

**LL-26**  
**Latham & Watkins LLP**  
**on behalf of the Golden Door Properties, LLC**  
**Dated: June 22, 2018**

1. Introduction

The comment letter submitted by Latham & Watkins on behalf of the Golden Door Properties, LLC, dated June 22, 2018, is a late letter that does not require a written response from the County.

Under CEQA Guidelines Section 15105, the County was legally required to provide a 45-day public review period on the Draft EIR. In order to provide additional time, the County instead afforded 60 days for public review and comment. The public comment period for the Draft EIR began on June 15, 2017 and ended on August 14, 2017. All comment letters received after expiration of the public review and comment period ending on August 14, 2017, are considered late comments.

A lead agency is required to consider comments on the Draft EIR and to prepare written responses if a comment is received within the public comment period. (Pub. Resources Code, §21091(d); CEQA Guidelines, §15088.) When a comment letter is received after the close of the public comment period, however, a lead agency does not have an obligation to respond. (Pub. Resources Code, §21091(d)(1); Pub. Resources Code, §21092.5(c).) Accordingly, the County is not required to provide a written response to late comment letters, including the June 22, 2018, letter from Latham & Watkins. (See, CEQA Guidelines, §15088(a)).

Nonetheless, for information purposes, the County has elected to respond to this late letter, but without waiving its position that written responses to late comment letters are not required by law.

2. The letter is challenging the role of James Whalen of J. Whalen Associates.

Mr. Whalen is a consultant for the project applicant that is working for the project applicant on endangered species and wetland permitting matters that are outside the regulatory authority of the County. The County has no comment or opinion on the claims made in this comment letter as they do not relate the environmental analysis contained the Newland Sierra Project EIR.

3. The letter is reiterating and expanding upon issues raised in previous late letters.

The County refers the commenter to **Responses to Late Comment Letters LL-4, LL-20, and LL-22 through LL-25.**