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April 21, 2022

**VIA U.S. MAIL**

Frances Dillard  
[REDACTED]  
[REDACTED]

Re: Carmel Unified School District: Response to California Public Records Act Request

Dear Ms. Dillard:

On behalf of our client, Carmel Unified School District ("District"), this letter serves as the District's response to your recent request for records under the California Public Records Act ("CPRA").

In accordance with California Government Code section 6253.1, the District understands your April 11, 2022 request as follows:

- CPRA Request Category 1: "In anticipation of the next Draft EIR that is due this Spring, this is a request under the California Public Records to receive all public comments that were submitted to the original Draft Environmental Impact Report ("EIR"), for public review and comment between August 13, 2021 and September 27, 2021."

The District understands this request as seeking all timely public comments previously received by the District between August 13, 2021 and September 27, 2021 concerning the proposed Carmel High School Stadium Draft Environmental Impact Report, dated August 10, 2021, in accordance with the California Environmental Quality Act ("CEQA"). Please notify us if we have misunderstood the scope of your request.

In general, the following records, among others, are exempt from disclosure: (1) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business (Gov. Code, §6254(a)); (2) Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to the official information privilege, as well as trade secrets or other confidential or proprietary information (Gov. Code, §6254(k); Evid. Code, §§1040 &

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1060); (3) Records exempt from disclosure under the deliberative process privilege, work product or attorney-client privilege, or the public interest exemption (Gov. Code, §§6254.25 & 6255; Evid. Code, §950, *et seq.*; *Citizens for Open Gov. v. City of Lodi* (2012) 205 Cal.App.4th 296, 305; *City of San Jose v. Superior Court* (1999) 74 Cal.App.4th 1008, 1019); (4) Records pertaining to pending litigation or claims (Gov. Code, §§6254(b) & 6254.25); and (5) Any other public records exempt from disclosure under Government Code section 6254, *et seq.*, or other applicable law. To the extent your request seeks any of the foregoing, such records are exempt from disclosure, and the District is unable to produce such exempt and non-disclosable records, except as otherwise set forth herein.

Without waiving its rights or any other objections that may be available to it, please be advised that the District has determined it has disclosable records responsive to your request, as follows:


- Oral public comments received at the Board of Education regularly scheduled Board Meeting on September 8, 2021 concerning the proposed Carmel High School Stadium Draft Environmental Impact Report, dated August 10, 2021 (viewable starting at approximately minute 36:00 via the CUSD Board Meeting YouTube Channel for the September 8, 2021 Board Meeting, available at the following website: <https://www.youtube.com/c/CUSDBoardMeeting>).
- Written public comments received by the District between August 13, 2021 and September 27, 2021 concerning the proposed Carmel High School Stadium Draft Environmental Impact Report, dated August 10, 2021.

With respect to the written public comments, the District is in the process of compiling the responsive records, and estimates that these records will be made available to you electronically via a fileshare link within the next week. Once available, the fileshare link will be shared with you via email [REDACTED], and you may download the requested records directly from the link.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

DANNIS WOLIVER KELLEY



Jessika K. Johnson

CJK/jm

cc: Jessica Hull, Director of Communications & Community Relations (Carmel Unified School District)