

CHAPTER 1.0

INTRODUCTION

CHAPTER 1.0 INTRODUCTION

The Notice of Availability (NOA) of the Draft Environmental Impact Statement/ Tribal Environmental Impact Report (Draft EIS/TEIR) for the proposed Los Coyotes Band of Cahuilla and Cupeño Indians Fee-to-Trust and Casino-Hotel Project (Proposed Project) was published by the United States Environmental Protection Agency (USEPA) in the Federal Register on July 1, 2011. The Draft EIS/TEIR was made available for a 75-day comment period that concluded on September 14, 2011. During the comment period, a public hearing was held at the Barstow Community College Gymnasium on July 27, 2011 during which time verbal and written comments on the Draft EIS/TEIR were received.

The response to comments provided herein, along with the revised EIS/TEIR text, will be considered by the BIA prior to rendering a decision concerning approval of the Proposed Action or an alternative. This Final EIS/TEIR has been prepared according to the requirements of the National Environmental Policy Act (NEPA), which states that “the lead agency shall consider and respond to all substantive comments received on the Draft EIS (*or summaries thereof where the response has been exceptionally voluminous*).” Therefore, all substantive comments have been included within this portion of this Final EIS/TEIR.

The Final EIR is organized into two volumes. Volume I contains all comments received on the Draft EIS/TEIR (**Section 2.0**) and responses to individual comments (**Section 3.0**). Substantive changes are also noted within the responses to comments presented in **Section 3.0**. Volume II is composed of the revised text of the EIS/TEIR¹ and provides supplementary appendices that were not included in the Draft EIS/TEIR.

Following the 30-day review period for this Final EIS/TEIR, the BIA may decide on the Proposed Action. At the time the BIA makes its decision, they will prepare a concise public Record of Decision (ROD), which states: what the decision is, identifies all the alternatives considered in reaching the decision, and discusses preferences among alternatives based on relevant factors including economic and technical considerations and the BIA’s statutory mission (40 C.F.R § 1505.2). The ROD also identifies and discusses all factors that were considered in making the decision and discusses whether all practicable mitigation measures have been adopted to minimize environmental effects. If all practicable measures are not adopted, the BIA must state why such measures were not adopted. The Council of Environmental Quality (CEQ) requires that, “Mitigation and other conditions established in the environmental impact statement or during its review and committed as part of the decision shall be implemented by the lead agency or other appropriate consenting agency” (40 C.F.R. § 1505.3). Specific details of adopted mitigation measures shall be included as appropriate conditions in the ROD by the lead agency.

¹ A version of Volume II that notes the changes in underline (added text) and strike-out (~~deleted text~~) is available online at <http://www.loscoyoteseis.com/>.