California Office of Historic Preservation

CEQA Case Studies

FEBRUARY 2015

VOLUME I

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.

How to Identify and Evaluate Historic and Cultural Landscapes

Historic vernacular landscapes and rural historic landscapes are being impacted throughout California by urban encroachment. According to *National Register Bulletin 30* Rural Historic Landscapes are defined as:

"[A] geographical area that historically has been used by people, or shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features."

A historic landscape may extend well beyond the traditional area of potential effect established by an environmental document, yet a project may still pose a significant impact to the resource. The most proactive approach for communities is to incorporate the best examples of these resources into their long-range development plans—thru General Plans or Specific Area Plans. Yet this approach may not be practical or possible for some communities.

One example of this resource type is the citrus groves in California. The citrus groves in this CEQA case study were originally part of a much larger network of family citrus orchards, which grew into a Southern California citrus industry with national notoriety.

What remains today are a collection of orchard groves, buildings, and other landscape features associated with the citrus industry—a mere fraction of the much industry that once dominated the lowlands of Southern California. As Southern California continues to urbanize, these historic citrus farms have become a threatened resource type. CEQA documents should identify significant historic landscapes, including citrus farms, in their discussion of cultural resources. This way the public and decision makers can fully understand the environmental impacts of proposed projects.

The project in our CEQA case-study proposed to turn a historically significant citrus farm into a residential subdivision. The project included relocation of the farmhouse, removal of all trees, and demolition of the landscape features that occupy the site. The Lead Agency prepared a Mitigated Negative Declaration for the proposed but failed to identify the historic farm as a contributing resource of a larger historic vernacular landscape.

When dealing with a historic landscape, the building is only one part of the larger resource. Relocating the building and demolishing all other features associated with the setting would result in a significant impact and an EIR should be prepared.

This case study demonstrates that when looking at interconnected buildings, structures, and landscape features, it is important to determine if a single set of resources may be part of a larger historically significant landscape. If the landscape as a whole is significant and would be impacted by the proposed project, the impact to historical resources should be identified and evaluated in an EIR. This way the Lead Agency can consider a full range of alternatives and mitigation measures during the CEQA process.

Identifying historic vernacular landscapes, either as part of the CEQA process or a more proactive planning program is important because it can help preserve the best examples of these resources for the state's future generations.

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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 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