be consulted as to the project's impacts on their cultural heritage.

Thank you for your consideration.

Regards,

Patty Linder  
839 Bend Avenue  
San Jose CA 95136-1804

## Michael Draper

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**From:** Nora Livingston <no.livingston@gmail.com>  
**Sent:** Sunday, April 18, 2021 2:23 PM  
**To:** CDD Comments  
**Subject:** ATTN: Michael Draper; Tioga Inn Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Dear Mono County Supervisors,

I am commenting today to ask you once again to reject the Tioga Inn amendment project outright or at least delay the final hearing. It is shameful that the Kutzedika'a tribe has still not been consulted as promised.

This project still has serious gaps and has been consistently confusing and unclear.

You have listened to dozens of community members and hundreds of longtime visitors of Lee Vining beg you to listen to their concerns and only a handful of mostly Mammoth residents and friends of the proponent as far as I can tell are for the project. The comments have been overwhelmingly against the project.

The SEIR itself tells the tale of the impacts: Failure to secure a safe passage between the project and the town of Lee Vining BEFORE the project is accepted. Various visual impacts still haven't been mitigated adequately. And the Kutzedika'a tribe have been consistently disrespected by the majority of the supervisors but also by the proponent.

We want well-planned, ethical, and realistic housing for our community, IN our community, and the Tioga Inn additions do not meet those needs.

The Tioga Inn additions will be blight on our beautiful town and create a host of problems that taxpayers will have to pay to fix and maintain. It is unacceptable.

Please reject the Tioga Inn project amendment.

Thank you,

Nora Livingston  
Lee Vining, CA  
Volunteer Firefighter/EMT with Lee Vining Fire Department  
Naturalist at the Mono Lake Committee  
13 year resident of Lee Vining



## Michael Draper

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**From:** Elin Ljung <elin.ljung@gmail.com>  
**Sent:** Monday, April 19, 2021 11:46 AM  
**To:** CDD Comments  
**Subject:** public comment on April 20th agenda item 11A: Consideration of Tioga Inn Specific Plan Amendment #3

### [EXTERNAL EMAIL]

Dear Honorable Supervisors,

This is the seventh time I have written to comment about the Tioga Inn project—just as all those other times, I write with serious concerns because the project has been poorly planned from the beginning and has not measurably improved.

The Mono Lake Kutzadika Tribe must be adequately consulted about this project. Mono County, as a government entity, has a responsibility to facilitate meetings between the Tribe and the project proponent, and has not done so. Additionally, at the October 2020 Tioga Inn hearing you gave clear direction to County staff to facilitate meetings with the Tribe and the project proponent—yet here we are, six months later, and it has not happened. Why, then, is this project up for consideration again today?

Caltrans sent information in December 2020 indicating that a trail between the project and the town of Lee Vining is feasible. Since the FSEIR you certified in October 2020 incorrectly identified such a trail as infeasible, a new supplemental EIR must be prepared to address the trail.

The Lee Vining Volunteer Fire Department is still not satisfied with the project's evacuation routes. Another wildfire coming down Lee Vining Canyon is inevitable and the primary responding agency still has concerns. When will you address those adequately?

This project will have damaging effects on:

- the community character of Lee Vining
- the visual grandeur of Mono Lake
- the Lee Vining Volunteer Fire Department's ability to serve both the project and the community
- our local schools
- local taxpayers
- the safety of those traveling between town and the project
- the local mule deer herd
- the actual amount of affordable housing in Lee Vining
- and most importantly, the ability of the Kutzadika Tribe to protect their own cultural resources

For more than a year, a majority of Mono Basin residents who have commented on this project have expressed these concerns clearly and respectfully to you—and have been dismissed.

I wish I had enough faith to urge you to choose Option 1 today, that you would be able to direct sufficient modifications to this project to make it acceptable enough to approve. But I don't. I urge you to vote for Option 2 and deny this project.

Sincerely,

Elin Ljung  
PO Box 373  
Lee Vining, CA 93541

## Michael Draper

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**From:** Chris MacIntosh <chrismac@alumni.upenn.edu>  
**Sent:** Sunday, April 18, 2021 4:22 PM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper. Re Tioga Inn

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Dear Board of Supervisors,

I write regarding the Tioga Inn planned development.  
I am glad that improvements have been made to the plan during the review process.

However, I urge you to

- Consult the Kuzadika'a Tribe in order not only to acknowledge their cultural heritage here, but to take their wishes and concerns into consideration.
- There needs to be a safe pathway between the development and Lee Vining town for pedestrians and bicyclists, both for safety and to avoid requiring every trip to be made by car. Mono County should prepare an EIR and take the lead on this.
- Ensure that the financial benefits from this development do not accrue only to the developer, operator and businesses, but that the development also pays for the adverse impacts that will result from the development. The county should not be left to struggle to pay for additional demands on the Fire Department, road agencies, school district, and other county entities and funds.

Please work through this process to ensure these entities, county and tribal, are included in discussions and their needs are addressed and included in the proposals.

We all, residents and visitors alike, deserve better from this proposal.

I am (or was, before COVID) a frequent and long-time visitor to the Mono Basin, and plan to return again very soon.

Thank you.

Chris MacIntosh  
[chrismac@alumni.upenn.edu](mailto:chrismac@alumni.upenn.edu)

Re: Tioga Inn Hearing, April 20, 2021

April 18, 2021

Dear Members of the Board,

I am writing to ask that the Mono County Board of Supervisors chose the Option #2 presented by Mono County Staff: to Deny the Tioga Inn Project:

**Option 2 – Deny the Project.**

Determine that the unavoidable environmental impacts and risks identified in the Final Subsequent Environmental Impact Report (FSEIR) for the project are not outweighed by the economic, legal, social, technological, or other benefits of the project and deny the project. Additionally, the Board may determine that one or more of the Specific Plan findings in the proposed Resolution cannot be made.

Over the past year, and longer, as a multi-decade member of the Lee Vining Community, I have provided numerous comments to your Board asserting that the 1993 EIR for the original Tioga Inn Project is inadequate and cannot simply be added on to, because conditions have substantially changed; the original project remains a phantom and the justification for the motel/restaurant development are no longer valid. The Subsequent EIR is flawed because impacts from the new combined total project have not been considered cumulatively. Furthermore, piling on a major housing project to this non-existing development is travesty; it is neither a “community housing project” nor do the so-called benefits outweigh the many unmitigatable negative impacts.

While the efforts by the Mono County staff and the Board to “make the shoe fit” are commendable, the pumpkin is still a pumpkin, and if half the effort had gone into orchestrating a real dialog between the community, the BOS and the proponent as to alternatives that truly serve community interests in addition to the property owner, there might have been an acceptable outcome.

The concerns of the Kutzdika remain unresolved. Covid and a long winter have not allowed face to face communications between the Kutzdika and the BOS, nor between the greater local community and the BOS. The latest Staff Report and extensive draft Resolution have barely been made public at the last minute and are buried on-line. My guess is that very few residents and concerned individuals have had the opportunity to review the new documents or know how to look for them.

Where is the public outreach? For more than a year the process has been designed to limit public comment. A public hearing which allows only two or three minutes of comment from people with smart phones or computers- the board sees no faces- is all that is allowed. There is no allowance for back and forth discussion.

People are worn down and discouraged when they feel that no matter how many comments are filed or spoken, their concerns about wildlife habitat, the Mono Lake

deer herd, traffic, spillover of tourism into Lee Vining Canyon, visual blight, impacts on schools and real housing needs- are dismissed.

It is disconcerting to read in the Staff Report the rationales dismissing Kuzedika requests for further consultation on their terms. I see a lack of appreciation that Tribal concerns are deeper than the ability to have observers on the ground to watch for remnants of artifacts, while the bull dozers are churning up acres of intact natural habitat and areas of traditional use to be paved over with parking lots, a corporate motel and restaurant chain, transient housing and artificial berms of alien shrubs and trees. I ask that the Board take additional time to sit down with the Tribe in face to face meetings to address their rights and concerns.

Written claims by the consultant and county staff in the EIRs and Staff Reports often seem like unsupported arguments of convenience which continue to be repeated as if they are truths. Examples are: that this project will be “community housing” and that this project is consistent with the intent of the Mono Basin section of the General Plan. Some claims are non-sensical-such as: occupants of the workforce housing will eventually settle in Lee Vining- where? And where do the additional hundreds of people live and work when the long winters settle in?

Thank you for your consideration of these comments.

Sincerely,

Ilene Mandelbaum

Lee Vining

## Michael Draper

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**From:** Edmond Marsh <potatoeater1@me.com>  
**Sent:** Sunday, April 18, 2021 3:20 PM  
**To:** CDD Comments  
**Subject:** Saving Mono lake.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Can you please leave the beauty of Mono Lake and the surrounding area as it is.  
Not everything needs to be developed.

Sent from my iPhone

# Comments on Proposed Tioga Inn Project

April 19, 2021

To:

Mono Co. Board of Supervisors  
C/O Michael Draper of Mono County Community Development Department

From:

Barry McPherson  
905 NE 7th St  
Newport, OR 97365  
(760)965-6708  
(503)708-8688  
bdmcperson@coho.net

Thank you for the opportunity to once again comment on the proposed Tioga Inn development in Lee Vining. I have deep roots in the Mono Basin, and deep concerns about this proposed development in the Basin. I have commented on this proposed development multiple times in writing and in person (via Zoom) starting in November 2016. In 4 ½ years, I have seen inadequate improvements to the plan for the development to convince me to support it. I certainly hope the Supervisors will agree and vote at their April 20 meeting for **Option 2 – Deny the Project.**

I consider the proposed project threat to the Lee Vining community (including the Kutzadika—a people who my father, my siblings, and I grew up with, attended school with, and worked with) the wildlife of the Eastern Sierra in the Tioga Pass area, and the scenic value of the Mono Basin. I'm in favor of additional development of housing and business in Lee Vining, but in the area north of the high school and Community Center if set back far enough to be out of the view of Mono Lake, not where this project is proposed to be. I reject that nothing can be done by the Supervisors to facilitate purchase or transfer of land there from LADWP and water for homes and businesses cannot be obtained by drilling of wells.

In my opinion, despite all the good work of the Mono County Community Development Department, the proposed project still:

Lacks an adequate plan to allow pedestrians (including school children) safe travel to Lee Vining and back to the project site.

Remains too far from jobs, thereby requiring travel over one to the worst passes on Hwy 395 in winter.

Remains too large for the community.

Remains a threat as I listed in the 2<sup>nd</sup> paragraph of this letter.

As I stated in past communications, I was born in Bridgeport in 1947 and grew up below Mono Inn, the resort that my Grandmother Venita R. McPherson operated from the 1920s until her death in 1961. With my wife Denise McPherson, I inherited over 100 acres of historical McPherson property at Mono Lake below, above, and to south of Mono Inn in 1997 after both of my parents had died. We have managed the four rental houses on this historical property since 1997 and visit the Mono Basin several times each year.

Barry McPherson  
(Contact information at top of page)

April 17, 2021

To the Board of Supervisors:

First, I want to thank you for the number of hours that you have dedicated to deliberating over the Tioga Inn project.

My name is Caelen McQuilkin, I am 19 years old, and I am a lifelong Lee Vining resident who attended Lee Vining schools from preschool to senior year of high school. I've been commenting on this project for over two years now, and the concerns I have voiced have centered around the detrimental impact this project will have on the community of Lee Vining. I will not repeat the details of those concerns here because I know that you all are busy, and that these concerns are already in the record.

However, I would like to emphasize that my comments on the project have still not been adequately addressed, and so all of my initial comments and concerns still stand.

But today, most importantly, I am writing in the hopes of amplifying the messages that members of the Mono Lake Kutzadika'a tribe have been voicing. The tribe has yet to be consulted about the significant impact this project will have on their cultural heritage, and has yet to be granted the time and respect due by the developers of a project with the potential to be so damaging.

Zooming out to the bigger picture to reflect on the year of 2020, the disproportionate impact of Covid in communities of color, and the calls for racial justice after the murder of George Floyd, forced many Americans to examine just how deeply racism runs through this nation. It forced many to recognize the ways in which it emerges in our own lives.

We can apply this line of thinking to our own county and towns here; and to the manner in which this project is being developed. If any major lessons came out of the year 2020, one of them was that listening to people of color, listening to the people most affected by injustice, is more crucial than ever if we hope to build a more just future.

Members of the Kutzadika'a tribe have made it clear that they need further consultation before the project can be heard again--yet, the next project hearing was scheduled before this consultation happened, and the tribe's central concerns with the project have still not been addressed. As county supervisors, but also as empathetic and compassionate people, your job is to listen to these concerns, and recognize that they have been ignored, pushed aside, and *silenced* by the project developer. I am urging you to stop and listen for a minute today.

In addition to the central concerns the tribe has raised, I would also like to comment on safety issues with the project. The idea to install a pedestrian and bicycle path between Lee Vining and the project site has been proposed as a useful mitigation and was determined as feasible by Cal Trans. Many members of the community believe that this mitigation would be valuable. The county must prepare an EIR for this path, as it would reduce many of the project's impacts and has not yet been analyzed.



Finally, I'd just like to finish by saying that the idea of a project development that could *benefit* the community of Lee Vining--that could bring some new students and funding to our schools, that would thoughtfully and authentically bring more people into this amazing, vibrant community that has made me the person I am today--the idea of a project like this is so exciting to me that it has driven me to comment at over four hearings, write letters, make social media posts, and more.

But in order for this to happen Mono County *must* do better than the project before you today. I am urging you to listen to the people whose actual lives will be impacted by this project. A number of amendments that would mitigate the significant, adverse impacts caused to the Mono Basin community, the Mono Lake Kutzadika'a tribe, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans, have been voiced by the very people whose livelihoods are threatened by this project. Please consider adopting these amendments, or voting no on the project altogether.

Thank you for your time.

Best,  
Caelen McQuilkin

## Michael Draper

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**From:** Alayne Meeks <meekshoney@gmail.com>  
**Sent:** Thursday, April 15, 2021 10:57 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn development

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Attention: Michael Draper

As a long time visitor and now property owner in the Mono Basin, I am concerned about the proposed Tioga Inn development project. While I'm aware the area needs more housing, I'm also aware that the location and density proposed will adversely impact the Mono Basin's scenic value.

I came originally in the 70s to appreciate the vastness and openness your area provides. There are no unsightly buildings that impact the sense of awe as we descend highway 120 from Yosemite as the breadth of unobstructed vision east is breathtaking. From what I understand the development would impact that view, and I think this would be a permanent disfigurement affecting the nature of your, and now my, area.

More thought and planning by all interested parties needs to happen before this development is given a green light to proceed. Please continue to work with The Kutzadika Tribe, Mono Lake Committee, and the other people interested in maintaining a special area for generations to come. The person who owns Tioga Inn knew when they bought this land that this was a special and unique area, and they should accept the negotiations that happen in areas not strictly designed to satisfy development over scenic, historical, community, and environmental considerations.

Thank you for taking this issue seriously and giving it the due consideration it deserves.

Alayne Meeks

--

Please respond to [meekshoney@gmail.com](mailto:meekshoney@gmail.com), my old account [alayne@meekshoney.com](mailto:alayne@meekshoney.com) no longer exists. Thank you!

## Michael Draper

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**From:** Barry Megdal <bmegdal@shbinstruments.com>  
**Sent:** Thursday, April 15, 2021 12:38 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project: Attn: Michael Draper

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

I am writing to express my extreme concern about the Tioga Inn project as currently envisioned.

As a repeated visitor to Mono lake for over 50 years, I believe the project will have adverse impacts on the Mono Basin community, including the local school district and Volunteer Fire Department. There will also be significant safety issues.

Finally, I believe the Kutzadika Tribe must be consulted before proceeding with a project such as this.

Thank you.

Dr. Barry Megdal

President  
Shb Instruments, Inc.  
19215 Parthenia St. Suite A  
Northridge, CA 91324  
[www.shbinstruments.com](http://www.shbinstruments.com)  
(818) 773-2000 (818)773-2005 fax  
[bmegdal@shbinstruments.com](mailto:bmegdal@shbinstruments.com)

Faculty (retired)  
Dept. of Electrical Engineering  
Caltech

## Michael Draper

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**From:** Constance Millar <millarconnie@gmail.com>  
**Sent:** Sunday, April 18, 2021 10:19 AM  
**To:** CDD Comments  
**Cc:** Constance Millar  
**Subject:** Attn: Michael Draper -- Comments to 4th BOS Public Hearing on Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Dear Mono County Board of Supervisors:

Please consider my comments as input to the Mono County BOS Fourth Public Hearing Tuesday (April 20, 2021) regarding the Tioga Community Housing Project. I have commented at the prior opportunities during the past year, and at public meetings in years before. My position remains unchanged: I strongly oppose any development at the site. The current focus on mitigating minor issues of the plan is like moving deck chairs as the Titanic sinks. The big issue remains prominent, if veiled under a 28-yr-old EIR: the overall project needs to be re-assessed. As I have argued in the past, pivotal environmental (climate change; fire, forest and rangeland health; water) and sociological (tribal rights; impacts to rural community economics; fire protection and safety; demographics; population; local school district; tourism) conditions have changed significantly enough since the 1993 decision that the original EIR decision requires re-assessment. The lack of a statute of limitations for CEQA decisions is weak defense for not re-visiting the overarching issues. I believe this project should be brought before higher legal counsel for review of its obsolete nature. This project has strung out far too long – I urge you finally to reject this project and the seemingly endless attempts to manipulate a now-useless EIR.

Sincerely,  
*Connie Millar*

[millarconnie@gmail.com](mailto:millarconnie@gmail.com); 510-292-6236

I am a full-time resident of Mono County (Mono City), where I have owned property, including two homes, since 1993. Prior to purchasing property and starting in 1977, I traveled regularly to the Mono Basin on work business as well as for personal reasons.

## Michael Draper

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**From:** Rafe Miller <rafemiller3030@gmail.com>  
**Sent:** Saturday, April 17, 2021 4:59 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn project

### [EXTERNAL EMAIL]

Mono County Board of Supervisors,

I am opposed to the proposed Tioga Inn project. I have been enjoying the beauty of the Mono Lake Basin for over fifty years - quietude, brilliant night skies, Tioga Pass, snow capped mountains, the wonders of Mono Lake and the welcoming town of Lee Vining.

The Tioga Inn project will benefit the developer's pockets yet have significant adverse impact on the very things I love about the Mono Basin.

Just because you can do something doesn't mean you should. I urge you to reject the Tioga Inn project. People absolutely need pristine, undeveloped natural environments to experience.

Thanks for your consideration,  
Rafe Miller



March 8, 2021

***Via E-Mail***

Board of Supervisors of Mono County  
c/o Michael Draper, Community  
Development Department  
PO Box 347  
Mammoth Lakes, CA 93546  
E-Mail: [mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)  
[cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov)

Re: Tioga Inn Specific Plan Amendment #3

Dear Members of the Mono County Board of Supervisors:

The Mono Lake Kutzadika Tribe (“Tribe”) and the Mono Lake Committee (“Committee”) jointly submit this letter to express their continuing concerns about the proposed Tioga Inn Specific Plan Amendment #3 (“Project”). While our concerns are distinct, they all relate to significant inadequacies in the Final Subsequent Environmental Impact Report (“FSEIR”), including missing information, analysis, and mitigation. When the Board certified the FSEIR in October 2020, the Tribe had presented its ongoing concerns with remaining cultural resources that had not been analyzed and properly mitigated. Additionally, since the certification of the FSEIR, the County has received information demonstrating that certain mitigation measures once found infeasible are now feasible. To avoid prolonging the community conflict that has arisen over this Project, the County must undertake supplemental environmental review before taking the matter back up for consideration.

**I. The Tribe’s Concerns Regarding Impacts to Cultural Resources Have Not Been Resolved.**

Since the last Project hearing, the Tribe has not been able to resolve its concerns over the lack of proper analysis and mitigation measures for cultural resources, including a Cry Dance District and traditional trails that are located in the Project area. Evidence of these specific resources and a discussion of their lack of attention in the FSEIR was submitted to the County by individual tribal members and the Tribe’s legal counsel in a letter dated December 14, 2020. Although the Board’s actions last fall—i.e., to certify the FSEIR but take no action on the Project itself—were taken to encourage the Tribe and the applicant to work together to address the cultural resources not addressed or mitigated in the Archeological Study, the Tribe objected to

working with the applicant and not the County on its concerns as set forth in its December 14<sup>th</sup> letter. County Counsel has now informed the Tribe that, because the County certified the FSEIR in October, the County cannot conduct any additional CEQA analysis of the cultural resource issues. This has left the Tribe with no option other than negotiating directly with the developer.

Such negotiations cannot satisfy the County's obligation to consult with the Tribe. *See Quechan Tribe of Fort Yuma Indian Reservation v. U.S. Dept. of Interior* (S.D. Cal. 2010) 755 F.Supp.2d 1104, 1110 (meeting with private applicant does not constitute consultation); Pub. Res. Code § 21080.3.2 (stating that “the *lead agency* shall” consult with a California Native American tribe) (emphasis added); *see also* Cal. Office of Planning and Research, *Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA* (June 2017)<sup>1</sup> (“Consultation concludes when either: (1) the parties”—i.e., the lead agency and the tribe—“agree to measures to mitigate or avoid a significant effect . . . on a tribal cultural resource, or (2) a party, acting in good faith and after a reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code, § 21080.3.2(b)(1) & (2).)”). Discussions with the developer have also proven to be logistically difficult, given the sensitive nature of the discussions, which are more conducive to in-person meetings, the winter weather, and, of course, the pandemic.

Moreover, it is clear the County and applicant could agree to prepare a supplemental EIR on these issues as a means of avoiding future legal disputes. If the applicant is not even willing to allow this additional, targeted review, it seems unlikely he would agree to any concrete measures to protect these resources as a result of independent discussions with the Tribe.

## **II. New Information Shows that Caltrans Supports Development of a Pedestrian Trail into Town, and Therefore Supplemental Environmental Review Is Required.**

Supplemental environmental review is also needed to consider new information from Caltrans indicating that a safe pedestrian trail from the Project site into town is, in fact feasible. Under CEQA, after an EIR has been certified the lead agency must prepare a subsequent or supplemental EIR if new information shows that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt them. CEQA Guidelines § 15162.

Here, the FSEIR concluded that a pedestrian trail would reduce impacts related to pedestrian safety (under the public services and utilities heading), but that it was not feasible because the County did not exercise legal control over Caltrans, Caltrans was (“until recently”) unwilling to cooperate, the trail would lead pedestrians to a SR 120 at-grade crossing, and because of funding uncertainty. Resolution R20-96, A Resolution of the Mono County Board of Supervisors Certifying the Final Subsequent Environmental Impact Report for Tioga Inn Specific Plan Amendment #3, § 2(T) (Oct. 20, 2020). But, on December 8, Caltrans wrote to the

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<sup>1</sup> The Technical Advisory is available at <http://nahc.ca.gov/wp-content/uploads/2017/06/Technical-Advisory-AB-52-and-Tribal-Cultural-Resources-in-CEQA.pdf>.

Mono County Local Transportation Commission indicating that Caltrans “*supports* development of a multi-use path project connecting ‘downtown’ Lee Vining with other businesses services and the transit stop along SR 120.”<sup>2</sup> See Exhibit A (emphasis added). Caltrans further stated: “We are committed to working with the County, community members, and other stakeholders toward the realization of such a project.” *Id.* The only issue is cost: Caltrans has no funding for the trail. *Id.*

This new information plainly demonstrates that the trail is feasible. Caltrans is not only willing to cooperate but supports the project, indicating that it would be an improvement for pedestrian safety. While Caltrans has noted that there must be outside funding for the project, that does not make the project infeasible. In fact, mitigation measures frequently require a project developer to pay fees or otherwise contribute a monetary “fair share” to infrastructure improvements. *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188 (“Fee-based mitigation programs . . . have been found to be adequate mitigation measures under CEQA.”); see also *County of San Diego v. Grossmont-Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 102-08 (rejecting arguments that payment of mitigation fees was legally and economically infeasible); *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 241-42 (rejecting agency’s argument that payment of in-lieu fees was infeasible). As a result of this new information indicating that the pedestrian trail is feasible, the County must undertake subsequent or supplemental environmental review. See CEQA Guidelines § 15162 (agency must prepare a subsequent EIR when “[n]ew information of substantial importance . . . shows . . . [m]itigation measures . . . previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.”)<sup>3</sup>; *Eller Media Co. v. Community Redevelopment Agency* (2003) 108 Cal.App.4th 25, 43-44 (new construction proposed after EIR certification was new information requiring subsequent EIR).

Even if this new information did not trigger subsequent review, the County still can and should reconsider the feasibility of this measure. This is because one of the conditions of the FSEIR certification was that the applicant and the County would conduct a study within 6 months to determine whether the pedestrian trail is feasible. It has already been more than three months since the FSEIR was certified. The County must conduct this study now, taking into consideration Caltrans’ recent correspondence, to ensure that the County can obtain the necessary funding from the applicant—and save County taxpayers from assuming a significant expense that should be borne by the Project—if the Project is ultimately approved.

### **Conclusion**

In short, the Tribe and Committee continue to have serious concerns about this proposed development. Taking the time now to address these concerns could put an end to the

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<sup>2</sup> The December 8 letter was also included in the agenda packet for the December 15, 2020 Board of Supervisors meeting.

<sup>3</sup> According to this Guideline, supplemental review could be avoided if the applicant funded the trail. To date, of course, he has not agreed to that measure.



community discord this Project has caused, while, as the Committee has described in previous letters, simultaneously reducing inconsistencies with the Mono Basin Community Plan. We urge the County to conduct additional review of, and adopt additional mitigation measures for, these significant environmental impacts before taking any further action on the Project.

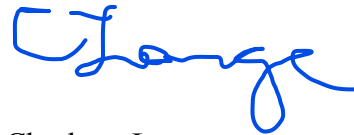
Very truly yours,

MONO LAKE COMMITTEE

MONO LAKE KUTZADIKA TRIBE

A handwritten signature in blue ink, appearing to read 'G McQuilkin', with a long horizontal flourish extending to the right.

Geoffrey McQuilkin  
Executive Director

A handwritten signature in blue ink, appearing to read 'Charlotte Lange', with a large loop at the end of the name.

Charlotte Lange  
Chairperson

1346731.1

# **Exhibit A**

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 9  
500 SOUTH MAIN STREET  
BISHOP, CA 93514  
PHONE (760) 872-0602  
FAX (760) 872-0605  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

December 8, 2020

Lynda Salcido, Chair  
Mono County Local Transportation Commission (LTC)  
PO Box 347  
Mammoth Lakes, CA 93546

**Multi-Use Path Proposal - Lee Vining to State Route 120**

Dear Ms. Salcido:

The California Department of Transportation (Caltrans) District 9 supports the Departmental Safety and Health goal – to provide a safe transportation system for all and promote health through active transportation in communities. District 9 and Mono County continually engage regarding transportation decisions via the LTC, Regional Planning Advisory Committees, the Local Development-Intergovernmental review process, grant opportunities, individual projects, and community outreach efforts.

Caltrans supports development of a multi-use path project connecting “downtown” Lee Vining with other business services and the transit stop along SR 120. We are committed to working with the County, community members, and other stakeholders toward the realization of such a project. To further this effort, we request that the LTC and Mono County conduct public outreach to gather project ideas/support; and amend the Mono County Regional Transportation Plan to document outreach results and LTC support.

Currently, District 9 has no funding for project development of a multi-use path at this location. Caltrans district staff have submitted a proposal to Caltrans headquarters for Complete Streets supplemental funds and will continue to research options for additional funding sources. Any state funds could complement local, regional, and/or private developer funding dedicated for the project. Based on available funds, the Caltrans Lee Vining Road Rehabilitation project (possible construction year 2024/2025) could include a path segment from the wall to Utility Road along US 395's west side.

We value our cooperative working relationship with Mono County regarding multi-modal facilities for the transportation system. For any questions, feel free to contact Dennee Alcala at (760) 784-4236 or [Dennee.Alcala@dot.ca.gov](mailto:Dennee.Alcala@dot.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan A. Dermody".

RYAN A. DERMODY  
District 9 Director



# MONO LAKE COMMITTEE

P.O. Box 29  
Hwy 395 and Third Street  
Lee Vining, CA 93541  
Phone (760) 647-6595  
Fax (760) 647-6377

## Board of Directors

Chair:  
Sally Gaines

Martha Davis  
Vireo Gaines  
David Kanner  
Gina Radieva  
Tom Soto  
Sherryl Taylor  
Doug Virtue  
Kristine Zeigler

## Directors Emeriti

Helen Green  
Ed Grosswiler  
Richard Lehman

## Executive Director

Geoffrey McQuilkin

## Southern California Office

1718 Wellesley Ave  
Los Angeles, CA  
90025-3634

## On the Internet

monolake.org  
monobasinresearch.org

April 6, 2021

Board of Supervisors  
c/o Clerk of the Board  
Shannon Kendall  
PO Box 715  
Bridgeport, CA 93517

*Sent via email to: [skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)*

RE: Tioga Inn supplemental environmental analysis

Dear Honorable Supervisors,

On March 8 the Mono Lake Committee (MLC) and the Mono Lake Kutzadika'a Tribe sent a joint letter to you requesting supplemental environmental analysis of the Tioga Inn project due to the presence of significant new information about tribal cultural resource impacts and the feasibility of pedestrian safety mitigations.

We are awaiting Board discussion of this March 8 request, which is essential to determining the next steps in evaluation of the project. Supervisor Peters, at the December Tioga Inn hearing, observed that the Tioga Inn issue has repeatedly been brought to a public decision-making hearing with unaddressed issues and significant last-minute new information that cannot be resolved during the hearing itself. For this reason, we sent our letter to allow plenty of time for discussion.

MLC writes today to urge you to schedule this topic for a regular meeting as soon as possible. A focused discussion and decision on this topic should take place separately and in advance of a public decision-making hearing on the project. We request adequate time be allowed to the tribe and MLC to present the material discussed in our letter. Though we have not yet received any contact regarding our March 8 letter, we are available for any discussion desired to help with planning such an agenda item.

The Tioga Inn proposal is the single largest development project ever brought to the Board of Supervisors. The project and the public deserve a clear and orderly decision-making process. MLC sees at least three topics that warrant public discussion and resolution prior to any decision-making hearing. They are too complex to resolve within the hearing format, and importantly the outcome on these items will significantly shape what is discussed at a subsequent public hearing.

1. Authorization of supplemental environmental analysis to address significant new information on tribal cultural resources and the feasibility of pedestrian safety mitigations

2. The long pending meeting of the tribe and developer to discuss the project. The covid pandemic has caused understandable delays, yet we understand a meeting in May is possible.
3. Resolution of the concerns raised by the Attorney General's office at the December hearing. These have not yet returned to your Board for further discussion and resolution in a public forum.

MLC heard on Friday from our colleagues at the Kutzadika'a Tribe that the Community Development Department told them of plans to hold a public hearing on April 20. Although we have not been contacted directly about this schedule, we can say that this approach to scheduling will put the Board in the same position as the past, forcing the Board to attempt to review an unfinished proposal with significant unresolved outstanding issues during a decision-making hearing.

Further, proceeding with an April hearing would again sideline the Kutzadika'a Tribe and the promised conversations regarding cultural resources. It is our understanding that the Tribe has significant legitimate concerns about the safety of its elders at meetings during the covid pandemic. Still, they have proposed a meeting with the developer for May. We see no reason to dismiss the tribe's concerns, especially in light of the devastating impact of covid on Native American populations in California and across the country. To move things forward we suggest that the Community Development Department engage over the coming weeks to play a helpful role in scheduling an agreeable safe date, developing an agenda, and facilitating the meeting and post-meeting follow up actions.

Thank you for your consideration, we look forward to discussing our letter with you at an upcoming Board meeting.

Sincerely,



Geoffrey McQuilkin  
Executive Director



Bartshé Miller  
Eastern Sierra Policy Director

Attachments: March 8, 2021 letter from the Kutzadika'a Tribe and Mono Lake Committee



March 8, 2021

***Via E-Mail***

Board of Supervisors of Mono County  
c/o Michael Draper, Community  
Development Department  
PO Box 347  
Mammoth Lakes, CA 93546  
E-Mail: [mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)  
[cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov)

Re: Tioga Inn Specific Plan Amendment #3

Dear Members of the Mono County Board of Supervisors:

The Mono Lake Kutzadika Tribe (“Tribe”) and the Mono Lake Committee (“Committee”) jointly submit this letter to express their continuing concerns about the proposed Tioga Inn Specific Plan Amendment #3 (“Project”). While our concerns are distinct, they all relate to significant inadequacies in the Final Subsequent Environmental Impact Report (“FSEIR”), including missing information, analysis, and mitigation. When the Board certified the FSEIR in October 2020, the Tribe had presented its ongoing concerns with remaining cultural resources that had not been analyzed and properly mitigated. Additionally, since the certification of the FSEIR, the County has received information demonstrating that certain mitigation measures once found infeasible are now feasible. To avoid prolonging the community conflict that has arisen over this Project, the County must undertake supplemental environmental review before taking the matter back up for consideration.

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Such negotiations cannot satisfy the County's obligation to consult with the Tribe. *See Quechan Tribe of Fort Yuma Indian Reservation v. U.S. Dept. of Interior* (S.D. Cal. 2010) 755 F.Supp.2d 1104, 1110 (meeting with private applicant does not constitute consultation); Pub. Res. Code § 21080.3.2 (stating that “the *lead agency* shall” consult with a California Native American tribe) (emphasis added); *see also* Cal. Office of Planning and Research, *Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA* (June 2017)<sup>1</sup> (“Consultation concludes when either: (1) the parties”—i.e., the lead agency and the tribe—“agree to measures to mitigate or avoid a significant effect . . . on a tribal cultural resource, or (2) a party, acting in good faith and after a reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code, § 21080.3.2(b)(1) & (2).)”). Discussions with the developer have also proven to be logistically difficult, given the sensitive nature of the discussions, which are more conducive to in-person meetings, the winter weather, and, of course, the pandemic.

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<sup>1</sup> The Technical Advisory is available at <http://nahc.ca.gov/wp-content/uploads/2017/06/Technical-Advisory-AB-52-and-Tribal-Cultural-Resources-in-CEQA.pdf>.

Mono County Local Transportation Commission indicating that Caltrans “*supports* development of a multi-use path project connecting ‘downtown’ Lee Vining with other businesses services and the transit stop along SR 120.”<sup>2</sup> See Exhibit A (emphasis added). Caltrans further stated: “We are committed to working with the County, community members, and other stakeholders toward the realization of such a project.” *Id.* The only issue is cost: Caltrans has no funding for the trail. *Id.*

This new information plainly demonstrates that the trail is feasible. Caltrans is not only willing to cooperate but supports the project, indicating that it would be an improvement for pedestrian safety. While Caltrans has noted that there must be outside funding for the project, that does not make the project infeasible. In fact, mitigation measures frequently require a project developer to pay fees or otherwise contribute a monetary “fair share” to infrastructure improvements. *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188 (“Fee-based mitigation programs . . . have been found to be adequate mitigation measures under CEQA.”); see also *County of San Diego v. Grossmont-Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 102-08 (rejecting arguments that payment of mitigation fees was legally and economically infeasible); *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 241-42 (rejecting agency’s argument that payment of in-lieu fees was infeasible). As a result of this new information indicating that the pedestrian trail is feasible, the County must undertake subsequent or supplemental environmental review. See CEQA Guidelines § 15162 (agency must prepare a subsequent EIR when “[n]ew information of substantial importance . . . shows . . . [m]itigation measures . . . previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.”)<sup>3</sup>; *Eller Media Co. v. Community Redevelopment Agency* (2003) 108 Cal.App.4th 25, 43-44 (new construction proposed after EIR certification was new information requiring subsequent EIR).

Even if this new information did not trigger subsequent review, the County still can and should reconsider the feasibility of this measure. This is because one of the conditions of the FSEIR certification was that the applicant and the County would conduct a study within 6 months to determine whether the pedestrian trail is feasible. It has already been more than three months since the FSEIR was certified. The County must conduct this study now, taking into consideration Caltrans’ recent correspondence, to ensure that the County can obtain the necessary funding from the applicant—and save County taxpayers from assuming a significant expense that should be borne by the Project—if the Project is ultimately approved.

### **Conclusion**

In short, the Tribe and Committee continue to have serious concerns about this proposed development. Taking the time now to address these concerns could put an end to the

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<sup>2</sup> The December 8 letter was also included in the agenda packet for the December 15, 2020 Board of Supervisors meeting.

<sup>3</sup> According to this Guideline, supplemental review could be avoided if the applicant funded the trail. To date, of course, he has not agreed to that measure.



community discord this Project has caused, while, as the Committee has described in previous letters, simultaneously reducing inconsistencies with the Mono Basin Community Plan. We urge the County to conduct additional review of, and adopt additional mitigation measures for, these significant environmental impacts before taking any further action on the Project.

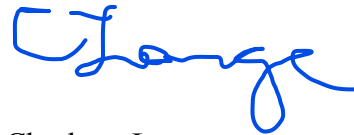
Very truly yours,

MONO LAKE COMMITTEE

MONO LAKE KUTZADIKA TRIBE



Geoffrey McQuilkin  
Executive Director



Charlotte Lange  
Chairperson

1346731.1

# **Exhibit A**

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 9  
500 SOUTH MAIN STREET  
BISHOP, CA 93514  
PHONE (760) 872-0602  
FAX (760) 872-0605  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

December 8, 2020

Lynda Salcido, Chair  
Mono County Local Transportation Commission (LTC)  
PO Box 347  
Mammoth Lakes, CA 93546

**Multi-Use Path Proposal - Lee Vining to State Route 120**

Dear Ms. Salcido:

The California Department of Transportation (Caltrans) District 9 supports the Departmental Safety and Health goal – to provide a safe transportation system for all and promote health through active transportation in communities. District 9 and Mono County continually engage regarding transportation decisions via the LTC, Regional Planning Advisory Committees, the Local Development-Intergovernmental review process, grant opportunities, individual projects, and community outreach efforts.

Caltrans supports development of a multi-use path project connecting “downtown” Lee Vining with other business services and the transit stop along SR 120. We are committed to working with the County, community members, and other stakeholders toward the realization of such a project. To further this effort, we request that the LTC and Mono County conduct public outreach to gather project ideas/support; and amend the Mono County Regional Transportation Plan to document outreach results and LTC support.

Currently, District 9 has no funding for project development of a multi-use path at this location. Caltrans district staff have submitted a proposal to Caltrans headquarters for Complete Streets supplemental funds and will continue to research options for additional funding sources. Any state funds could complement local, regional, and/or private developer funding dedicated for the project. Based on available funds, the Caltrans Lee Vining Road Rehabilitation project (possible construction year 2024/2025) could include a path segment from the wall to Utility Road along US 395's west side.

We value our cooperative working relationship with Mono County regarding multi-modal facilities for the transportation system. For any questions, feel free to contact Dennee Alcala at (760) 784-4236 or [Dennee.Alcala@dot.ca.gov](mailto:Dennee.Alcala@dot.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan A. Dermody".

RYAN A. DERMODY  
District 9 Director

## Michael Draper

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**From:** nacouzi nacouzi <snacouzi@msn.com>  
**Sent:** Monday, April 19, 2021 2:57 PM  
**To:** CDD Comments  
**Subject:** tioga inn

**[EXTERNAL EMAIL]**

please dont mar the beauty and sacred space that is the mono lake basin. we are all stewards of special places as we have borrowed them from our children's heritage. there is no need for a project of the type that the tioga inn intrusive design proposes. thank you  
-stepi

Rose Nelson  
P.O. Box 394  
Lee Vining, CA 93541

April 17, 2021

Dear Mono County Supervisors,

It hurts to be yet again writing out my opposing comments for another hearing about the same inadequate project. You have heard my objections about the significant, unavoidable adverse impacts as it relates to the Mono Basin's world class, unique and near pristine scenic resources. I have tried to relate the gravity of the loss of just one life due to the unsafe traffic impacts. Over a thousand other comments and letters have been put before you which echo these sentiments or point out countless other issues with the Tioga Inn development. People who love the Mono Basin and understand what is at stake are feeling unheard and dejected. This alone, I believe, is disgraceful. And now, the Tioga Inn saga has taken yet another downward turn that truly makes me sick.

The Mono Lake Kutzadika'a Paiute's involvement with the Tioga Inn Project is of utmost importance and deserves the respect and understanding of the Board. If you will not listen to the 1000+ comments opposing this development by community members and others, please, please listen to the Kutzadika'a Tribe.

The Mono Basin, or *Kootzagwae* known to the Kutzadika'a, is their home more than you and I can ever claim. The ancestors of the Kutzadika'a Tribe were removed by force from the Mono Basin and too many perished so miners and settlers could develop and find their fortune. How strikingly similar that sounds to what is happening this very day. The Mono Lake Kutzadika'a Paiute are once again being pushed out of important decisions and conversations so others can benefit monetarily from their traditional land.

You may think that sentiment is extreme, but one of the main reasons the Tribe has not yet met with the developer is for fear of their elders contracting COVID – 19. According to the CDC, American Indians are nearly twice as likely to succumb to COVID – 19 than white people. The Tribe has already lost elders this year. Why ask them to put others in danger when the Board could respect their wishes and delay this hearing? If we expect the Kutzadika'a Tribe to put their elders at risk of death so culturally significant land can be developed, then I am afraid some of the darkest days of American history is repeating itself in a 21<sup>st</sup> century context.

I urge the Board of Supervisors to delay this hearing until the Mono Lake Kutzadika'a Tribe is consulted on the cultural resources at the site and when their concerns are sincerely heard. I ask you; will you be on the right side of history today?

Thank you,



Rose Nelson  
Lee Vining, CA

## Michael Draper

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**From:** Matthew Niro <matt.niro@gmail.com>  
**Sent:** Thursday, April 15, 2021 12:42 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn public comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

This project should not move forward until all outstanding issues have been properly addressed.

The impact of this project is far too large to provide any approvals for until the Kutzadika's Tribe has been fully consulted with and an EIR performed for the multi-use path.

The long-term economic cost to the required supporting infrastructure (public safety costs, sewer & water, etc) must be properly budgeted for. Will there be a local community net benefit? Does such a large project need to be built? And built here?

thank you for your proper consideration of this,  
Matt Niro

## Michael Draper

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**From:** Marc Norton <nortonsf@ix.netcom.com>  
**Sent:** Friday, April 16, 2021 5:47 AM  
**To:** CDD Comments  
**Cc:** Mono Lake Committee  
**Subject:** Tioga Inn project

### [EXTERNAL EMAIL]

TO: Honorable Supervisors  
ATTN: Michael Draper

Once again I want to express my concern that the Tioga Inn project is proceeding without due consideration to several issues that need to be addressed.

First, the Kutzadika'a Tribe must be respected. That means listening to them and incorporating their concerns regarding their cultural heritage, not just going through the motions of "consultation." They were here long before any of you.

Second, the project sponsor must pay for the costs that this project will create for the Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County and Caltrans. Why should the project sponsor be allowed to reap profits at the expense of the community?

Third, there needs to be a pedestrian and bicycle path between this development and Lee Vining proper. The lack of any such connection will be an environmental mess. If this means preparing a new EIR, then it simply must be done.

I do not live in Mono County, but have visited often over the course of my 71 years. These are the kinds of issues that arise everywhere. Please do your job and defend the interests of the community, not the interests of private capital.

Marc Norton  
San Francisco  
(415) 648-2535 (landline)

## Michael Draper

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**From:** Steven Pace <stevenpace@mac.com>  
**Sent:** Friday, April 16, 2021 6:53 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**[EXTERNAL EMAIL]**

Attn: Michael Draper:

I have concerns about the Tioga Inn development project. Please consider:

- The Kutzadika'a Tribe needs to be respected and adequately consulted regarding impacts to their cultural heritage.
- Safe connectivity in the form of a pedestrian and bicycle path between the project site and Lee Vining is feasible and Mono County as the lead agency must prepare a subsequent EIR because the path would reduce significant impacts and was previously excluded from analysis.
- If approved as is, the Tioga Inn project proponent will reap significant private benefits, while significant adverse impacts will be left to the Mono Basin community, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans to figure out and pay for.
- The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better.

Thank you for your consideration,  
Steve Pace



April 16, 2021

**Re: Tioga Inn Project**

Board of Supervisors of Mono County  
Attn: Michael Draper, Community Development Department  
PO Box 347  
Mammoth Lakes, CA 93546

Dear Honorable Members of the Board:

I am surprised and disappointed that the proposal for the Tioga Inn Project has not changed since the last time the Board of Supervisors discussed this issue. The project documents are still incomplete and show a serious lack of environmental analysis and mitigation measures.

In reviewing the letter I sent nineteen months ago commenting on this project, I see my arguments against this project remain unchanged. For instance, the visual impacts of the proposed project are still substantial and there appears no adequate mitigation for increased vehicle traffic. Where is the pedestrian and bicycle path between the project and Lee Vining?

Furthermore, as I mentioned in that earlier letter, Mono Lake is listed as one of only 14 designations by Travel & Leisure Magazine of "Where To Find the Darkest Skies in the U.S. for Serious Stargazing." The proposed Tioga Inn Project would destroy those opportunities.

Finally, I am deeply concerned that the Kutzadika Tribe has not been adequately consulted regarding the cultural impacts the Tioga Inn Project will have.

The project, as currently proposed, inflicts unfair financial and environmental burdens, as well as adverse quality of life impacts, on the local community. As a tourist who has enjoyed recreating in the Mono Basin regularly since 1980, I will seriously reconsider whether or not to visit in the future if the current Tioga Inn Project goes forward.

Sincerely,



Betsy Reifsnider  
1344 Vallejo Way  
Sacramento, CA 95818

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**From:** Tawaanee Rodriguez <[tl\\_davis@hotmail.com](mailto:tl_davis@hotmail.com)>  
**Sent:** Monday, April 19, 2021 2:12:46 PM  
**To:** Shannon Kendall <[skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)>  
**Subject:** Tioga Inn Project Letter of Opposition

**[EXTERNAL EMAIL]**

**Tioga Inn Project  
Letter of Opposition**

To Mono County Supervisors,

The family of Tawaanee Rodriguez (West/Watterson) proudly stand in solidarity with the Mono Lake Kutzadika'a Indian Community and opposes the development of the Tioga Inn Project in its current plan and calls on the County Supervisors to order a full Environmental Impact Review (EIR) that respects the concerns of the Tribe. The Kutzadika'a have been stewards of these lands for untold generations. As can be seen from the evidence and testimonies, these specific lands targeted by the developer(s) of the Tioga Inn Projects, have significant cultural, historical and ecological importance to the local indigenous people of Mono Lake.

We request immediate consultation with local tribal leadership and proper modifications to projects plans to address the concerns brought forth. Developments of this nature ought to expect resistance and therefore, should engage early, honestly and transparently with local tribes and environmental groups to avoid absolute opposition. Together, we can work collaboratively to develop sustainable plans that the entire local community can be proud of and benefit from.

In its current form, the plans for this project are woefully inadequate in addressing the concerns brought forth by the Mono Lake Kutzadika'a Tribal Leadership. Please start there, and then we can work towards the next steps; but until that key element is addressed, we are unmoved.

Respectfully submitted,

Tawaanee Rodriguez  
Bishop Paiute Tribal Member

4/19/2021

## Michael Draper

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**From:** rottners@suddenlink.net  
**Sent:** Sunday, April 18, 2021 6:51 PM  
**To:** CDD Comments  
**Subject:** re: Tioga Inn Project

[EXTERNAL EMAIL]

I believe this project is a bad idea. It has not been thought out for the benefit of the Lee Vining community. Not a good idea. Frances Rottner Bishop Ca. resident.

## Michael Draper

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**From:** Crystal Sevier <cdsevier@yahoo.com>  
**Sent:** Thursday, April 15, 2021 3:18 PM  
**To:** CDD Comments  
**Subject:** Comment re: Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Dear Mono County Board of Supervisors,

I am writing regarding your upcoming consideration of the Tioga Inn Project at your meeting on Tuesday. I continue to have major concerns about this project for many reasons. The biggest concerns I have are:

--It does not seem fair that the owner of Tioga Inn could receive significant profits and benefits from the project, all the while leaving the local community (the Lee Vining Volunteer Fire Department, Lee Vining's schools, Caltrans, the town of Lee Vining, and Mono County) considerable significant impacts (steep and drastic increase in town population size, no safe pathways for pedestrian and bicycle movement between the project site and town, and others) that they would have to pay for and figure out solutions for.

--The Kutzadika'a Tribe has not been adequately consulted regarding impacts to their cultural heritage.

--There is no plan for safe connectivity for pedestrians and bicycles between Tioga Inn and Lee Vining. A pedestrian and bicycle-specific path is feasible and Mono County as the lead agency must prepare a subsequent EIR because the path would reduce significant impacts and was previously excluded from analysis.

I ask that the project not go forward until these concerns have been addressed. This project can and needs to be improved, for the sake of the public, the Kutzadika'a Tribe, and the Lee Vining community.

Thank you for your consideration,

Crystal Sevier  
Soulsbyville, CA

SHUTE, MIHALY  
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102  
T: (415) 552-7272 F: (415) 552-5816  
www.smwlaw.com

WINTER KING  
Attorney  
King@smwlaw.com

April 19, 2021

**Via E-Mail**

Board of Supervisors of Mono County  
c/o Michael Draper, Community  
Development Department  
PO Box 347  
Mammoth Lakes, CA 93546  
E-Mail: [mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)  
[cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov)

Re: Tioga Inn Specific Plan Amendment #3

Dear Members of the Mono County Board of Supervisors:

We submit these comments on behalf of the Mono Lake Committee (“Committee”) to express our continuing concerns about the proposed Tioga Inn Specific Plan Amendment #3 (“Project”) and the unresolved questions about the safe pedestrian trail linking the project site and the town of Lee Vining. Because new information shows that the trail is feasible, the County must conduct supplemental environmental review if the trail is not adopted as mitigation. Further, if the Board of Supervisors elects to approve the Project, the County must require, as conditions of approval, that (1) the developer pay its fair share of the costs of the trail, and (2) the trail be completed before residents occupy proposed project housing. The Committee urges the County to postpone consideration of the Project, however, until the Mono Lake Kutzadika Tribe is able to meet with the developer and the County to discuss the Tribe’s concerns.

Caltrans’s support for a safe pedestrian trail from the project site to Lee Vining is new information that indicates that such a trail is feasible. Although the staff report asserts that Caltrans’s support was reported in October, before the FSEIR was certified, Caltrans’s position at that time was unclear. Caltrans did not formally commit to support the trail until December 8, 2020. Thus, because new information shows that the trail is feasible, the County must conduct supplemental environmental review if the trail is not adopted as mitigation for the Project’s pedestrian safety impacts. CEQA Guidelines § 15162(a)(3)(C).

Additionally, contrary to the staff report's conclusion (*see* page 13 of the staff report), the current lack of designated funding for the trail does not make the trail infeasible. As discussed in the Committee's joint letter with the Mono Lake Kutzadika Tribe, dated March 8, 2021, mitigation measures frequently require project proponents to contribute their "fair share" to fund infrastructure improvements. *See, e.g., Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1188.

Further, the size or proportion of the developer's "fair share" and the scope of the trail's costs that would remain after the developer's contribution are currently unknown. Indeed, the draft Resolution approving the Project proposes to determine that fair share following a feasibility analysis conducted *after* Project approval.<sup>1</sup> But in the absence of this information, the staff report's conclusions that the trail is infeasible because of uncertainty related to its funding is not supported by evidence. Because the County has not studied this issue or identified the amount of funding that would remain un sourced after the developer's contribution, its conclusion that funding contributes to infeasibility is based on conjecture. This flaw, however, can be addressed by conducting the feasibility analysis and determining the project proponent's fair share in advance of Project approval. The Project's fair share and other details related to the trail's construction, including an analysis of the trail's potential environmental impacts (if any), should be determined *prior* to project approval.

In any event, no matter what the developer's fair share is determined to be, the Committee strongly urges the County to require the developer to contribute its fair share of funds for the trail now, as a condition of Project approval. Otherwise, the County and its taxpayers will ultimately have to pay for the *entire* cost of the trail themselves, even though the trail will substantially benefit the developer of the project site. Indeed, a safe pedestrian trail between the project site and Lee Vining could easily be included in marketing materials as a selling point for the Project's rental units. The County should not oblige its taxpayers to subsidize private development in that way.

The County should also require that the trail be completed before new residents are permitted to occupy the project site. Without such a requirement, the worst pedestrian safety impacts identified in the FSEIR—i.e., new residents, including

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<sup>1</sup> The Committee has previously expressed—and now reiterates and incorporates by reference herein—its concerns that this proposal represents an impermissible deferral of mitigation under CEQA and that deferring environmental analysis of the proposed trail represents improper "piecemealing" of the Project. *See* Letter from Winter King, on behalf of the Mono Lake Committee, to the Mono County Board of Supervisors, August 5, 2020, at page 1-2.

schoolchildren, walking along the shoulder of a heavily trafficked highway at great risk of collision—could come to pass. Construction and completion of the trail must be linked to Project development milestones to avoid these impacts. For example, the County should require that the trail receive all necessary permits, approvals, and/or entitlements before building permits may be issued for the first phase of project housing, and that the trail be completed before occupancy.

Finally, the Committee urges the Board to delay consideration of this Project until the Mono Lake Kutzadika Tribe (“Tribe”) has had the opportunity to meet with the developer and the County. In a letter to the Board dated March 30, 2021, the Tribe expressed its commitment to meet on the Project site in May. The Tribe explained that, for the meeting to be effective, the site must be free of snow, and that current conditions related to COVID-19 make such a meeting unsafe. The Board should delay consideration of the Project until after the Tribe meets with the developer and the County so that any further mitigation measures or other information that emerges from this meeting may be incorporated into the Project, and the Board may make a fully informed decision.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Winter King

cc: Jennifer Kreitz ([jkreitz@mono.ca.gov](mailto:jkreitz@mono.ca.gov))  
Rhonda Duggan ([rduggan@mono.ca.gov](mailto:rduggan@mono.ca.gov))  
Bob Gardner ([bgardner@mono.ca.gov](mailto:bgardner@mono.ca.gov))  
John Peters ([jpeters@mono.ca.gov](mailto:jpeters@mono.ca.gov))  
Stacy Corless ([scorless@mono.ca.gov](mailto:scorless@mono.ca.gov))



**Monday, April 19, 2021**

**Re: Tioga Inn Project  
Letter of Opposition - Requesting Full EIR and Respect of Mono Lake Tribal Concerns**

Honorable Mono County Supervisors,

The Sierra Club proudly stands in solidarity with the Mono Lake Kutzadika'a Indian Community and opposes the development of the Tioga Inn Project in its current plan and calls on the Mono County Supervisors to order a full Environmental Impact Review (EIR) that respects the concerns of the Tribe. The Kutzadika'a have been stewards of these lands for untold generations. As can be seen from the evidence and testimonies, these specific lands targeted by the developer(s) of the Tioga Inn Projects, have significant cultural, historical and ecological importance to the local indigenous people of Mono Lake.

We request immediate consultation with local tribal leadership and proper modifications to projects plans to address the concerns brought forth. Developments of this nature ought to expect resistance and therefore, should engage early, honestly and transparently with local tribes and environmental groups to avoid absolute opposition. Together, we can work collaboratively to develop sustainable plans that the entire local community can be proud of and benefit from.

In its current form, the plans for this project are woefully inadequate in addressing the concerns brought forth by the Mono Lake Kutzadika'a Tribal Leadership. Please start there, and then we can work towards the next steps; but until that key element is addressed, we are unmoved.

Respectfully submitted,

Kristopher Hohag  
Eastern Sierra Senior Organizer  
Sierra Club



## Michael Draper

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**From:** Travis Silcox <silcoxt5@gmail.com>  
**Sent:** Thursday, April 15, 2021 8:49 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

### [EXTERNAL EMAIL]

Hello Board of Supervisors:

I have watched with interest as the Tioga Inn Project has continued to wind through the Mono County process.

I am a frequent visitor to Mono County, and once the pandemic risks have abated, I will return to this favorite spot. I plan to retire to the eastern Sierra.

While development of some type is inevitable, I urge the Mono County Board of Supervisors to assure us that this project will have minimal impacts to the County and to the landscape. Some newer aspects of the project that must be addressed are:

- 1) the walking and biking path between the project and the town of Lee Vining. I suspect that as EIR will be needed.
- 2) minimize the impacts to the Fire Department
- 3) ask for a coherent project, not a piecemeal, plan-as-you-go project
- 4) above all, the Kutzadika'a Tribe must be consulted at each step

Personally, I'd like to see no further encroachment on the visual landscape as I look up from Mono Lake to the Tioga Pass area and Mount Dana.

Thank you,

Travis Silcox  
Sacramento

## Michael Draper

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**From:** Raymond F. Skryja <rbskryja@sonic.net>  
**Sent:** Sunday, April 18, 2021 1:58 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Attention Michael Draper

Humans as part of nature must respect all the natural world or we disrespect ourselves. It is short sighted and counterproductive to take our activities out of this larger context. With respect to the proposed Tioga Inn Project:

- 1) The Kutzadika'a Tribe must be adequately consulted and their cultural needs respected. The Tribe has, after all, a legacy interest in the Mono Basin.
- 2) The lighting in the project must respect not just human activities but to as great extent as possible those of other creatures. The International Dark Sky Association has developed standards to achieve this compromise. The Association can be contacted through [www.darksky.org](http://www.darksky.org).
- 3) Impacts to the whole Mono Basin must be considered. The developers will reap a long term benefit but must not unduly burden the community long term to do so. For example, the following community issues must be adequately mitigated to achieve a fair and successful balance: a) Construction of a proper 'path' connecting the Project and Lee Vining including an adequate EIR; b) Impacts on local schools; c) Impacts to emergency services; d) And of course, a plan for and acceptance of responsibility for proper funding for all of the needed changes.

Done in consideration of both the natural world, the indigenous residents and all the persons who live and visit the Mono Basin, this project can enhance the area with a proper plan. I urge Mono County to accept the burden of proper planning to achieve the result as stated above.

Raymond F. Skryja

## Michael Draper

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**From:** Wendy Sugimura  
**Sent:** Wednesday, December 16, 2020 9:01 AM  
**To:** CDD Comments  
**Subject:** FW: [URGENT] Tioga Inn Project

Please file this as a late comment for the 12/15/20 Board meeting, to be transmitted the next time Tioga Inn is heard by the Board.

*Wendy Sugimura*

Community Development Director  
760.924.1814

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Queenie Barnard  
Senior Deputy Clerk – Elections Assistant  
P.O. Box 237  
Bridgeport, CA 93517  
(760) 932-5534 (office)  
(760) 932-5531 (fax)  
[qbarnard@mono.ca.gov](mailto:qbarnard@mono.ca.gov)



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**From:** Queenie Barnard <[qbarnard@mono.ca.gov](mailto:qbarnard@mono.ca.gov)>  
**Sent:** Wednesday, December 16, 2020 7:16 AM  
**To:** CDD Comments <[cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov)>  
**Subject:** Fw: [URGENT] Tioga Inn Project

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Queenie Barnard  
Senior Deputy Clerk – Elections Assistant  
P.O. Box 237  
Bridgeport, CA 93517  
(760) 932-5534 (office)  
(760) 932-5531 (fax)

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**From:** Shannon Kendall <[skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)>  
**Sent:** Wednesday, December 16, 2020 7:07 AM  
**To:** Queenie Barnard <[qbarnard@mono.ca.gov](mailto:qbarnard@mono.ca.gov)>  
**Subject:** FW: [URGENT] Tioga Inn Project

**Shannon D. Kendall**  
**Mono County Clerk-Recorder-Registrar**  
P.O. Box 237  
Bridgeport, CA 93517  
(760) 932-5533  
(760) 932-5531  
[skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)

Effective March 19, 2020, the Office of the Clerk-Recorder/Registrar of Voters/ Clerk of the Board has suspended in-person services due to the COVID-19 outbreak.

For questions about how to access services at this time, please contact:

Clerk-Recorder: 760-932-5530, [clerkrecorder@mono.ca.gov](mailto:clerkrecorder@mono.ca.gov), <https://monocounty.ca.gov/clerk>

Elections: 760-932-5537, [elections@mono.ca.gov](mailto:elections@mono.ca.gov), <https://monocounty.ca.gov/elections>

Clerk of the Board: 760-932-5538, [sdedman@mono.ca.gov](mailto:sdedman@mono.ca.gov), <https://monocounty.ca.gov/bos>

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**From:** Sera Smith <[sera.smith@berkeley.edu](mailto:sera.smith@berkeley.edu)>  
**Sent:** Tuesday, December 15, 2020 9:43 PM  
**To:** Shannon Kendall <[skendall@mono.ca.gov](mailto:skendall@mono.ca.gov)>  
**Subject:** [URGENT] Tioga Inn Project

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I am very concerned about the recent developments in the Tioga Inn Project. Adequate consultation from the Mono Lake Kutzadika tribe was not taken as required by AB 52 and SB 18. The impact to tribal heritage has not been properly considered, and this threatens both the environment (which this area depends on for tourism) as well as the people whose ancestral homelands are here. I oppose the methods used- especially how consideration was not taken to protect the health of tribal members that could not safely attend meetings. The process has not been transparent, and an egregious lack of communication is obvious in the way meetings were not changed to virtual during an uptick in COVID-19 cases. Please understand that without legitimate consideration of tribal partners, a determination of impact has not been made.

Signed,  
Sera Smith

## Michael Draper

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**From:** dsphoto@suddenlink.net  
**Sent:** Saturday, April 17, 2021 3:18 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Mono County Board of Supervisors  
attn: Michael Draper

Once again the Tioga Inn project comes before the board without adequate consideration being given to several vital issues.

The broad picture is of a very large commercial development previously not seen in the Mono Basin. The environmental impact to this scenic area will be permanent and vast. The human impact needs to be evaluated very thoroughly including the significant issue of the cultural heritage and concerns of the Kutzadika Tribe and all the current residents of Lee Vining. Wildlife also inhabit the projected site and adjacent area of the proposed Tioga Inn.

Please allow more time for these and all matters relating to the changes that will affect the town of Lee Vining to be addressed thoroughly.

Yours truly,

Ms. Dar Spain

## Michael Draper

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**From:** Sandy Steinman <sandysteinman@gmail.com>  
**Sent:** Thursday, April 15, 2021 9:42 AM  
**To:** CDD Comments  
**Subject:** att: Michael Draper

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

I have serious concerns about the Tioga Inn's Impact. Below are my concerns.

- The Kutzadika'a Tribe needs to be respected and adequately consulted regarding impacts to their cultural heritage.
- Safe connectivity in the form of a pedestrian and bicycle path between the project site and Lee Vining is feasible and Mono County as the lead agency must prepare a subsequent EIR because the path would reduce significant impacts and was previously excluded from analysis.
- If approved as is, the Tioga Inn project proponent will reap significant private benefits, while significant adverse impacts will be left to the Mono Basin community, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans to figure out and pay for.
- The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better.

Sandy Steinman  
[sandysteinman@gmail.com](mailto:sandysteinman@gmail.com)

Dear Mono County Supervisors:

My name is Sherryl Taylor. I live in Mammoth Lakes and I have served as a volunteer in the Mono Basin since 1994. After much discussion, I remain concerned about the negative impact of the proposed Tioga Inn Project on the scenic values and dark skies in the Mono Basin. I am also concerned that you, our Mono County Supervisors, are still considering the approval of this project while several important issues have not been resolved. A significant amount of time has passed since the Project was last considered, but the Kuzadika Tribe has not been sufficiently consulted about the impacts to their cultural heritage. The Developer has not cooperated with the Lee Vining Volunteer Fire Department to establish a safe fire evacuation plan, and while there is approval from Caltrans to build a safe trail to town, neither the Developer nor the Mono County Planning Department have taken the next steps to begin this project. These issues have not been resolved and this project should not be approved. I urge you to vote for Option 2 and deny this project.

I appreciate your hard work on this issue. Thank you for considering my thoughts.

Sincerely,

Sherryl Taylor

## Michael Draper

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**From:** Paul David Tuff <privacy@pauldavidtuff.com>  
**Sent:** Thursday, April 15, 2021 6:15 PM  
**To:** CDD Comments  
**Subject:** Attn: Michael Draper

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Dear Mr. Draper

I am a long-time member of the Mono Lake Committee and have concerns about the Tioga Inn project:

- The Kutzadika'a Tribe needs to be respected and adequately consulted regarding impacts to their cultural heritage.
- Safe connectivity in the form of a pedestrian and bicycle path between the project site and Lee Vining is feasible and Mono County as the lead agency must prepare a subsequent EIR because the path would reduce significant impacts and was previously excluded from analysis.
- If approved as is, the Tioga Inn project proponent will reap significant private benefits, while significant adverse impacts will be left to the Mono Basin community, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans to figure out and pay for.
- The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better.

Sincerely

Paul David Tuff  
19394 Acclaim Dr  
Salinas, CA 93908



## Michael Draper

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**From:** Neal Turner <neal@mailfence.com>  
**Sent:** Saturday, April 17, 2021 11:13 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Attention: Michael Draper

As someone who loves visiting the Mono Lake area, I urge the County Board of Supervisors when considering the Tioga Inn project to:

- Adequately consult the Kutzadika'a Tribe regarding the impacts on their cultural heritage.
- Require safe connectivity in the form of a pedestrian and bicycle path between the project site and Lee Vining; prepare an EIR because the path would reduce major impacts and was previously excluded from analysis.
- Weigh the project's private benefits against the costs and adverse impacts to the Mono Basin community, Eastern Sierra Unified School District, Lee Vining Volunteer Fire Department, Mono County, and Caltrans.

Sincerely,  
-Neal Turner, Altadena, mobile 626/793-8897.

## Michael Draper

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**From:** Helen Vajk <vajk\_parents@yahoo.com>  
**Sent:** Thursday, April 15, 2021 11:09 AM  
**To:** CDD Comments  
**Subject:** Proposed Tioga Inn project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Re the proposed Tioga Inn project, these comments are highly relevant.

If approved as is, the Tioga Inn project proponent will reap significant private benefits, while significant adverse impacts will be left to the Mono Basin community, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans to figure out and pay for.

- The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better. This is the time to do this right. It would be most difficult, maybe impossible, to fix the predicted problems afterwards.

Helen O'Keeffe Vajk  
57 Oakdene Court, Walnut Creek, CA

## Michael Draper

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**From:** Gretchen Whisenand <gmwhisen@gmail.com>  
**Sent:** Sunday, April 18, 2021 4:45 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Dear Board members,

Once again, I must voice my vehement opposition to this poorly sited, outsized, visually jarring project.

I have been a frequent visitor to Mono Lake for decades. I am a resident of Santa Rosa, CA. As such, I am painfully aware of the dangers posed by repeated wind driven fires, which are becoming an annual event. The Tioga Inn site is smack dab in the middle of a wind tunnel, an unavoidable result of the local topography. Indeed, there was a fire very nearby just a few years ago. The Lee Vining Fire department is a tiny volunteer entity. They would be unable to deal with a WUI (wildland urban interface) conflagration in that area. If you put those brave firefighters in that hopeless situation, you will have blood on your hands.

Do the right thing, and deny approval of this project once and for all.

Thank you,  
Gretchen Whisenand

## Michael Draper

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**From:** Howard Whitaker <hjameswhitaker@att.net>  
**Sent:** Thursday, April 15, 2021 11:13 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL EMAIL]

Attention Michael Draper

- The Kutzadika'a Tribe needs to be respected and adequately consulted regarding impacts to their cultural heritage.
- Safe connectivity in the form of a pedestrian and bicycle path between the project site and Lee Vining is feasible and Mono County as the lead agency must prepare a subsequent EIR because the path would reduce significant impacts and was previously excluded from analysis.
- If approved as is, the Tioga Inn project proponent will reap significant private benefits, while significant adverse impacts will be left to the Mono Basin community, Eastern Sierra Unified School District, the Lee Vining Volunteer Fire Department, Mono County, and Caltrans to figure out and pay for.
- The developer can do better and Mono County can do better. The public, the Kutzadika'a Tribe, and the Lee Vining community deserve better.

Howard Whitaker, 2041 Campton Circle, Gold River, CA 95670-8301

## Michael Draper

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**From:** Nina <nwouk@ix.netcom.com>  
**Sent:** Thursday, April 15, 2021 11:38 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

Hi, Supervisors

The Tioga Inn project needs to be revised in order to take into account the interests of the Kutzadika'a Tribe as well as the surrounding non-indigenous communities. I'm not local but I care.

Sincerely

Nina G. Wouk  
1259 El Camino Real #215  
Menlo Park CA 94025  
[nwouk@ix.netcom.com](mailto:nwouk@ix.netcom.com)  
650-329-9083  
650-906-1779 (cell)  
415-276-2087 (fax)

## Michael Draper

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**From:** Jeff W. <jeffwyneken@gmail.com>  
**Sent:** Monday, April 19, 2021 12:09 AM  
**To:** CDD Comments  
**Subject:** Tioga Inn hearing, comments (attn: Michael Draper)

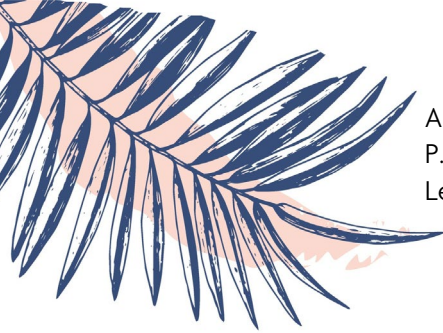
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

The Tioga Inn project has not yet sufficiently addressed the need and a plan for pedestrian/bicycle connectivity between Lee Vining and the project site. A path is feasible.

The community will have to deal with multiple adverse effects from this project. Please, we can do better now to ensure that some of this is offset through the development of an equitable plan.

Thank you,  
Jeff Wyneken  
Mono City



Andrew Youssef  
P.O. Box 133  
Lee Vining, CA 93541

April 16, 2021

Board of Supervisors of Mono County  
P.O. Box 347  
Mammoth Lakes, CA 93546

Dear Mono County Supervisors,

As a Lee Vining resident for six years, I have been dismayed by the Board's willingness to overlook hundreds of public comments from local residents like myself in opposition to the Tioga Inn Specific Plan Amendment. Most disturbing to me, however, has been the Board's dismissal of the concerns of the Mono Lake Kutzadika Tribe, especially in light of the County supporting federal recognition for the Kutzadika Tribe and the County's commitment to building racial equity and reducing disparity.

At the October 13, 2020 public hearing on this issue, the Board suggested requiring the developer to build, "an exhibit on the property that describes the traditions and heritage of the Kutzadika tribe" and remarked that, "I'm fairly sure they [the Tribe] would be interested." The project proponent expanded on this by indicating that the Kutzadika Tribe would be a "wonderful theme to carry through the whole hotel" and he could see an exhibit being "the centerpiece of the lobby of the hotel." This conversation took place just one day after the Board adopted a "Resolution Recognizing Racism as a Public Health Crisis and Affirming Mono County's Commitment to Building Racial Equity and Reducing Disparity." **This suggestion that the Tribe's concerns about the project would be allayed by a superficial display at a hotel is completely misguided, at best. This tokenization of Indigenous culture is the antithesis of the Board's stance "to ensure [that] racial equity is a core element of the County."**

At the subsequent public hearing on December 15, 2020, Charlotte Lange, Chairperson of the Mono Lake Kutzadika Tribe shared her thoughts about a Tribal exhibit in the hotel, calling it a "slap in the face to the Tribe" and stated "we have a lot more concern than having materialistic things being presented in a place where our elders were being buried, our lands were being walked on, and out of the disrespect I am hearing today that we don't matter." The meeting should have stopped at this point, and the County should have offered a formal apology to the Kutzadika Tribe and a pledge to do better and uphold its commitment to building racial equity, however, just the opposite occurred when Chair Kreitz responded: "I believe it is not disrespectful. It's not my intention to be disrespectful or immoral in proceeding." **By focusing on intent rather than impact, the Board is**

**choosing to once again center the feelings of white people, instead of centering the feelings of the Indigenous people of this land who described the very real impact of the Board's words and actions.**

After completely disregarding the impact on the Tribe, I assumed at this point, nothing would stop the Board from moving forward on this project, since hundreds of comments from local community members in opposition to the project were also put aside. That was until Scott Lichtig, from the Office of the Attorney General notified the Board that his office was working “to determine if this project is being done in compliance with California law.” At that point, Supervisor Peters declared, “I am not comfortable with proceeding at this point.” **It boggles the mind how the Board felt comfortable railroading past the will of the Mono Lake Kutzadika Tribe and all of the other constituents it represents who have spoken against the project and only decided to pause deliberations once the State of California became involved.** The mission of the Board, as outlined on the Mono County website, it to “act as a forum for identifying the needs and desires of citizens, determining community consensus and for actively matching those needs with available County resources.” It is unconscionable that the Board ignored the desires of its citizens and the community consensus—in diametric opposition to its mission—only to reverse course after the threat of legal action from the State.

**If the County is serious about its commitment to building racial equity and reducing disparity, it must delay this hearing until additional review and analysis of the cultural resources at the project site, including a Cry Dance District and traditional trails, can be completed in addition to substantive talks between the Tribe and the County.** Furthermore, there are several other issues with this project which should preclude its approval, including a long list of significant, unavoidable adverse environmental impacts such as:

- 1) Aesthetic impacts to the scenic resources of Mono Lake, light and glare
- 2) Unsafe exposure of pedestrians and cyclists to highway traffic
- 3) Traffic safety impacts at the junction of Highways 395 and 120 West
- 4) Cumulative project impacts to the deer herd
- 5) Exposure of people and structures to catastrophic mudflows resulting from a nearby volcanic eruption

**If this project goes for a final vote on Tuesday, I sincerely hope you will have the best interests of the Mono Lake Kutzadika Tribe and all the local residents who have vociferously opposed this project in mind and vote to deny this project.**

Respectfully,



Andrew Youssef  
Lee Vining, CA





## Michael Draper

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**From:** zuckermanbeth@gmail.com on behalf of Beth Z <cust65@gmail.com>  
**Sent:** Thursday, April 15, 2021 12:07 PM  
**To:** CDD Comments  
**Subject:** Tioga Inn Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### [EXTERNAL EMAIL]

I have for many years enjoyed photo workshops at Mono Lake, and particularly astrophotography workshops. I am attending such a workshop in early June. The light from the Tioga Inn project would significantly impact the dark skies all over the area that make the Mono Basin such a destination for astrophotography. The project will not promote tourism in the area, but will make it a less desirable destination. I humbly ask you to consider the detrimental effects of this project on the qualities that make the area so special and precious, and ensure that any project that is built will not have the negative impacts of the project as currently proposed.

Thank you,  
Beth Zuckerman