APPENDIX 1-1
NOTICE OF PREPARATION (NOP) AND NOP COMMENT LETTERS

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Encinitas
UNION SCHOOL DISTRICT

101 S. Rancho Santa Fe Road
Encinitas, CA 92024-4349
Phone: (760) 944-4300
www.eusd.net

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NOTICE OF PREPARATION

OF A DRAFT ENVIRONMENTAL IMPACT REPORT

DATE: October 22, 2025

TO: State Clearinghouse, State Responsible Agencies, State Trustee Agencies, Organizations, and Interested Parties

PROJECT TITLE: Paul Ecke Central Elementary School Rebuild Project

SUBJECT: Notice of Preparation (NOP) for the Paul Ecke Central Elementary School Rebuild Project Draft Environmental Impact Report

NOTICE IS HEREBY GIVEN that the Encinitas Union School District (EUSD or District), as Lead Agency under the California Environmental Quality Act (CEQA), will prepare a Draft Environmental Impact Report (Draft EIR) for the Paul Ecke Central Elementary School Rebuild Project pursuant to the California Public Resources Code (PRC), Division 13, Section 21000 et seq. (CEQA Statute) and the California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, Section 15000 et seq. (CEQA Guidelines).

The purpose of the Notice of Preparation is to (1) serve as a public notice of an EIR pursuant to the CEQA Guidelines Section 15082, and (2) advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared. The District, as Lead Agency, respectfully requests that any responsible and trustee agencies responding to this notice respond in a manner consistent with CEQA Guidelines Section 15082(b). Comments and suggestions should, at a minimum, identify the significant environmental issues, reasonable alternatives, and mitigation measures that should be explored in the EIR, in addition to whether the responding agency will be a responsible or trustee agency for the proposed project, and any related issues raised by interested parties.

In compliance with CEQA Guidelines Section 15060(d) and 15082, the District will not be preparing an initial study and will begin work directly on the Draft EIR.

PROJECT LOCATION: The Paul Ecke Central Elementary School (project site) is at 185 Union Street in the City of Encinitas, San Diego County (Assessor's Parcel Number [APN] 256-301-0100) (see Figure 1, *Regional Location,* and Figure 2, *Local Vicinity*). The project site is surrounded by residential uses to the north and south, Orpheus Park and residences to the east, and commercial uses to the west across North Vulcan Avenue and the railroad tracks (see Figure 3, *Aerial Photograph*). The project site has a General Plan land use designation of Public/Semi-Public (P/SP) and is zoned Public/Semi-Public (N-P/SP). The project site is entirely developed with, and operates as, an elementary school campus with classroom and administrative buildings, portable classrooms, asphalt walkways, hardcourts, a garden, parking lots, and fields.

PROJECT DESCRIPTION: The District is proposing a complete reconstruction of the campus with the exception of the Old Schoolhouse. The proposed project is intended to improve access, functionality, traffic and parking concerns, and enhance the educational environment. The proposed improvements are shown in Figure 4, *Conceptual Site Plan*.

The Administration Building, located in the northwestern portion of the site, is 7,120 square feet and would be 6,302 square feet upon project completion. The Multipurpose Room (MPR) Building would be relocated from the northeastern portion of the site to the western portion of the site, south of the Administration Building. The MPR Building square footage would increase from 9,892 square feet to 15,617 square feet. The Classroom Buildings would remain in the northern and eastern portions of the site, and the square footages would increase from 38,322 square feet to 48,752 square feet. There would be outdoor collaboration spaces with seating adjacent to the classrooms. The Flex 300 Building would be a new building on campus and would be 3,379 square feet. The Old Schoolhouse, which currently includes classrooms, would include a full structural retrofit with major interior and limited exterior upgrades, and would be a library/media center. While the District does not intend on changing enrollment, student capacity, or number of staff/teachers, the number of formal classrooms would decrease from 33 to 30.

The proposed project would include a variety of amenities such as a community plaza and teacher's lounge, a 8-foot-wide "Heritage" concrete walkway, a gathering plaza with seating and a sun dial, a Barn (open wood structure), learning garden, citrus grove, and greenhouse, an outdoor lab, a kinder play area, a nature play area, 30,000-square-foot field with an 8-foot-wide track, painted hardcourts, and a vermiculture educational area with a chicken coop and covered lunch courtyard.

Currently, the project site can be accessed via five driveways—one in the western portion of the site along North Vulcan Avenue, and four along Union Street at the northern portion of the site. The proposed project would reduce the number of driveways from five to three—two along the western portion of the site off of North Vulcan Avenue, and one at the northeastern parking lot. The western parking lot and drop-off/pick-up zone off of North Vulcan Avenue would be expanded to extend much of the western boundary of the project site. The parking lot in the northeastern portion of the site would include a median in the center of the parking lot which would improve the flow and circulation within the parking lot. The three parking lots and drop-off/pick-up zone would remain.

Construction of the proposed project would occur in one phase and is anticipated to start in June 2026 and end in August 2027. During construction, the District would temporarily relocate students to Park Dale Lane Elementary School and El Camino Creek Elementary School during the 2026-2027 school year. While bussing is not currently available, the District would arrange transportation between the project site and the temporary campuses while construction is underway. Additionally, the Leucadia Farmers Market would move to Oak Crest Middle School during construction and would move back to the project site once construction is completed.

POTENTIAL ENVIRONMENTAL EFFECTS: In accordance with Section 15082 of the CEQA Guidelines, the District has prepared this Notice of Preparation to provide agencies, organizations, and interested parties with information describing the proposed project and its potential environmental effects. Environmental factors that will be analyzed in detail in the Draft EIR are denoted with a (*); all other topics are anticipated to have no significant effects:

- Aesthetics*
- Agriculture and Forestry Resources
- Biological Resources
- Cultural and Paleontological Resources*
- Geology and Soils
- Greenhouse Gas Emissions*
- Hydrology and Water Quality
- Land Use and Planning
- Noise*
- Population and Housing
- Recreation
- Transportation*

- Wildfire
- Air Quality*
- Energy*
- Hazards and Hazardous Materials*
- Mineral Resources
- Public Services
- Tribal Cultural Resources*

PUBLIC REVIEW PERIOD: The 30-day public review period for the NOP is from **Wednesday, October 22, 2025, to Thursday, November 20, 2025**. In accordance with the time limits mandated by State law, if there are any concerns about the scope and content of the information to be addressed in EIR, please send written comments to the District, at the address below, at the earliest possible date but not later than 5:00 p.m. on **Thursday, November 20, 2025**. This NOP is also available at:

- Encinitas Union School District, Front office (address below)
- Encinitas Union School District website: https://www.eusd.net/departments/business-services/facilities-safety

PUBLIC COMMENTS: Please send your comments to:

Encinitas Union School District

Business Services Department

101 South Rancho Santa Fe Road, Encinitas, CA 92024

ATTN: Eric Smith, Director of Facilities and Safety

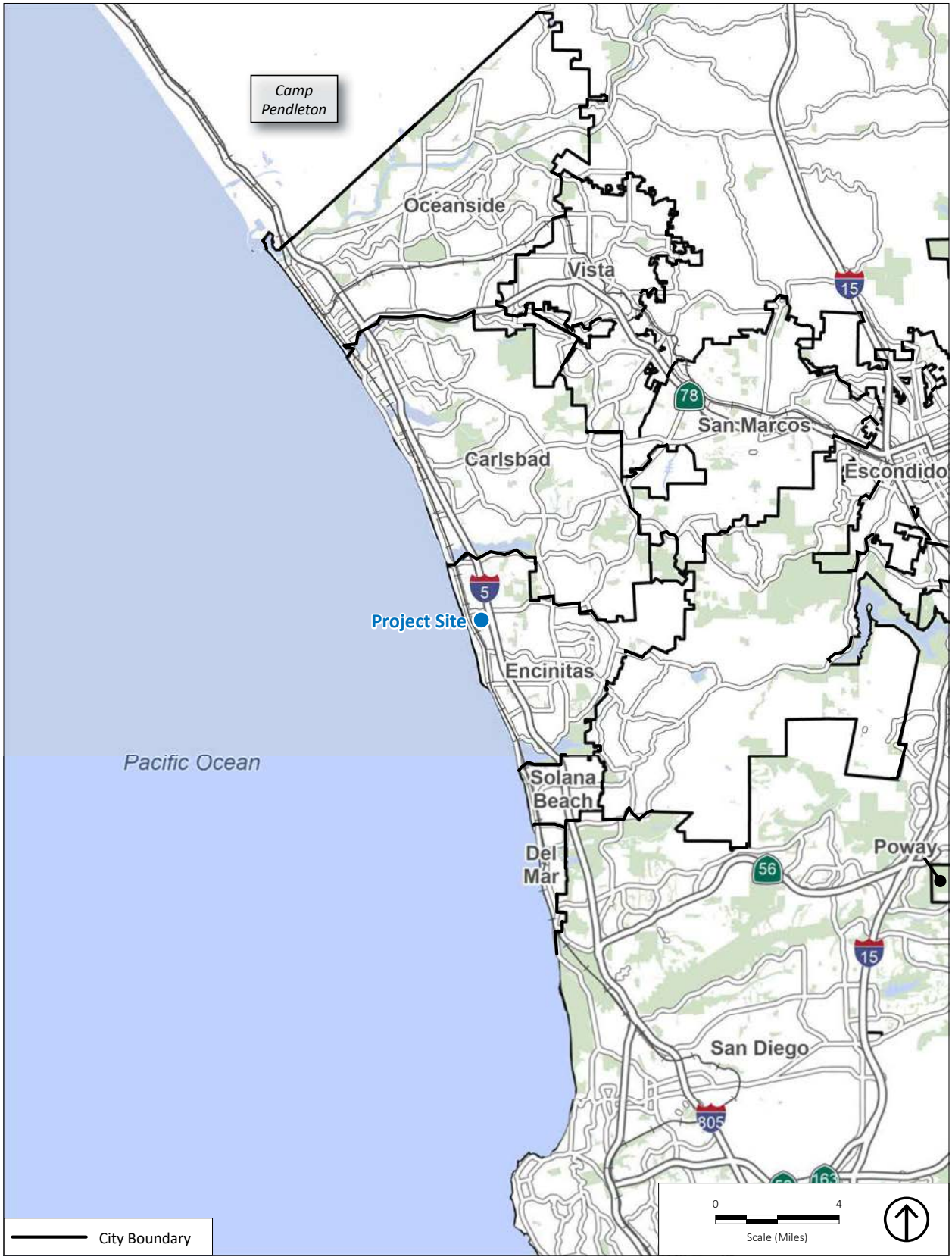
Comments can also be sent by e-mail to Eric Smith, Director of Facilities and Safety, eric.smith@eusd.net. Please include "Paul Ecke Central Elementary School Rebuild Project" in the subject line. If you require additional information, please contact 760.944.4300, ext. 1183.

SCOPING MEETING: The District will hold a scoping meeting from 5:00 p.m. to 6:00 p.m., on **Wednesday, November 5, 2025**. The meeting will be held in-person at 185 Union Street, Encinitas, CA 92024, in the Multi-Purpose Room.

The purpose of the scoping meeting is to present the proposed project, describe the EIR process, and to receive public comments. The District invites interested parties to participate in the scoping meeting for the proposed project in order to learn more about the project, ask questions, and submit comments.

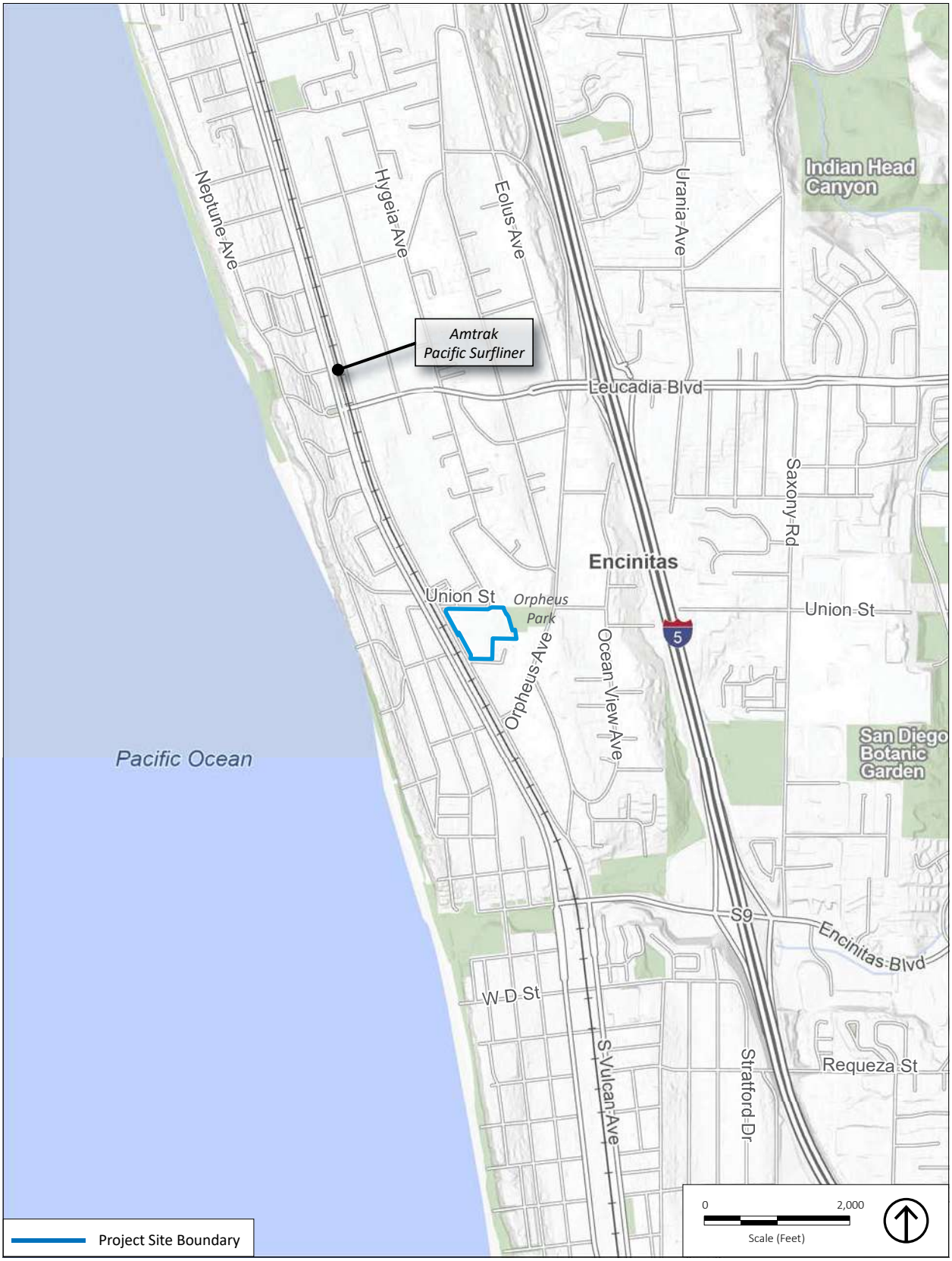
Eric Smith

Director of Facilities and Safety



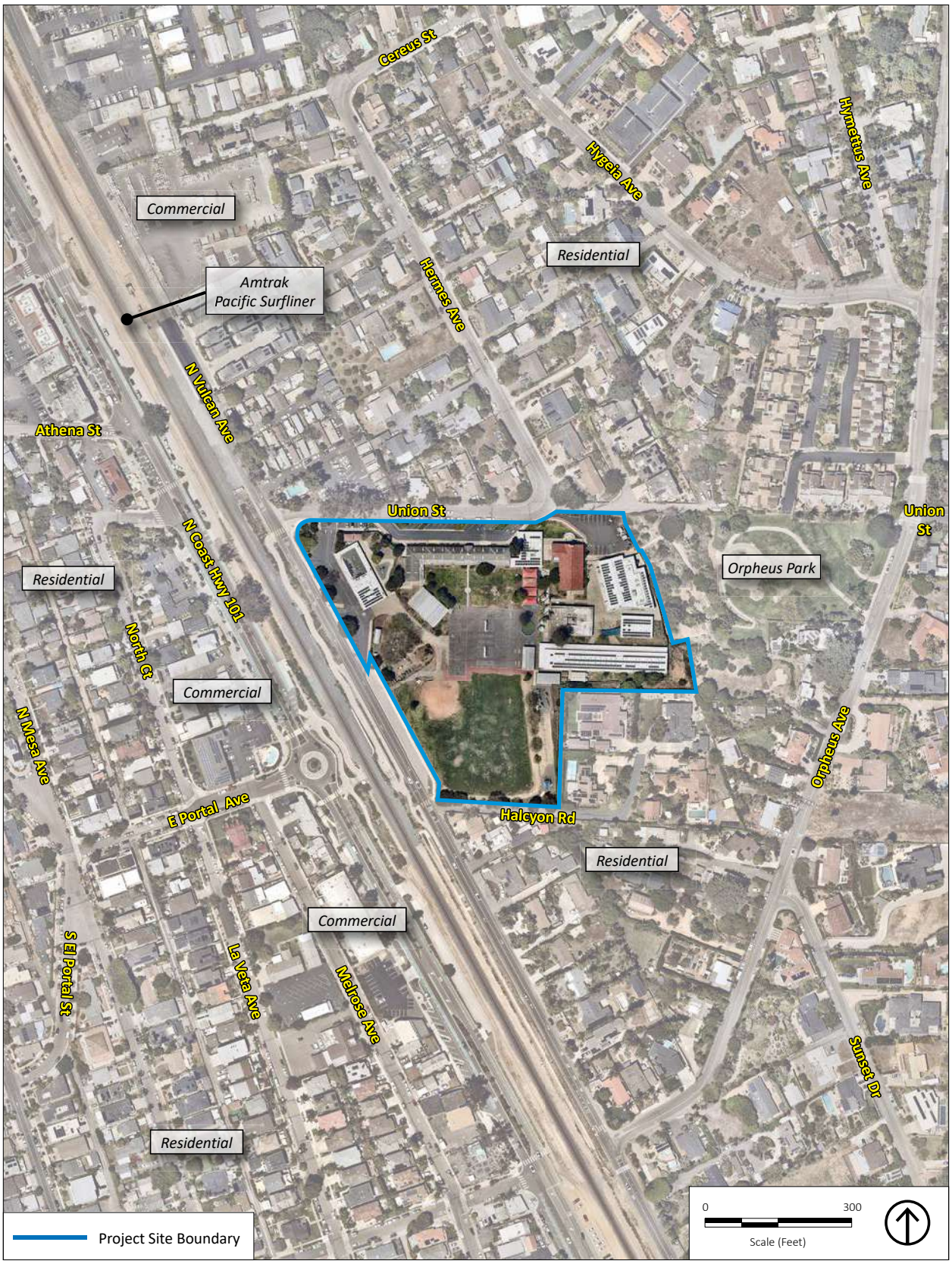
Source: Generated using ArcMap 2025.

Figure 1
Regional Location



Source: Generated using ArcMap 2025.

Figure 2
Local Vicinity



Source: Nearmap 2025.

Figure 3
Aerial Photograph

Source: DLR Group 2025.

Figure 4
Conceptual Site Plan

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

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Kumeyaay

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of Luiseño Indians

COMMISSIONER
Vacant

COMMISSIONER
Vacant

ACTING EXECUTIVE SECRETARY
Michelle Carr

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

October 21, 2025

Eric Smith
Encinitas Union School District
101 Rancho Santa Fe Road
Encinitas CA 92024

Re 2025100767 Paul Ecke Central Elementary School Rebuild Project, San Diego County

Dear Mr. Smith:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@NAHC.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

October 22, 2025

Eric Smith
Director of Facilities and Safety
Encinitas Union School District
101 Rancho Santa Fe Road
Encinitas, CA 92024
eric.smith@eusd.net

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PAUL ECKE CENTRAL ELEMENTARY SCHOOL REBUILD PROJECT DATED OCTOBER 16, 2025, STATE CLEARINGHOUSE NUMBER 2025100767

Dear Eric Smith,

The Department of Toxic Substances Control (DTSC) reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Paul Ecke Central Elementary School Rebuild Project (Project). The district is proposing a complete reconstruction of the campus. The number of classrooms would decrease from 33 to 30 but the number of students, staff, and teachers would remain unchanged. DTSC recommends and requests consideration of the following comments:

1. If the district plans to use California Department of Education (CDE) State funds for the Project, then the district shall comply with the requirements of Education Code (EDC), §17210, §17213.1, and §17213.2, unless otherwise specifically exempted under section §17268. If the district is not using CDE State funds for the Project, or is otherwise specifically exempt under section §17268, DTSC recommends the district continue to investigate, clean up the Site under the oversight of San Diego County and in concurrence with all applicable DTSC

guidance documents, if necessary. For more information on the CDE State funding, please visit the Office of Public-School Construction webpage. A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.

2. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual.

3. All imported soil/fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's PEA Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil/fill material, there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the soil/fill and knowledge of prior land use.

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the Paul Ecke Central Elementary School Rebuild Project. If you would like to proceed with DTSC's school environmental review process, please visit DTSC's Evaluating & Clean-up School 3-Step Process to begin a Phase I Environmental Site Assessment. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our CEQA Review email for additional guidance.

Sincerely,

Dave Kereazis

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
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California Department of Transportation

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November 19, 2025

11-SD-5
PM 42.263
Paul Ecke Central Elementary School Rebuild Project
NOP/SCH#2025100767

Mr. Eric Smith
Director of Faculties and Safety
Encinitas Union School District
101 Rancho Santa Fe Drive
Encinitas, CA 92024

Dear Mr. Smith:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP)of a Draft Environmental Impact Report (NOP) for Paul Ecke Central Elementary School Rebuild Project located near Interstate 5 (I-5). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans has the following comments:

Traffic Impact Study

- If a Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) and/or local mobility analysis is completed, please provide a copy. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.[1]

[1] California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.

- For the Paul Ecke Central Elementary School Rebuild Project Draft Environmental Impact Report (DEIR), please reference the Caltrans "Local Development Review (LDR) Safety Review Practitioner's Guidance" https://dot.ca.gov/-/media/dot-media/programs/safety-programs/documents/202402-ldr-safety-review-practitioners-guidance-a11y.pdf to determine if the project meets both of the screening criteria. If both screening criteria are not met, then a safety review will be needed.

Environmental
Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' Right-of-Way (R/W) through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the Environmental Document that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

Complete Streets and Mobility Network
Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the Encinitas Union School District, is encouraged.

Land Use and Smart Growth
Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

Right-of-Way
Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by visiting the website at https://dot.ca.gov/programs/traffic-operations/ep. Projects with the following:

- require a Caltrans Encroachment Permit
- have completed the Caltrans Local Development Review (LDR) process
- have an approved environmental document

need to have documents submitted for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Shannon Aston, LDR Coordinator, at (619) 992-0628 or by e-mail sent to shannon.aston@dot.ca.gov.

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review