

APPENDIX A NOTICE OF PREPARATION (NOP) AND NOP RESPONSES

Notice of Preparation

Notice of Preparation

To: State Clearinghouse

P.O. Box 3044

Sacramento, CA 95812-3044

(Address)

From: City of Del Mar, Planning and Community Development

1050 Camino del Mar

Del Mar, CA 92014

(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

City of Del Mar

_____ will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☐ is ☒ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Jennifer Gavin, Associate Planner at the address shown above. We will need the name for a contact person in your agency.

Project Title: City of Del Mar Capital Improvement Program (CIP) PEIR

Project Applicant, if any: City of Del Mar

Date 11/14/2025

Signature _____

Title Associate Planner

Telephone 858-793-6148

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.



City of Del Mar

Notice of Preparation of a Draft PEIR

Date: November 13, 2025

To: Responsible and Trustee Agents, and Interested Organizations and Individuals

Subject: **Notice of Preparation of a Draft Program Environmental Impact Report (PEIR) for the City of Del Mar Capital Improvement Program (CIP)**

Lead Agency:

CITY OF DEL MAR

Planning and Community Development Department
1050 Camino del Mar
Del Mar, CA 92014

This Notice of Preparation (NOP) includes a project description and a list of the environmental issues to be examined in the Program Environmental Impact Report (PEIR).

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice.

Please send your written response to Jennifer Gavin at the City of Del Mar; address and email provided below. Please include the name, phone number, email, and address of a contact person in your response.

Project Title: City of Del Mar Capital Improvement Program (CIP) PEIR

Location: City-wide

Project Setting

Incorporated in 1959, the City of Del Mar is a small, residential community located along the Pacific Coast, west of Interstate 5 and approximately 20 miles north of downtown San Diego. The City boundary is long and narrow in shape, bordering approximately 2.5 miles of the coast, and extending inland less than one mile at its widest point. The City has a small downtown village and three neighborhood types including a beach level neighborhood referred to as North Beach, bluff top neighborhoods along the South Bluff that sit approximately 75 feet in height above the sandy beach, and neighborhoods located on the hillside that runs along the eastern boundary of the City.

Del Mar is the smallest incorporated jurisdiction in San Diego County with a population of around 4,000 persons and an area of roughly two and a half square miles. While the City of Del Mar has a small population, the public use and demand for public facilities, utilities, and infrastructure is exponentially high due to the millions of people who visit Del Mar each year.

The City's coastal location, climate, and small-village atmosphere attract a large number of visitors to the community each year. Popular destinations include Del Mar's beaches, parks, local trails and the coast to crest regional trail system as well as the Del Mar Fairgrounds regional entertainment venue located in the northeastern portion of the City. The City consistently records over 3 million visitors per year for beach attendance alone. The high volume of visitors in Del Mar creates the need for local jobs in the government, commercial service, and retail industries, including jobs at the Del Mar Fairgrounds which is the largest employer in Del Mar. The frequency and intensity of use of the City's infrastructure and public facilities is a factor that directly correlates to the need to anticipate and plan for future capital infrastructure and facility needs.

The City is vigilant in its protection of the natural environment including the ocean, coastal bluffs, inland sandstone bluffs, canyons, and wetlands, which are protected by the City of Del Mar's Community Plan (General Plan) and certified Local Coastal Program (LCP). Protected natural resource areas include the San Dieguito Lagoon (to the north) and Los Penasquitos Lagoon (to the south), the Crest Canyon Open Space Preserve (along eastern boundary of the City) and North Bluff Preserve (to the northwest). Much of the northern portion of the City lies within the floodplain of the Pacific Ocean and San Dieguito River. Where development is proposed within or adjacent to these areas it is subject to compliance with the City's certified LCP.

Project Overview

Background

The CIP is a 10-year strategic planning and budgeting tool for addressing the City's current and future capital infrastructure and facility needs, and is revised over time in noticed public meetings of the City Council in consideration of City Council priorities, the condition of existing facilities and infrastructure, and funding availability. The CIP outlines plans for capital projects, major maintenance, refurbishments, and substantial equipment purchases. Every year, the City undertakes multiple CIP projects involving work on City properties, within City rights-of-way, and within public easements. This PEIR will continue to apply to future CIP projects, beyond the current 10 year CIP program, to the extent proposed projects are deemed consistent with the types of projects evaluated herein, that environmental conditions established in this PEIR have not changed substantially, and that the mitigation requirements in this PEIR are still deemed applicable and effective.

Currently, the City has no programmatic approach to completing environmental review pursuant to CEQA for its CIP projects, and therefore, must undergo environmental review on a project-by-project basis. Timely implementation of the CIP projects is necessary to ensure continued public health, safety, and welfare for the City's residents and visitors. This PEIR will help streamline the implementation of current and future CIP projects to ensure continued public health, safety, and welfare for the City's residents, businesses, and visitors by establishing a clear procedural framework for CEQA compliance on a wide array of CIP project types.

CIP Projects List

On an ongoing basis, the City maintains a 10-year CIP program that includes a comprehensive list of CIP facility and infrastructure needs that are anticipated to be completed by the City over the next 10 years. Each year, the City Council adopts a two-year budget that allocates budget for specific projects from the CIP project list. The proposed activities included as part of the CIP analyzed in this PEIR are included in the City Council-approved City Work Plan for FY 2025-26 through FY 2026-27, which includes a list of the CIP projects the City intends to process during the next two fiscal years.

Proposed Project Activities

The PEIR will apply to the CIP projects listed in the approved City Work Plan for FY 2025-26 through FY 2026-27, as well as future CIP projects not included on the current CIP list to the extent that individual future projects are reviewed and considered as follows:

- The project is deemed consistent with the types of projects evaluated herein;
- The environmental conditions analyzed in this PEIR have not changed substantially; and
- The PEIR mitigation requirements identified are still deemed applicable and effective.

The proposed project components analyzed in the PEIR include the typical construction and operation protocols for various types of individual CIP projects. The CIP projects covered under the PEIR have been

divided into seven categories. A general overview of the types of proposed activities and individual CIP projects for each of these categories is provided below.

Undergrounding Program

The City's Undergrounding Program focuses on removing unsightly utility poles and replacing overhead cable lines for electricity and telecommunications with undergrounded lines. In addition to improving views by removal of the utility poles and overhead lines, the Undergrounding Program reduces fire hazards and other safety risks caused by downed lines and increases the reliability of utility systems. The Underground Program is identified as a community priority that is consistent with the goals and policies included throughout the Del Mar Community Plan.

Construction activities involve trenching, installation of utility lines and conduit in the trenches, backfilling trenches, resurfacing pavement and replacement of vegetation that is disturbed during construction, installation of utility structures, and the removal of utility poles and associated equipment. Other construction activities may include retaining walls to support the installation of above ground utility structures. The majority of construction activities would occur within public rights-of-way within or along existing roadways. Installation of underground utility lines would also occur outside public rights-of-way at locations where overhead services currently exist in order to maintain service connections to existing residences and businesses. Construction activities associated with utility undergrounding would occur at an average rate of approximately 100 linear feet (LF) per day, with a maximum rate per day of 400 LF. The maximum length of individual CIP utility undergrounding projects would be up to 32,000 LF, but would have an average length of approximately 15,000 LF. Average trench widths for these projects would be approximately 2 feet, with a maximum trench width of approximately 3 feet. Average trench depth would be approximately 3 feet, and maximum trench depth would be no greater than 10 feet.

Water

The CIP includes water infrastructure improvement projects to continue to provide a reliable water supply to support the health and quality of life of the City's residents, businesses, and visitors. The City's water facilities are also essential for safety via fire protection services. The proposed water infrastructure improvements in the CIP are consistent with the goals and policies in the Environmental Management and Transportation sections of the Del Mar Community Plan.

Construction related to improvements, repairs, and rehabilitation of existing or future potable and recycled water pipelines, valves, pressure reducing stations, pressure relief stations, water pumping stations, water meters, backflow preventers, and fire hydrants would generally include trenching, backfilling, and resurfacing activities. In-situ pipeline repairs and interior lining would not require excavation. The majority of such construction activities would occur within public rights-of-way within or along existing roadways. Construction activities associated with water pipelines would occur at an average rate of approximately 200 LF per day, with a maximum rate per day of 400 LF. The maximum length of individual CIP water infrastructure projects would be up to 5,000 LF, but would have an average length of approximately 1,000 LF. Average trench widths for these projects would be approximately 2.5 feet, with a maximum trench width of approximately 4.5 feet. Average trench depth would be approximately 4 feet, and maximum trench depth would be no greater than 10 feet. Construction related to water reservoir improvements and rehabilitation would generally include mechanical and electrical improvements.

Wastewater

The CIP includes wastewater (sewer) infrastructure improvement projects to address maintenance needs for the City's wastewater system, including repair needs for failing pipelines. The proposed wastewater improvements in the CIP are consistent with the goals and policies in the Environmental Management and Transportation sections of the Del Mar Community Plan.

Construction related to improvements, repairs, and rehabilitation of existing or future sewer gravity and force main pipelines, pump stations, manholes, and cleanouts would generally include trenching, backfilling, and resurfacing activities. The majority of such construction activities would occur within public rights-of-way within or along existing roadways. Construction activities associated with sewer pipelines would occur at an average rate of approximately 200 LF per day, with a maximum rate per day of 400 LF, similar to water pipelines. The maximum length of individual CIP wastewater infrastructure projects would be up to 6,000 LF, but would have an average length of approximately 1,250 LF. Average trench widths for these projects would be approximately 2.5 feet, with a maximum trench width of approximately 3.5 feet. Average trench depth would be approximately 8 feet, and maximum trench depth would be no greater than 15 feet. Construction related to sewer pump station improvements and rehabilitation would generally include mechanical and electrical improvements.

Storm Water

The CIP includes storm water infrastructure improvement projects to address maintenance needs for the City's wastewater system. These projects would address a combination of short-term and long-term storm water infrastructure needs and include emergency repair projects and improvement projects relating to storm drains and storm water permit compliance needs. The City Public Works Department, in consultation with the Clean Water Program consultant, identify various storm water improvements as needed to comply with applicable federal and State laws relating to water quality. The proposed storm water improvements in the CIP are consistent with the goals and policies in the Environmental Management and Transportation sections of the Community Plan.

Construction related to improvements, repairs, and rehabilitation of existing or future storm water pipelines/culverts, manholes, cleanouts, inlets, outlets, catch basins, headwalls, open channel, cobble/hardscape open swales, infiltration pits, and low flow diverters would generally include trenching, excavation, backfilling, and resurfacing activities. The majority of such construction activities would occur within public rights-of-way within or along existing roadways. Construction activities associated with storm water pipelines and culverts would occur at an average rate of approximately 50 LF per day, with a maximum rate per day of 100 LF. The maximum length of individual CIP storm water infrastructure projects would be up to 1,000 LF, but would have an average length of approximately 200 LF. Average trench widths for these projects would be approximately 3 feet, with a maximum trench width of approximately 4 feet. Average trench depth would be approximately 3 feet, and maximum trench depth would be no greater than 10 feet.

Streets

The CIP includes streets infrastructure improvement projects to address maintenance needs for the City's existing and future roadways. Improvements would generally include annual pavement rehabilitation and Americans with Disabilities Act (ADA) upgrades. The proposed street improvements in the CIP are consistent with the goals and policies in the Environmental Management and Transportation sections of the Del Mar Community Plan.

Construction related to improvements, repairs, and rehabilitation of existing or future public roadways, including pavement, concrete curb and gutter, sidewalks, and ADA curb ramps, would generally include excavation, backfill, and resurfacing activities. The majority of such construction activities would occur within public rights-of-way within or along existing roadways. Construction activities associated with roadway construction/improvements would occur at an average rate of approximately 500 LF per day, with a maximum rate per day of 2,000 LF. The maximum length of individual CIP roadway projects would be up to 7,500 LF, but would have an average length of approximately 2,500 LF. Additionally, construction activities associated with curb and gutter construction/improvements would occur at an average rate of approximately 250 LF per day, with a maximum rate per day of 500 LF. The maximum length of individual CIP curb and gutter projects would be up to 3,000 LF, but would have an average length of approximately

500 LF. Construction related to installation of retaining walls in slopes would generally include excavation, backfill, and installation of irrigation and landscaping.

Facilities

The CIP includes facilities projects to address maintenance needs for the City's existing public facilities. The projects relate to various short-term and long-term facility needs related to public safety operations. The proposed CIP facility improvements are consistent with the goals and policies of the Environmental Management and Community Development sections of the Del Mar Community Plan.

Construction related to improvements and repairs of existing public facilities would generally include minor exterior façade repairs such as painting and minor interior improvements such as painting; new carpeting; replacement of/repairs to plumbing, electrical, and heating, ventilation, and air conditioning (HVAC) units; security/fire system repairs; and roof repairs. Additionally, CIP facilities projects would include the installation of hardscape features (e.g., benches, drinking fountains, streetlights, traffic lights, etc.) on City property and public rights-of-way. Construction activities associated with the relocation of the fire station and the Public Works building from the floodway may include reconstruction of the buildings to minimize potential impacts associated with flooding. This would be accomplished by either: (1) reconstruction at the existing location through recontouring of the project site or by other means to elevate the new building foundations above the flood elevation; and/or (2) reconstruction at a new location outside the flood zone.

Open Space

The CIP includes open space projects to address maintenance needs for the City's existing and future open space amenities, including City parks, trail connections, the beach, and lifeguard facilities. The proposed improvements are consistent with the goals and policies relating to parks, recreation, environmental management, and public safety with the Environmental Management section of the Del Mar Community Plan.

Construction related to improvements and repairs of existing and future public open space facilities would generally include excavation, backfill, and resurfacing activities and the installation of irrigation and landscaping for outdoor improvements. Minor exterior façade repairs associated with lifeguard building improvements would generally include painting, and minor interior improvements would generally include painting; new carpeting; replacement of/repairs to plumbing, electrical, and HVAC units; security/fire system repairs; and roof repairs. The majority of such construction activities would occur on City property or within public rights-of-way within or along existing roadways.

A. Required Approvals

The City of Del Mar is the lead agency for the project, as it is the agency with primary authority over the proposed CIP's discretionary approvals. As the lead agency, the City will be responsible for certification of the Final PEIR, as well as adoption of the associated Mitigation Monitoring and Reporting Program.

Environmental Issues to be Evaluated in the PEIR

The proposed project is subject to environmental review under CEQA. Pursuant to CEQA Guidelines Section 15063(a), if a lead agency determines that an EIR will clearly be required for a project, an Initial Study is not required. In this case, the City has already determined that a PEIR will need to be prepared for the project to comply with CEQA. Therefore, a PEIR will be prepared to fully evaluate the potential environmental impacts associated with the proposed project. The PEIR will consider the full range of environmental topics contemplated under CEQA and the CEQA Guidelines. The following environmental issue areas are anticipated to require detailed analysis in the PEIR:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils

- Greenhouse Gas Emissions
- Noise and Vibration
- Tribal Cultural Resources

The PEIR will address the short-term and long-term effects of the proposed project on the environment. It will also evaluate the potential for the proposed project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Alternatives to the proposed project will be evaluated that may reduce impacts that are determined to be significant in the PEIR. Mitigation may be proposed for those impacts that are determined to be significant. A Mitigation Monitoring and Reporting Program (MMRP) will also be developed as required by CEQA Guidelines Section 15097.

This NOP is subject to a 30-day public review period pursuant to Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. Public agencies, interested organizations, and individuals have the opportunity to comment on the proposed project and the scope of the PEIR, including the identified environmental topics to be analyzed in detail.

Public Review Period

CEQA requires a 30-day public review period for an NOP. In accordance with CEQA, should you have any comments, please provide a written response to this NOP within the 30-day public scoping period for the PEIR.

Public Review Period: November 13, 2025 to December 15, 2025

The City is requesting comments and guidance on the scope and content of the PEIR from Responsible and Trustee agencies, interested public agencies, organizations, and the general public (pursuant to CEQA Guidelines Section 15082). All parties that have submitted their names and mailing addresses will be notified as part of the project's CEQA review process. If you wish to be placed on the mailing list or have any questions or need additional information, please contact the lead agency contact noted below.

Public Agencies

The City requests each Responsible and Trustee agency's views on the scope and content of environmental issues relevant to your agency's statutory responsibilities in connection with the proposed Project, in a manner consistent with California Code of Regulations, Title 14, Section 15082(b). Your agency may use the Program EIR prepared by the City when considering any permits that your agency must issue, or other approvals for the project.

Public Comments

The City requests your careful review and consideration of this notice, and invites **written comments** from interested agencies, persons, and organizations regarding the preparation of the PEIR. Please send your written comments to:

City of Del Mar
Planning and Community Development Department
Attn: Jennifer Gavin, Associate Planner
1050 Camino del Mar
Del Mar, CA 92014
Fax: (858) 755-2794
Email: jgavin@delmar.ca.us
Phone: (858) 793-6148

Please include the name, phone number, email, and address of a contact person in your response. Comments in response to this NOP must be submitted to the City by close of business **(5:30 p.m.) on Monday, December 15, 2025.**

Public Scoping Meeting

Pursuant to CEQA Guidelines Section 15082(c), a scoping meeting is not required except for projects of statewide, regional, or areawide significance, or projects that may affect highways or other facilities under the jurisdiction of the California Department of Transportation. The City has determined that the proposed project does not meet the criteria of statewide, regional, or areawide significance, pursuant to CEQA Guidelines Section 15206. Additionally, the project does not involve impacts to highways or other California Department of Transportation facilities. Accordingly, the City will not be hosting a public scoping meeting for the PEIR.

Public Agencies

If your public agency is interested in a scoping meeting presentation and discussion, please contact Jennifer Gavin, Associate Planner, to set up a time.

Attachments:

Figure 1 – Program Vicinity Map

9/25/2025 10:20:25 AM 207898 \\Sanctuary\hubb\andca\fs1\Hood\PDATA\207898 Del Mar CIP PEIR\05 GIS\APRA\207898 - City of Del Mar CIP PEIR Proposal.aprx



Legend

 Project Site

CITY OF DEL MAR CAPITAL IMPROVEMENT PROGRAM PEIR
NOTICE OF PREPARATION

Michael Baker
INTERNATIONAL



0 0.25 0.5
Miles

Source: Esri, ArcGIS Online, City of Del Mar, San Diego County

Program Vicinity Map

Figure 1

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 985-1587 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



December 11, 2025

11-SD-5, 56

PM VAR

City of Del Mar Capital Improvement Program (CIP) EIR
NOP/SCH#2025110661

Ms. Jennifer Gavin
Associate Planner
City of Del Mar
1050 Camino Del Mar
Del Mar, CA, 92014

Dear Ms. Gavin:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP) for the City of Del Mar Capital Improvement Program (CIP) located near Interstate 5 & State Route 56 (I-5, SR-56). 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 is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of Del Mar in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections

between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Impact Study

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- 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 Draft Environmental Impact Report 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-all.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.

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 City of Del Mar, is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

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

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

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.

The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

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.

Sustainability

Caltrans recommends collaboration between our agency and the City of Del Mar on the proposed transportation related topics including adaptation strategies to help improve the City's resilience to potential climate change impacts and strategies to reduce vehicle miles traveled (VMT), and off-road and on-road greenhouse gas (GHG) emissions.

Caltrans recognizes that transportation is a leading contributor to GHG emissions in the region and is dedicated to reducing and mitigating transportation related emissions. We recommend collaborating with Caltrans on the following measures such as increasing the use of zero emission vehicles, installing electric vehicle (EV) charging stations, identifying R/W areas to be used for carbon sequestration, and complete streets.

The existing climate hazards discussed in this document will have an impact of the transportation system. We recommend working with Caltrans on determining the preventative strategies the Caltrans can take to keep roadways operational and ensure their longevity against climate stressors such as increased temperatures, changes in precipitation patterns, wildfire, and flooding. Caltrans recognizes the central role that transportation planning plays in safety and ensuring that when these natural hazards do occur, citizens have a reliable evacuation route.

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

Ms. Jennifer Gavin, Associate Planner
December 11, 2025
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- 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



NATIVE AMERICAN HERITAGE COMMISSION

November 18, 2025

Jennifer Gavin
City of Del Mar
1050 Camino del Mar
Del Mar CA 92014

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Yokayo Pomo, Yuki,
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Vacant

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Paskenta Band of
Nomlaki Indians

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

Re: 2025110661 City of Del Mar Capital Improvement Program (CIP) PEIR Project, San Diego County

Dear Ms. Gavin:

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 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)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

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
Cultural Resources Analyst

cc: State Clearinghouse



CITY OF SOLANA BEACH

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December 15, 2025

City of Del Mar
Planning and Community Development Department
Attn: Jennifer Gavin, Associate Planner
1050 Camino Del Mar
Del Mar, CA 92014

RE: City of Del Mar Notice of Preparation of a Draft PEIR for the City of Del Mar Capital Improvement Program

Dear Ms. Gavin:

The City of Solana Beach (City) received Del Mar's Notice of Preparation (NOP) of a Draft Environmental Impact Report (PEIR) for your Capital Improvement Program (CIP) and appreciates the opportunity to respectfully submit preliminary comments. Overall, the City is strongly supportive of the proposed CIP project list. Solana Beach requests that communication between the cities throughout this process, and as CIP projects are being developed and implemented, remains of utmost importance especially as it relates to projects that are adjacent to or may have potential direct, indirect or cumulative impacts on our community. Ongoing communication and coordination are imperative so that we can keep our community informed well in advance of any potential impacts with the implementation of projects on our shared border. The cities currently have a great relationship and do communicate openly on upcoming projects and special events that may impact our respective communities. Therefore, we respectfully request that this collaboration continues as Del Mar contemplates its 10-year strategic CIP plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alyssa Muto", is written over a horizontal line.

Alyssa Muto
City Manager