



THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION COMMENTS ON CEQA DOCUMENTS AS AN AUTHORITY ON HISTORIC AND CULTURAL RESOURCES. THIS PUBLICATION USES CASE-STUDIES TAKEN FROM ENVIRONMENTAL DOCUMENTS PRODUCED IN CALIFORNIA TO HELP ENVIRONMENTAL ANALYSTS AND LEAD AGENCIES UNDERSTAND HISTORICAL AND CULTURAL RESOURCE IDENTIFICATION AND EVALUATION.

THIS IS NOT AN OFFICIAL POLICY DOCUMENT, BUT THE EXAMPLES INCLUDED CAN HELP PROFESSIONALS AND DECISION MAKERS UNDERSTAND HISTORIC AND CULTURAL RESOURCE EVALUATION AS AN INTEGRAL ELEMENT IN SUCCESSFUL COMPLETION OF THE CEQA PROCESS.

Consider the Whole Action: How to Avoid Segmenting

One important element in any project review is the Project Description. As outlined in the CEQA Guidelines Section 15124, the Project Description section of an environmental document provides the reviewer with several key pieces of information about the project and the baseline environmental conditions. The Project Description should include project location, objectives, and a scope of work. A Project Description should be a thoughtful attempt to describe the whole project to the public. If manipulated, the Project Description can cause the environmental impact analysis process to go awry, misleading the public and decision makers.

When dealing with impacts to historical resources, several missteps have become common in the Project Description section of CEQA documents. Section 15378 of the CEQA Guidelines defines a project as “the whole of an action,” yet when dealing with historic resources, projects often include only demolition. Demolition of a building or structure needs to also evaluate the future use of the site. The goal of CEQA is to provide decision-makers with enough information about the environmental impacts of a proposed project to make an informed decision. OHP encourages Lead Agencies to insist project applicants describe the future use of the site when proposing to demolish a historic resource.

Another misstep often befalling project applicants and Lead Agencies is carefully defining the project objectives as part of the description. It is difficult to draft clear project objectives if the entire scope of the project is unknown. Defining the project as including only demolition makes it difficult for the public to comment on the project impacts because the full scope is not defined.

In our case study, a Lead Agency is trying to revitalize a large civic center complex built in the 1960s. The Lead Agency prepared an EIR that proposed demolition and stated that mounting maintenance and security concerns over a vacant building (previously deemed eligible for listing on the National Register) were untenable. At the same time, the city was soliciting proposals to redevelop the site of the courthouse and the remaining civic center complex. The Lead Agency had a greater vision in mind for the area, but because the Project Description included only demolition, those plans could not be considered by the public.

When a Project Description involves only demolition of a historic resource, the project is likely being segmented, which is discouraged by CEQA. This approach deprives the public of the entire scope of potential environmental impacts, and potential benefits of the proposed project, and keeps the project proponent from exploring the full range of reasonable alternatives that come through the public comment process.

CEQA can provide an opportunity to engage in participatory community planning. Participatory community planning involves an interaction and exchange of ideas between the project applicant, Lead Agency, the public, and decision makers. This process starts with a good Project Description that offers the participants the full scope of the proposed project.





CEQA CASE STUDIES

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Requesting CEQA Comments from OHP

Requests for OHP comments from local agencies and concerned local citizens should be made at least two weeks prior to the end of the comment period for the CEQA document prepared for the project in question. Requests made any closer to the end of the comment period will generally not provide OHP with sufficient time to respond to the request. Requests must be made in writing (e-mail, fax, or mail) and should include as much information as possible about the project (name, location, and project description); historical resources information (name of property, location, property description and significance); lead agency information (contact person, contact information, other involved agencies); and CEQA process (document type, comment period).

OHP is occasionally contacted by members of the public who feel that a CEQA document should have been prepared for a

specific project, but one was not. When making a request for comments from OHP in such a circumstance, OHP should still be given at least two weeks prior to any final action on the project in question to respond. A shorter time frame will generally not provide OHP with sufficient time in which to do so. To the extent possible, the same information as described above should be provided.

OHP recognizes that there may be times when no CEQA document is prepared and it is not possible to provide OHP with sufficient information on which to act prior to a lead agency's final action on a project. In such circumstances, and subject to OHP commenting criteria listed below, OHP may request that the lead agency provide additional time in which OHP may provide further comments. The closer the request is made to anticipated final action by a lead agency, though, the less likely it is

that OHP will take any action.

OHP is also occasionally contacted by members of the public for advice and assistance with general CEQA questions not related to a specific project. OHP will attempt to respond to all written requests for advice and assistance with general CEQA questions within a timely manner. All requests should include the name and affiliation of the person making the request and contact information, including phone number, fax number, and email address. Please allow at least two weeks for OHP to respond.



THE OFFICE OF HISTORIC PRESERVATION (OHP) MAY CHOOSE TO COMMENT ON THE CEQA COMPLIANCE PROCESS FOR SPECIFIC LOCAL GOVERNMENT PROJECTS. OHP HAS COMMENTED ON CEQA DOCUMENTS AND ADVISED LEAD AGENCIES SINCE THE 1970S. HOWEVER, IT WAS NOT UNTIL THE ADOPTION OF THE CALIFORNIA REGISTER OF HISTORICAL RESOURCES REGULATIONS IN 1992 AND THE 1998 AMENDMENTS TO CEQA THAT DEFINED HISTORICAL RESOURCES, THAT OHP INITIATED A SPECIFIC CEQA PROGRAM. BECAUSE OHP HAS NO FORMAL AUTHORITY OF LOCAL GOVERNMENT AGENCIES IN CALIFORNIA, THIS PROGRAM IS APPROACHED IN A MORE INFORMAL MANNER THAN OUR COMMENTING RESPONSIBILITIES UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT OR COMMENTS ON STATE PROJECTS UNDER PUBLIC RESOURCES CODE SECTION 5024.5, WHICH PERTAINS TO STATE OWNED HISTORIC PROPERTIES.

FOR QUESTIONS ABOUT CEQA AND HISTORIC AND CULTURAL RESOURCES, PLEASE CONTACT: SEAN DE COURCY, AT (916) 445-7042 OR AT SEAN.DECOURCY@PARKS.CA.GOV

CEQA RESOURCES

- ◆ [PRC Section 21083.2-21084.1](#)
- ◆ [CEQA Guidelines CCR Section 1500-15387](#)
- ◆ [Advocating for Historic Resources Under CEQA](#)