

Appendix L:

Supplemental Memorandum

**Re: Response to Comments, River Rock Development Project
Final Initial Study/Mitigated Negative Declaration (Historic Resources)
San Buenaventura Research Associates, April 2016.**

SAN BUENAVENTURA RESEARCH ASSOCIATES

MEMORANDUM

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To: Shane Parker, Parker Environmental Consultants
From: Mitch Stone, San Buenaventura Research Associates
Date: 11 April 2016
Re: Response to Comments, River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

This memorandum represents the response of San Buenaventura Research Associates to public comments on historic resources impact issues for the above environmental document prepared for the City of Santa Paula. The numbering of the comments is based on the Project Final Initial Study/Mitigated Negative Declaration prepared for this project by Parker Environmental Consultants for the City of Santa Paula. The referenced Historic Resources Report for this property was prepared by San Buenaventura Research Associates in July 2015 and included as an appendix to the IS/MND.

Amber Michelson

4.10.1: Project Impacts. Project impacts were acknowledged in the Historic Resources Report to be significant and adverse due to a reduction of the property's integrity of location, design, setting, feeling, and association. The comments are noted but the preparers observe that they do not alter the Historic Resources Report's conclusions with respect to eligibility or project impacts. The preparers note that different project(s), such as those suggested by the commenter, have not been evaluated in this environmental document. A different project could result in reduced, or greater, impacts on historic resources.

California Office of Historic Preservation

5.3.2: Evaluation as a Historic District and Impacts. In the preparer's opinion, evaluating the property as a historic district would not result in any material difference in the determination of eligibility of the property, the features that contribute to its significance or eligibility, or the evaluation of project impacts. The method used in the Historic Resources Report considers the ability of all extant features of the property to contribute to its significance and eligibility within a period of significance defined by associated historic events and individuals. The commenter speculates that some potentially contributing historic features may not have been documented or considered, but does not supply any evidence of specific features that were not documented or evaluated. In the opinion of the preparers, the California Office of Historic Preservation instructions for recording historic resources supports the approach used:

Small, simple groupings of resources such as ... a house with an associated garage or barn are most appropriately documented together as an individual historical resource using a single Primary

Response to Comments: River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

Record to index all of the values present and detailed recording forms, as appropriate, to present more detailed information about each component.¹

Consequently the preparers cannot agree that the project impacts would be greater or materially different if the property was evaluated for significance and eligibility as a historic district. The Historic Resources Report identified the entire property as eligible as well as the features that contribute to its eligibility for the NRHP and CRHR listing, and City Landmark designation.

Project impacts were acknowledged in the Historic Resources Report to be significant and adverse due to a reduction of the property's integrity of location, design, setting, feeling, and association. The commenter repeats this conclusion of the report, but does not suggest any expanded conclusions that might have resulted from a district evaluation.

Mitigation Measures and Residual Impacts. The commenter argues that the proposed mitigation measures would not reduce the project impacts to "a level that would be considered insignificant." The preparers agree, concluding in the Historic Resources Report that the residual impacts after mitigation would be adverse, but less than significant. The preparers note that term "insignificant" does not have a defined meaning in CEQA.

The commenter argues that the project after mitigation "severs the relationship of the historical resources to the historical people and events that make the farm complex historically significant." In so doing the commenter appears to be arguing that the project would result in property that would be ineligible for NRHP and CRHR listing, or City Landmark designation. A finding of ineligibility for the remainder parcel leads to a de facto conclusion under the CEQA Guidelines that the project impacts are adverse, significant and unmitigable.

The preparers do not agree that the retained features, which would include the W.L. Hardison House and barn, in situ, would have this result. The preparers also do not believe that it has ever been the practice of the Office of Historic Preservation to evaluate NRHP and CRHR eligibility on a basis that demands that a property retain all of its original features, as well as the entire parcel on which it was originally constructed, in order for it to be considered eligible. This leads the preparers to conclude that the project impacts are adverse, but less than significant after mitigation.

Preparation of an EIR. The commenter recommends the preparation of an EIR in connection with this project, in order for project alternatives to be considered within the environmental document. The preparers agree as a general matter that an EIR would require the examination of project alternatives. However the commenter does not supply evidence of project alternatives that would result in reduced or avoided impacts on historic resources. As the reduction or avoidance of impacts is the primary

¹ Office of Historic Preservation. Instructions for Recording Historical Resources, March 1995, p. 3.

Response to Comments: River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

purpose of the CEQA process, the recommended additional analysis appears to provide an unspecified and speculative benefit.

County of Ventura

5.4.1: Evaluation as a Historic District. See response to comment 5.3.2

Preparation of an EIR. See response to comment 5.3.2.

Evaluation of Impacts. See response to comment 5.3.2.

San Buenaventura Conservancy

5.5.2 Evaluation as District. The preparers disagree with the commenter that the retention of the house in situ and barn on its historically associated property would result in an “artificial historic context” for the property. The context for the property, which is the historic themes and associations that supply its significance, will not be altered by the project. The change will be to the property’s integrity, which is acknowledged in the Historic Resources Report as a significant and adverse impact before mitigation. (See also response to comment 5.3.2)

The proposed project specifies that the primary historic feature of the property, the W.L. Hardison House, will remain in its existing location. The barn, a secondary feature, is proposed to be moved 160 feet to a position closer to the house and rehabilitated in accordance with the *Secretary of the Interior’s Standards for Rehabilitation*, for use as a garage, and will retain the majority of its character-defining features and compatibility in orientation.

A longstanding principle of historic preservation is that the disuse of historic buildings presents one of the most immediate and significant threats to their continued existence. Abandoned buildings are subject to decline, a process that often results in their destruction as the consequence of fire, vandalism, and exposure to the elements. Accordingly, contemporary historic preservation practice recognizes the importance of providing new uses for historic buildings that no longer serve their original use or purpose. This concept, known as adaptive reuse, is a process that necessarily involves changes to aspects of the property’s historic features. The accepted method for managing change to historic properties is the application of the *Secretary of the Interior’s Standards for Rehabilitation*. The Historic Resources Report includes a detailed analysis of the project in accordance with these standards.

The commenter further opines that the project will result in the relocation of the barn “far too close to the south side” of the house, but otherwise appears to reject relocation as a preservation strategy. The preparers respond that the relocation of historic buildings is an accepted preservation technique with an established purpose and standards of performance. Relocation is specifically recognized in the

Response to Comments: River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

NRHP Special Criteria for Consideration, which states that a relocated resource will remain eligible when it is “moved from one location on its original site to another location on the property, during or after its Period of Significance.”²

The preparers also note that proposed treatment is consistent with and supported by the California Code and the guidelines promulgated by the Office of Historic Preservation, which state,

... it is recognized that moving an historic building, structure, or object is sometimes necessary to prevent its destruction. Therefore, a moved building, structure, or object that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. A historical resource should retain its historic features and compatibility in orientation, setting, and general environment.³

5.5.3: Project Impacts. The preparers disagree with the commenter that the retention of the house in situ and the barn on its historically associated property will result in a “fictional relationship between the remaining historical resources and the association to W.L. Hardison.” The correct method for evaluating the significance and eligibility of historic resources is their association with historic events and individuals. For a property to be eligible, associations must be documented as significant, as they are for this property in the Historic Resources Report. Consequently the preparers do not agree with the commenter’s assertion that the project can be said to result in imaginary associations. Under no conventional interpretation of the standards of evaluation will the proposed project result in the property’s loss of its historic associations.

The preparers agree with the commenter that project impacts were acknowledged in the Historic Resources Report to be significant and adverse due to a reduction of the property’s integrity of location, design, setting, feeling, and association.

5.5.4: Mitigation Measures. Several of the commenter’s recommended mitigation measures would result in a substantially different project from the proposed project, and consequently cannot be properly evaluated as mitigation approaches. While a different project could arguably result in reduced environmental impacts to historic resources, the preparers note that, even within an EIR, only alternatives that meet the basic project objectives need be considered. Consequently the commenter’s suggestions for increasing setbacks, creating view easements, a scenic view corridor, and maintenance of sight lines, are noted, but cannot be evaluated within the environmental document prepared for the proposed project.

² U.S. Department of the Interior. *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*. National Park Service, 1990; revised 1991, 1995, 1997. p. 29.

³ 14 CCR § 4852 (d) (1); OHP Technical Assistance Series #6.

Response to Comments: River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

In the preparer's opinion, other measures suggested by the commenter provide doubtful mitigation value and arguably greater impacts to historic resources. Retention of the barn in its current location on a separate parcel, with no defined future use for the building, fails to address reasonably foreseeable longterm preservation and adaptive reuse issues. The commenter's recommendation also positions the barn between new single family homes in a manner that does not improve its visual relationship to the W.L. Hardison House nor does it address important preservation questions, such as a new use for the building, or the degree to which alteration would be required to adapt it to a new use.

Some of the proposed measures appear to be unrelated to project impacts. A National Register of Historic Places listing for the property would not in itself confer any protections for the property. The mitigation measures included in the Historic Resources Report, requiring that the City of Santa Paula review all future changes to the property as a condition of the land use entitlements, affirmatively accomplishes this preservation objective. The preparers note that the property is not currently listed as a City of Santa Paula landmark and is consequently not protected from alteration or demolition by operation of local ordinance.

Several of the commenter's suggested mitigation measures, such as the treatment and protection of the barn during relocation and construction, reuse of salvage materials, interpretative measures, and documentation, are incorporated into the project description. The commenter's recommendations do not appear to further this objective.

The commenter's suggestion that the federal HABS/HAER standards be employed for documentation of the property would not expand upon or improve on the outcome of the documentation effort, as the Historic Resources Report requires documentation of the property to an archival standard by a qualified professional. The preparers also note that the commenter's suggested requirement for the documentation to be filed with the Library of Congress is essentially infeasible, as the Library alone determines the materials it accepts for the collection.

As above, CEQA does not require that project impacts be mitigated "to the level of insignificance." The preparers note that term "insignificance" does not have a defined meaning in CEQA.

5.5.5: Residual Impacts. The preparers do not agree with the commenter's assertion that "[o]nly addition of a mitigation measure that requires wholistic [holistic] project compliance with the Secretary of the Interior's Standards (the Standards) would allow the project to proceed under a MND because there is no impact to historic resources when the Standards are followed." In the preparer's opinion, this statement represents a misinterpretation of the CEQA Guidelines. According to the Guidelines, a finding of compliance with the Secretary's Standards is the only method of *presumptively* finding that a project will not result in a significant adverse impact. The Guidelines do not state and

Response to Comments: River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

cannot be reasonably interpreted to imply that no other mitigation techniques are available to reduce adverse impacts on historic resources to a less than significant level.

5.5.6: Aesthetic Impacts. Comment noted. Aesthetics are typically evaluated separately from historic resources impact issues.

5.5.7: Preparation of an EIR. Comment noted. The preparers observe that, within an EIR, only alternatives that meet basic project objectives need be considered. Therefore it is unclear in what respects the commenter's unspecified "preservation alternative" would differ from the proposed project in terms of its impacts on historic resources.

National Barn Alliance

5.6.2: Date of Construction of the Second Residence. The commenter is incorrect in stating that the Historic Resources Report identified a date of construction of 1900 for the Second Residence. As stated in the report, the date of construction of this building is undocumented, a date of 1910 was found in Ventura County Assessor Records, but architectural evidence suggests an earlier date, perhaps before 1900. Consequently the ability of this building to contribute to the NRHP and CRHR period of significance for the property was judged by the preparers to be uncertain.

5.6.3: Evaluation of Eligibility/Project Impacts. The reduction in the property's integrity resulting from the project is acknowledged in the Historic Resources Report. The loss of spatial relationships is addressed as a reduction in design integrity.

Landscape features are addressed in the Historic Resources Report. The report recommends that the extant landscape features be evaluated by a qualified arborist or landscape architect, and for the development of a plan for treatment and retention of these features. These measures are incorporated into the environmental document as mitigation measures.

The barn is not presently related to agriculture. As stated in the report, the property was planted in citrus at least as early as the 1920s, but these trees were removed decades ago, possibly by the 1950s. No agricultural activities have taken place on the property since that time.

The preparers agree with the commenters that the entire property is historically associated with W.L. Hardison and is significant and eligible on this and the other bases discussed and stated in the conclusions section of the report.

5.6.4: Mitigation Measures. The commenter suggests that the mitigation measures are insufficient to offset project impacts, but does not suggest the adoption of any additional mitigations measures. The commenter's opposition to the project is noted.

Response to Comments: River Rock Development Project Final Initial Study/Mitigated Negative Declaration (Historic Resources)

Jackie Abel

5.7.1: Significant Associations. The property is historically associated with W.L. Hardison and his significant accomplishments during the period of time he lived on the property (1884-1900).

Steve and Mary Cain

5.12.2: Project Impacts. Project impacts were acknowledged in the Historic Resources Report to be significant and adverse due to a reduction of the property's integrity of location, design, setting, feeling, and association.

Mitigation measures are not required or intended to undo environmental impacts, but to provide compensatory environmental benefits where project impacts cannot be feasibly avoided. In the preparer's opinion, the rehabilitation of the barn for a future use and securing the preservation of it and the W.L. Hardison House on a single parcel provides substantial environmental benefits over the baseline conditions. The preparers consider the vacant condition of the W.L. Hardison House and the disused and fragile state of the barn to be substantial, practical ongoing threats to the continued existence of these historic features. (See also, response to comment 5.5.2) The preparers also observe that the property as a whole is not currently designated as a City Landmark, and consequently enjoys no explicit protection from demolition or alteration under operation of City Code.