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April 28, 2023
Project No: 22-13783

Jessica Cleavenger, Senior Planner
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301
Via email: jcleavenger@agourahillscity.org

Subject: Historical Resources Windshield Survey for the City of Agoura Hills

Dear Ms. Cleavenger:

The City of Agoura Hills (City) retained Rincon Consultant's Inc. (Rincon) to conduct a historical resources windshield survey to inform and support future historical resources-related planning by providing a baseline of information to inform the process. This memorandum presents a summary of the work performed by Rincon, specifically a focused background research effort including a review of existing documentation related to the history and development of Agoura Hills as necessary to inform survey efforts, followed by a windshield survey. All work was carried out in accordance with the applicable guidelines and standards, including the *Secretary of the Interior's Standards for Archaeology and Historic Preservation* and National Park Service (NPS) Bulletin No. 24, *Guidelines for Local Surveys: A Basis for Preservation Planning* by Architectural Historians who meet the Secretary of the Interior's Professional Qualification Standards (PQS) for architectural history and history (36 CFR Part 61).

Methods

Background Research

Throughout the end of 2022 and beginning of 2023, Rincon conducted background research consisting of a review of source materials relating to the history and development of Agoura Hills. Sources included but were not limited to historical maps and aerial photographs, written histories of the area, and historical records. The purpose of the background research effort was to define the historical and architectural context of the city to support the future identification of potential historical resources. Existing historical resources documentation and federal, state, and local historical resource registers were also reviewed to identify known historical resources. A list of these sources is included below.

Sources

- Historic period aerial images of Agoura Hills accessed via the online collections of the University of California Santa Barbara Library and Nationwide Environmental Title Research (NETROnline)
- Historic period topographic maps accessed via topoview.com
- Los Angeles County Assessor's office records
- Historic period newspaper publications accessed via newspapers.com



- Historic period photographs of Agoura Hills and surrounding region accessed via several online repositories including but not limited to Calisphere, the Los Angeles County Library, and Pepperdine Libraries Digital Collections
- City of Agoura Hills General Plan (March 2010)
- City of Agoura Hills Municipal Code, in particular Article IX-Chapter 5-Part 6
- Other sources as noted in the references section.

Historical Resource Registers

- National Register of Historic Places
- California Register of Historical Resources
- California Office of Historic Preservation Built Environment Resources Directory for Los Angeles County
- Lists of California State Historical Landmarks and Points of Interest
- List of Potential Resources Provided by the City via email.

Windshield Survey

NPS Bulletin No. 24, describes a reconnaissance-level survey “as a ‘once over lightly’ inspection of an area, most useful for characterizing its resources in general and for developing a basis for deciding how to organize and orient more detailed survey efforts.” (NPS Bulletin No. 24, p. 12). Also known as a “windshield survey” this type of survey is most appropriate for generating a broad understanding of the types of resources present in a given area, in order to inform and guide future survey efforts, designation decisions, and historic preservation planning.

On February 17, 2023, Rincon Senior Architectural Historian, Rachel Perzel, conducted a windshield survey of Agoura Hills, which consisted of traveling through Agoura Hills by car and on foot noting the general distribution of buildings, structures, neighborhoods, and landscapes. Focus was given to properties with construction dates prior to 1978 (45 years of age at the time of survey) with the intent of characterizing the developmental and architectural history of the city. Observations related to architectural style, integrity and potential character-defining features were noted and photographs were taken to support field observations. Properties identified as part of this effort will require additional study to determine if they qualify as historical resources. Ms. Perzel also field checked and photographed all previously designated and/or identified resources to confirm existing conditions.

Regulatory Framework

As detailed above, the current study was prepared to inform future planning efforts relating to historical resources. Historical resources are generally considered to include built environment properties (buildings, structures, and objects) and are a resource type under the broader category of cultural resources, which also includes prehistoric and historic archaeological resources. Various federal and state regulations and guidelines govern the identification and treatment of cultural resources, and are triggered depending on funding and/or permitting considerations. Projects involving funding or permitting by a federal agency are subject to the provisions of the National Historic Preservation Act (NHPA) of 1966, which also established the National Register of Historic Places (NRHP). Section 106 of



the NHPA requires federal agencies to consider a project's potential to adversely affect historic properties, or archaeological or built environment properties that are eligible or listed in the NRHP. At the state level, the California Environmental Quality Act (CEQA) requires lead agencies to determine if a project could have a significant impact on historical or unique archaeological resources. CEQA applies to discretionary projects, which are those that require the exercise of judgment or deliberation by a public agency. Historical resources are defined by CEQA as properties which are listed or eligible for listing in the California Register of Historical Resources (CRHR) or a local register. The criteria for eligibility for the NRHP and CRHR are generally consistent and include properties which are significant at the local, state, or national level under one or more of the following criteria:

- NRHP Criterion A/CRHR Criterion 1: Is associated with events that have made a significant contribution to the broad patterns or history; or
- NRHP Criterion B/CRHR Criterion 2: Is associated with the lives of persons who are significant in our past; or
- NRHP Criterion C/CRHR Criterion 3: Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values; or
- NRHP Criterion D/CRHR Criterion 4: That have yielded, or may be likely to yield, information important in prehistory or history.

Under both Section 106 of the NHPA and CEQA, projects involving qualifying historical resources must consider the potential impacts of a given project. The general threshold for determining impacts to built environment impacts is generally the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (the Standards). Developed by the National Park Service, the Standards establish professional standards and provide advice on the preservation and protection of historic properties and make broad-brush recommendations for maintaining, repairing, replacing historic materials, and designing new additions or making alterations. If a project is unable to comply with the Standards and/or would result in a significant impact, mitigation is generally implemented to reduce impacts to the greatest degree possible.

For further information, a detailed summary of both Section 106 of the NHPA and CEQA is included as an attachment to this memorandum.

Local History

The following provides a brief overview of the history of Agoura Hills with the intent of broadly characterizing the styles, types, and location of potential resources which represent the developmental and architectural history of the city. This brief overview may provide the basis for the development of a formal historic context statement, a historic preservation planning tool which provides a consistent evaluative framework for historical resources.

The area encompassing present-day Agoura Hills is located in the traditional territory of the Ventureño Chumash, a linguistically and culturally distinct Chumash group. Ventureño Chumash groups were socially and religiously multifaceted, with a complex culture that included an extensive trading network and multiple subsistence strategies (Gamble et al. 2001; Arnold and Green 2002). Historic Spanish period accounts suggest the overarching social structure was patrilineal chiefdoms. These have been



separated into three sub-chief categories: “Big Chief,” who lead groups of settlements, “Chief,” who was head of a single village, and “Lesser Chief,” who was subordinate to the others (Gamble et al. 2001). The Ventureño Chumash exploited multiple subsistence strategies. In addition to the gathering of acorns and other seeds and fruits, hunting and fishing were also an important aspect of Chumash subsistence. Archaeological evidence suggests that the Ventureño Chumash also practiced lithic production of tools in separate lithic workspaces nearby their occupation sites, and woven baskets were also used for food storage and preparation.

The Spanish arrived in the late 1700s and dramatically altered traditional Chumash lifeways, considerably reducing the Chumash population. During the Spanish period in California, the construction of missions and associated presidios was a major emphasis, with a focus on the forced integration of local Native American populations into Christianity and communal enterprise (Cole 1999). During this period, the Spanish established El Camino Real, a road connecting their settlements throughout the state, including through the area that would become Agoura Hills. Beginning in 1784 land grants were issued to retiring soldiers and other early settlers of Alta California. Although the grantees were permitted to inhabit and work the land, the land titles remained property of the Spanish king (Livingston 1914). One of these land grants was issued to Miguel Ortega for the over 17,000-acre Rancho Las Virgenes, a portion of which is now Agoura Hills (City of Agoura Hills 2010).

Following Ortega’s death in 1809, the grant was abandoned and remained so after Mexico gained independence from Spain in 1821. Extensive land grants, or ranchos, were established during the Mexican Period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts. Rancho Las Virgenes was eventually given to José Maria Dominguez as a Mexican land grant in 1834 (City of Agoura Hills 2010). In 1845, Dominguez’s niece, Maria Antonia Machado, purchased the land from her uncle and along with her son José Paulino, constructed an adobe home on the land in 1850. This home, the NRHP eligible/CRHR listed Reyes Adobe, remains and is one of the oldest houses in Agoura Hills; it was retained by the Reyes family until 1916 (City of Agoura Hills 2010).

The area that would become Agoura Hills remained largely agricultural and sparsely populated through the entry into the American period in 1848 and the end of the nineteenth century. By 1900, the area was a popular stagecoach stop along El Camino Real due in part to a natural spring at the foothills of Ladyface Mountain. Modern development began in earnest in 1924 when Ira and Leon Colodny purchased 500 acres in the area and sold subdivided lots, calling the development “Independent Acres.” In 1927, Paramount Pictures purchased a large portion of the former Rancho Las Virgenes south of the city to use as a ranch for films (County of Los Angeles 2023). This area, then referred to as “Picture City”, was one of the early developments in Agoura Hills and was situated in its southeast corner along the Cheeseboro Canyon mountains (USGS 1932). The Picture City Chamber of Commerce petitioned for a permanent local name and post office, and in 1928 the name of “Agoura” was chosen, after Pierre Agoure, a Basque rancher who moved to the area in the 1870s for sheepherding (County of Los Angeles 2023).

In the 1930s and 1940s, growth in the area remained limited largely due to a lack of a proper water supply (City of Agoura Hills 2010). With the establishment of the La Virgenes Municipal Water District in the 1950s however, a reliable water source made Agoura Hills more attractive to families and businesses and development and the population substantially increased. With its proximity to Los Angeles, families were drawn to relatively quiet and suburban character of Agoura Hills despite its commuting distance to the larger metropolitan region. During this period, the local Highway 101 through Agoura Hills was



expanded into the Ventura Freeway, further contributing to the expansion and population growth of the city and surrounding area. Agoura Hills continued to expand with large suburban developments as well as school and shopping areas from east to west, primarily on the east side of Kanan Road at first, eventually continuing west past Kanan Road beginning in the 1970s (NETRONline 2023). The first substantial housing tracts were also developed during this period in the Hillrise, Liberty Canyon, and Lake Lindero communities (City of Agoura 2010).

On December 8, 1982, Agoura Hills became the 83rd city in Los Angeles County through local vote and in 1985 and 1987 the city adopted its first General Plan and Municipal Code, respectively (City of Agoura Hills 2010). Today, Agoura Hills is a prosperous community, popular for its schools and family-oriented environment (Pascal 2013).

Results

As detailed above, the intent of the current historical resources windshield survey is to provide baseline data to inform future historical resources-related planning efforts. This includes identifying known and potential historical resources and characterizing the historical and architectural character of Agoura Hills. Potential resources identified herein will require additional efforts to confirm historical resources eligibility.

Although Agoura Hills was not formally incorporated until 1982, it has a long history and played an important role in the development of Los Angeles dating back to the Mexican period. A visual depiction of the city's development by decade is provided in Figure 1. The city includes one extant property associated with this early period, the Reyes Adobe, which is located just north of the Ventura Freeway off of Reyes Adobe Road. Now known as the Reyes Adobe Historical Site, the property is listed in the CRHR and has been previously determined eligible for listing in the NRHP by the California State Historic Preservation Officer; as such it meets the definition of a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines. The property includes the 1850 adobe (Figure 2) and a later barn which possess significant associations with both the rancho period of California and adobe architecture. This property has also been recognized as significant by the City in the 2010 General Plan.

Agoura Hills has not been previously subject to a formal, citywide historical resources survey and a review of available information failed to identify any additional properties which are designated or have previously been found eligible for listing in the NRHP or CRHR. The city does not currently have a historic preservation ordinance or adopted criteria by which to designate historical resources locally; however, the city recognized the unique character of the commercial portion of the area known as "Old Agoura" through the adoption of the Old Agoura Design Overlay District (Article IX-Chapter 5, Part 6 the Agoura Hills Municipal Code). The intent of this overlay designation is to "preserve the unique character of Old Agoura through the establishment of special public improvement standards and design guidelines." It establishes permitted, conditional, and prohibited uses, in addition to providing design standards relating to building coverage, height, and signs among other considerations.

The municipal code establishing the overlay district also identifies four properties within the district which would require conditional use permits prior to any modification, alteration or change, specifically "Amazing Kate's," "Old Post Office," "Stage Door Theatre," and "Agoura Sign." The background research and survey failed to identify Amazing Kate's and confirmed that the Stage Door Theatre was demolished in 2022 (Steepleton 2022). The Old Post Office and Agoura Sign, however, were observed during the survey and are located on the north side of Agoura Road at its intersection with Lewis Road, just south



of the Ventura Freeway (Figure 3 and Figure 4). These properties have not been formally evaluated and do not meet the definition of a historical resource as defined by federal or state regulations; however, further study may suggest they are eligible historical resources due to potentially significant historical and/or architectural associations.

Additionally, although the overlay district as currently adopted in the municipal code does not meet the definition of a “historic district” pursuant to federal guidelines and regulations, it does recognize and provide a mechanism for the management of the unique historical character of this area. Further research and survey work will be required to determine if there is a sufficient concentration of related resources which collectively convey the historical development of Agoura Hills and would therefore qualify for formal designation as a historic district.

The background research and field survey also worked to identify and characterize the types and location of potential historical resources in Agoura Hills. As detailed in the developmental history above, Agoura Hills’ growth was minimal through the nineteenth century and there appear to be no extant buildings from this period, with the exception of the Reyes Adobe. El Camino Real provided an early economic driver for Agoura Hills as the surrounding region grew in the early 1900s. As such, much of the early development of Agoura Hills was focused along El Camino Real, or what would become Agoura Road and the first iteration of U.S. Highway 101. A review of Los Angeles County Assessor data indicates there are a small number of properties along Agoura Road which date to the 1920s through 1940s and are associated with this early development. This area is located within the Old Agoura Design Overlay District and includes properties such as the Old Post Office.

Pre-World War II era residential development was focused primarily in the eastern portion of the present-day city boundaries, in “Old Agoura.” The portion of this area north of the Ventura Freeway appears to be the historical location of Independent Acres subdivision. It includes a number of residential properties dating from the pre-World War II era in addition to infill development which postdates that period. The field survey observed two over-road signs, reading ‘Old Agoura,’ which demarcate entry into this area (Figure 5).¹ Old Agoura is characterized by its distinctly rural quality with wide treelined streets that meander in both flat and hilly areas and low-density, single-family residences (Figure 6). The layout and mix of development from various decades create a distinct feeling of organic growth in this area. Many properties in the area embody a rustic character, featuring mature naturalistic landscaping and integrating equestrian related or inspired buildings and/or features such as farm style fencing, corrals, and barns (Figure 7). Common architectural styles observed in this area include variations on the Ranch Style, Spanish Revival, and Tudor Revival Style.

While development in the Los Angeles region boomed in the decades immediately following World War II, growth in Agoura Hills was initially slower, at least during the 1950s and 1960s. A review of Los Angeles County Assessor data and visual observation indicate that during this period pockets of residential development occurred in the Old Agoura area north of the Ventura Freeway (which reached its current configuration in the 1950s). Beginning in the 1960s and following more earnestly in the 1970s and 1980s much larger and more built-out residential subdivisions were established. These were located in previously undeveloped areas in the north-central and -western areas of the city. Unlike the organic growth which occurred prior to this period, the subdivisions exhibit smaller lots and designed landscaping which differs from the rural setting exhibited by most pre-World War II properties. Many of the subdivisions feature consistent architectural styling, primarily Ranch-style, with one and two

¹ Research indicates that these signs date to the 1990s.



story/split level variations (Figure 8). This suggests that they were developer-built from recycled plans/designs, a trend common throughout California in the post-World War II period. Consistent with Old Agoura, subdivisions featuring Revival Style residences were also observed in this area (Figure 9).

Before World War II, commercial development remained concentrated along the Ventura Freeway corridor. Similarly, in the post-World War II period, commercial development including office parks similarly expanded, in particular during the 1970s and 1980s, responding to residential developments and growing population. Potentially noteworthy early examples include the Whizin Market Square (Figure 10), which dates to the 1950s and is home to the Canyon Club, a regionally well-known music venue. The architectural styling of commercial buildings is representative of the popular styles of the period, including elements of the Ranch and Modern styles (Figure 11). The survey additionally identified the presence of one potentially architecturally significant resource, an AT & T building located on Roadside Drive west of its intersection with Kanan Road (Figure 12).

The city's current post office was constructed just north of the freeway, at 5158 Clareton Drive, between 1986 and 1989 in a simplified Brutalist style (NETROnline 2023)(Figure 13). Agoura Hills has seen limited development since the 1980s. That which has occurred has been primarily commercial and located along the Ventura Freeway corridor. Sparse residential growth has occurred in the northeastern area of the city and has been limited to infill single-family residences rather than the large-scale subdivisions which occurred in the 1970s and 1980s.

Conclusions

As detailed above, Agoura Hills has a long history of built environment resources dating back to the nineteenth century. Resources from the pre-World War II era however are rare and as such have a greater potential for historical significance. The Reyes Adobe Historical Site is the only property within the city which is currently designated in the CRHR. The City has recognized some individual properties from this era in the Old Agoura Design Overlay District; however, they have not been formally evaluated or designated. Additional analysis of these properties and others from this era may find they are eligible for historical resources consideration. As part of this process, NPS guidance should be referenced, which states greater degree of alteration may be acceptable when considering the historical integrity of rare property types (NPS 1997:47).

Resources from the immediate post-World War II era, specifically the 1950s are also less prevalent in the city and may have greater significance as a result. Beginning in the 1960s, however, residential development in Agoura Hills shifted to larger subdivisions, which featured planned homes with similar architecture and property characteristics. Properties from this era are less likely to be individually eligible due to the sheer number which exist and the collective history they share. These subdivisions may be more appropriately considered as potential historic districts; however further analysis would be required to determine if any possess significant historical or architectural associations which would warrant such consideration. Additional resources to consider as the City moves forward with its preservation goals may include the sites of the city's first park and City hall, historical trees, movie filming locations, and the locations of specific historic events.

The California Office of Historic Preservation generally recognizes a 45-year threshold for historical resources eligibility. Because the majority of Agoura Hills' built environment has recently or is close to passing this age threshold, the city is presented with a unique opportunity to determine its next steps relating to the treatment of historic resources. As the City moves to advance these goals, efforts may



include the adoption of a historic preservation ordinance, development of a historic context statement, and preparation of a formal citywide historic resources survey. The information presented herein establishes a valuable starting point to inform these efforts by identifying the types of resources which are present, thereby providing a tool to inform future integrity considerations, and to determine a process that is tailored to the needs of the City and its residents.

We appreciate the opportunity to support the City with this endeavor and are available to provide continued support at your request.

Sincerely,
Rincon Consultants, Inc.

A handwritten signature in black ink that reads "Rachel Perzel".

Rachel Perzel, MA
Senior Architectural Historian

A handwritten signature in black ink that reads "Steven Treffers".

Steven Treffers, MHP
Cultural Resources Director

Attachments

- Attachment 1 Supportive Graphics
- Attachment 2 Regulatory Framework



References

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Attachment 1

Supportive Graphics

Figure 1 Agoura Hills Development by Decade

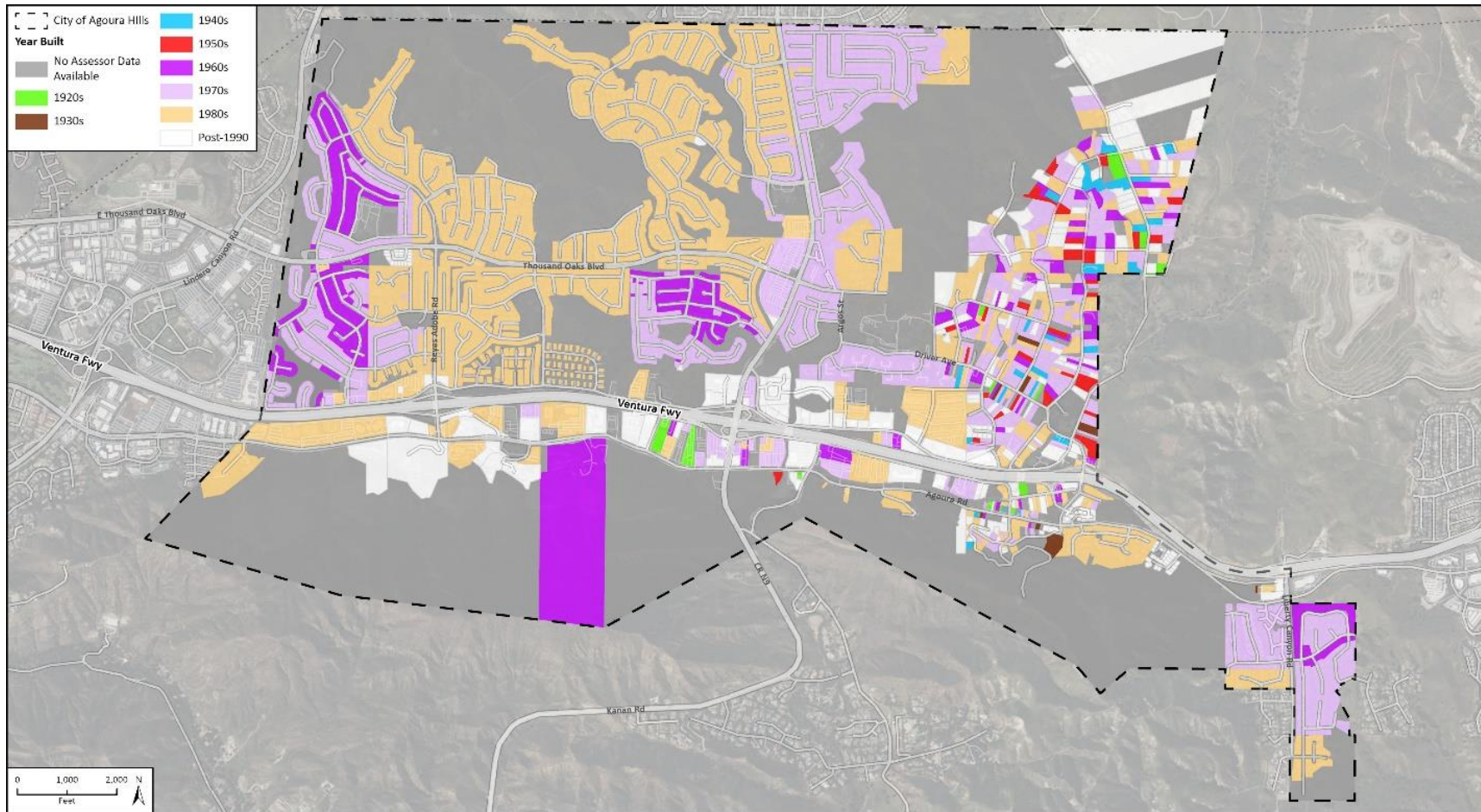


Figure 2 Reyes Adobe, as Observed During the Survey



Figure 3 Old Post Office, as Observed During the Survey



Figure 4 Agoura Sign, as Observed During the Survey



Figure 5 Representative Photo: Old Agoura Signs Observed by Survey



Figure 6 Representative Photo: Residential Street Characteristic of Old Agoura



Figure 7 Representative Photo: Residential Property Characteristic of Old Agoura



Figure 8 Representative Photo: Residential Subdivisions which Characterize the Eastern Portion of Agoura Hills



Figure 9 Representative Photo: Residential Subdivisions which Characterize the Eastern Portion of Agoura Hills



Figure 10 The Canyon Club, as Observed During the Survey



Figure 11 Representative Example: Office Park Exhibiting Modern Architectural Style



Figure 12 AT & T Building on Roadside Drive, west of Kanan Road as Observed During the Survey



Figure 13 Current Agoura Hills Post Office at 5158 Clareton Drive



Attachment 2

Regulatory Framework

Regulatory Framework

Federal

Projects that involve federal funding or permitting (i.e., have a federal nexus) must comply with the provisions of the National Historic Preservation Act of 1966 (NHPA), as amended (16 United States Code [USC] 470f). The NHPA of 1966 established a federal program for the preservation of historic properties, including built environment, archaeological, and traditional cultural resources. Towards this end, the NHPA establishes both institutions and defined processes to direct federal agencies and support state and local governments in their historic preservation programs and activities. These institutions and processes include the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers (SHPO), the NRHP, and the Section 106 review process.

Section 106 of the NHPA

Section 106 (16 USC 470f) requires federal agencies to account for the effects of their undertakings on historic properties, and to afford the ACHP a reasonable opportunity to comment on such undertakings. Historic properties are defined as buildings, structures, districts, sites, or objects which are included in or eligible for inclusion in the NRHP. Section 106 is implemented through 36 CFR Part 800, which outlines the process for historic preservation review, including participants, identification efforts, and the assessment and resolution of adverse effects. Per 36 CFR 800.16(y), a federal undertaking is defined as any project requiring or receiving a federal permit, license, approval, or funding. Federal agencies must take steps to determine if the undertaking would result in an adverse effect to historic properties and take measures to avoid or resolve those effects as feasible.

National Register of Historic Places

Authorized by Section 101 of the NHPA, the NRHP is the nation's official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Per 36 CFR Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

- Criterion A:** Is associated with events that have made a significant contribution to the broad patterns of our history
- Criterion B:** Is associated with the lives of persons significant in our past
- Criterion C:** Embodies the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction
- Criterion D:** Has yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The NPS recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several of these seven qualities—if not all—defined in the following manner:

Location:	The place where the historic property was constructed or the place where the historic event occurred
Design:	The combination of elements that create the form, plan, space, structure, and style of a property
Setting:	The physical environment of a historic property
Materials:	The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property
Workmanship:	The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory
Feeling:	A property's expression of the aesthetic or historic sense of a particular period of time
Association:	The direct link between an important historic event or person and a historic property

Certain properties are generally considered ineligible for listing in the NRHP, including cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must be at least 50 years of age to be eligible for listing in the NRHP. The NPS states that 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluated significance (NPS 1997: 41). Properties which are less than 50 years must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

Assessment of Effects

According to Section 106, adverse effects to historic properties are determined by applying the Criteria of Adverse Effects, which is included below for reference.

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the NRHP. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative (36 CFR Section 800.5).

As indicated by 36 CFR Section 800.5, adverse effects to historic properties include but are not limited to the following:

- (i) Physical destruction of or damage to all or part of the property
- (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines
- (iii) Removal of the property from its historic location
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance
- (iv) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features

- (v) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization
- (vi) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance

State

California Environmental Quality Act

California Public Resources Code (PRC) Section 21084.1 requires lead agencies determine if a project could have a significant impact on historical or unique archaeological resources. As defined in PRC Section 21084.1, a historical resource is a resource listed in, or determined eligible for listing in, the CRHR, a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or cultural significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the NRHP are automatically listed in the CRHR, as are California Historical Landmarks 770 and above; both are therefore historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a “unique archaeological resource” as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: 1) it contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information, 2) has a special and particular quality such as being the oldest of its type or the best available example of its type, or 3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources will be less than significant and need not be considered further (*CEQA Guidelines* Section 15064.5[c][4]). *CEQA Guidelines* Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to CEQA, an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (*CEQA Guidelines* Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (*CEQA Guidelines* Section 15064.5[b][2][A]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a][b]).

The requirements for mitigation measures under CEQA are outlined in CEQA Guidelines Section 15126.4(a)(1). In addition to being fully enforceable, mitigation measures must be completed within a defined time period and be roughly proportional to the impacts of the project. Generally, a project which is found to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (the Standards) is considered to be mitigated below a level of significance (*CEQA Guidelines* Section 15126.4 [b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (*CEQA Guidelines* Section 15126.4[b][3]).

California Register of Historical Resources

The CRHR was established in 1992 and codified by PRC Sections 5024.1 and Title 14 Section 4852. The CRHR is an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change (PRC 5024.1(a)). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use in order to include a range of historical resources that better reflect the history of California (PRC, 5024.1(b)). Unlike the NRHP however, the CRHR does not have a defined age threshold for eligibility; rather, a resource may be eligible for the CRHR if it can be demonstrated sufficient time has passed to understand its historical or architectural significance (California Office of Historic Preservation [OHP] 2011). Furthermore, resources may still be eligible for listing in the CRHR even if they do not retain sufficient integrity for NRHP eligibility (OHP 2011). Generally, the OHP recommends resources over 45 years of age be recorded and evaluated for historical resources eligibility (OHP 1995: 2).

A property is eligible for listing in the CRHR if it meets one of more of the following criteria:

- Criterion 1:** Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Criterion 2:** Is associated with the lives of persons important to our past
- Criterion 3:** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Criterion 4:** Has yielded, or may be likely to yield, information important in prehistory or history

Impacts Assessment

According to Section 15064.5(b) of the CEQA Guidelines, projects which may cause a substantial adverse change in the significance of a historical resource would result in a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines §15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its

historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register (CEQA Guidelines §15064.5[b][2][A]).

For the purposes of CEQA, impacts to a historical resource are considered mitigated below a level of significance when the project conforms to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (the Standards) (CEQA Guidelines §15126.4 [b][1]). The goal of the Standards serves to preserve the historic materials and distinctive character of a historical resource. Character-defining features are the tangible, visual elements of a building—including its setting, shape, materials, construction, interior spaces, and details—that collectively creates its historic identity and conveys its historic significance.

The Standards establish professional standards and provide advice on the preservation and protection of historic properties and make broad-brush recommendations for maintaining, repairing, replacing historic materials, and designing new additions or making alterations. They cannot be used, in and of themselves, to make essential decisions about which features of a historic property should be saved and which might be changed. Rather, once an appropriate treatment is selected, the Standards provide philosophical consistency to the work. There are Standards for four distinct but interrelated approaches to the treatment of historic properties: preservation, rehabilitation, restoration, and reconstruction.

According to the Standards, rehabilitation is deemed appropriate “when repair and replacement of deteriorated features are necessary, when alterations or additions to the property are planned for a new or continued use, and when its depiction at a particular period of time is not appropriate, rehabilitation may be considered as a treatment.” The following lists the Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.