

PRESERVATION MATTERS

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Preserve Preserve America Milford Wayne Donaldson, FAIA

he Asian Pacific Islander, (API) neighborhoods in Los Angeles— consisting of Chinatown, Historic Filipinotown, Koreatown, Little Tokyo, and Thai Town, (all except for Filipinotown designated Preserve America Neighborhoods), organized a training conference for community stakeholders and other historic and cultural organization partners. This first-of-akind event was held on May 13, 2011, at the California Endowment Foundation's Center for Healthy Communities. It was not by chance that this conference took place in May, which is both Asian American and Pacific Islander Heritage Month and National Historic Preservation Month. Officially proclaimed "Asian American and Pacific Islander Heritage Month" by President Barack Obama, it is a celebration of the culture, traditions, and history of Asian Americans and Pacific Islanders in the United States.

The daylong conference connected LA's diverse cultural ethnic neighborhoods to cultural heritage tourism strategies, partnership building, funding sources, and networking opportunities to build new collaborations under the Preserve America umbrella. Funding for the conference was provided through a Preserve America Grant (administered by the National Park Service) to the API neighborhoods, along with support from the Community Redevelopment Agency of the City of Los Angeles.

The conference focused on the training needs of the nonprofits, festival organizers, cultural entities and API businesses in a format that combined concurrent morning training sessions and sequential "short and succinct" training sessions. Participants received ingenious and engaging information packets from each session and the option to enroll in follow-up substantive training workshops.

As California State Historic Preservation Officer and Chair of the Advisory Council on Historic Preservation (ACHP), the lead agency for the development of the Preserve America program,



SHPO Wayne Donaldson and MC Bill Watanabe exchanged greetings before the Conference got underway.

I was privileged to join many of our partners in supporting the conference, whose brochures, postcards, and invitations were printed in all five API languages, English, and Spanish. The success of the conference was largely due to the strength of the public-private partnerships that derived support and substance from the larger preservation organizations, as well as the coalition of groups within the five Asian Pacific Islander neighborhoods.

Congratulations to the Asian Pacific Islander Neighborhoods in LA for the conference and the Preserve America Grant they successfully pursued that helped make it possible! The maximum grant amount, \$250,000, matched by local funding, was awarded to help support City of Los Angeles Asian Pacific Islander Neighborhoods' Cultural Heritage and Hospitality Education and Training. This project aims to build cultural identity and understanding within various Asian-Pacific Islander neighborhoods and improve outreach to the greater community through training in historic preservation, cultural tourism, and hospitality services. It includes a critical assessment of historic and cultural resources, development of training materials on hospitality and becoming self-sustaining heritage centers, and it provided historic preservation professional development opportunities for community residents. The ACHP has collaborated with the Na-

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tional Park Service and other federal partners in awarding Preserve America in operating the Preserve America program and helping to award Preserve America grants, which support the development of essential tools for building heritage tourism.

The underlying themes and goals of the Preserve America program echo the policy direction of the Obama Administration and are consistent with my own philosophy: as an architect committed to sustainability and blending the best of the old and the new; as a state official deeply concerned with not only preserving important places and landmarks but also with building an appreciation for history and culture among our diverse citizenry and young people; and as a former president of the California Preservation Foundation dedicated to encouraging volunteer preservation and community activism.

Under the guidance of former ACHP chairman John Nau III, Preserve America was launched in 2003 as a Presidential initiative. With the issuance of the 2009 Preserve America Executive Order, the program was permanently authorized as part of the Omnibus Public Land Management Act. Currently, First Lady Michelle Obama is engaged in the program with the formal designation of Preserve America Communities as well as Preserve America Stewards, a second part of the program that recognizes volunteer service to care for our special historic and cultural places.

The Preserve America program has been a primary vehicle for the ACHP and its partners to promote such goals, with particular emphasis on historic preservation's role as a sustainable economic development tool through community revitalization and heritage tourism. The program has been extremely valuable in raising the visibility of our cultural heritage and historic preservation, strengthening civic pride in ways that help build and sustain communities, and encouraging broader public and private support for heritage protection and education at the local level.

The key role of historic preservation in economic revitalization is exemplified by the accomplishments of public private partnerships, like the one that saved the Little Tokyo Historic District. Within the district are several cultural resources highlighted by the Preserve America recognition. The Japanese American National Museum in Little Tokyo is the largest museum in the country dedicated to sharing the

experience of Japanese Americans. The first Buddhist Temple constructed in Los Angeles, a historic building built by Japanese immigrants in 1925, serves as the original National Museum building. Each year, the community sponsors the Nisei Week Festival, which started in 1934 and now lasts a full month. The event features a parade, traditional Japanese dancing, taiko drums, and martial arts, as well as cultural exhibits and a street arts festival. In these challenging times, it is clear that investments in historic preservation and interpretation have strengthened community pride and economic sustainability in Little Tokyo.

What do programs like Preserve America contribute to the national conversation about our cultural, social, and economic priorities? Programs like Preserve America help call attention to the value of historic preservation and heritage tourism to economic vitality and community wellbeing throughout the nation. Many Preserve America Communities, Preserve America Grants, and Preserve America Presidential Awards have highlighted projects and partnerships that advance these goals. For example, the Preserve America program brought national attention to Chinatown's Sun Mun Way Lofts and its receipt of an award in 2007 (actually a LA Conservancy Award) for the adaptive reuse of a 1939 building in Chinatown's Central Plaza as residential and creative office space. The project renewed a neglected structure, while reclaiming its colorful past and fueling the neighborhood's revitalization.

PA component programs also help foster personal responsibility, public service, and volunteerism. The Preserve America Stewards designations, as well as Preserve America Grants, specifically support and encourage volunteer stewardship and public interpretation efforts. Many of the exemplary Preserve



Pre-conference photo of the Filipinotown contingent

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Preserve Preserve America

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America Presidential Award-winning projects have relied heavily on the work of volunteers.

They promote better and more effective community engagement. Preserve America Community designations and grant projects explicitly rely on and foster community involvement, public-private partnerships, and cooperation among nongovernmental organizations, citizen activists, and state and local elected officials. Indeed, one of the real accomplishments of the Preserve America program has been to encourage the active participation of elected officials and other community leaders in supporting historic and cultural preservation in their hometowns.

Such projects and programs also help us recognize and embrace cultural diversity, as illustrated by the API communities in California. Many localities and regions have used Preserve America recognition, with or without funding support, to highlight the value and contributions of America's diverse cultures and ethnic groups.

They nurture youth engagement and reward academic excellence. The Preserve America Youth Summit, begun at a national conference in New Orleans in 2006 and continued annually in the state of Colorado, nd the Preserve America History Teacher of the Year Award sponsored by the Gilder Lehrman Institute for American History, have both fostered youth involvement and heritage education. Recommendations coming out of the national conference led to development of new outreach resources and a special federal government focus on service learning that incorporates historic preservation projects into school curricula.

All of the elements of Preserve America encourage a deeper appreciation of American history and the relevance of that history for modern American values. The most valuable activities are those that engage citizens in better understanding and appreciating the heritage of their local communities and promote an understanding of American history as a living part of contemporary society.

Despite these accomplishments, achieved with relatively small amounts of federal funds, the Preserve America program has not received the level of support it deserves or needs in the current budget climate. The recent federal budget debate has resulted in curtailed funding for both Preserve America Grants and another valuable federal program called Save America's Treasures.

The goals of the Preserve America program dovetail with a number of objectives of the Obama Administration. These include the new America's Great Outdoors (AGO) Initiative announced by the President Obama in April 2010, with a report to the President that was released in February, 2011. AGO emphasizes conservation, outdoor recreation, youth engagement, and reconnecting people to the outdoors as well as their heritage; using heritage assets to aid in economic recovery and to promote sustainable communities; education; volunteerism; and outreach to underserved constituencies and diverse communities. This seems like an excellent fit for Preserve America, but there remain challenges in making the case for the value of the program within the Obama Administration.

To rejuvenate the Preserve America program and reshape it to better reflect current Obama Administration policies and concerns, the ACHP and Preserve America communities could:

- Partner with National Park Service (NPS) to use Preserve America as a vehicle for improving the development and delivery of community assistance and support "beyond the parks," as recommended in the NPS Second Century Commission report and reinforced in the AGO report. For example, if NPS and State Historic Preservation Officers encouraged each Certified Local Government and their Main Street communities to become a Preserve America Community, it would help those communities tap into the public relations opportunities afforded by Preserve America Community designation while also supporting community use of heritage tourism as an economic development tool.
- Work with the hundreds of Preserve America Communities to reach constituents in all communities, which include diverse and often underserved audiences. A number of existing Preserve America Communities and Neighborhoods are ethnically based, and their designation honors that heritage and encourages residents to become engaged in historic and cultural preservation. The ACHP could also expand its efforts to enlist more communities and neighborhoods repre-

Local Government: Reviewing an Environmental Impact Report Ron Parsons

s we discussed in the last two issues of Preservation Matters, not all public agency projects require an Environmental Impact Report (EIR). CEQA requires a discretionary project's Lead Agency to study the possible impacts of a project and, if the impacts may be significant, produce an EIR to assess how the project could best mitigate or eliminate the impacts. Public review of EIRs is one of the most important aspects for the enforcement of the California Environmental Quality Act (CEQA). For this purpose CEQA explicitly provides the authority for "Any person or entity" to review and comment on environmental effects of projects (PRC 15044). However, reviewing an EIR can often be quite overwhelming and intimidating since many EIRs are hundreds of pages long and analyze twenty or more possible environmental impacts of a project. The possible impacts can include such wide-ranging subjects as traffic impacts, biological impacts, and impacts to cultural resources. The Lead Agency must also include in the EIR descriptions of alternative projects that might altogether avoid the impacts or mitigate them to a less than significant level. In this article we will focus on how to review an EIR's analysis of a project's potential impacts on historical resources.

If you are concerned that a project may have a significant impact, you can search for the EIR on the county clerk's website where the project is taking place. Most Lead Agencies also post environmental documents, such as EIRs, on their own websites. Cities and counties usually post their EIRs with their planning documents, but some of the larger cities have dedicated environmental documents webpages. If you cannot locate the EIR online, you can often find them at your local library or you can just call the Lead Agency and ask them to send you a copy. The EIR must have a minimum 30-day comment period, and it is advisable to comment as early as possible in the comment period. It is vitally important that omissions, errors, or insufficient analysis be commented upon during the specified comment period. If someone eventually sues the Lead Agency over an insufficient EIR, the judge can only examine evidence submitted during the EIR administrative process, which includes the comment period. If you are not certain about how to comment or would like consultation about the process, please contact OHP as early as possible.



Cultural resources are one of the areas studied in every project's Initial Study (IS), which precede EIRs, so almost all EIRs contain a cultural resources section that analyzes whether or not there may be impacts to cultural resources. The cultural resources portion of an EIR will usually include the "checklist" from the IS. This checklist provides preliminary analysis of whether historical, archaeological, paleontological, and/or human remains could be potentially impacted. By scanning this checklist, you can

quickly learn whether the Lead Agency saw any potentially significant impacts to cultural resources requiring mitigation. If the project will cause a substantial adverse change to a historical resource, either the "Less than Significant with Mitigation Incorporated" or "Potentially Significant Impact" box should be marked. For many reasons, however, Lead Agencies often omit certain cultural resources from the IS and EIR. The Lead Agency may have concluded that the

resources are not historical; others, however, might consider some omitted resources historically significant. This is where public review plays an important role in the CEQA process as it is

"...public review plays an important role in the CEQA process as it is usually citizens...who provide arguments for a resource's inclusion in the EIR"

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usually citizens within the Lead Agency's jurisdiction who provide arguments for a resource's inclusion in the EIR. If the public, or the Office of Historic Preservation (OHP), does not review the EIR and bring such omissions to the attention of the Lead Agency through the comment process, potential resources may be adversely impacted or destroyed.

If a project may have significant adverse impact on a historical resource, CEQA requires the Lead Agency to mitigate the impacts to a less than significant level. CEQA defines significant as "a substantial, adverse change in any of the physical conditions within the area affected by the project," which includes historical resources (PRC15382). It is the Lead Agency's responsibility to assess in the EIR whether the project may have any significant adverse effects and if those effects can be mitigated below a less than significant level. However, the evaluation of significant impacts is one of the most difficult areas to review as the reader is usually solely reliant upon the EIR's conclusions regarding significance thresholds. Even if the EIR provides a thorough analysis of impacts, it is often quite difficult to assess what is significant and what is less than significant. As the California courts have stated, the definition of significant can range from "not trivial" to momentous," so impact analysis is clearly not black and white (Guide to CEQA, Remy, et. al. p.184). Again, this is why public review of EIRs is important, as it is usually a concerned local citizen who can provide arguments regarding a project's impacts and

whether or not the mitigation brings those impacts below a less than significant level.

The EIR will also contain an alternative projects section. Alternatives must be potentially feasible, meet most of the project's objectives, and substantially reduce or avoid significant environmental effects. The Agency is required to provide a reasonable range of alternatives and they should be limited to projects that "substantially limit the effects of the project." The alternatives should "foster meaningful public participation and informed decision making" (PRC15126.6). Even if there is not an alternative that you might prefer, commenting on project alternatives often leads to project changes that benefit potential resources and allow the agency to consider options offered by the public.

Finally, there will also be at least one public meeting where the public can comment on an EIR. Although the Lead Agency must certify a final EIR for a project to go forward, the certification of an EIR does not determine final project approval. If you would like to know more about the CEQA process visit this CEQA FAQ webpage — http://ceres.ca.gov/ceqa/more/faq.html and a CEQA flow chart - http://ceres.ca.gov/ceqa/flowchart/.

Local Government Staff Contacts:

Lucinda Woodward Supervisor State Historian III (916) 445-7028

lwoodward@parks.ca.gov

Shannon Lauchner, State Historian II (916) 445-7013 slauchner@parks.ca.gov

Marie Nelson, State Historian II (916) 445-7042 mnelson@parks.ca.gov

Ronald Parsons, State Historian I (916) 445-7016 rparsons@parks.ca.gov

Certified Local Government Grant Awards for 2011-2012

minimum of ten percent of California's yearly allocation of federal funds received through the Historic Preservation Fund Grants Program must be sub-granted to certified local governments; this year's allocation is approximately \$1.4 million. The Office of Historic Preservation awards HPF monies to CLGs in a competitive process. This year OHP received 15 grant applications requesting \$289,145 and has selected ten local governments to receive grants totaling \$184,500 for the following projects:

Burbank, \$5,000. Develop an education and outreach campaign to provide more information to the public about Burbank's preservation programs and to engage the community in on-going preservation efforts.

Elk Grove, \$22,500. Prepare a historic context statement for the Elk Grove Historic District Special Planning Area and surrounding neighborhood.

La Quinta, \$10,000. Digitize two City of La Quinta historic property surveys and make them available on the City's website as part of its outreach and public education program.

Los Angeles, \$22,500. Expand the Participation and Outreach Implementation Program for SurveyLA, including the development of a social media strategy. It will focus on the following 12 community plan areas, along with industrial-zoned properties citywide: 1) Venice; 2) Westwood; 3) Wilshire; 4) Van

Preserve Preserve America Milford Wayne Donaldson, FAIA

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- Develop new inducements to encourage communities to apply for Preserve America Community designation, since the incentive of dedicated PA grant funding is not currently available. This might include making certain competitive grant funds available for community preservation activities as part of proposed increases to funding from the Historic Preservation Fund (as recommended in the AGO report).
- Work with the Obama Administration and preservation partners to identify other incentives for Preserve America Communities through Administration initiatives related to tourism and trade, such as activities of the Department of Commerce and the travel industry under the Travel Promotion Act. Technical support might include more active promotion of Preserve America Communities through an outreach campaign to social media (travel magazines, blogs, and Web sites) and state/local tourism and visitor bureaus.
- Promote the Preserve America Stewards program as complementary to AGO and seek promotion of the program by Department of Interior (DOI), Department of Agriculture, and others in cooperation with the AGO Council. The application criteria for the program could be revised to place greater emphasis on youth involvement, diversity, and outdoor volunteer experiences.

 Work with DOI and the AGO Council on a proposal for a new suite of Presidential Awards for Conservation and Preservation that would marry aspects of the previous Preserve America Presidential Awards with the conservation and public outreach goals of AGO. This subject is being considered by the Council on Environmental Quality Committee.

Since 2004, 867 PA communities have been designated, 34 volunteer steward organizations recognized, 20 Presidential Awards bestowed, and over \$21 million awarded for 281 competitive grant projects throughout the country. Thirty-five of the designated Preserve America Communities are here in California, including four of the five API neighborhoods in LA - Chinatown, Koreatown, Little Tokyo, and Thai Town. Filipinotown is in the process of completing its application. Little Tokyo holds the unique distinction of being Los Angeles' first Preserve America Neighborhood. Other California PA Communities reflecting the diversity of California's history include Japantown in San Francisco and Little Italy in San Diego. Other California Preserve America Communities reflect Latino heritage, and one, Solvang, celebrates the Danish culture of its founders. Preserve America has made great strides, but to go the distance, it will need the help and support of the larger historic preservation community to speak up for its value, and to "preserve Preserve America."

Certified Local Government Grant Awards for 2011-2012

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Nuys-North Sherman Oaks; 5) Chatsworth-Porter Ranch; 6) Northridge; 7) Reseda-West Van Nuys; 8) Granada Hills-Knollwood; 9) Sylmar; 10) Sun Valley-La Tuna Canyon; 11) Northeast Los Angeles; and 12) Los Angeles International Airport.

Monterey, \$22,500. Prepare a historic context statement and reconnaissance historic survey for the New Monterey Residential Neighborhood and the New Monterey Business District.

Norco, \$12,000. Extend the City's historic context statement to address its modern era, from 1946 through 1966.

Pasadena, \$22,500. Prepare a Multiple Property Documentation Form about cultural landscapes in Pasadena, concentrating on historic designed landscapes from the

turn of the twentieth century through the recent past.

Riverside, \$22,500. Prepare a historic context and intensive-level survey for the proposal Cliffside Historic District which includes a cohesive collection of homes of the recent past, dating from 1950-1960.

Sacramento, \$22,500. Revise and expand the City of Sacramento's historic context to provide direction and guidance for future historical and cultural resource surveys.

San Francisco, \$22,500. Prepare a historic context and survey of residential tract developments constructed from 1930-1950 in the Sunset District.

New Listings on the National Register of Historic Places

Pacific Electric Etiwanda Depot Rancho Cucamonga, San Bernardino County Listed February 4, 2011



This passenger depot was constructed in the City of Rancho Cucamonga in 1914 for the Pacific Electric Railway. Designed by master architect Irving Gill in the Mission Revival style, this depot served until 1951 as part of Pacific Electric's passenger network, an electric interurban railroad whose presence shaped development patterns in southern California.

South San Francisco Opera House San Francisco, San Francisco County Listed March 21, 2011



Constructed in 1888 by South San Francisco Masonic Lodge No. 212, this building was a public social hall for gatherings, cultural events and entertainment. Located in the Bayview neighborhood of San Francisco, the building was designed by architect Henry Geilfuss in a blend of Italianate, Gothic and Stick styles. The building was operated by the Masons as a theater until 1965.

Julian Waybur House San Francisco, San Francisco County Listed March 28, 2011



This house is the work of master architect Ernest Coxhead, and an outstanding example of the way Coxhead combined the popular American Shingle Style with experimental uses of European Revival Styles. Built in 1901 overlooking the San Francisco Presidio from an unusual wedgeshaped block, the house included a music room for Waybur, Assistant Director of the Mills Seminary Music Department.

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New Listings on the National Register of Historic Places

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Auburn Public Library Auburn, Placer County Listed March 31, 2011



This Carnegie library, constructed in 1909 in the City of Auburn, is a Classical Revival building designed by Auburn architect Allen D. Fellows. It served as Auburn's public library until 1968 and as the headquarters for Placer County's library system from 1937 to 1968. It is part of the Auburn Multiple Property Submission.

Healdsburg Memorial Bridge Healdsburg, Sonoma County Listed April 14, 2011



This 1921 Pennsylvania truss bridge connects the community of Healdsburg to the rest of Sonoma County, surviving ninety years of heavy traffic and five major floods.

San Francisco Juvenile Court and Detention Home San Francisco, San Francisco County Listed April 8, 2011



A nine-story, reinforced concrete building constructed in 1916, associated with the development of the city's juvenile justice system during the early twentieth century and the work of master architect Louis Christian Mullgardt.

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Registration: Digital Photos for National Register Nominations William Burg

The Summer 2009 Preservation Matters (Volume 2, Issue 3) attempted to help those in the throes of producing a National Register nomination understand draft changes to National Park Service (NPS) photo standards, including digital photo submissions. Since then, additional questions have arisen regarding photo printing and labeling, appropriate paper, submission of historic photos, and California program photo standards. This article will answer those questions.

The National Park Service still intends to create an entirely electronic National Register of Historic Places (NRHP) nomination form within the next three years. In an all-electronic nomination, the digital images provided with a nomination will be the photos of record, a transition that may make photo prints unnecessary. Until that change has been introduced, however, prints of digital photos must accompany each nomination.

Photo Paper

Photographs must be printed on inkjet photo paper intended for inkjet prints. Use of archival inks (such as the HP Vivera line) is recommended but not required. Photos submitted must be at least 3.5x5 inches in printed photo area; 8x10 inches is preferred. Photo paper can have glossy, matte, or satin finish. All digital photos and photo prints should be in color, not black and white.

Photos can be labeled as indicated in *National Register Bulletin 16A*, in pencil or archival pen on the back of the photo print, but photo information can also be included on the front of the photo paper, as long as all writing is in white space outside of the image area. This information can be recorded in pen or pencil, or added to the document digitally, outside of the image area. Each photo must include the name of the property, county and state where property is located, and photograph number. Submit two copies of each photograph.

Printing Photos on National Register Forms

The latest version of the NPS 10-900 Form includes a section that can be used to record photo information for both the photo log and individual nomination photos. Digital photos can be pasted directly into the Microsoft Word document and photo information recorded on each page. These pages can be inserted directly into the body of the National Register nomination after the nomination text, using the heading "Additional Documentation" under "Section number." Place only one photograph on each page. These pages must be printed on photo paper. The original, uncompressed digital



Photos can be printed on NPS forms, DPR 523L forms or as individual photo prints, as long as they are properly labeled and printed on photo paper. All must still be accompanied by digital files!

TIFF or RAW files (minimum resolution 2 MP, 1200x1600 pixels, recommended 6+ MP, 2000x3000 pixels) must also be included with the nomination, on a CD-R or DVD-R.

Photo Log

NPS strongly encourages the use of a photo log in the body of all National Register nominations, as part of the "Additional Documentation" section and ahead of the photos (if photos are included in the nomination document.) The photo log should record the name of property, county and state, name of photographer, date of photograph, location of original digital file, description of view, and photograph number. In addition, the photo log should also include the filename of the digital file associated with each photo. Use the NPS standard for photo filenames:

State_County_Multiple(if applicable) _Property Name_0001

The number at the end is the photo number. Use the leading zeroes to create a four-digit number: 0001, 0002...0085, 0086, etc. The photo log should be printed on regular printer paper, not photo print paper. The "Multiple(if applicable)" refers to photos for nominations that are part of Multiple Property listings—exclude this if the nomination is not part of an MPS or related to an existing Multiple Property Document.

Registration Staff Contacts:

Jay Correia, Supervisor, State Historian III (916) 445-7008 jcorr@parks.ca.gov

William Burg State Historian I (916) 445-7004 wburg@parks.ca.gov

Amy Crain State Historian II (916) 445-7009 acrain@parks.ca.gov

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Review & Compliance: SAA 76th Annual Meeting Susan Stratton, Ph.D.

The Society for American Archaeology (SAA) is an international community of professional an international community of professional, student and avocational archaeologists dedicated to the research, understanding, and protection of archaeology in the Americas. The annual meetings are held throughout the country, with this year's being held right here in the River City. The last time the SAA meetings were held in California was in Anaheim in 1994. Seventeen years later, the 2011 meetings in Sacramento distinguished themselves for being the 4th largest in attendance in the event's 76 year history.

Since the meetings were held in our own backyard, I felt OHP should have a presence at the conference. With that in mind (and being a local arrangement committee member), I commandeered staff and professionals from two of the largest land management agencies in the state, the Bureau of Land Management (BLM) and the US Forest Service (USFS), to participate in a forum scheduled for April I titled: "THE GOOD, THE BAD, AND THE UGLY! SHPO Tales - Learning From Our Past: A Discussion of California Case Studies Set Within the Regulatory Framework of Section 106 of the National Historic Preservation Act."

Ahhh, yes, that inauspicious day – April Fool's Day! Having never before organized a forum for the SAA meetings, I hoped that we would attract a respectable showing of attendees, so it wouldn't be just me and the panel of seven. To everyone's surprise and my delight, our session turned out to be standing room only - how good is that?

Forum participants were:

- Susan Stratton, Supervisor of the Review and Compliance Unit (OHP)
- Dwight Dutschke, Tribal Liaison and Reviewer (OHP)
- Tristan Tozer, Historian and Reviewer (OHP)
- Ed Carroll, Historian and Reviewer (OHP)
- Trevor Pratt, Archaeologist and Reviewer (OHP)
- Ken Wilson, Consultant (BLM retired State Archaeologist and tribal liaison)
- Rolla Queen, California Desert District Archaeologist (BLM)
- Greg Greenway, Pacific Southwest Regional Heritage Program Mgr. (US Forest Service)

Panel members discussed case studies involving linear features. Native American consultation, midconstruction discoveries, industrial archaeology, management of historic resources within federally designated wilderness areas, and politically driven

renewable energy projects. SHPO staff and agency managers focused on various problems, challenges, successes, and solutions.

Not every project under Section 106 review goes smoothly. Archaeologists sometimes get too much attention, and are vilified for allegedly stopping or delaying progress. SHPOs and agencies have many such cases. In the historic preservation process, archaeology is represented by two separate yet equally important groups: Federal agencies driving the undertakings and SHPOs reviewing their findings. These are their stories.

Dwight Dutschke and Susan K. Stratton: By the Numbers: Trying to Develop a Programmatic Agreement

Dwight and I explored the pitfalls of developing a programmatic agreement through the lens of the Topock Soil and Groundwater Remediation Project, a controversial and ongoing undertaking near Needles, California. This project encompasses portions of the Todock Maze, a National Register-listed Traditional Cultural Property (TCP), and includes myriad stakeholders: nine tribes, four federal agencies, one state agency, a private corporation, two SHPOs (California and Arizona), the Advisory Council for Historic Preservation (ACHP), and the Bureau of Land Management (BLM), acting as the lead federal agency for the purposes of compliance with Section 106 of the National Historic Preservation

The archaeology was fairly straightforward and, for the most part, effects to the sites were avoided. Complications arose when the SHPO recommended that the effects of the remediation appeared to be adverse to the values of the traditional cultural property. The SHPO staff wrote and executed a Memorandum of Agreement (MOA) in 2004 with a plan to amend the National Register nomination for the Topock Maze to reflect its status as a TCP, and to complete a cultural resources management plan for the undertaking, as well as an ethnographic study of the Native American use of the Area of Potential Effects. The SHPO recommended the MOA be circulated amongst the nine tribal consulting parties,

Review & Compliance Staff Contacts:

Susan Stratton, Ph.D. Supervisor (916) 445-7023 sstratton@paqrks.ca.gov

Mark Beason State Historian II (916) 445-7047 mbeason@parks.ca.gov

Amanda Blosser State Historian II (916)445-7048 ablosser@parks.ca.gov

leff Brooke Assoc. State Archaeologist (916) 445-7003 ibrooke@parks.ca.gov

Edward Carroll State Historian I (916) 445-7006 ecarroll@parks.ca.gov

Dwight Dutschke Assoc. Parks & Rec. Specialist (916) 445-7010 ddutschke@parks.ca.gov

Natalie Lindquist State Historian II (916) 445-7014

nlindquist@parks.ca.gov

Trevor Pratt Asst. State Archeaologist (916) 445-7017 tpratt@parks.ca.gov

Tristan Tozer State Historian I (916) 445-7027 ttozer@parks.ca.gov

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Review & Compliance: SAA 76th Annual Meeting Susan Stratton, Ph.D.

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but the California Department of Toxic Substances Control (DTSC), the lead state agency for the remediation, wished to move forward more rapidly, filing an emergency categorical exemption to comply with the California Environmental Quality Act (CEQA) and the build-out of an \$8 million treatment facility within the viewshed of the Topock Maze.

Meanwhile, lawyers for the Fort Mojave Tribe took exception to the use of the emergency exemption by DTSC for purposes of CEQA compliance and brought suit against DTSC and PG&E (Pacific Gas and Electric), the entity responsible for the soil and groundwater contamination. The tribe successfully sued DTSC and PG&E. Few of the stipulations of the MOA were fulfilled over the next five years. During this time, the California SHPO worked at convincing the other consulting parties that a programmatic agreement (PA) was the best vehicle for compliance with the Advisory Council's regulations. The Topock PA deviated considerably from the standard PA in that a large portion was penned by the tribes, incorporating tribal viewpoints and stipulations. The PA was finally executed in October 2010, with the BLM, Fish and Wildlife Service, the Arizona and California SHPOs and the ACHP signing. Eventually, PG&E signed the PA, while none of the tribes signed. Even with exceptional diligence on the part of the agencies to ensure incorporation of tribal input into the PA, this turned out to be an example of the "ugly."

Ken Wilson: Hay Ranch Water Extraction and Delivery System

Tribal consultation and traditional cultural values were at the forefront of the Hay Ranch water extraction and delivery system undertaking involving the construction of a 20-inch diameter pipeline and associated facilities to deliver water for injection into an existing well at the Coso geothermal fields. The actual construction consisted of a new pipeline and facilities, with the BLM acting as the lead agency, while the project crossed into the Navy-owned Coso Geothermal field. The BLM identified the footprint of the pipeline and pumping facilities as the Area of Potential Effects (APE). When BLM initiated consultation with the seven associated tribes, the tribes wanted to bring the Coso Hot Springs, a traditional cultural property for therapeutic muds, into the APE. The Springs are approximately 2.5 air miles from the injection well.

Tribal concerns related to the belief that injection of cold water into the geothermal pools could alter the temperature and water level of the springs. The initial reluctance of the BLM to include the Coso Hot Springs in the APE was related to BLM only approving a right-of-way allowing access for construction of the pipeline and associated facilities on publicly owned lands. The BLM further could not accu-



Once covering 50 acres, Topock Maze is held sacred by the Fort Mojave tribe, "the people of the river," who call the maze "the essence of what it means to be Mojave."

rately predict the potential impacts from injection of water into the geothermal pool. This case could be precedent- setting for the consideration of indirect effects as the project was water flowing through a pipeline, but this decision could impact future permitting cases involving electricity passing through transmission lines, or petroleum products or natural gas passing through pipelines. In terms of tribal consultation, this turned out to be an example of the "Good," as the Springs were incorporated into the APE. What the direct effects of injecting water into the geothermal pool may prove to be, however, remain a mystery.

Greg Greenway: Legal Restrictions on the Preservation of Historic Structures in Wilderness

Greg posed the question, "What is it about the 1964 Wilderness Act and the National Historic Preservation Act that are at odds with each other?"

The Wilderness Act defines wilderness as an area that retains its primeval character and influence; protected and managed to preserve its natural conditions; and without permanent improvements or human habitation, except for those activities that are necessary to meet the minimum requirements for the administration of the area. Wilderness areas "...may also contain ecological, geological, or other features of scientific, educational, scenic or historical value (Section 2(c))" and "...shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use (Section 4(b))."

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Three Federal Court decisions in 2004, 2005, and 2006 have affected how historic structures may be managed in wilderness areas. In the context of the Wilderness Act, historical is not defined in the same way as it is in the National Historic Preservation Act (NHPA); the former definition refers to historically natural (rather than man-made) features. The historical values of the Wilderness Act refer to the historical values of the natural environment just as the historical use refers to the historically natural use. The case law further states that when there is a conflict between the Wilderness Act and NHPA, the categorical prohibition of structures in the Wilderness Act takes precedence unless the structures are the minimum necessary for administration of the area. The court decision further bans the repair and maintenance of historic structures, even those needed for public safety, unless they are the minimum necessary for administration of the area.

Based on these court decisions and precedents, the Forest Service has had to cancel planned projects designed to stabilize some historic structures in wilderness areas. These court decisions have only involved historic structures thus far. Following the logic in these decisions, structures are categorically prohibited in wilderness, whether historic or prehistoric, unless they can meet the exemption clause demonstrating the structures are necessary for administration of the area. Another case of the "Ugly" as well as the "Bad" in that we have two sometimes competing and contradictory federal laws.

Rolla Queen: Renewable Energy and the California Desert

The push for permitting renewable energy (wind, solar, geothermal) projects in the California Desert has brought a windfall of information. Due to the expansive nature of the projects, 80,000 plus acres of BLM managed lands have been intensively surveyed in all areas of the Desert, perhaps constituting more acreage surveyed than in the past 30 years.



More than 2,600 new sites have been identified and recorded, with the number increasing daily. Hundreds of previously recorded sites have had their site records updated, using the latest GPS and documentation standards. The results of surveys and the new site information is expanding our knowledge about the types and densities of sites throughout the desert, changing our perspective on prehistoric and historic use of the desert area.

From a Section 106 perspective, the fast track nature of these projects has forced the BLM to take a hard look at the process, and to move away to a great extent from the traditional practice of simply moving projects to avoid sites because avoidance is no longer a feasible management strategy when thousands of acres are involved. BLM, as an agency, has moved towards a better understanding of what consultation means across the board, and has worked hard to identify and bring all sorts of parties, agendas and all, into the consultation process, which has, resulted in better resource management decisions. A case of the "Good" springing from the "Bad" and the "Ugly."

Trevor Pratt: Post-Review Discovery and the Case of the Urban Midden

Post-review discoveries occur when a historic property is identified after the Section 106 process is complete, as in the case of the discovery of a shell midden during subway construction in downtown San Francisco. This particular case highlights several common issues including incomplete deliverables missing from agreement documents; pressure from the critical path of construction; and the assumption of eligibility and evaluating archaeological sites in a broader context beyond criterion D, solely for their scientific value. The efficacy of evaluating archaeological sites at the landscape level in urban environments was a point of discussion as were several possible techniques to reduce the frequency of post-review discoveries, especially in urban environments, including geoarchaeology and performing test excavations prior to construction.

Ed Carroll: Historic Resources and Unexploded Ordnance (UXOs): Adverse Effect or Not?

Vandenberg Air Force Base has UXOs distributed over 18,000 acres with approximately 1,200 acres of this area consisting of archaeological resources. Within these 1,200 acres, the Air Force (USAF) has identified the majority of the UXO as located atop or directly adjacent to archaeological resources assumed eligible for listing on the National Register of Historic Places. Identification and evaluation were prohibited due to the risks to human health and safety.

In their initial consultation letter to the SHPO, the USAF determined that while the implementation of the Military Munitions Response Program (MMRP) has the potential to impact historic

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properties, the military felt a determination of no adverse effect was appropriate for this undertaking. In support of the no adverse effect determination, the USAF developed a treatment plan and proposed to perform phased identification and evaluation of the resources within the MMRP areas. The USAF further stated that MMRP activities would at no time affect entire archaeological sites, but in the event that live munitions in an archaeological site needed to be exploded, recordation and access to the site would not be permitted until after the UXO disposal and the area was determined safe by explosives experts. Once deemed safe, archaeologists would then determine whether the site contained cultural materials and whether the explosion damaged the site's integrity and National Register eligibility, if applicable. Once the significance of a given site was determined, the USAF would continue consultation by sending their findings to the SHPO for review and comment. Finally, if both parties agreed that the subject resource was adversely affected, then the SHPO and USAF would consult with the appropriate tribe to arrive at mitigation measures.

The SHPO disagreed with the no adverse effect determination, however, as this appeared to be a clear cut case of adverse effects to historic properties in addition to inadequate identification efforts and suggested an agreement document to resolve this issue. The USAF maintained that their original determination was appropriate. No resolution has yet been reached between the SHPO, the USAF and the Advisory Council. This case, in particular, highlights the "Bad" and the "Ugly."

Tristan Tozer: Consultation with Non-Federally Recognized Tribes

Federally recognized tribes have a defined role in the consultation process as identified in 36 CFR Part 800, the implementing regulations for Section 106 (as amended) of the National Historic Preservation Act. Consultation with an Indian tribe must recognize the government-to-government relationship between the Federal Government and Indian tribes, with consultation conducted in a sensitive manner respectful of tribal sovereignty. So where do non-federally recognized tribes fit into the process and what rights do they have?

Non-federally recognized tribes may fall into the categories of "additional consulting parties," stakeholders, or as part of the public. Clearly, non-federally recognized tribes are likely to have knowledge of or attach religious and cultural significance to historic properties in the area of the undertaking, and are able to identify issues relating to the undertaking's potential effects on historic properties.

In Conclusion

Consultation is an integral part of the Section 106 process and is best served by being all-inclusive rather than selective or restrictive. One common thread throughout the presentations in this forum was consultation with tribes. Some of the studies were more successful with their consultation than others.

In each of these case studies, we have federal agencies with varied missions, managing large tracts of land and initiating large-scale undertakings. These missions focus on recreation, energy development, military support or natural values like wilderness. How do federal agencies, each having its own unique, and sometimes conflicting missions, embrace our nation's heritage resources? How does the SHPO instill the values of our cultural heritage into the Section 106 process such that federal agencies don't look at 106 simply as a legalistic process, but recognize and embrace the humanistic aspect? Every federal agency views the laws differently, presenting a challenge for those of us at the Office of Historic Preservation trying to provide consistency in reviews.

The Advisory Council on Historic Preservation Procedures, as codified in 36 CFR Part 800, are written to be flexible, yet provide for reasonable consideration of effects to historic properties. They do not dictate an outcome, only the process for consideration. As these seven stories illustrate, the process is not perfect, but it does work. The results are sometimes good, sometimes bad, and, on rare occasions, ugly. We hope that by telling these stories, there will be less bad and ugly.

See you in Memphis, Tennessee, April 18-22, 2012, for the 77th annual meeting of the Society for American Archaeology!

Interpreting Standard Three—Recognition of Historic Period The Secretary of the Interior's Standards for Rehabilitation **Tim Brandt**

Standard Three

Each property shall 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 architectural elements from other buildings, shall not be undertaken.

A building's historic character is in part determined by its appearance and configuration as it evolved over time and as it has existed throughout the greater part of its history. The period of significance, the site and setting, and how a building was used, all influence and define that character. It is also important to recognize and preserve the various materials, character-defining features, and spaces that give a building its visual character, as well as the impact of its use and building type whether it is commercial, residential, industrial, or agricultural.

Standard Three is based on the physical evidence from the most significant time in a building's history, its setting within an existing context, and the purpose for which the building was built or used over time.

What is Conjecture?

The Funk & Wagnalls Standard College Dictionary entry for conjecture includes the following definitions: verb 1) To conclude or suppose from incomplete evidence; guess; infer, and; noun 1) Inference from incomplete or merely probable evidence, and; 2) A conclusion based on this; a tentative judgment; guess; surmise.

Distinctive historic features from other buildings or in other locations on the same building should not be replicated onto a building without documentary or physical evidence. When there is no record of the historic appearance of a building, a rehabilitation should take into consideration its historic use and any remaining evidence to design a compatible new or replacement feature.

The addition of inappropriate features or detail to a building is not only confusing to the average passerby, but misrepresents the historic record of the property, falsifies its overall historical development, and is contrary to the Secretary of the Interior's Standards for Rehabilitation.

Don't make the building something it never was or add decorative features because the building is simple in design and feature. Don't make it appear older than it is, or apply an architectural style or features that never existed on the building. Don't add never-built portions of the building, even if originally planned but never constructed, or recreate features from earlier or later periods in the building's life.

Time

The historic period of significance of the property may be its construction date or its period of significance (a number of years associated with a specific owner, activity, use, or period of development). The period may best represent either the building's original character, a period in which a later physical record of its appearance is more important than when originally constructed, or even an extended period of time that may include the original construction and subsequent additions.

Renovations to the building, changes in its context, or new uses over time may have altered the appearance of the property and investigation may be needed to fully understand and recognize the building's historic period. Further research may be needed to determine whether the alterations have achieved significance over time and may be as or more important in recognizing the building's development over time than the original construction. "...any changes needed to accommodate a new use should he limited, rather than wholesale, in nature."



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Interpreting Standard Three: Recognition of Historic Period

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Recognize that each historic building is unique and is a product of its environment, designer, construction, and use over time.

Place

Define the building's sense of place or context (site, setting, and location). Determine if the building's original setting remains extant, or if the characteristics of its historic setting and surroundings have changed over time and the building's context no longer reflects its original place and historic period.

If the building is located in an urban setting, surrounding structures should not be demolished to create a park-like atmosphere or if the building is placed within a landscaped setting it should not be surrounded by new dense urban development. Rehabilitation work should respect the site and setting of the building with any new additions located at the rear or a non-visible location on the site.

Add nothing that would substantially alter the character of the building's setting (place).

Use

The original use of the building or important subsequent uses that helped to define the character of the building should be respected during the rehabilitation of a property. These uses are likely to have shaped

the materials and features used in its construction

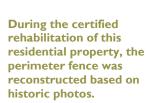
Typically, one of the most altered features of a building are its storefronts. Although the Rehabilitation Standards allow existing storefronts to remain, once a decision is made to remove a non-original storefront, its replacement must be consistent with the character of the building (and the Standards). Flexibility is allowed under the Standards for the new storefront design (historically based or compatible modern design), but the reuse or adaptive reuse of the space cannot dictate work be done that is not compatible with the character of the building or the Stand-

Since the ground floor historic commercial character and design are almost always different than the rest of the building, the installation of smaller openings similar to windows above the first floor or residential scale or type openings within large storefront openings would be inappropriate treatments. Conversely, the installation of large openings for the conversion of a utilitarian industrial type building with little or no openings into a new retail store with expansive glass storefronts would also not be an appropriate treatment.

Features and Architectural Elements

Build upon Standard 2 to retain the building's historic character. Character-defining features may include the overall shape and form of the building, its materials, craftsmanship, decorative details, interior spaces and features, and its location and setting.

Respect the architectural style of the building, whatever its type. Avoid design changes





Interpreting Standard Three: Recognition of Historic Period

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such as "making the style even more Art Deco," installing a Spanish Colonial Revival stucco facade on a wood sided single family residence, "Westernizing" a street facing facade with a false upper front to conceal the roofline behind, installing wood sidewalks and second floor porches to glorify the Old West (most times it comes off looking like an old Miller's Outpost store), or adding the ever popular Tuscan design features of cast stone surrounds at window and door openings, utilizing an earthy Italian color palette, sprinkling crushed gravel around the grounds and planting a few olive trees. These design elements are best suited to a new housing development or should remain in the Old Country.

- Avoid the over-improvement of a property, especially if a building is utilitarian or vernacular in style. Conjectural changes, such as adding architectural features not appropriate for the building's period of significance, adding out of scale decorative or functional elements such as cornice work or downspouts, or adding other features not consistent with the building's character or integrity, such as a bay window or stained glass windows should be avoided.
- Avoid installation of decorative perimeter fencing if it never existing around the building or was never a character defining feature of the district or neighborhood.
- Avoid landscape features not applicable to the history of the property.

Conclusion

The application and interpretation of Standard 3 for California tax credit rehabilitation projects have involved projects with physical features existing from multiple periods of significance, when there was a desire to remove a later period alteration that has achieved significance and replace it with a design based on an earlier time period, and when a new rehabilitation comingled features from two periods of significance into a new appearance that the building never had in its history.

For most of these projects, a successful resolution was reached through early consultation. However, one of these projects was completed without prior approval and deemed not consistent with the Standards. Because the owners did not want to do additional work to bring the overall project into conformance with the Standards, the project did not qualify for the 20% tax credit.

Remember that repair over replacement should always be emphasized for qualified historic properties and that any changes needed to accommodate a new use should be limited, rather than wholesale, in nature.

- Look at what history has delivered and be respectful of that history when undertaking rehabilitation.
- Recognize the building's history with its continuum of growth and change.
- Preserve the building's historic character while making possible an efficient, contemporary, and sustainable use.

Notes

This article is third in a series on the Standards as interpreted by the Architectural Review staff of the California Office of Historic Preservation. Stay tuned for a discussion of Standard, Four on acquired significance as we continue our "building block" analysis of the Standards for Rehabilitation.

Also see the following National Park Service's "Interpreting The Secretary of the Interior's Standards for Rehabilitation" bulletins available through the OHP website:

- NPS ITS Number 34: Completing Never-Built Portions of a Historic Building
- NPS ITS Number 48: Replacement of Missing or Altered Storefronts
- NPS ITS Number 56: Alterations without Historical Basis

Architectural Review Staff Contacts:

Tim Brandt, AIA
Sr. Restoration
Architect
(916) 445-7049
tbrandt@parks.ca.gov

Mark Huck, AIA Restoration Architect (916) 445-7011 mhuck@parks.ca.gov

Registration: Digital Photos for National Register Nominations

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Historic Photos

All nomination photos submitted should be modern, recently taken photos. **Do not mix historic photos with nomination photos**. If desired, you can include historic photos separately, beginning with a figure log listing each historic photo, map, drawing or other

figure. Historic photos do not need to be printed on photo paper.

Non-Digital Photos

NPS still accepts 35mm photo prints, marked and labeled as outlined in Bulletin 16A, but recommends submitting a figure log rather than recording all information on the back of the photos, as the photos will be scanned by NPS. Black and white 35mm photo prints are still preferred, but color is acceptable.

California Programs

Photos accompanying nominations to the California Register of Historical Resources, California Historical Landmarks or California Points of Historical Interest programs should follow the same guidelines regarding minimum resolution and file format as National Register nomination photos. Do not use NPS forms for California submissions; print them on DPR 523L continuation sheets if inserting into a nomination document, on inkjet paper intended for photo prints. Photo prints may also be submitted on plain (not a DPR form) photo paper

accompanying a nomination. In either case, the photo should be labeled with property name, county, and photo number, and accompanied by a photo log, as mentioned above. Record the photo log on a DPR

523I Photographic Record form or a continuation sheet.

A CD-R containing digital images of each submitted photo must accompany nominations for California programs, using the same file and image standards as National Register photos.

As NPS progresses towards an all-electronic submission format for National Register nominations, the information in this article is subject

to change and revision. By ensuring the correct standards are followed, you can avoid delays and shorten the review process before hearing and eventual listing. If you have questions regarding the most recent photo standards, please contact the staff of the Office of Historic Preservation's Registration Unit for clarification, either by phone or email. Our aim is to facilitate your nomination via guidance and technical support, and your questions are always welcome.

Found Eligible for Listing on the National Register of Historic Places

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Seven Springs Ranch/Radford Ranch Cupertino, Santa Clara County Found Eligible January 7, 2011



This ranch is located within the city of Cupertino. Originally settled by John C. Bubb in 1866, the Seven Springs Ranch was subsequently owned by architect William A. Radford and Grant Stauffer. In addition to its role as a ranch, several components of the ranch are architecturally significant as examples of early to

JOHN LAIRD SECRETARY FOR NATURAL RESOURCES

RUTH COLEMAN, DIRECTOR, CALIFORNIA STATE PARKS

MILFORD WAYNE DONALDSON, FAIA, STATE HISTORIC PRESERVATION OFFICER

DIANE THOMPSON, EDITOR

State Historical Resources Commission

Bryan K. Brandes, Chairperson Rick Moss, Vice-Chairperson Alberto Bertoli Donn Grenda, Ph.D Fernando Guerra, Ph.D Julianne Polanco David Phoenix Richard Shek



Preservation Matters is the quarterly newsletter of the California Office of Historic Preservation, California State Parks. If you have questions or comments about this newsletter, email preservationmatters@parks.ca.gov.

This publication is available in alternate format upon request.



The mission of the **Office of Historic Preservation** and the **State Historical Resources Commission** is to provide leadership and promote the preservation of California's irreplaceable and diverse cultural heritage.

Upcoming Events in Historic Preservation

The lineup for Oakland Heritage's Alliance 31st Annual Walking Tours is, as usual, exciting and inviting. Here's a sampling: on Saturday, August 13, 2011, Ben Glickstein will lead A Landscape of Stories: 6 Acres of Discovery at Peralta Hacienda; on Saturday, August 27, Annalee Allen will lead an Oakland Women's History Walk, and on Sunday, August 21, Don Holmgren will lead a tour on Oakland's Cable Railways. For more information, go to http://www.oaklandheritage.org/Tour

California Preservation Foundation, in partnership with the City of San Francisco and San Francisco Heritage, will present a workshop on Understanding Design Guidelines on Thursday, August 18, 2011 in San Francisco. Design guidelines are written instructions on the care of historic resources which can facilitate the design review process by helping applicants and staff identify and devise solutions for design issues early in the application process. Speakers at the daylong workshop include Tim Brandt, Mark Huck, and Cindy Woodward of OHP, and other experts. For more information and to enroll, go to http://www.californiapreservation..org/

San Francisco Heritage is proud to present its 2011 lecture series exploring the history and future of preservation in San Francisco. Monthly lectures are held on Thursdays, July through November, starting at 6:00 pm. This year's series starts with JC Miller on "Cultural Landscapes" on August 18, George Oates on "Digital Archiving" on September 15, Chris VerPlanck on "Heritage Retrospective" on October 13, and ends on November 17 with Alan Hess's lecture on "San Francisco Modernism." For more information, go to http://www.sfheritage.org/upcoming_events/

California Preservation Foundation is also sponsoring two workshops on the Mills Act. The first, on Tuesday, August 30, 2011, will be held in Yorba Linda in partnership with the City of Yorba Linda. The second, on Thursday, September 29, 2011, will take place in Hollister in partnership with the Hollister Downtown Association. For more information and to register, go to http://www.californiapreservation.org/

Join The Cultural Landscape Foundation in San Francisco for What's Out There Weekend on September 17 and 18, 2011. Come celebrate San Francisco's legacy of great landscape architecture with free expert guided tours of 25 different landscapes. To learn more or reserve a place on a tour, see http://tclf.org/event/wowr-san-francisco

LA Conservancy is proud to partner with the **John Lautner Foundation** to celebrate the legacy of master architect Lautner, who would have turned 100 on July 16, 2011. One such event is a **Lautner Preservation Symposium** on **Sunday, October 9, 2011**. For more information on these events, see the John Lautner Foundation event calendar.

Pasadena Heritage will be celebrating the 20th anniversary of its **Craftsman Weekend**, taking place this year on **October 14-16, 2011**. To secure tickets by mail, order them by Friday, October 7. For more information and to secure tickets online, go to http://www.pasadenaheritage.org

The Society for California Archaeology invites you to attend a class on Rock Art Photography at the Kumeyaay Ipai Interpretive Center on October 15, 2011 taught by James G. Respess, Ph.D, member of the American Rock Art Research Association and the San Diego Rock Art association. For more information and to register, call Dan Cannon at (858) 922-8043.

The regular quarterly meeting of the **State Historical Resources Commission** will be held in **Redlands on Friday, October 28, 2011**. For more information, check information posted on the OHP website at http://www.ohp.parks.ca.gov or contact the Registration Unit.