

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

RESOLUTION NO. 1819-36

**RESOLUTION CALLING FOR OPPOSITION OF TOLL ROAD EXTENSIONS THAT
COULD SIGNIFICANTLY IMPACT OR HARM PUPILS, TEACHERS, AND STAFF**

WHEREAS, existing law establishes the State Highway System and designates state highway routes from Route 1 to Route 905; and

WHEREAS, Streets and Highways Code § 541 currently designates Route 241 from Route 5 south of San Clemente to Route 91 in the City of Anaheim; and

WHEREAS, the Los Patrones Parkway was originally planned to be a free arterial road, in part, to serve certain portions of the attendance boundaries for Tesoro High School and Esencia K-8 School; and

WHEREAS, Foothill/Eastern Transportation Corridor Agency (TCA) and several other public agencies and groups are seeking to extend Route 241 by converting Los Patrones Parkway into a portion of the toll road without regard to the potential significant impacts and harm to the District's pupils, teachers, and staff in terms of air pollution, noise, and traffic; and

WHEREAS, converting Los Patrones Parkway into a toll road would bring Route 241 within 500 feet of Tesoro High School and Esencia K-8 School; and

WHEREAS, the conversion of Los Patrones Parkway into part of the toll road would eliminate the only practical free road to serve certain portions of the attendance boundaries for Tesoro High School and Esencia K-8 School; and

WHEREAS, in August 2018, TCA published the South County Traffic Relief Effort, Draft Project Study Report-Project Development Support (PSR-PDS), which identified four toll road extension alignments (Alternatives 13, 14, 17, and 21) that would ultimately convert Los Patrones Parkway to a portion of the toll road, extend the toll road to the I-5, and come within close proximity to four District schools (Tesoro High School, Esencia K-8 School, San Juan Hills High School, and San Clemente High School); and

WHEREAS, TCA and the other controlling agencies have shown an unwillingness to analyze and mitigate the significant impacts of a toll road extension on the District's schools; and

WHEREAS, it is inequitable for the District to be forced to fund mitigation of the impacts caused by TCA or others; and

WHEREAS, TCA intends to produce and ultimately certify an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) using the toll road extension alternatives identified in the PSR-PDS; and

WHEREAS, TCA should give a Notice of Preparation of the Draft EIR/EIS as part of its scoping process under the California Environmental Quality Act (CEQA), which gives the District and the public 30 days to provide comments; and

WHEREAS, thereafter, TCA should also publish a Notice of Completion of the Draft EIR/EIS, which must give the District and public at least 45 days to comment upon the toll road extension; and

WHEREAS, TCA may conduct public hearings and meetings on the toll road extension; and


WHEREAS, comments on the adequacy of analysis and identification of potentially significant impacts must be made during the comment periods, public hearings, and public meetings as a predicate to pursuing legal remedies in court; and,

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Capistrano Unified School District does oppose any toll road extension that could significantly impact or harm District pupils, teachers, or staff or diminish the utility of the District's schools or facilities. To this end, District staff is directed to: (1) oppose Alternatives 13, 14, 17, 21 and any other alternatives included in the EIR/EIS that could significantly impact or harm the District's pupils, teachers, or staff by bringing the toll road extension in close proximity to District's schools, and (2) seek adequate analysis of impacts to the District's pupils, teachers, staff, schools, and facilities, and mitigation of any impact found to be significant. The Superintendent or a designee is hereby authorized and directed, for and in the name of and on behalf of the District, to take any further action necessary to effectuate this Resolution.


PASSED AND ADOPTED by the Board of Trustees of the Capistrano Unified School District on March 13, 2019, by the following vote:

AYES	(5)
NOES	(2)
ABSTAIN	(0)
ABSENT	(0)

I, Patricia Holloway, of the Capistrano Unified School District Board of Trustees, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at the meeting on the 13th day of March 2019, by a roll call vote.



Patricia Holloway
Clerk of the Board of Trustees



Kirsten M. Vital
Superintendent
Secretary of the Board of Trustees