Chapter 10
Introduction to the Final EIR

10.1 CEQA Requirements

Before a project is approved, the California Environmental Quality Act (CEQA) requires the lead agency to prepare and certify a Final Environmental Impact Report (final EIR). The contents of a final EIR are specified in Section 15132 of the CEQA Guidelines, which state that the final EIR shall consist of:

(a) The draft EIR or a revision of the draft EIR.

(b) Comments and recommendations received on the draft EIR.

(c) A list of persons, organizations, and public agencies commenting on the draft EIR.

(d) The responses of the lead agency to significant environmental points raised in the review and consultation process.

(e) Any other information added by the lead agency.

The lead agency (the City of Huntington Beach) must also provide each public agency that commented on the draft EIR with a copy of the City's responses to the agency's comments at least ten days prior to certifying the final EIR.

10.2 Public Review Process

The draft EIR for the Warner-Nichols project was circulated for review and comment by the public, organizations, and agencies for a 45-day public review period that began on October 4, 2012, and ended on November 19, 2012.

10.3 Contents and Organization of the Final EIR

The final EIR is composed of three volumes, as follows:

- **Draft EIR,** including the Executive Summary and Chapters 1 through 9. These chapters describe the existing environmental conditions on the project site and in the vicinity of the project site, and analyze potential impacts on those conditions due to the proposed project. They identify mitigation measures that could avoid or reduce the magnitude of significant impacts. The draft EIR analyzes the cumulative impacts that would be caused by the project in combination with other future projects or growth that could occur in the region, and analyzes growth-inducing impacts. The draft EIR also provides a full evaluation of the alternatives to the proposed project that could eliminate, reduce, or avoid significant project-related impacts. Text revisions to the draft EIR since it was made available for review, including correction of minor errors, clarifications, and changes made in response to comments received during the public review period, are included in Section 10.5, Errata.
- **Final EIR**, including Chapter 10 (this chapter), and Chapter 11. These chapters contain an explanation of the format and content of the final EIR; all changes made to the draft EIR; a

complete list of all persons, organizations, and public agencies that commented on the draft EIR; copies of comment letters received by the City of Huntington Beach on the proposed project; and the lead agency's responses to these comments.

The following appendices have been added as part of the final EIR:

- **Appendix F:** Notice of Completion and Notice of Availability of the Draft EIR
- **Appendix G:** Cost Estimate for Onsite Restoration

10.4 Use of the Final EIR

Pursuant to Sections 15088(a) and 15088(b) of the CEQA Guidelines, the lead agency must evaluate comments on environmental issues received from persons who reviewed the draft EIR and provide written responses. The final EIR (including the responses to comments and revisions to the draft EIR) provides the decision-makers for the City of Huntington Beach within information they need in deciding whether to approve the proposed project.

After reviewing the final EIR, and before approving the project, the lead agency must make the following three certifications as required by Section 15090 of the CEQA guidelines:

- That the final EIR has been completed in compliance with CEQA.
- That the final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project.
- That the final EIR reflects the lead agency's independent judgment and analysis.

Pursuant to Section 15091(a) of the CEQA Guidelines, if an EIR that has been certified for the project identifies one or more significant environmental effects, the lead agency must adopt "Findings of Fact." For each significant impact, the lead agency must make one of the following findings:

- Changes or alternations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- Such changes or alternations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, pursuant to Section 15091(d) of the CEQA Guidelines, the agency must adopt, in conjunction with the findings, a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures. This program is referred to as the Mitigation Monitoring and Reporting Program.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a lead agency approves a project that would result in significant, unavoidable impacts that are disclosed in the final EIR, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations is supported by substantial information in the record, which includes this

final EIR. Since the project could result in two significant and unavoidable impacts, the City of Huntington Beach would be required to adopt a Statement of Overriding Considerations if it approves the proposed project.

The certifications, Findings of Fact, and the Statement of Overriding Considerations are included in a separate Findings document. The final EIR will be considered, and, in conjunction with making Findings, the City of Huntington Beach may decide whether or how to approve the proposed project.

10.5 Errata to Draft EIR

The following revisions to the draft EIR have been made since it was made available for review, including correction of minor errors, clarifications, and changes made in response to comments received during the public review period. Added text is indicated by underlined text (underlined) and removed text is indicated by strike-out text (~~strike-out~~).

10.5.1 Errata to the Executive Summary

Table ES-1, pages ES-6 and ES-7, mitigation column, is revised as follows:

Mitigation Measures
Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2. Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

Table ES-1, page ES-8, mitigation column, is revised to include a precautionary measure from the Initial Study Environmental Checklist Form (August 29, 2011) to ensure protection of the existing mature trees on the site, as follows:

Impact	Level of Significance before Mitigation	Mitigation Measures	Level of Significance after Mitigation
Initial Study VII (e): Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance	Less than significant	**Precautionary Mitigation Measure BIO-1:** Prior to issuance of a demolition permit the applicant shall provide a consulting arborist report on all the existing trees. Said report shall quantify, identify, size, and analyze the health of the existing trees. The report shall also recommend how the existing trees shall be protected and how far demolition shall be kept from the trunk.	Less than Significant

10.5.2 Errata to Chapter 2, Project Description

Figure 2-1 is revised to more accurately identify the location of the proposed project. (See Revised Figure 2-1 at the end of this chapter.)

Figure 2-2a is included to provide an updated aerial. (See Figure 2-2a at the end of this chapter.)

Pages 2-1 and 2-2 are revised as follows:

The existing structures on the project site are described below and shown on Figures 2-2 through 2-4:

- **Church #1.** This ~~structure~~ building was constructed in ~~1911~~1910, measures approximately 50 feet north-south by 20 feet east-west, and is approximately 922 square feet in size. It is located in the northwest corner of the project site behind Church #2 adjacent to the Pastor's House. ~~This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant importance to the local community.~~ Church #1 appears eligible for individual listing in the National Register of Historic Places and the California Register for its association with patterns of settlement in Orange County, including the Japanese-American community, under Criterion A and 1, respectively, at the local level of significance.
- **Pastor's House.** This ~~structure~~ dwelling was constructed in ~~1911~~ 1910 and is connected to Church #1 by a breeze-way. It measures approximately 21 feet east-west by 23 feet north-south, is approximately 461 square feet in size, and is located in the northwest corner of the project site along Nichols Street. This building is legal non-conforming because it is setback 3-feet from the ultimate Nichols Street right-of-way, instead of the required 10-foot setback. ~~This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant historical importance to the local community.~~ The Pastor's House appears eligible for individual listing in the National Register of Historic Places and the California Register for its association with patterns of settlement in Orange County, including the Japanese-American community, under Criterion A and 1, respectively, at the local level of significance.
- **Church #2.** This ~~structure~~ building was ~~built~~ erected in 1934, measures approximately 30 feet north-south by 82 feet east-west, and is approximately 2,552 square feet in size. It is located in the northeast corner of the project site at the corner of Warner Avenue and Nichols Street, fronting Warner Avenue. Church #2 is legal non-conforming because it lies within the ultimate right-of-way for Warner Avenue. ~~This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant historical importance to the local community.~~ Church #2 appears eligible for individual listing in the National Register of Historic Places and the California Register for its association with patterns of settlement in Orange County, including the Japanese-American community, under Criterion A and 1, respectively, at the local level of significance.
- **Furuta House #1.** This ~~structure~~ dwelling was constructed in ~~1914~~1912, measures approximately 27.5 feet east-west by 46.5 feet north-south, and is approximately 900 square feet in size. It is located in the north-central portion of the project site along Warner Avenue. ~~This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant historical importance to the local community.~~ Furuta House #1 appears eligible for individual listing in the National Register of Historic Places and the California Register for its association with patterns of settlement in Orange County, including the Japanese-American community, under Criterion A and 1, respectively, at the local level of significance.

- **The Barn.** This structure was constructed ~~in 1914~~circa 1912. It is located approximately 40 feet southeast of Furuta House #2 and measures approximately 1,524 square feet in size.
- **Furuta House #2**. This residence was constructed in 1947 and is approximately 1,875 square feet. It is located in the southeast corner of the project site along Nichols Street at Belsito Drive.

Page 2-3 is revised as follows:

In 1947, a new residence was developed onsite (Furuta House #2), which also housed the Furuta family. The project site was also developed with two groundwater wells, which were used to serve the onsite residential and agricultural activities. The Furuta family also raised goldfish and water lilies on the site in ponds that were developed for this use.

The Japanese Presbyterian Church was in use until ~~1966~~1965, when the Japanese congregation moved to Santa Ana, California. In 1968 the church buildings were leased to the Church of God Sabbatarian and subsequently the Rainbow Christian Fellowship. The buildings were last used by a Hispanic congregation until 1997. The buildings have since been vacant and have been vandalized, and then boarded up.

In 2002, an application to develop 53 residential condominiums on the subject site was submitted to the City. The application was withdrawn in 2003 due to controversy regarding proximity to existing incompatible industrial uses to the west.

In 2004, Rainbow Environmental (Rainbow) purchased the project site, which contained the existing structures and agricultural uses. Since that time, Rainbow has maintained the agricultural operations and grows trees and various plants on a non-commercial basis for donation to the community.

Because the existing buildings on the project site have been ~~siting~~ sitting vacant and no regular activity occurs on the project site, the six buildings have been repeatedly vandalized, utilized by vagrants, homeless people, and gangs. In response and pursuant to City police and fire department recommendations, the site is completely fenced and all of the buildings have been boarded up. However, the site's condition continues to be a concern. The most recent trespassing events occurred on August 26, 2011, and resulted in additional destructive activity. The history of law enforcement calls to the project site is provided in Table 2-1. As shown, activity on site resulted in three calls for police services in 2011, and a total of 71 calls for service since 1996.

10.5.3 Errata to Section 3.1, Cultural Resources

Page 3.1-3 is revised as follows:

During World War II, Japanese-Americans in California were ~~rounded up and~~ sent to internment camps throughout the western United States. Many lost their properties, although a few were watched over by sympathetic neighbors. The Wintersburg Japanese Presbyterian Church escaped confiscation because, by church law, it belonged to the local Presbytery rather than to the congregation.

Page 3.1-4 is revised as follows:

In 1930, the church prepared *A Brief Report of the Presbyterian Mission of Wintersburg* in honor of its 20th anniversary as a mission. The report stated that it was "one of the oldest Japanese ~~Presbyterian~~ churches in Southern California" (Japanese Presbyterian Church of Wintersburg 1930). It noted that the mission's property consisted of a 150 foot by 50 foot corner lot of a church member's goldfish farm (Mr. Charles Furuta's property and business). Of the property's

importance, Reverend K. Kikuchi wrote in 1930, "Our mission was for a long time the leading center of the Japanese community" (Japanese Presbyterian Church of Wintersburg 1930).

Pages 3.1-17 and 3.1-18 are revised as follows:

Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 . Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

Table 3.1-1, page 3.1-22 is revised to include an additional row at the bottom, as follows:

City Goal, Policy, Objective	Consistency Analysis
HCR 3.2.1 – Preserve and reuse historically significant structures, where feasible.	**Not Consistent.** The proposed project would remove buildings that have been identified as historic resources rather than preserve and reuse them, which is not consistent with General Plan Policy HCR 3.2.1.

10.5.4 Errata to Section 5.5.3, Alternative 3 – Historic Resources Renovation Alternative

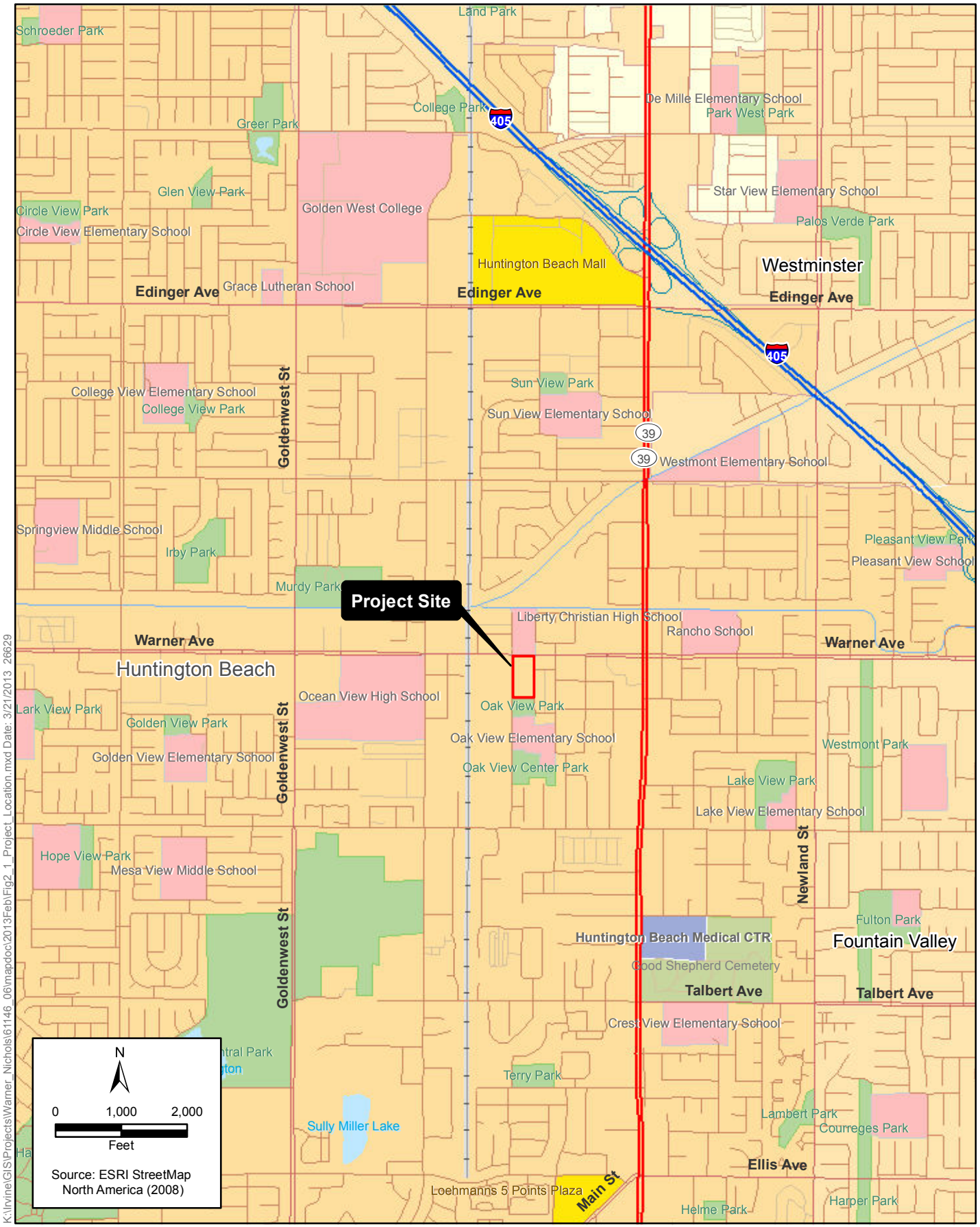
Pages 5.8 and 5.9 are revised as follows:

Cost. The restoration and preservation of the four buildings would be a time consuming and expensive process. A feasibility and cost study was prepared in May 2012 and updated in April 2013 by Thirtieth Street Architects, Inc. that estimated a cost of ~~$2.65~~ $2.44 million, which does not include costs of ongoing maintenance to the restored buildings.

A recent search and evaluation of 21 small rental commercial spaces along arterial roadways within Huntington Beach (provided in Table 5-1) identified lease costs that average $26.67 per square foot per year. The project's four historic buildings total approximately 4,835 square feet, which based on the existing average cost per square foot, may generate approximately $128,949 in annual lease revenue ($10,746 monthly). At this rate, it would take ~~20~~19 years of lease payments to pay off the cost of this alternative, not including the cost of building and site maintenance. Also, as described above, the configuration of the property would make finding a tenant difficult. This would likely result in a lower-than-average lease price in order to be competitive with other commercial property, most of which was purpose-built for commercial uses. This would result in an even longer payback rate. With the constraints on the sites usability for commercial or industrial purposes, it is possible no tenant could be found, leading to an unoccupied status, with similar impacts related to trespassing and vandalism as under the current condition.

Page 5.10 is revised as follows:

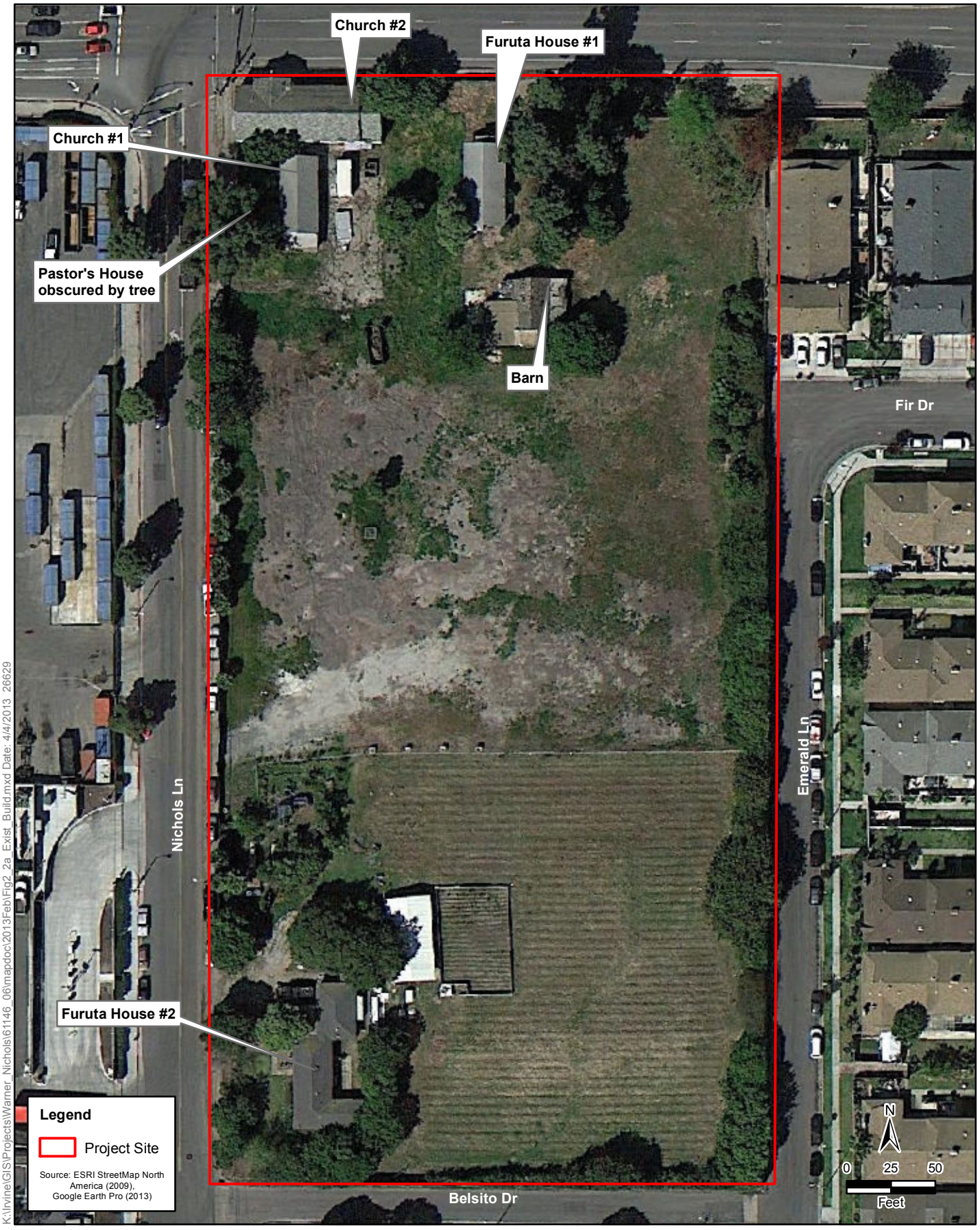
However, as described previously in Section 5.5.3, several feasibility constraints related to the Historic Resources Renovation Alternative have been identified. The small size and internal configurations of the four buildings (such as containing 5 rooms within a 900-square-foot building) would constrain commercial activities, and it would be difficult to find tenants to lease them. Additionally, the restoration and preservation of the four buildings would be a time-consuming and expensive process that is estimated to take ~~20~~19 years of lease payments to pay for, which does not include the cost of building and site maintenance.



K:\Irvine\GIS\Projects\Warner_Nichols\61146_06\mapdoc\2013Feb\Fig2_1_Project_Location.mxd Date: 3/21/2013 26629

ICF INTERNATIONAL

Revised Figure 2-1
Project Location
Warner-Nichols Project



K:\Irvine\GIS\Projects\Warner_Nichols\61146_06\mapdoc\2013Feb\Fig2_2a_Exist_Build.mxd Date: 4/4/2013 26629

ICF INTERNATIONAL

Figure 2-2a
Existing Buildings - 2013
Warner-Nichols Project

Chapter 11
Responses to Comments

11.1 Introduction

Section 15132 of the CEQA Guidelines states that a Final EIR shall consist of: "(a) the Draft EIR or a revisions of the draft; (b) comments and recommendations received on the Draft EIR either verbatim or in summary; (c) a list of persons, organizations, and public agencies commenting on the Draft EIR; and (d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process."

The Draft EIR was made available for a 45-day public review period from October 4 to November 19, 2012. This chapter of the Final EIR presents the 17 comment letters received during the public comment period for the Draft EIR from public agencies, organizations, and private individuals. A list of commenters is provided below in Table 11-1, Summary of Comment Letters. Each commenter was assigned a letter (A through Q). Each comment within the letters was then assigned a number. For example, the first comment in Letter A is A-1, and the fourth comment in letter B is Comment B-4. The responses to each comment can be found in the pages that follow the comment letter.

11.2 Responses and Comments

This section includes the 17 comment letters received on the Draft EIR and the City's responses. The presentation of the comments and responses follow Table 11-1.

Table 11-1. Summary of Comment Letters

Comment Letter	Commenter Name/Address
A	Native American Heritage Commission Dave Singleton 915 Capitol Mall, Room 264 Sacramento, CA 95814
B	California Preservation Foundation Jennifer M. Gates, AICP 53rd Street, Suite 424 San Francisco, CA 94103-3205
C	Richardson Gray 415 Townsquare Lane, # 208 Huntington Beach, CA 92648
D	Huntington Beach Tomorrow Karen Jackle PO Box 865 Huntington Beach, CA 92648
E	Barbara Haynes 19341 Worchester Ln Huntington Beach, CA 92646

Comment Letter	Commenter Name/Address
F	Office of Historic Preservation, Department of Parks and Recreation Carol Roland-Nawi, PhD 1725 23rd Street, Suite 100 Sacramento, CA 95816
G	Chinese Historical Society of Southern California Susan Dickson, CHSSC President 411 Bernard Street Los Angeles, CA 90012
H	Preserving California's Japantowns Donna Graves, Director
I	Historic Resources Board of Huntington Beach Barbara Haynes, Chair
J	Draconis Design Michael Bloom, et al 7711 Duquesne Place Westminster, CA 92683
K	Norman Furuta PO Box 31879 San Francisco, CA 94131
L	Professor Emeritus of History and Asian American Studies California State University, Fullerton Arthur Hansen
M	Huntington Beach Environmental Board Michael Marshall
N	Robert Rusky 159 Beaver Street San Francisco, CA 94114
O	Mary Adams Urashima 19432 Pompano Lane, #110 Huntington Beach, CA 92648
P	Farzane Farazdaghi
Q	State of California Governor's Office of Planning and Research Scott Morgan 1400 10th Street Sacramento, CA 95812

Comment Letter A

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
OCT 15 2012
Dept. of Planning & Building

October 8, 2012

Mr. Ricky Ramos, Senior Planner
City of Huntington Beach
2000 Main Street; P.O. Box 190
Huntington Beach, CA 92648

Re: SCH#2011081099; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for the **"Warner-Nichols Project;"** located in the City of Huntington Beach; Orange County, California

Dear Mr. Ramos:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that lead agencies conduct a Sacred Lands File search of the proposed 'area of potential effect' (APE) as part of their due diligence. .

A-1

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

A-1 Cont.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

A-2

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

A-3

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

2

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a). A-3 Cont.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Orange County
October 8, 2012

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3094 Mace Avenue, Apt. B Gabrielino
Costa Mesa, , CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675 m
chiefdavidbelardes@yahoo.
(949) 493-4933 - home
(949) 293-8522

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva
,
tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-761-6417- fax

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081099; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Warner-Nichols Project; located in the City of Huntington Beach; Huntington Beach, Orange County, California.

Native American Contacts
Orange County
October 8, 2012

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim , CA 92807
neta777@sbcglobal.net
(714) 779-8832

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
lcandelaria1@gabrielinoTribe.org
626-676-1184- cell
(310) 587-0170 - FAX

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina , CA 91723
(626) 926-4131
gabrielenoindians@yahoo.com

Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011081099; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Warner-Nichols Project; located in the City of Huntington Beach; Huntington Beach, Orange County, California.

Comment Letter A

Native American Heritage Commission
Dave Singleton
915 Capitol Mall, Room 26
Sacramento, CA 95814

Comment A-1

The Native American Heritage Commission (NAHC) responded to the CEQA Notice of Completion of the Draft EIR with a standard NAHC letter that outlines the NAHC's responsibilities and their approach to Environmental Documents, consultation, and mitigation.

A Sacred Lands File search for the project was completed in 2007; this search was negative. A list of eight Native American tribes was provided by the NAHC at that time. These eight Native American groups and individuals were contacted on April 20, 2007, and their interest and input requested. No replies to these letters were received.

The City contacted Native American groups regarding SB 18 Tribal Consultation on two occasions, the first on February 4, 2009, and the second on September 29, 2011. The first contact included 5 Native American groups, including 2 Tongva, and the second outreach effort was made to 16 groups and individuals, including 7 Tongva. No written responses were received by the City. One telephone call was received during the EIR comment period, which was returned by the City, but the tribal leader did not respond to the telephone contact.

No Native American resources are known to be present in the project area. No changes to the Draft EIR are required as a result of this comment.

Comment A-2

This comment states that the project falls under federal regulations, including the National Environmental Policy Act (NEPA), and Section 106 and Section 4(f) of the National Historic Preservation Act (NHPA). The comment also cites Secretary of the Interior standards.

The project does not require any discretionary actions by federal agencies. Therefore, the project is not subject to the federal regulations pertaining to federal agency decisions. NEPA, Section 106, Section 4(f), and Secretary of the Interior standards do not apply to this project.

Nonetheless, historic context and cultural landscape were considered in the Draft EIR, consistent with the requirements of CEQA. There are no Native American properties in the project area. The confidentiality of significant Native American properties near the project area has been maintained. No changes to the Draft EIR are required as a result of this comment.

Comment A-3

This comment cites the Public Resources Code and CEQA guidelines regarding discovery of human remains and consultation with consultation with Native Americans.

The Draft EIR specified that, should human remains be uncovered, they will be treated as required by law, specifically following State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. There are no burial sites on the project site. No ground disturbance is proposed for the project; therefore, no impacts on burials are anticipated.

Tribal consultation is discussed in the response to Comment A-1. No changes to the Draft EIR are required as a result of this comment.

Comment Letter B

November 12, 2012

Ricky Ramos, Senior Planner
City of Huntington Beach
Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

5 3RD STREET, SUITE 424
SAN FRANCISCO, CALIFORNIA
94103-3205

415.495.0349 PHONE
415.495.0265 FAX

CPF@CALIFORNIAPRESERVATION.ORG
WWW.CALIFORNIAPRESERVATION.ORG

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR WARNER-NICHOLS PROJECT, GENERAL PLAN AMENDMENT NO. 05-001, ZONING MAP AMENDMENT NO. 05-001; DEMOLITION OR REMOVAL OF EXISTING STRUCTURES AT 7622-7642 WARNER AVE (SCH# 2011081099)

Dear Mr. Ramos,

B-1

On behalf of California Preservation Foundation (CPF), thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Warner- Nichols Project. While the DEIR correctly identifies the loss of these resources as a significant adverse impact, CPF finds that the DEIR includes inadequate mitigation measures, project objectives that are subjective and narrow in scope, and fails to demonstrate infeasibility of the environmentally superior alternative.

California Preservation Foundation's Interest

CPF is the only statewide nonprofit organization dedicated to the preservation of California's diverse cultural and architectural heritage. Established in 1977, CPF works with its extensive network of 1,500 members to provide statewide leadership, advocacy and education to ensure the protection of California's diverse cultural heritage and historic places.

We are writing to express our concern over the proposed demolition of the buildings related to the Wintersburg Japanese Presbyterian Mission and Furuta family. On July 12, 2012, CPF submitted letters on the proposed project to the City Council and staff.

B-2

Historic Significance of Wintersburg

Wintersburg is a Japanese community founded in the early 1900s is considered eligible for the National and California Register for its significance with Japanese American history and specifically with its association with the lives of Masuda Family and other nationally and locally important Japanese Americans. This site is rare in that the buildings at the Furuta home site and Wintersburg Japanese Presbyterian Mission and Church remain extant on the site inclusive of six historic structures that make up an eligible National Register Historic District as noted in the 2002 Historic Resources Technical Report. The buildings include the Furuta House #1 and barn, Furuta House #2, Church #1 and #2, and the Pastor's House. The site is significant for the history of agriculture and development in Orange County. The DEIR recognizes four of the six resources as individually eligible, but fails to analyze the resources as contributors to a potentially eligible district as noted in the Technical Report

B-2 Cont.

from 2002 and should be amended to include the potential impact to the National Register eligible district.

B-3

Inadequate Mitigation Measures Proposed

The DEIR acknowledges that the impacts to historic resources cannot be mitigated to a less-than-significant level, but the mitigation proposed to reduce the impacts, namely Level III Historic American Building Survey documentation is both unimaginative and inadequate. Level III documentation is the lowest level and least comprehensive comprising of images and rough sketches. The proposed demolition of the entire Wintersburg Village site, removes an important rare piece of Japanese American history in Orange County, California and the United States. For this level of impact, more significant and meaningful mitigation should be required.

B-4

Inadequacy of the Historic Preservation Alternatives

Public agencies must "deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects." (Sierra Club v. Gilroy City Council (1990) 222 Cal.App.3d 40, 41; see also Public Resources Code § 21002, 21002.1) In the DEIR two additional alternatives and the No Project Alternative were analyzed. Both of these alternatives would decrease the impact to the cultural resource. These alternatives however only identified four historic resources while there are six historic resources that contribute to a National Register Eligible District. The Alternatives should be amended to include all of the contributors to the District.

B-5

Project Objectives Are Too Narrow

Project objectives are intended to be broad so that a range of alternatives can analyzed in the Draft EIR "that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects." (CEQA Guideline § 15126.6(c)) The project includes two objectives that could be accomplished on this site while retaining the historic resources while the third is too specific. It specifically states, "**removing the existing buildings** to eliminate public safety concerns and unsightly conditions". The project objectives require demolition, but that is not the only way to address the public safety concerns. Objectives should not be so narrow that only the project as proposed can meet the objectives. Alternative 2 Historic Resource Renovation Alternative, as amended, would meet all of the basic project objectives of being compatible with the surrounding land uses, provide a buffer between the residential and industrial uses as well as eliminates public safety concerns. Additional objectives should also be explored that retain the historic resources as well as meet all of the basic project objectives including eliminating safety concerns without demolition or full restoration.

B-6

Fails to Demonstrate Infeasibility of Alternative 3

While the DEIR correctly identifies Alternative 3 as the environmentally superior alternative to the proposed project, it fails to demonstrate and provide evidence as to why the alternative is not feasible. Two main reasons listed:

1. Size and Configuration of Buildings "This room arrangement and the size of the building would limit the future uses for commercial purposes, and tenants would be difficult to find, especially in the current competive market."
2. Cost "The restoration and preservation of the four buildings would be a time consuming and expensive process."

While the DEIR made inferences and statements as to the inadequacy of the space and high costs, no studies were provided with the DEIR. Findings supporting an alternative's feasibility or infeasibility

B-6 Cont.

must be supported by substantial evidence (§21081.5) and must be disclosed. *San Bernardino Valley Audubon Society v. County of San Bernardino* (1984) 155 Cal.App.3d 738. Costs should also be considered in conjunction with any future uses or changes to determine infeasibility.

The Whole Project

At this time there are no physical developments proposed "nor foreseeable" according to the DEIR prepared. However, the DEIR project description must include future activities that may become part of the project, such as the full potential development of the site as permitted by the zoning designations. *Laurel Heights Improvement Association v. UC Regents* (*Laurel Heights I*) (1988) 47 Cal.3d 376, *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438. The proposed general plan and zoning amendments alone do not require the demolition of these historic resources, nor is there an imminent threat to these resources.

B-7

CPF recommends that the buildings at a minimum be protected in place until a physical project is proposed. At that time, a new DEIR can be completed for the "whole action", not just a part of the project, to determine appropriate alternatives. This will create a more thorough analysis of all the potential impacts so the public and the final approval body have a better understanding of any project that is proposed here and how to best mitigate any impacts not just the cultural but the aesthetic and visual impacts of industrial uses next to a school and in a neighborhood. There are helpful guides online on how to appropriately mothball historic properties as well as how to deter vandals and transients. Enclosing the site with an opaque covering on the fence only encourages vandalism because they are hidden from the public view.

Thank you for this opportunity to comment. Please feel free to contact me at (415) 495-0349 if you have any questions or concerns.

Sincerely,

Jennifer M. Gates, AICP
Field Services Director

cc: Carol Roland-Nawi, State Historic Preservation Officer
Brian Turner, National Trust for Historic Preservation

Comment Letter B

California Preservation Foundation
Jennifer M. Gates, AICP
53rd Street, Suite 424
San Francisco, CA 94103-3205

Comment B-1

This comment is a general introduction of the California Preservation Foundation and its dedication to the preservation of California's diverse cultural and architectural heritage. The comment does not address the adequacy of a specific element of the Draft EIR. No changes to the Draft EIR are required as a result of this comment.

Comment B-2

This comment states that the 2002 Historic Resources Technical Report found "six historic structures that make up an eligible National Register Historic District." These buildings consist of "the Furuta House #1 and barn, Furuta House #2, Church #1 and #2, and the Pastor's House." The commenter further states that although four of six resources are identified as individually eligible in the Draft EIR, the report fails to analyze the resources as contributors to a potentially eligible district. It concludes that the Draft EIR should be amended to include potential impacts on a National Register–eligible district.

As relates to the 2002 report, there is an inconsistency between the findings in the technical report and the individual California Department of Parks and Recreation (DPR) records prepared for the properties. The DPR record for the Pastor's House, the original church, and the newer church found the three of them to be contributors to a potential National Register district. The DPR record for the Furuta House #1 and associated barn concluded that this property is individually eligible for the National Register. However, in contrast with the DPR records, the 2002 report concluded in its summary of significance (page 10), "National Register Evaluation code: 3D (Each building is potentially eligible for listing in the National Register as a contributor to a historic district)."

Regardless of the inconsistency between the 2002 DPR records and the 2002 report, the Draft EIR did not identify the existence of a historic district because there are only two parcels upon which the buildings were constructed. APN 111-372-07 contains Furuta House #1, House #2, and the barn. APN 111-372-06 contains the Pastor's House, Church #1, and Church #2. In defining categories of historic properties, National Register Bulletin *How to Apply the National Register Criteria for Evaluation* requires on page 5 "a significant concentration" of resources to qualify as a district. In this case, there are only two properties containing historic resources that together do not constitute a significant concentration to justify the identification of a district.

Regardless of whether the properties are identified as individually eligible for listing in the National Register or as contributors to a potential National Register–eligible district, under CEQA, the demolition of these resources (except for the barn and House #2) would result in identical impacts that would be significant and unavoidable, as identified in Section 5.1 of the Draft EIR. No changes to the Draft EIR are required as a result of this comment.

Comment B-3

This comment states that HABS Level III documentation is the lowest level of recordation and is inadequate for the level of impact. The comment recommends that "more significant and meaningful mitigation should be required."

Three levels of HABS recordation exist, of which Level III requires large format photography, an abbreviated architectural data form, and sketch maps for each building. Level II, in addition to the above, requires a more detailed outline format for recordation. Level I recordation requires the above plus measured drawings of the buildings. The Draft EIR recommends HABS Level III recordation, which appears appropriate for the size and types of buildings associated with the site.

In response to this and other comments on the Draft EIR, this mitigation measure has been revised in the Final EIR to provide additional detail. The following is the revised mitigation measure showing the added (underlined) and removed (~~struck out~~) text:

> **Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 .** Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

Comment B-4

This comment requests that the alternatives analysis be amended to include all contributors to an historic district.

As discussed in the response to Comment B-2, above, the buildings on the site do not constitute an historic district.

The alternatives analysis in the Draft EIR (Chapter 5) included a No Project Alternative (Alternative 1), under which all of the existing structures on the site would remain. The alternatives analysis also considered other alternatives that would potentially avoid or substantially lessen significant environmental impacts, specifically on historic resources. Alternative 2, Reduced Project (Historic Resources Avoidance Alternative), would remove non-historic structures, but the historic buildings would remain. Alternative 3, Historic Resource Renovation Alternative, would also remove non-historic structures and renovate the four historically designated buildings for future commercial or industrial uses on site. An additional alternative, to relocate the historic buildings off site, was considered but rejected because a suitable location could not be identified, as described in Section 5.3 of the Draft EIR.

CEQA does not require alternatives that would lessen environmental impacts not found to be significant. Because removal of the other non-historic structures on site would not be a significant impact, no additional alternatives are necessary. No changes to the Draft EIR are required as a result of this comment.

Comment B-5

This comment states a belief that one of the applicant's objectives is too narrow and therefore the objectives do not allow analysis of a range of alternatives. It states a belief that Alternative 2, Reduced Project (Historic Resources Avoidance Alternative) would meet the objective and eliminates public safety concerns.

CEQA does not require that alternatives meet all of the objectives in order to be considered in the EIR. The Draft EIR examined a range of alternatives, as required by CEQA, including alternatives that would not remove all or some of the existing buildings. Not all of the alternatives were eliminated because they failed to meet the objectives. Alternative 3, which would renovate and re-use the historic buildings on the site, would meet most of the objectives.

The comment states that Alternative 2 would eliminate public safety concerns, but this is not what the alternatives analysis in the Draft EIR found. As discussed in Section 5.5.2, under Alternative 2, some of the buildings would remain, as would onsite hazards associated with the buildings (potential exposure to asbestos, lead-based paint, structural issues, and safety concerns). Therefore, the alternative would not meet the objective of eliminating safety concerns.

No changes to the Draft EIR are required as a result of this comment.

Comment B-6

This comment states that the Draft EIR failed to demonstrate and provide evidence that Alternative 3 would not be feasible.

Section 5.5.3 provided a comparative analysis of Alternative 3, the Historic Resources Renovation Alternative. The analysis showed that the impacts on cultural resources would be less than significant under this alternative, and that the alternative would meet the objectives of the project.

In order to re-use the buildings on site, the site would be required to come into compliance with existing City codes and would be required to relocate buildings on the site (to comply with required setbacks), and provide parking, ingress/egress, and landscaping. This construction would result in less-than-significant, short-term impacts.

Contrary to the statement in the comment, the Draft EIR presented a feasibility analysis for renovating and renting the buildings on site (Section 5.5.3 of the Draft EIR). This study provided an estimate for the cost of renovating the buildings (Thirtieth Street Architects, May 2012), surveyed to determine average lease rates for small commercial properties along arterial roadways within Huntington Beach (Table 5-1 of the Draft EIR), and calculated a payoff period if 100% of the lease payments went to paying off the cost of renovation (not for other site improvements, maintenance, and other property costs). This payoff period was estimated at 19 years. The study then showed that it would probably take longer to pay off the renovation, considering that the lease payments would likely be lower than average because of the unusual configuration of the buildings for commercial property. Therefore, the Draft EIR did demonstrate and provide evidence that Alternative 3 would not be feasible. No changes to the Draft EIR are required as a result of this comment.

Comment B-7

This comment requests that future activities on the site be included in the project. It states that a general plan amendment and zone change would not require demolition of the structures. It requests that the buildings remain on the site until a physical project is proposed and requests that a new EIR be prepared when such plans are proposed.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole of the action" under CEQA.

The alternatives analysis (Chapter 5 of the Draft EIR), provided an analysis of alternatives that would retain the buildings on site (Alternatives 1, 2, and 3).

If development is proposed in the future, such development would be a discretionary action, subject to CEQA.

No changes to the Draft EIR are required as a result of this comment.

Comment Letter C

Jones, Tanya

From: Richardson Gray [mailto:richardson.gray@yahoo.com]
Sent: Tuesday, November 13, 2012 2:08 PM
To: Ramos, Ricky
Subject: Warner-Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; demolition or removal of existing structures at 7622-7642 Warner Ave (southeast corner of Warner Ave. / Nichols St.)

Dear Ricky:

This email is for the following topic, as referenced above as well.

Warner-Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; demolition or removal of existing structures at 7622-7642 Warner Avenue (southeast corner of Warner Avenue and Nichols Street).

For over five years, I have owned my home in Huntington Beach. Retiring here from Boston, after living there for nearly 20 years in a late nineteenth century historic district, I have been shocked by how little value many of our City leaders give to historic preservation. As a local homeowner who greatly values historic preservation, **I request that the Planning Commission deny the draft Environmental Impact Report (EIR) for the General Plan amendment and the Zoning Map amendment, as well as the demolition application.** C-1

You might remember that this past July, pursuant to a Public Records Act request to Scott Hess, Director of Planning, among others, that I reviewed in your offices the following document: "Galvin Preservation Associates, June 2009, Final, City of Huntington Beach, Historic Context & Survey Report". It is my understanding that this document still has not been released to the public, and that it will serve as the basis eventually for the City's update of the Historic Resources Element of the General Plan.

In this report, on page 102, Galvin states that:

"Twelve properties were given the status code 3S (Appears to be individually eligible for the National Register of Historic Places) because they appeared to be significant for their architectural style, association with important events or persons or if they were representative of an important trend that has made a significant contribution to broad patterns in Huntington Beach's history. . . ." One of these twelve 3S properties designated by Galvin was 7622 Warner Avenue. This property is the Wintersburg Japanese Presbyterian Mission Church building.

At present, only three properties in all of Huntington Beach are listed on the National Register of Historic Places, the Newland House, the Helme-Worthy Store and Residence, and the City Gymnasium and Plunge at the Dwyer Middle School. With such a small number of properties so listed in our City, it is all the more important that our City leaders preserve the remaining local properties that Galvin found to be eligible as individual properties for listing on the National Register. C-2

In the City's current Historic Resources Element of the General Plan, among the listed local landmarks, 7642 Warner Avenue, the Furuta House, is among the properties so designated. From my notes on Galvin's report, your office would not allow me to make a copy of it, I do not have any explanation of why this location was not also given the status code of 3S, as appears be individually eligible for the National Register of Historic Places. I also do not have within my notes the exact designation that Galvin in fact did give to 7642 Warner Avenue, the Furuta House. **I think for the City's consideration of the referenced General Plan and Zoning Map amendments, it is important that the City release to the general public the portions of Galvin's report that relate to any of the historic structures on this site.**

Last, on page 105 of the report, Galvin identifies ten historic contexts in the City. One of the oldest of these contexts was "Japanese and Mexican Influences (1910 - 1930)". Although I do not have any record in my notes from Galvin's report, I must assume that the historic properties that are the subject of the referenced General Plan and Zoning Map amendments, are the most important of the City's Japanese buildings from this historic context. For example, among all of the properties in the City that Galvin assigned the status code of 3S, appears to be individually eligible for the National Register of Historic Places, only 7622 Warner Avenue, the Wintersburg Japanese Presbyterian Mission Church building, appears to have any connection to our City's Japanese heritage.

1

Thank you for your support for the preservation of these important historic properties. I appreciate your consideration of my views. C-2 Cont.

Richardson Gray
415 Townsquare Lane #208
Huntington Beach, CA 92648
714-348-1928 (cell)
richardson.gray@yahoo.com

2

Comment Letter C

Richardson Gray
415 Townsquare Lane, # 208
Huntington Beach, CA 92648

Comment C-1

The comment provides background information on the commenter and requests the Planning Commission deny the Draft EIR. The comment does not address the adequacy of a specific element of the Draft EIR, and, therefore, no changes to the Draft EIR are required as a result of this comment. The comment will be provided to the decision makers for their consideration when determining whether to approve the project.

Comment C-2

This comment requests that a report by Galvin Preservation Associates be released to the public and quotes various information from that report.

The report by Galvin Preservation Associates was for the ongoing general plan update, not for the Warner-Nichols Draft EIR. It was reviewed by the Historic Resources Board, an advisory board to the Huntington Beach City Council. Further work is being performed by the consultant, which will then be reviewed by the Historic Resources Board and the City Council. Once the report is final, it will be released to the public as part of that process, not this EIR.

The comment does not address the adequacy of a specific element of the Draft EIR, and, therefore, no changes to the Draft EIR are required as a result of this comment.

Comment Letter D

HUNTINGTON BEACH TOMORROW

Making a difference today for Huntington Beach tomorrow

P.O. Box 865, Huntington Beach, California 92648
(714) 840-4015
HBTomorrow.com

RECEIVED
NOV 16 2012
Dept. of Planning & Building

HBT's Mission
is
to promote and maintain
a high quality of life
in Huntington Beach.

HBT advocates for:
Citizen Participation
Clean & Healthy Environment
Efficient & Safe Traffic Flow
Open & Responsive Government
Preserve Open Space
Preserve Our Quality of Life
Recreational Opportunities for All
Responsible Planned Growth
Sound Infrastructure
Sustainable Tax Base

November 13, 2012

Ricky Ramos, Senior Planner
City of Huntington Beach, Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

RE: Warner Nichols Property

Dear Mr. Ramos,

HBT supports compatible use with the existing adjoining neighborhoods and more information on how the impacts will be mitigated with the school, residential and church uses adjacent and nearby; if industrial zoning and commercial zoning are approved for the multiple parcels. The mitigation measures should be part of the EIR with a plan for the entire site and specifics on the applicant's responsibility for relocation of the historical structures and archeological issues related to this site. D-1

HBT seeks additional requirements from the developer to preserve these historical buildings with an adequate demolition allowance to apply to the cost to relocate them to another site in this city. Their $10,000 demolition cost allowance is less than it would cost to actually demolish them on site. Demolition cost estimates should be provided to create a higher allowance toward moving the buildings as providing the allowance is less cost for developer than an actual demolition. Since the developer is also the contracted disposal contractor for this city, estimates of the demolition should be as if it were done by competitive bid. The developer should provide several bids on which to base allowance and the structures should be preserved. D-2

Attached are some specific items in the EIR of concern. D-3

Sincerely,

Karen Jackle
President
Huntington Beach Tomorrow

1 HB Tomorrow

ES.5.2: A change in general plan amendment is requested, a significant change now. If no new development or active use is proposed for the subject site, although the owner may apply for change, how is the impact of the rezoning assessed without a plan identifying what will be built?

D-3 Cont.

ES.5.1: A preliminary un-segmented development plan should be provided as zone changes are requested and the public is unable to assess the impacts without more information on the total picture of what is proposed in compliance with CEQA intent.

ES.4: The existing buildings are of historical significance built 1905-1934 and important to the Japanese community of Orange County and history of our city. The property owner is responsible per City code to maintain secure site conditions for these buildings of historical significance to prevent demolition by deterioration until the buildings can be removed. Are there penalties for failure to keep the site secure to offset increased costs to preserve and restore these buildings?

D-4

ES.6: What buffer will be provided to put industrial zoning adjacent to elementary school and residential and church uses nearby? This is a significant impact on this community.

D-5

ES.9: What is the Statement of Overriding Considerations that will be created pursuant to CEQUA 15093 to offset significant and unavoidable impacts? More than photography of existing structures is needed. There should be archeological study done as part of mitigation and outside documentation of the significance of the four buildings should be required individually and as a whole. What preservation steps should be done onsite prior to relocating the buildings?

D-6

Comment Letter D

Huntington Beach Tomorrow
Karen Jackle
PO Box 865
Huntington Beach, CA 92648

Comment D-1

This comment requests more information about future use of the site and how impacts on those uses would be mitigated. It also states that it is the responsibility of the applicant to relocate the historical structures and mitigate archaeological issues.

No development is proposed for the site. Therefore, the Draft EIR did not address future use of the site. If development is proposed in the future, it would be a discretionary action, subject to CEQA.

Mitigation Measure CR-2 requires the applicant to offer the buildings for relocation by others prior to issuance of a demolition permit. In response to this and other comments on the Draft EIR, this mitigation measure has been revised in the Final EIR to include a requirement that the applicant offer to fund the relocation to an amount equal to the cost of demolition. The following is the revised mitigation measure showing the added (underlined) and removed (~~struck out~~) text:

> **Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition.** Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

Mitigation Measure CR-3 for potential archaeological impacts is the responsibility of the demolition contractor, under contract to the applicant. Therefore, archaeological mitigation is the responsibility of the applicant.

Comment D-2

This comment requests that the historic buildings be preserved, and that the applicant provide funding for relocation of the buildings to another site. It requests that demolition costs be provided and that the cost of demolition be offered as an allowance for relocation of the buildings.

As stated in the previous response, Mitigation Measure CR-2 has been revised in the Final EIR to include a requirement that the applicant fund the relocation to an amount equal to the cost of demolition.

The City of Huntington Beach Building Division has a minimum valuation for demolition of $2 per square foot. Therefore, demolition of the buildings on the site is estimated at approximately $16,500. The revised Mitigation Measure CR-2 requires that a contractor's estimate be approved by the City to determine the amount the applicant must provide towards relocation in their offer.

Comment D-3

This comment asks about impacts of future development, not currently proposed as part of the project. It requests a preliminary development plan.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. No uses are proposed for the site and there is not a development plan. Therefore, the Draft EIR did not address future development of the site. If development is proposed in the future, it would be a discretionary action, subject to CEQA. In addition, the Draft EIR addressed the impacts of the General Plan and zoning amendments in Section 3.2.

No changes to the Draft EIR are required as a result of this comment.

Comment D-4

This comment states that the maintenance of the site is the property owner's responsibility and asks about penalties for not doing so.

This comment does not address the Draft EIR, but addresses issues outside of the CEQA process. Therefore, no response is required under CEQA Guidelines Sections 15088 and 15204. No changes to the Draft EIR are required as a result of this comment.

Comment D-5

This comment questions what buffer there would be for the industrially zoned land use adjacent to an elementary school and residential and church uses nearby, identifying this as a significant impact.

Potential land use conflicts were addressed in the Draft EIR in Section 3.2, under Impact LU-2. As discussed therein, the intent of the project is to provide non-conflicting land uses that would buffer the existing residential and other uses from larger-scale commercial/industrial land uses, particularly those west of the property. As a result, impacts related to conflicts with adjacent land uses were found to be less than significant.

No development is planned at this time. Any development planned in the future would be required by the City General Plan to adequately protect the existing residences against potential effects (noise, light, glare, odor, etc.).

No changes to the Draft EIR are required as a result of this comment.

Comment D-6

This comment asks about the Statement of Overriding Consideration for the project. It requests that an archaeological study be done. The comment also states that "outside documentation of the significance of the four buildings should be required individually and as a whole." The comment also asks about preservation steps required prior to relocating buildings.

Because this EIR has identified significant and unavoidable impacts related to the project, the lead agency (the City of Huntington Beach) is required to make a Statement of Overriding Consideration prior to approving the project. This statement provides the decision-making body's reasons for approving the project in spite of the impacts. Although a Statement of Overriding Considerations is

required by CEQA, the statement is not part of the EIR, and is required only if the project is approved. The statement will be included in the record of project approval and identified in the Notice of Determination for the Final EIR.

An archaeological study was conducted for the Draft EIR, and this served as the basis for Mitigation Measure C-3, which requires treatment of archaeological resources if any are found during project activities. It should be noted that ground disturbance is not proposed for the current project.

Regarding "outside documentation" of the significance of the buildings, the Draft EIR included the required technical analysis of the significance of the buildings as required by CEQA.

See response to Comment D-1 regarding required steps for relocation of the historic buildings, if implemented.

Comment Letter E

November 14, 2012

City of Huntington Beach

Planning and Building Department

P.O. Box 190

Huntington Beach, Ca. 92648

Attn: Ricky Ramos, Senior Planner

Re: Warner – Nichols General Plan Amendment No. 05-001

Zoning Map Amendment No. 05-001

Demolition or removal of existing structures at 7622 – 7642 Warner Ave. (southeast corner of Warner Ave. and Nichols St.)

Dear Ricky,

I request the Planning Commission deny the draft Environmental Impact Report (EIR) for the General Plan amendment and Zoning Map amendment, as well as the demolition application for the following reasons:

- The proposed project is in conflict with the City's General Plan goals, objectives and policies that encourage protection, preservation, and retention of historic resources, , as stated in the draft EIR. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant

E-1

- The draft EIR is inadequate in its historic analysis and in the analysis of potential alternatives.

E-2

- The draft EIR *segments* the future land development plans from the proposal to change the zoning to industrial / commercial. This does not allow full CEQA evaluation and analysis by the public regarding the ultimate future land use. How can the public analyze impacts of unknown development plans?

E-3

- There is no reason for immediate demolition of structures with the zone change. Because the applicant has separated the eventual land use EIR and is not proposing development, there is no justification for demolition of landmarks recognized in the City's General Plan. E-4

- The draft EIR *separates* the onsite structures for historic analysis. The entire site and collection of buildings—a half dozen structures—should be evaluated as a historic district. Analyzing each structure on a "stand alone" basis ignores the historic value of the property as a multi-structure historical site. The site in its entirety qualifies as a historic district. By separating the analysis, the draft EIR attempts to reduce the significance of the historic value of the entire property as part of the Wintersburg Village. E-5

- The 1986 Japanese American Council of Orange County Historic Building Survey identified the Wintersburg Japanese Presbyterian Mission complex and the Furuta home as being among 33 surviving buildings of historical interest to the County. Today, almost all the buildings on that survey have been demolished.

- City of Huntington Beach Historic Building Survey (1986states "in addition to Individual structures, collections of buildings are important from a historic preservation standpoint where these collections represent a distinguishable entity which conveys the feelings and associations of the past - even though the individual buildings may not be significant. Generally termed an historic district, these collections of buildings maintain a feeling and association of the past by an internal coherence and integrity. In other words, the buildings relate to one another in the same way that they did originally." E-6

- The original 1910 buildings associated with the Wintersburg Japanese Presbyterian Mission are identified on as the *oldest surviving* Japanese-Americanreligious structures in Orange County.

- This property represents the sole remaining property owned by a Japanese family prior to the Alien Land Law of 1913. This property and its buildings have survived for a century, including the World War II years when many properties of this type were destroyed.

- The draft EIR's archaeological review is inadequate. The City has already been notified by both the California Native American Heritage Commission and the Tongva Nation of sensitivities in the area during the Beach –Warner Mixed Use review, and a human burial was E-7

found a short distance from the property(Shell Midden, Site Number 30000346). The draft EIR finding is that discovery of human remains is "less than significant." E-7 Cont.

- The applicant's primary stated goals are to "establish land use and zoning designations that are compatible with adjacent existing commercial and industrial uses." The property is adjacent to the Oakview residential neighborhood and elementary school and will significantly impact this economically depressed neighborhood. E-8

- The applicant states one of their goals is to "provide a buffer to limit conflicts between the commercial and industrial uses." How does increasing the industrial and commercial footprint provide a buffer?

- The recommended mitigation measures are inadequate and are the lowest level of mitigation regarding historic preservation, e.g. photographing the site before demolition to accompany old and incomplete historic analysis. This is inadequate for a site widely recognized as significant not only in Huntington Beach, but in Orange County and statewide. E-9

- The alternative to relocate the buildings was not extensively researched. There is no documentation regarding sites analyzed or record of public notification to reach private landowners.

- The applicant expects third parties to pay for mitigation of their project as relates to historic preservation. E-10

Thank you for your time.

Sincerely,

Barbara Haynes

Comment Letter E

Barbara Haynes

Comment E-1

The comment requests the Planning Commission deny the Draft EIR due to inconsistency with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. This impact was considered significant and unavoidable in the Draft EIR, and the comment has not identified an inadequacy in the analysis or findings. Therefore, no changes to the Draft EIR are required as a result of this comment. The comment will be provided to the Planning Commission for their consideration.

Comment E-2

The comment states that the Draft EIR's historic analysis and alternative analysis was inadequate. This comment is general and appears to be an introduction to specific comments that follow. See the responses to the other comments below.

Comment E-3

This comment states that the Draft EIR segmented the project because it did not analyze future development plans.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. No uses are proposed for the site, and there is not a development plan. Therefore, the Draft EIR did not address future development of the site. If development is proposed in the future, it would be a discretionary action, subject to CEQA.

No changes to the Draft EIR are required as a result of this comment.

Comment E-4

The comment states that the proposed zone change does not warrant the demolition of the existing structures.

The purpose of removing the buildings onsite is to prevent further vandalism and deterioration, thereby reducing public safety issues.

No changes to the Draft EIR are required as a result of this comment.

Comment E-5

This comment states that the historic analysis is flawed because it evaluates the properties individually and not as a district, thereby reducing the significance of the grouping.

The Draft EIR does not identify the existence of a historic district because there are only two parcels upon which the buildings were constructed. APN 111-372-07 contains Furuta House #1, House #2, and the barn. APN 111-372-06 contains the Pastor's House, Church #1, and Church #2. In defining categories of historic properties, National Register Bulletin *How to Apply the National Register Criteria for Evaluation* requires on page 5 "a significant concentration "of resources to qualify as a district. In this case, there are only two properties containing historic resources that together do not constitute a significant concentration to justify the identification of a district. This approach does not

reduce the significance of the properties as representative of the Japanese American experience in Huntington Beach.

No changes to the Draft EIR are required as a result of this comment.

Comment E-6

This comment describes the importance of the Wintersburg Japanese Presbyterian Mission complex by citing various surveys and reports. The comment claims that this represents the sole remaining property owned by a Japanese family prior to the Alien Land Law of 1913.

The comment does not address the adequacy of a specific element of the Draft EIR. No changes to the Draft EIR are required as a result of this comment.

Comment E-7

This comment states that the Draft EIR's archaeological review is inadequate and goes on to state that the City has already been notified by both the California NAHC and the Tongva Nation of sensitivities in the area during the Beach–Warner Mixed Use review, and states that a human burial was found a short distance from the property (Site Number 30000346).

The Draft EIR analyzed the impacts of the current project on archaeological resources and human remains within the current project parcel. No archaeological resources or human remains have been found on the project parcel. No ground disturbance is proposed for the project, and it is extremely unlikely that human remains would be discovered as a result of the project.

Human remains were indeed found in 1972 at Site 30000346, which is located about one-quarter mile distant. Sensitivity regarding a project at that distance from the current project does not affect the findings for the current project.

The City has contacted the Tongva twice regarding SB 18, and the consultant has contacted the Tongva once regarding the project. No responses were received to these requests for consultation, which suggests the Tongva have no concerns regarding the current project.

No changes to the Draft EIR are required as a result of this comment.

Comment E-8

This comment expresses concerns about impacts on adjacent residential and school uses and questions how the commercial and industrial zoning would provide a buffer, as stated in the Draft EIR.

Potential land use conflicts were addressed in the Draft EIR in Section 3.2, under Impact LU-2. As discussed therein, the intent of the project is to provide non-conflicting land uses that would buffer the existing residential and other uses from larger-scale commercial/industrial land uses, particularly those west of the property. No development is planned at this time. Any development planned in the future would be required by the City General Plan to adequately protect the existing residences against potential effects (noise, light, glare, odor, etc.). As a result, impacts related to conflicts with adjacent land uses were found to be less than significant.

Comment E-9

This comment states that the project is proposing the lowest level of mitigation regarding historic preservation and offers an opinion that this mitigation is inadequate. The comment asserts that there was inadequate documentation of the relocation alternative.

In response to this and other comments on the Draft EIR, this mitigation measure has been revised in the Final EIR to provide additional detail. The following is the revised mitigation measure showing the added (underlined) and removed (~~struck out~~) text:

> **Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 .** Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

As stated in Section 5.3 of the Draft EIR, offsite relocation of the historic buildings was considered. The City has researched the City's land uses and has determined that it does not have ownership or jurisdiction over a site that could accommodate the historic buildings. The Community Services Department was contacted to see if there were any city parks that could take the structures. The cost of relocation and the preparation of the sites in the parks, including providing adequate parking, as well as potential impacts on existing park uses and other restrictions, made this alternative infeasible for the City. The City planning staff also contacted the Historic Resources Board, an advisory board to the Huntington Beach City Council, and the Huntington Beach Historical Society to see if they had any interest in taking the structures or if they knew of possible relocation sites. Late in 2012, a City Council ad hoc committee was formed to work on the preservation of the structures. That committee has been meeting monthly since September 2012, and has developed a matrix of possible relocation sites, but at present no definitive relocation site has been identified.

Mitigation Measure CR-2, as amended in the Final EIR, requires that the applicant continue to offer the historic buildings for relocation offsite location preservation, and that this offer include an allowance from the applicant up to the amount that would be required for demolition, based on a City-approved estimate. The following is the revised mitigation measure showing the added (underlined) and removed (~~struck out~~) text:

> **Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition.** Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation~~. ~~Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of

demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

Comment E-10

This comment states that the applicant expects third parties to pay for mitigation for impacts on cultural resources.

Mitigation Measure CR-1 (as amended in the Final EIR), requires documentation of the historic buildings on the site before they are demolished. The cost of this documentation will be borne by the applicant. (See response to E-9 for the revised mitigation measure.)

Mitigation Measure CR-2 (as amended in the Final EIR), requires the applicant to make an offer of the buildings prior to demolition, and contribute to the relocation costs up to the amount they would spend for demolition, based on a contractor's estimate approved by the City. See response to Comment E-9 for the revised mitigation measure.

Mitigation Measure CR-3 requires that the demolition contractor contact a qualified professional archaeologist in the event that potential archaeological resources are discovered on the site during demolition. The costs of the demolition, the archaeologist, and any subsequent studies would be borne by the applicant.

Mitigation Measure CR-4 requires that the demolition contractor contact a qualified professional paleontological monitor in the event that potential paleontological resources are discovered on the site during demolition. The costs of the demolition, the paleontologist, and any subsequent studies would be borne by the applicant.

Comment Letter F

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov

RECEIVED
NOV 25 2012
Dept. of Planning & Building

November 16, 2012

Ricky Ramos
City of Huntington Beach
Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

RE: Comments on the Cultural Resources Section of the Warner Nichols Project Draft Environmental Impact Report (SCH#2011081099)

Dear Mr. Ramos:

Thank you for the opportunity to comment on the above Draft Environmental Impact Report (DEIR) issued under the California Environmental Quality Act (CEQA). I am specifically writing to provide comments in regards to the impact of the proposed project on historical resources. As the State Historic Preservation Officer, my responsibility is to promote the protection of California's irreplaceable heritage resources which includes encouraging the protection and rehabilitation of resources. My comments are provided in response to the DIER I received from the State Clearinghouse.

The Warner Nichols Project has two objectives: to change the land use and zoning designations for the 4.4 acre parcel at 7622-7642 Warner Avenue to be more consistent with the adjacent existing commercial and industrial uses in the area around the project parcel, and to remove the existing structures to eliminate public safety concerns and unsightly conditions on the project parcel.

To do this, the City of Huntington Beach is considering amending its General Plan land use designation of R-15 (Residential Medium Density) to I-F2-d (Industrial) on the southern 3.3 acres of the project site and to CG-F1 (Commercial General) on the northern 1.1 acres of the project site that is adjacent to Warner Avenue. To be consistent with the General Plan, the project includes a zone change from RM (Residential Medium Density) to IG (General Industrial) on the southern 3.3 acre portion of the project site and to CG on the northern 1.1 acre portion of the project site. F-1

The project would also demolish or remove the six existing buildings, structures, and site improvements at 7622-7642 Warner Avenue. Currently, three residences (Furuta House # 1 and # 2; Pastor's House), a barn, two churches (Church # 1 and # 2) and additional features such as water tanks and other agricultural features, make up the structures on the property. Landscape features will be left on the parcel and no new

Ricky Ramos, pg. 2

development or active use is planned for the parcel. These buildings and structures are collectively known as the Wintersburg Japanese Presbyterian Mission and Furuta Residences and served as the cultural center for the Japanese American community in Orange County. Four of the buildings, including Church # 1, the Pastor's House, Church # 2, and the Furuta House # 1 are listed on the City of Huntington Beach's local landmarks because they are of significant importance to the local community. F-1 (cont.)

The City of Huntington Beach has determined the proposed project would have a significant and unavoidable impact. Demolition of historical resources is considered a significant impact that cannot be mitigated to the level of less than significant. Additionally, the proposed project is not vertically consistent with the City of Huntington Beach's General Plan. More specifically the City of Huntington Beach's Historic and Cultural Resources Element states in its goals, objectives and policies; the first goal is topromote the protection and retention of historical resources.

The applicant for the project is proposing prior to issuance of the demolition permit or relocation of the buildings on site, a HABS Level III recordation. I would suggest the applicant consider different mitigation measures. HABS Level III documentation requires the least amount of documentation and without more meaningful mitigation measures the history of the Wintersburg Japanese American community will be lost. The Orange County Japanese American Council documented 33 pre-war buildings in Orange County that are associated with the Japanese American community and since the publication of the survey, some have been lost. Pre-war resources associated with the Japanese Americans are exceedingly rare and efforts to incorporate the document these resources is extremely important. F-2

Mitigation measures such as collection of oral histories of remaining members of the Japanese American community in Wintersburg or a partnership with the Orange County Japanese American Council to interpret the presence of the Japanese American community in Orange County would be more fitting. The project applicant may consider contacting the Japanese American National Museum in Los Angeles to discuss other viable and good mitigation measures for documenting these exceeding rare resources.

The City also considered three alternatives in addition to the proposed project. The alternatives include a no project alternative, a reduced project (historic resources avoidance alternative), and historic resources renovation alternative. The environmentally superior alternative is the historic renovation alternative and although it appears to minimize some of the impacts to historical resources, I would consider rehabilitating the buildings to the *Secretary of the Interior's Standards for the Treatment of Historic Properties (SOI Standards)* rather than relocating to be the best outcome for the historic resources. The DEIR states the applicant may either rehabilitate the buildings or move the buildings to another site. Allowing the applicant to relocate some of the buildings elsewhere on the property is preferable to demolition, however, I would encourage the applicant to consult the California Code of Regulations, California Register of Historical Resources Title 14, Chapter 11.5, Section 4852(d)(1) regarding moved buildings. Historic resources that are moved should retain their historic features F-3

Ricky Ramos, pg. 2

and be compatible in orientation, setting and general environment. If the applicant is going to prepare a HABS Level III prior to moving the buildings, I would suggest the documentation includes contextual shots of the buildings to document the setting and location as well as reproductions of historic photos of the buildings if available.

F-3 Cont.

The DEIR also states the environmentally superior alternative would only meet some of the project objectives, not all, and is not a feasible alternative. By rehabilitating or moving the buildings, the project would be consistent with the General Plan and would provide a buffer between residential and industrial uses; however, it would not meet the objective of demolishing the buildings but would eliminate the public safety concerns and unsightly conditions. My suggestion would be that the project objectives are too narrowly defined and that most of the objectives are achieved and the impacts lessened creating a good outcome. The project objectives should be broader in scope to allow for consideration of alternatives that lessen the impacts to less than significant. With a project objective as specific as demolition of the existing buildings on site, no additional alternatives can be considered that would meet the project objectives. However, if the project objective would to be the less the public safety hazards and abate graffiti then a range of alternatives could be considered.

F-4

The historic avoidance alternative would retain the historically significant buildings (Church # 1 and #2, Pastor's House, and Furuta House # 1) and would demolish the buildings and structures that are not historic. The land use and zoning designations would be amended to commercial and industrial. The historically significant buildings would continue to be gated and boarded up and it is assumed there would be minimal maintenance. This alternative, like the environmentally superior alternative, would not achieve all of the project objectives but I would again suggest the project objectives are too narrow. By retaining the historic buildings, even in their current state, the City will be consistent with their General Plan Historic and Cultural Element and additional measures to secure the site, the vandalism and trespassing activities could be diminished ultimately achieving the goal of reducing public safety hazards.

In conclusion, my comments are not meant to take a position in support of or against this project, but to encourage the best outcome for historical resources. The remaining buildings at Wintersburg are a testament to a significant part of our history and I encourage the City of Huntington Beach consider their preservation.

We thank you for the opportunity to comment on the above project. If you have any further questions, please do not hesitate to contact Amanda Blosser, Historian II, CEQA Coordinator, Local Government Unit at (916) 445-7048 or at ablosser@parks.ca.gov.

Ricky Ramos, pg. 2

Sincerely,

Carol Roland-Nawi, PhD
State Historic Preservation Officer

cc: Orange County Japanese American Council
California Preservation Foundation

Comment Letter F

Office of Historic Preservation, Department of Parks and Recreation
Carol Roland-Nawi, PhD
1725 23rd Street, Suite 100
Sacramento, CA 95816

Comment F-1

This comment is a general introduction of the responsibilities of the State Historic Preservation Officer, and includes a summary of the proposed project and findings in the Draft EIR. No changes to the Draft EIR are required as a result of this comment.

Comment F-2

This comment states that HABS Level III documentation is inadequate, and without more meaningful mitigation the history of the Wintersburg Japanese American community will be lost. It recommends further research regarding pre-war Japanese American resources such as oral histories and contacting the Japanese American National Museum for identifying other mitigation measures.

As relates to HABS documentation, HABS Level I is the highest level of recordation and is appropriate for historic buildings possessing a high level of architectural complexity. Unlike Level II and III recordation, Level I requires full measured drawings that are produced to comprehend what the historic buildings reveal of the past, and to place that knowledge in the perspective of architectural evolution. In contrast, HABS Level III recordation is appropriate for recording resources that have less physical complexity and do not possess a substantial level of architectural detail typically associated with a measured drawing illustration set. The existing conditions and level of architectural style and design of the buildings at the Wintersburg site do not appear to rise to the level of complexity to require HABS Level I recordation. A Level III recordation that uses large-format photography and the more detailed "Outline Format" written report used in Level I and II recordation can serve as an historical record appropriate for these resources, which is why Level III was the level chosen.

In response to this and other comments on the Draft EIR, this mitigation measure has been revised in the Final EIR to provide additional detail. The following is the revised mitigation measure showing the added (<u>underlined</u>) and removed (~~struck-out~~) text:

> **Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 .** Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. <u>The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation.</u> ~~This~~ <u>The</u> ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of

Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

Comment F-3

This comment states a preference for onsite relocation of the historic buildings over offsite relocation. This comment recommends consulting California Code of Regulations, California Register of Historical Resources, Title 14, Chapter 11.5, Section 4852(d)(1) for moving buildings. This section encourages the retention of historic resources on site; however, if the building must be moved its new location should be compatible with the building's original character and use, retaining its historic features and compatibility in orientation, setting, and general environment. The comment states that contextual shots of the buildings to document setting and location as well as the inclusion of reproductions of historic photos should be included as part of the HABS III level of mitigation under Mitigation Measure CR-1.

Onsite relocation of the historic buildings was considered as Alternative 3 to the proposed project. However, as stated in Section 5.3 of the Draft EIR, Alternative 3 would not be feasible due to the fact that it would take over 19 years to recoup the cost of renovation alone (not including additional required site improvement and ongoing maintenance) based on average commercial rental prices.

In response to this and other comments on the Draft EIR, Mitigation Measure CR-2 has been revised in the Final EIR to include relocation requirements consistent with the National Park Service recommendations. The following is the revised mitigation measure showing the added (underlined) and removed (~~struck-out~~) text:

> **Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition.** Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation~~. ~~Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

See response to Comment F-2 regarding HABS recordation.

Comment F-4

This comment states that the project objectives are too narrowly defined. The comment also states that under Alternative 3, the Historic Resources Renovation Alternative, the historic buildings would continue to be gated and boarded up, thereby not meeting the objectives.

This comment misunderstands Alternative 3, and therefore assumes that the objectives were too narrow because no alternative to the project could meet them. As described in Section 5.3 of the Draft EIR, Alternative 3 would renovate the historical buildings, and relocate them as necessary to comply with current setback requirement, and make them available for commercial or industrial use. They would not be boarded up and gated.

CEQA does not require that alternatives meet all of the objectives in order to be considered in the EIR. Alternative 3 would meet most of the objectives of the project. Alternative 3 was identified as the environmentally superior alternative in Section 5.6 of the Draft EIR. However, it was found to have significant feasibility constraints due the inability to lease the property for commercial or industrial use for sufficient income to pay off the cost of renovation and site improvements that would be required in less than 19 years. If it could not be leased, and the site continued to be unoccupied, the site would still have the potential for trespass and vandalism problems that occur today.

Comment Letter G

Chinese Historical Society of Southern California

南加州華人歷史學會

November 16, 2012

Ricky Ramos, Senior Planner
Planning and Building Department
City of Huntington Beach
P.O. Box 190
Huntington Beach CA 92648

re: Draft EIR for Warner-Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001, and demolition of historic structures at 7622-7642 Warner Ave

Dear Mr. Ramos:

This is to express the concern of the Chinese Historical Society of Southern California regarding the draft environmental impact report (DEIR) for the proposed general plan amendment, zoning map amendment, and demolition or relocation of historic structures from the Historic Wintersburg Japanese American heritage site.

We are a non-profit public history organization, and we feel that it is very important that public agencies and private owners consider all the impacts caused by development or development approvals that could damage historic resources. We believe that the draft EIR in its present form does not adequately evaluate or assert the significance of the site, and more research and analysis is needed.

Further, because we understand that a Historic and Cultural Resources Element of the General Plan is being prepared or updated, we feel that it is important that no action be taken on the environmental documents, nor should any demolition or relocation permits be issued, until the Historic and Cultural Resources Element is thoroughly reviewed and formally approved by the community. G-1

As a part of the Historic and Cultural Resources Element, we believe a more comprehensive review of the community's agricultural and industrial past, and the locating of historic workers' building and camp sites, be accomplished before any development entitlements are approved. The areas of Wintersburg and nearby Smeltzer were extensively worked by Chinese laborers, in the fields, packing houses, and sugar beet factories over one hundred years ago, prior to the arrival of Japanese workers. Rail lines were built by Chinese and other workers into the area, which opened land for agricultural development and enabled

411 Bernard Street, Los Angeles, CA 90012 (323) 222-0856 email: chssc@hotmail.com website: www.chssc.org

the shipping of local products across the country. That the early settlements have disappeared from the surface does not mean that archaeological resources do not remain. The area should be thoroughly investigated for former building-basement and privy sites, which frequently yield valuable historic material.

G-1 Cont.

It is our understanding at this time that the City's General Plan encourages protection, preservation, and retention of historic resources. We believe that any damage to the Historic Wintersburg site will result in a significant adverse impact that cannot be mitigated to a level that is less than significant. Further, we believe there has not been adequate analysis of the net benefits or losses of the proposed discretionary actions; would the project create community benefits that override the loss of historic resources? We don't believe that analysis is complete.

G-2

Additionally, it seems that from a land use standpoint, the Historic Wintersburg site currently serves as a buffer between commercial-industrial uses and an existing residential neighborhood. Allowing the site to be developed with residential uses eliminates the buffer and creates land use conflicts which would devalue the new development and lower the community's standard of living.

G-3

Inasmuch as no actual development plans have been presented, it is important that project alternatives be thoroughly evaluated, and presented to the community for consideration before any preferred alternatives be incorporated into the draft or final environmental impact report. Otherwise, there cannot be a fair, impartial, or adequate evaluation of overriding considerations in approving the proposed project.

G-4

Yours truly,

CHINESE HISTORICAL SOCIETY
OF SOUTHERN CALIFORNIA

Susan Dickson,
CHSSC President

NOV-18-2012 17:14 FROM:CHINESE HISTORICAL S 3232214162 TO:17143741648 P.3/3

Comment Letter G

Chinese Historical Society of Southern California
Susan Dickson, CHSSC President
411 Bernard Street
Los Angeles, CA 90012

Comment G-1

This comment states that the Draft EIR did not adequately evaluate the significance of the site and more research is needed. It asks that no action be taken on the project until the Historic and Cultural Resources Element of the City's General Plan is approved, and provides comments regarding that element.

The Warner-Nichols project is a separate project from the Historic and Cultural Resources Element. Therefore, this response addressed only the comments on the Warner-Nichols EIR.

The Draft EIR provided a thorough and comprehensive historic context of Wintersburg and its association with the Japanese American community that is adequate for assessing the project under CEQA (see Section 3.1.2.1). No changes to the Draft EIR are required as a result of this comment.

Comment G-2

This comment states an opinion that the damage to the historic site would be a significant adverse impact that cannot be mitigated to less than significant. It also requests a net benefits or losses analysis, comparing community benefits to the loss of historic resources.

The Draft EIR disclosed that there would be a significant impact on historic resources and that the effects on historic resources would be inconsistent with the City's General Plan, which is a significant impact. Although mitigation is included to lessen these impacts, the impacts would be significant after mitigation. No changes to the Draft EIR are required as a result of this comment.

Whether the benefits of the project to the community offset the impacts on historic resources is not a topic for the EIR, but will be considered when deciding whether or not to approve the project. If the City decides to approve the project, the Statement of Overriding Considerations that is required by CEQA will disclose the reasons for approving the project despite the impacts.

Comment G-3

This comment states an opinion that the site currently serves as a buffer between commercial/industrial land uses and the existing residential neighborhood. The comment claims that allowing the site to be developed with residential uses would create land use conflicts.

As discussed in Section 3.2 of the Draft EIR, the current site is vacant and includes buildings that have been damaged by transients and vandals. The site has been fenced and the buildings have been boarded up, but this has not completely stopped the vandalism. The project proposes to change the land use designation and zoning to commercial and industrial (not residential), and to remove the onsite structures to prevent additional vandalism. The project does not include development of the site. The vacant land would not conflict with adjacent land uses. Any future proposed commercial and/or industrial uses would be required by the City General Plan policies to adequately protect the existing residences against potential effects (e.g., noise, light, glare, or odor) of adjacent commercial/industrial activities. The future land uses would buffer the existing residential and other uses from larger-scale commercial/industrial land uses, particularly those west of the property.

No changes to the Draft EIR are required as a result of this comment.

Comment G-4

This comment states that it is important to evaluate alternatives to the project and present them to the community.

Chapter 5 of the Draft EIR included an alternatives analysis consistent with the requirements of CEQA. This document was made available to the public during the public comment period. This alternatives analysis will be considered by the City in determining whether to approve the project. No changes to the Draft EIR are required as a result of this comment.

Comment Letter H

16 November 2012

Ricky Ramos, Senior Planner
City of Huntington Beach
Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR WARNER-NICHOLS PROJECT, GENERAL PLAN AMENDMENT NO. 05-001, ZONING MAP AMENDMENT NO. 05-001; DEMOLITION OR REMOVAL OF EXISTING STRUCTURES AT 7622-7642 WARNER AVE (SCH# 2011081099)

Dear Mr. Ramos,

As Director of the *Preserving California's Japantowns* project, I am writing to express my deep concerns over the proposed demolition of the historic Wintersburg Japanese Church complex. *Preserving California's Japantowns* is the first statewide effort to identify historic resources associated with pre-WWII Japanese American communities across California. We conducted surveys in nearly fifty communities from Marysville to San Diego. This research gives us a vantage point to state unequivocally that the historic Wintersburg Japanese Church complex is an unusually intact and highly significant collection of historic buildings with important connections to the local history of Japanese Americans in Orange County, but also to the broader story of Japanese immigrants engaged in California agriculture in the first half of the twentieth century, and to the national story of WWII forced relocation and incarceration.

The Draft EIR and Initial Study clearly show that the most significant impact of this project would be to the historic resources on the site including the original 1910 mission and pastor's house, the 1914 Furuta house and barn, the 1934 church building, and the 1947 Furuta house. These buildings, as a collection, illustrate the arc of Japanese American experience in a powerful way, from the Furuta's purchase of the property just prior to passage of the 1913 Alien Land Law, through establishment of a community, the attack on that community by WWII forced relocation and incarceration, and subsequent post-war resettlement. As you know, these historic resources were found to be potentially eligible for listing on the National Register and California Register by the 2002 study commissioned by the City and are identified as having historical significance in the Huntington Beach General Plan.

H-1

The proposed project by Rainbow Disposal is in conflict with the City's General Plan goals, objectives and policies that encourage protection, preservation, and retention of historic resources. There is no apparent reason for immediate demolition of the historic structures with the proposed zone change.

Additionally, because the applicant has separated the eventual land use EIR and is not proposing development, there is no justification for demolition of landmarks recognized in the City's General Plan. Brian Turner, Attorney for the National Trust for Historic Preservation, described this project as open to challenge under CEQA. The Warner Nichols DEIR project description does not include future activities that may become part of the project, such as the full potential development of the site as permitted by the zoning designations. Under CEQA a project must be defined as "the whole of the action," (153789(a)) so that projects cannot be parceled up in a process known as "illegal project segmentation." H-2

The recommended mitigation measures are inadequate and are the lowest level of mitigation regarding historic preservation, e.g. photographing the site before demolition to accompany old and incomplete historic analysis. This is inadequate for a site widely recognized as significant not only in Huntington Beach, but also in Orange County and statewide. The alternative to relocate the buildings was not extensively researched and the onus was put on local volunteers who may not have expertise in this complex process. Additionally, there is no documentation regarding sites analyzed or record of public notification to reach private landowners. H-3

Alternative 3, the Historic Resource Renovation Alternative, although it involves the loss of the 1947 Furuta house, would meet all of the basic project objectives of being compatible with the surrounding land uses, provide a buffer between the residential and industrial uses as well as eliminates public safety concerns. Additional objectives should also be explored that retain the historic resources *en situ* as well as meet all of the basic project objectives including eliminating safety concerns without demolition or full restoration. While the DEIR states that Alternative 3 is the environmentally preferred alternative, convincing evidence as to why this alternative is not feasible was not offered. H-4

I urge the City to protect these buildings in place and extend the DEIR process so that the "whole action" of the proposed project, not just a portion of it, can be considered to determine appropriate alternatives. The historic Wintersburg Japanese Church complex is too important to demolish without an urgent reason, and represents a powerful opportunity for Huntington Beach to preserve an important legacy of its past. H-5

Thank you for the opportunity to comment on this document. Please feel free to contact me at (510) 282.3608.

Sincerely,

Donna Graves, Director
Preserving California's Japantowns

Cc: Carol Roland-Nawi, State Historic Preservation Officer
Brian Turner, National Trust for Historic Preservation
Jennifer Gates, California Preservation Foundation

Comment Letter H

Preserving California's Japantowns
Donna Graves, Director

Comment H-1

This comment expresses concerns about the proposed demolition of historic buildings, stating that this demolition would conflict with the City's General Plan, which encourages protection, preservation, and retention of historic resources.

The Draft EIR disclosed that there would be a significant impact on historic resources and that the effects on historic resources would be inconsistent with the City's General Plan, which is a significant impact. Although mitigation is included to lessen these impacts, the impacts would be significant after mitigation. No changes to the Draft EIR are required as a result of this comment.

Comment H-2

This comment states that there is no need for demolition because the project does not include development of the site. It claims that the lack of future development plans constitutes segmentation under CEQA.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole of the action." Consequently, there is no segmentation.

The immediate purpose of removing the onsite buildings is not to prepare the site for development, but to prevent further vandalism and deterioration, thereby reducing the public safety issue.

No changes to the Draft EIR are required as a result of this comment.

Comment H-3

This comment states that mitigation is inadequate and represents the lowest level of mitigation for historic resources. It states that the alternative to relocate the buildings was not adequately researched, and the potential relocation sites were not identified or notification provided to landowners.

As relates to mitigation for removal of historic resources, three levels of HABS documentation are available. HABS Level I is the highest level of recordation and is appropriate for historic buildings possessing a high level of architectural complexity. Unlike Level II and III recordation, Level I includes full measured drawings that are produced to comprehend what the historic buildings reveal of the past, and to place that knowledge in the perspective of architectural evolution. In contrast, HABS Level III recordation is appropriate for recording resources that have less physical complexity and do not possess a substantial level of architectural detail typically associated with a measured drawing illustration set. The existing conditions and level of architectural style and design of the buildings at the Wintersburg site do not appear to rise to the level of complexity to require HABS Level I recordation. A Level III recordation that uses large-format photography and the more detailed "Outline Format" written report used in Level I and II recordation can serve as an historical record appropriate for these resources, which is why Level III was the level chosen.

In response to this and other comments on the Draft EIR, this mitigation measure has been revised in the Final EIR to provide additional detail. The following is the revised mitigation measure showing the added (underlined) and removed (~~struck out~~) text:

> **Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 .** Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

As stated in Section 5.3 of the Draft EIR, offsite relocation of the historic buildings was considered. The City has researched the City's land uses and has determined that it does not have ownership or jurisdiction over a site that could accommodate the historic buildings. The Community Services Department was contacted to see if there were any city parks that could take the structures. The cost of relocation and the preparation of the sites in the parks, including providing adequate parking, as well as potential impacts on existing park uses and other restrictions, made this alternative infeasible for the City. The City planning staff also contacted the Historic Resources Board, an advisory board to the Huntington Beach City Council, and the Huntington Beach Historical Society to see if they had any interest in taking the structures or if they knew of possible relocation sites. Late in 2012, a City Council ad hoc committee was formed to work on the preservation of the structures. That committee has been meeting monthly since September 2012 and has developed a matrix of possible relocation sites, but at present no definitive relocation site has been identified. To date, there have been no plans to relocate the buildings onto private land, so no notification of landowners has been required.

Mitigation Measure CR-2 requires that the applicant make a public offer of the availability of the structures for relocation.

Comment H-4

This comment asks that additional objectives should be explored that retain the historic resources in situ, while meeting all the project objectives. It also states that there was not convincing evidence that Alternative 3 would not be feasible.

It is not an objective of the project to retain the buildings on site, but alternatives were considered that would do this. In order to meet the public safety objective, the site would need to be occupied. Therefore, Alternative 3 was developed, which would require some relocation of buildings on the site and additional site development in order to comply with City codes for use as commercial or industrial purposes. This alternative was found to meet most of the project objectives. A feasibility

analysis was undertaken and was presented in Section 5.5.3 of the Draft EIR. This analysis included the site development that would be required, the amount of leasable space that would be created, and the cost of renovating the historic buildings. It also presented a comparison of lease costs in the City for similarly sized properties, and calculated the approximate lease income that could be generated, if a suitable tenant could be found. (It also discussed the constraints of the property and the potential problems in finding a suitable tenant.) Finally, it presented a payback period that would be needed to pay off the cost of renovation alone (not including site development costs and ongoing maintenance costs) and found a payback period in excess of 19 years. Based on this evidence, Alternative 3 was found to be infeasible.

No changes to the Draft EIR are required as a result of this comment.

Comment H-5

This comment asks that the City protect the buildings on site. It also states that the EIR process should be extended until the "whole action" can be considered.

The comment asking for the City to protect the buildings on site does not address the EIR, and no response is required. The comment will be provided to the decision makers to consider when determining whether to approve the project.

As stated in previous responses, the general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole action."

No changes to the Draft EIR are required as a result of this comment.

Comment Letter I

Historic Resources Board

An advisory board to the Huntington Beach City Council

November 16, 2012

Ricky Ramos, Senior Planner
City of Huntington Beach
Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

RE: Warner- Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; demolition or removal of existing structures at 7622-7642 Warner Ave (southeast corner of Warner Ave. / Nichols St.)

The Historic Resources Board of Huntington Beach recommends the Planning Commission deny the draft Environmental Impact Report (EIR) for the General Plan amendment and Zoning Map amendment, as well as the demolition application. The Historic Resources Board of Huntington Beach has reviewed the Warner-Nichols Draft EIR and the following is what we have found:

I-1

First, and perhaps most important, the proposed project is in conflict with the City's General Plan goals, objectives and policies that encourage protection, preservation, and retention of historic resources. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant.

The draft EIR separates future land development plans from the zoning change to industrial/commercial. This does not allow full CEQA evaluation and analysis by the public regarding the ultimate future land use. The public cannot analyze the impacts of development plans that do not yet exist. The applicant is not proposing development, so there is no justification for demolition of landmarks recognized in the City's General Plan.

I-2

Additionally, the draft EIR is inadequate in its historic analysis. This EIR document is fairly thorough BUT it is lacking a great deal of information on the Furuta family which paints a diminished picture of the importance of Charles Mitsuji Furuta. With more information on Mr. Furuta's accomplishments the site structures, specifically the Furuta House and Barn, should also qualify for a CEQA Criterion B and 2 National Register of Historic Places listing. For example, while Mr. Furuta may have been listed as a "laboror", his 4-year tenure as an essential part of the Cole Ranch led to the purchase of his own property in 1904. Mr. Furuta was not just a "supporter" of the Church, he was the main benefactor. He was also on its first board and one of only

I-3

1

two who signed its charter. He also co-owned, with Henry Akiyama, what was at the time the nation's largest goldfish farm (see Kiyomi "Henry" Akiyama interview- CSU Fullerton Archive). These and his many other overlooked contributions to his community, this city and to his adopted country deserve more attention in this document.

The Furuta Barn structure also gets shorted, in all categories, because of the modifications to it over the life of the property. What has been overlooked is that all of the changes to that structure have taken place during the period in which the family ran, lived and worshipped on the property. This means that all of the changes to the structure are a valid part of the historic fabric of the structure. Rather than diminishing the structure, the changes actually enhance its qualifications because it tells the story of how the farm had to adapt not only to the upheavals in Orange County agriculture but also those related to the internment of Japanese Americans during World War II. The barn makes the Furuta home a farmhouse. Without the barn, the Furuta home is just the house where an associate and benefactor of the church lived. The Furuta family is far more important than this draft EIR would suggest.

The draft EIR separates the onsite structures for historic analysis. The entire site and collection of buildings— a half dozen structures —should be evaluated as a historic district. Analyzing each structure on a “stand alone” basis ignores the historic value of the property as a multi-structure historical site. The site in its entirety qualifies as a historic district. By separating the analysis, the draft EIR attempts to reduce the significance of the historic value of the entire property as part of the Wintersburg Village and greater Huntington Beach.

I-3 Cont.

The 1986 Japanese American Council of Orange County Historic Building Survey identified the Wintersburg Japanese Presbyterian Mission complex and the Furuta home as being among 33 surviving buildings of historical interest to the County. Today, nearly all the buildings on that survey have been demolished.

City of Huntington Beach Historic Building Survey (1986 states “in addition to individual structures, collections of buildings are important from a historic preservation standpoint where these collections represent a distinguishable entity which conveys the feelings and associations of the past - even though the individual buildings may not be significant. Generally termed an historic district, these collections of buildings maintain a feeling and association of the past by an internal coherence and integrity. In other words, the buildings relate to one another in the same way that they did originally."

The original 1910 buildings associated with the Wintersburg Japanese Presbyterian Mission are identified as the oldest surviving Japanese-American religious structures in Orange County.

2

Historic Resources Board

An advisory board to the Huntington Beach City Council

This property represents the sole remaining property owned by a Japanese family prior to the Alien Land Law of 1913. This property and its buildings have survived for a century, including the World War II years when many properties of this type were destroyed. I-3 Cont.

The draft EIR's archaeological review is inadequate. The City has already been notified by both the California Native American Heritage Commission and the Tongva Nation of sensitivities in the area during the Beach –Warner Mixed Use review, and a human burial was found a short distance from the property (Shell Midden, Site Number 30000346). The draft EIR finding is that discovery of human remains is "less than significant." I-4

The draft EIR is inadequate in its analysis of potential alternatives. The recommended mitigation measures are inadequate. Level III documentation is the lowest level and least comprehensive, comprising of images and rough sketches. The proposed demolition of the entire site removes an important and rare piece of Japanese American history in Huntington Beach, Orange County, California and the United States. This is not just Japanese American history, its American history. For this level of impact, more significant and meaningful mitigation should be required. I-5

The alternative to relocate the buildings was not extensively researched. There is no documentation regarding sites analyzed or record of public notification to reach public or private landowners.

The applicant expects third parties to pay for mitigation of their project as relates to historic preservation. I-6

Lastly, the EIR document also tends to play up the security concerns surrounding the property to the detriment of the historic structures and the integrity of the document itself. For example, "Activity onsite has resulted in three calls for police services in 2011, with a total of 71 calls for police service since 1996." Without this information broken down further to see if its trending stable, downward or upward, the impression is left that the site is currently overburdening city services.

Also, "The buildings have been repeatedly vandalized and are utilized by vagrants, homeless people, and gangs." Gangs? Without a breakdown of the stats related to this statement the impression is left that the site is currently a hotbed for drug peddlers and death dealers. What year was the fencing installed? How well is it maintained? How has the fencing changed the yearly calls? What reduction in the level of vandalism have or would better security measures bring? When did the doors and windows get boarded up and what was the result? Would a more secure board up diminish vandalism even further? I-7

These issues leave the impression the document is biased toward the proposed I-8

Historic Resources Board

An advisory board to the Huntington Beach City Council

demolition; especially in section 5.6 Environmentally Superior Alternative and related support documents. On a related note, the $2.65 million costs associated with the restoration suggested by section 5.6 seem to be over-estimated and without a competitive bid process.

I-8 Cont.

While the HRB appreciates the amount of work that has gone into the draft EIR, the Board, City Council and public need the findings and conclusions in it enhanced by the inclusion of more specifics in order to make informed decisions about the resources and the future of this community. The above sections and issues should be better addressed to bolster the integrity of this document. The Historic Resources Board is glad to be of any assistance in this process.

I-9

Respectfully submitted,

Barbara Haynes

Chair, Historic Resources Board of Huntington Beach

4

Jones, Tanya

-----Original Message-----
From: Joseph D Santiago [mailto:graphicviolencedesn@yahoo.com]
Sent: Monday, November 19, 2012 2:09 PM
To: Ramos, Ricky
Subject: Fwd: Diagram of Ponds at Furuta Gold Fish Farm

-------- Original Message --------
Subject: Diagram of Ponds at Furuta Gold Fish Farm
From: Norman Furuta <NFURUTA@aol.com>
To: graphicviolencedesn@yahoo.com
CC: Mary Adams Urashima <mary.adams.urashima@gmail.com>

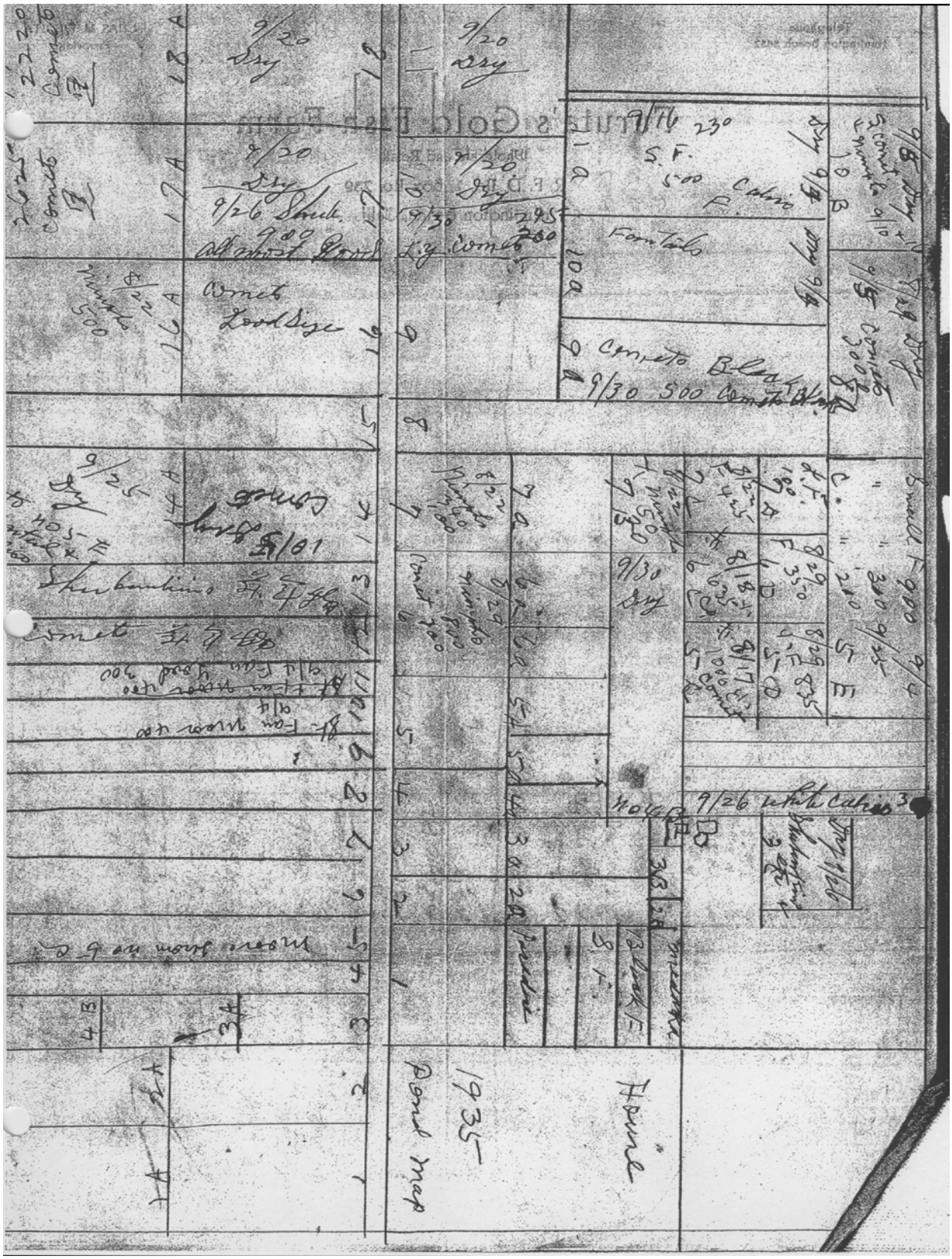
Dear Joe,

I was able to find my copy of the fishpond diagram in what I believe is my grandfather's handwriting. Assuming the diagram is even roughly to scale, it would indicate (along with the first photo that I sent last night) that the ponds covered substantially all of the five acre parcel, excepting the lower right hand corner where the church buildings and the Furuta house and shed were located. (The diagram is oriented with the south at the top and north at the bottom of the page, which is how a visitor would most likely view the farm approaching it from Wintersburg Avenue.) "Comets" and "Fantails" (types of goldfish) appear to make up much of the inventory.
In the lower right corner, just about twice as far from Warner Avenue as the house, you might be able to make out a small square and circle. I think this might be the site of the old water tower and pump shed. The tower was torn down long ago, but I think there are still remains of the old pump shed today, which would be another useful reference point in determining the location of the ponds.

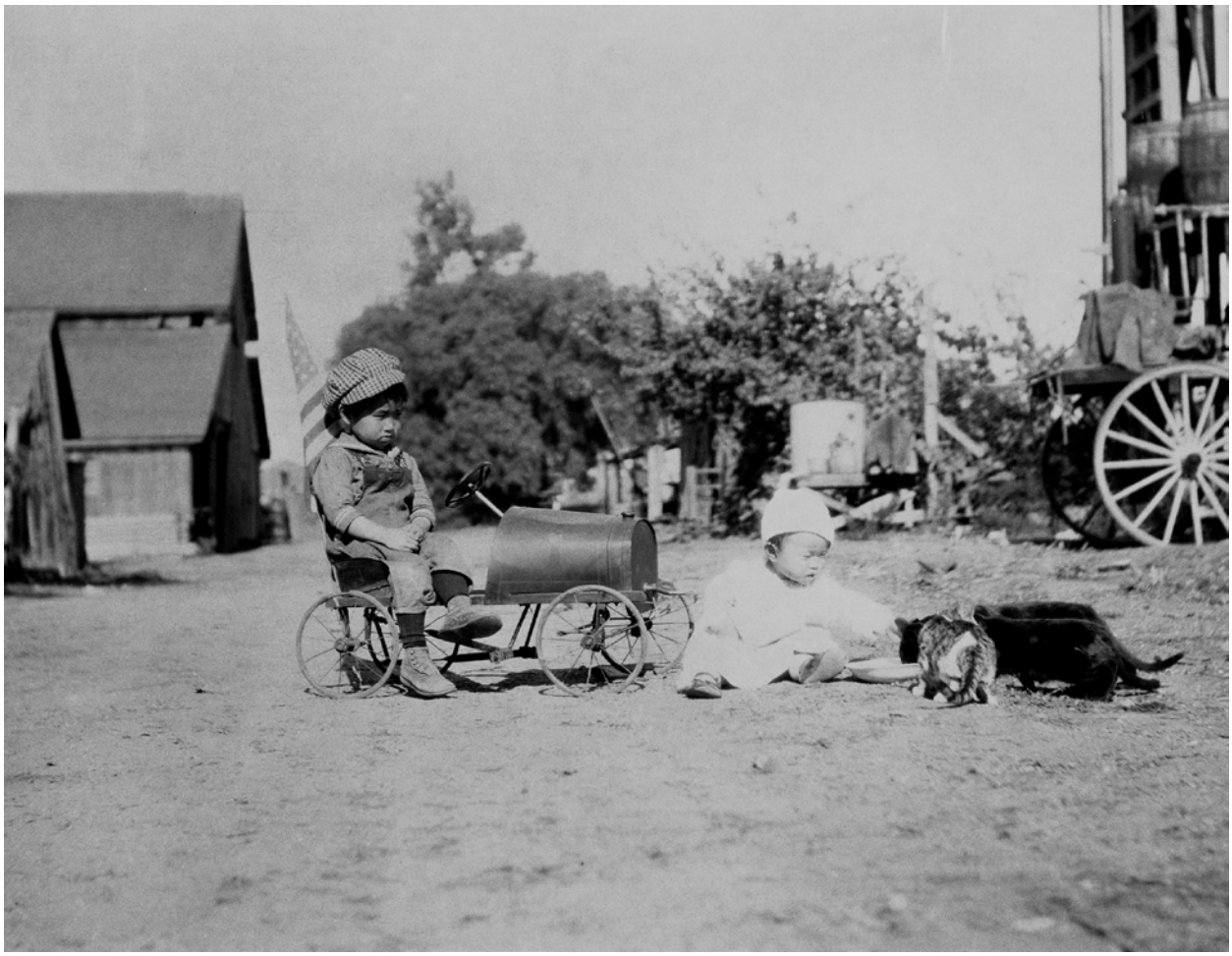
Hope this helps with your comments on the DEIR.

Norm Furuta

1


1935
Pond map
House


GOLD FISH FARM
C.M.FURUTA
PROPRIETOR



Comment Letter I

Historic Resources Board of Huntington Beach
Barbara Haynes, Chair

Comment I-1

This comment recommends denial of the EIR and the demolition application. It states that the project conflicts with the City's General Plan, which encourages protection, preservation, and retention of historic resources.

The comment to deny the EIR represents a misunderstanding of the CEQA process. The EIR provides the City's decision makers information to consider when deciding whether to approve the project or not. The decision for the City relative to the EIR is whether or not to certify the EIR as being adequate for their use in making this decision. The comment asking for the City to deny the demolition application does not address the EIR, and no response is required. The comment will be provided to the decision makers to consider when determining whether to approve the project.

The Draft EIR disclosed that there would be a significant impact on historic resources and that the effects on historic resources would be inconsistent with the City's General Plan, which is a significant impact. Although mitigation is included to lessen these impacts, the impacts would be significant after mitigation.

No changes to the Draft EIR are required as a result of this comment.

Comment I-2

The comment states that since no development has been proposed, the public cannot fully evaluate the impacts under CEQA.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole of the action," and the public has been provided all the information to be able to fully evaluate impacts under CEQA.

Additionally, the comment states that since there is no development proposed, demolition of the existing structures is not warranted. However, demolition of the structures is an objective of the proposed project to eliminate public safety concerns and unsightly conditions. The immediate purpose of removing the buildings on site is not to prepare the site for development, but to prevent further vandalism and deterioration, thereby reducing public safety issues.

No changes to the Draft EIR are required as a result of this comment.

Comment I-3

The comment states that the Furuta House #1 qualifies for National Register and California Register eligibility under Criterion B/2 in addition to Criterion A/1. It also states that the barn structure remains a viable historic resource because its alterations occurred when the Furuta family resided on the property and indicate that Furuta House #1 is a farmhouse. The comment states that the entire site should be evaluated as a historic district, and that the Draft EIR analysis reduces the significance of the entire property. Finally, the comment states that the number of remaining Japanese American historic resources in Orange County is greatly diminished, that the project site's original buildings are the oldest surviving Japanese American religious structures in Orange County,

and that this is the sole remaining property owned by a Japanese family prior to the Alien Land Law of 1913.

Sufficient research was conducted and recorded during the current survey process to establish the importance of Furuta House #1 as eligible for listing in the National Register and California Register under Criterion A and 1, respectively. Whether additional research would have uncovered sufficient evidence to validate Mr. Furuta's importance as individually significant within the historic context under National Register Criterion B or California Register Criterion 2 is conjectural. It should be noted that regardless of whether Furuta House #1 was identified as eligible for listing in the National Register under Criterion B in addition to Criterion A, under CEQA, the demolition of this resource would result in a significant and unavoidable impact.

The Draft EIR noted that the barn was not referenced in the oral interview conducted with Mrs. Yukiko Furuta nor were any historic photos of the barn located during the survey process. The barn's west elevation has an addition that extends around the south and east elevations with the barn's original roof visible above the shed-like roof of the addition. These additions have degraded the structure's integrity of design, materials, and workmanship such that it does not appear eligible for National Register or California Register listing. As relates to the Furuta House #1 being a farmhouse, the agricultural activities associated with the residence and site were thoroughly documented in the Draft EIR.

The Draft EIR does not identify the existence of an historic district because there are only two parcels upon which the buildings were constructed. APN 111-372-07 contains Furuta House #1, House #2, and the barn. APN 111-372-06 contains the Pastor's House, Church #1, and Church #2. In defining categories of historic properties, National Register Bulletin *How to Apply the National Register Criteria for Evaluation* requires on page 5 "a significant concentration "of resources to qualify as a district. In this case, there are only two properties containing historic resources that together do not constitute a significant concentration to justify the identification of a district. This approach does not reduce the significance of the properties as representative of the Japanese American experience in Huntington Beach. It should be noted that regardless of whether the properties are identified as individually eligible for listing in the National Register or as contributors to a potential National Register–eligible district, under CEQA, the demolition of these resources (except for the barn and House #2) results in identical impacts that are significant and unavoidable.

No evidence was provided to support these claims that the site was the sole remaining property in Orange County owned by a Japanese family prior the Alien Land Law, so this claim could not be verified. Even if true, this information would not affect the conclusions in the Draft EIR regarding the eligibility for listing in the National Register or California Register.

No changes to the Draft EIR are required as a result of this comment.

Comment I-4

This comment states that the Draft EIR's archaeological review is inadequate, and goes on to state that the City has already been notified by both the California NAHC and the Tongva Nation of sensitivities in the area during the Beach–Warner Mixed Use review, and that a human burial was found a short distance from the property (Site Number 30000346).

The Draft EIR analyzed the impacts of the current project on archaeological resources and human remains within the current project parcel. No archaeological resources or human remains have been found on the project parcel. No ground disturbance is proposed for the project, and it is extremely unlikely that human remains would be discovered as a result of the project.

Human remains were indeed found in 1972 at Site 30000346, which is located about one-quarter mile distant. Sensitivity regarding a project at that distance from the current project does not affect the findings for the current project.

The City has contacted the Tongva twice regarding SB 18, and the consultant has contacted the Tongva once regarding the project. No responses were received to these requests for consultation, which suggests the Tongva have no concerns regarding the current project.

No changes to the Draft EIR are required as a result of this comment.

Comment I-5

This comment states that the Draft EIR's alternative analysis is inadequate and the mitigation measures are inadequate. The comment claims that the relocation of buildings was not extensively researched.

In response to this and other comments on the Draft EIR, two mitigation measures for cultural resources have been revised in the Final EIR to provide additional detail. The following are the revised mitigation measures showing the added (underlined) and removed (~~struck out~~) text:

Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 . Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed

Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

As stated in Section 5.3 of the Draft EIR, offsite relocation of the historic buildings was considered. After a search of City-owned land uses, it was determined that there were no properties with the appropriate ownership, jurisdiction, size, and land use to accommodate the structures. The Community Services Department was contacted to see if there were any city parks that could take the structures. The cost of relocation and the preparation of the sites in the parks, including providing adequate parking, as well as potential impacts on existing park uses, made this alternative infeasible for the City. The City planning staff also contacted the Historic Resources Board, an advisory board to the Huntington Beach City Council, and the Huntington Beach Historical Society to see if they had any interest in taking the structures or if they knew of possible relocation sites. Late in 2012, a City Council ad hoc committee was formed to work on the preservation of the structures. That committee has been meeting monthly since September 2012 and has developed a matrix of possible relocation sites, but at present no definitive relocation site has been identified. To date, there have been no plans to relocate the buildings onto private land, so no notification of landowners has been required.

Comment I-6

This comment states that the applicant expects third parties to pay for mitigation for impacts on cultural resources.

Mitigation Measure CR-1 (as amended in the Final EIR), requires documentation of the historic buildings on the site before they are demolished. The cost of this documentation will be borne by the applicant.

Mitigation Measure CR-2 (as amended in the Final EIR), requires the applicant to make an offer of the buildings prior to demolition, and contribute to the relocation costs up to the amount they would spend for demolition, based on a contractor's estimate approved by the City.

Mitigation Measure CR-3 requires that the demolition contractor contact a qualified professional archaeologist in the event that potential archaeological resources are discovered on the site during demolition. The costs of the demolition, the archaeologist, and any subsequent studies would be borne by the applicant.

Mitigation Measure CR-4 requires that the demolition contractor contact a qualified professional paleontological monitor in the event that potential paleontological resources are discovered on the site during demolition. The costs of the demolition, the paleontologist, and any subsequent studies would be borne by the applicant.

Comment I-7

This comment states that the EIR does not provide enough information about security concerns, questioning the information provided about how many calls to the police have been received and when, who was responsible for the vandalism, when the site was fenced, when the buildings were boarded up, how the site is maintained, the effectiveness of fencing, and securing the property.

The project site has been a public safety concern for many years, including before the current owner took possession of the property. The fencing was in place when the current owner bought the property. Efforts by the current owner have reduced some of the deterioration of the property

(there were no security issues recorded in 2012), but it continues to pose a public safety concern, and it is the desire of the applicant to reduce their liability by removing the structures.

The specific questions asked in this comment are outside the requirements of CEQA. The property owner has made an application to the City that requires a discretionary action, thereby triggering CEQA. It is not the role of the CEQA document to justify the applicant's reasons for their application.

No changes to the Draft EIR are required as a result of this comment.

Comment I-8

This comment claims that the document is biased toward the proposed demolition, especially Section 5.6, the Environmentally Superior Alternative and related support documents. It questions the estimated cost of restoration.

The Draft EIR provided an unbiased analysis of the project as proposed by the applicant and identified alternatives to the project, as required by CEQA. The document identified Alternative 3 as the environmentally superior alternative but found that it was not feasible based on a feasibility study detailed in Section 5.6. The feasibility study was provided by Thirtieth Street Architects (May 2012), a firm recommended to the applicant by the City because of their experience preparing the City's 1986 Historical Resources Survey Report. Additional information for the feasibility study is included in Appendix G of the Final EIR.

No changes to the Draft EIR are required as a result of this comment.

Comment I-9

This comment provides a summary of their previous comments, requesting more information and documentation.

See responses to Comment I-1 through I-8.

Comment Letter J

Jones, Tanya

From: michael bloom [mailto:dracnoor@yahoo.com]
Sent: Saturday, November 17, 2012 9:03 PM
To: Ramos, Ricky
Subject: Warner-Nichols General Plan Amendment No. 05-001

Dear Mr. Ramos:

As residents of Westminster, California, which contains no historical structures to speak of, we were quite shocked to take note of the Warner-Nichols General Plan Amendment No. 05-001, in which the City of Huntington Beach outlines the proposed destruction of a century-old church complex, specifically the structures which exist at 7622-7642 Warner Avenue (Warner Ave. at Nichols St.)

The EIR, as drafted, suggests the demolition of 100-year-old historic structures while offering to justification for said project. In support of this conclusion we offer specific examples as set forth below:

I.

Destruction of historic structures in this instance is not proposed as a precursor to any form of construction or development, nor any planned activity or land use which would make said demolition unavoidable. The proposed "project" begins and ends with the destruction of these century-old historic structures. This is specified on at least three separate occasions in the EIR as follows:

J-1

ES.5.2 – Removal of Site Buildings and Improvements
"The project site would remain undeveloped and vacant."
2.3 – Proposed Project
"The project does not include any development. Therefore, the site would remain vacant after implementation of the project."
2.3.1 – Removal of Site Buildings and Improvements
"The project site would be undeveloped and vacant."

Note also:
4.3.1 – Cultural Resources
"The proposed project would result in demolition of historic resources that are located on the project site… Even so, it is not always feasible to protect cultural resources, particularly when preservation in place would frustrate implementation of projects."

Yet the Sections of the EIR as quoted previously make it clear that absolutely no future projects exist to be "frustrated" in any possible way.

II.

In addition to he language of Section 4.3.1 cited above, the legitimate historic status of said structures is not disputed at any point in the EIR, and is in fact reinforced numerous times by the EIR itself, including the following examples:

J-2

1

ES.4 – Site History and Existing Conditions
"Structures that have been identified in the General Plan s having historic significance as local landmarks."

ES.9 Significant and Unavoidable Impacts
"Demolition of historic resources, as proposed by this project, is not consistent with the City's general Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant."
- and -
"Therefore, impacts related to cultural resources would remain significant and unavoidable."

3.1.2.3 – Existing Structures on the Project Site
"The original 1910 buildings associated with the Wintersburg Japanese Presbyterian Church are identified on the survey as the oldest surviving Japanese-American religious structures in Orange County."

This section also notes,
"The Wintersburg Japanese Presbyterian Church complex (including the adjoining Furuta House) I far and away the most significant Japanese-American historical site in Orange County."

J-2 Cont.

3.1.6.1. – Project Impacts
Impact CR-1. "The proposed project would cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5."
7.3 – Significant and Unavoidable Environmental Effects
Furuta House #1, Pastor's house, Church #1 and Church #2 are each described as "Appear[ing] individually eligible for listing on the National Register and California Register."

Yet the EIR is negligent in that does not even consider the vastly greater significance of this pre-war Japanese-American religious complex as an intact whole.

With regard to structural integrity, the key buildings are found to be eminently salvageable, as follows:

3.1.2.3 – Existing Structures on the Project Site
Furuta House #1 is "Becoming dilapidated although its integrity is high" and Wintersburg Presbyterian Church ("Church #2") also "Retains a high level of integrity."

Findings of structural integrity should not be surprising, noting that, in the past, the Furuta house was deemed so valuable that it was physically uprooted and moved southward, to avoid its demolition during the widening of Warner Avenue. The house suffered no ill effects from this move.

III.

Moreover, the project is deemed inconsistent with every single tenet of the City's General Plan as set forth in the EIR (Table 3.1-1 – Huntington Beach General Plan Historic Goals and Policy Consistency Analysis):

Goal HCR 1 – To promote the preservation and restoration of the sites, structures and districts which have architectural, historical, and/or archaeological significance… - NOT CONSISTENT

J-3

Objective HCR 1.1 – Ensure that all the City's historically and archaeologically significant structures are identified and protected - NOT CONSISTENT

2

HCR 1.3.6 – Encourage appropriate adaptive reuse of historic resources in order to prevent misuse, disrepair and demolition… - NOT CONSISTENT

HCR 1.4.5 – Encourage the provision of uses that are conductive to public use and education of historic structures - NOT CONSISTENT

J-3 Cont.

IV.

Potential alternatives to demolition, such as adaptive reuse and/or restoration of the existing structures, are dismissed out of hand by the EIR without evidence of any actual research being conducted as legitimate grounds for its conclusions:

5.6 – Environmentally Superior Alternative
"The small size and internal configuration of the four buildings… would constrain commercial activities, and it would be difficult to find tenants to lease them. Additionally, the restoration and preservation of the four buildings would be a time-consuming and expensive process that is estimated to take 20 years of lease payments to pay for."

J-4

With regard to the feasibility of restoration and/or occupancy of these historic structures, the EIR makes another serious omission; inasmuch as it fails to mention the fact that, over the past five years, property owner Rainbow Disposal has been approached on two separate occasions by independently funded historical organizations who wished to assume liability and costs to restore these structures on site.

It should be noted that, ironically, the property owners have recently allowed a gardener to rent the least-significant structure on the site, southernmost Furuta House #2, and this occupancy effectively ceased all vagrancy and vandalism at this end of the property.

V.

The only attempt at justification for this demolition project does in fact pertain to property degradation and/or vandalism, and exists in the EIR as follows:

ES.6 – Project Objectives;
also 2.4 – Project Objectives;
also 5.4 – Proposed Project
"Removing the existing structures to eliminate public safety concerns and unsightly conditions."

2.2.3 – Project Site History
"Because the existing buildings on the project site have been sitting vacant and no regular activity occurs on the project site, the six buildings have been repeatedly vandalized, utilized by vagrants, homeless people, and gangs… the most recent trespassing events occurred on August 26, 2011, and resulted in additional destructive activity."

J-5

Setting aside for the moment the aforementioned offers from third parties to restore and/or occupy the structures, it should be noted that no significant degradation of the key structures on this site was documented by any historians prior to seven years ago. When such degradation did occur, it was often with the full knowledge and permission of the property owners, and occasionally due to the direct actions of the property owners or their employees. This includes, but is not limited to, the following examples:

3

A. Circa July 2006:
A handwritten note was placed on the rear (south side) door of the Wintersburg Church as follows: "I don't mind you living here for now, just don't be so obvious about it. Please pick up the clothes laying around outside."

This particular example adequately demonstrates the property owner's knowledge of squatters unlawfully occupying the church structure, and that said squatters were given informal permission to remain. In addition, the note in question was written on vintage paper which bore the church's letterhead, demonstrating that some form of vintage/historical artifact still existed in the structure's interior.

B. Circa January 2012:
Rainbow Disposal gutted the Wintersburg Church, Furuta House #1, and dilapidated barn structure, throwing their contents into large industrial dumpsters. When questioned by local citizens about the potential loss of historic artifacts, a company spokesman commented that they were only "Clearing out debris left behind by squatters." If true, the quantity of materials involved indicated multiple years' worth of occupancy and accumulation. No explanation was offered as to how "squatters" belongings could include such vintage items as the eighty-year-old furniture or sixty-year-old appliances as seen by witnesses.

J-5 Cont.

C. Circa September 2012:
The metal security door and wooden front door of Furuta House #1 was torn off their hinges. A spokesman for Rainbow Disposal stated that it was likely the result of a "retirement party" that had just been held on the site.

VI.

In conclusion, no construction project or other legitimate reason is set forth in the EIR to justify demolition of the historic Wintersburg Church complex; adequate evidence exists that third parties have been, and still are, available to take over stewardship and restoration of these structures on site; and viable alternatives to demolition are not adequately explored in the EIR as drafted. On balance there also appears to be evidence to support the assertion that the property owners have themselves been active in the degradation of this historic site.

J-6

Therefore, the proposed demolition project must be rejected as having no provable justification. In the alternative, the existing EIR should be set aside as grossly inadequate so that the additional information set forth herein may be taken into account, and if necessary, that a new and more comprehensive EIR be drafted.

Sincerely,

Michael Bloom, et al
Draconis Design
7711 Duquesne Pl.
Westminster, CA 92683

714-894-6315

dracnoor@yahoo.com

Comment Letter J

Draconis Design
Michael Bloom, et al
7711 Duquesne Place
Westminster, CA 92683

Comment J-1

The comment states that since the proposed project does not include any planned development, demolition of the existing structures is not warranted.

Demolition of the structures is an objective of the proposed project to eliminate public safety concerns and unsightly conditions. The immediate purpose of removing the buildings on site is not to prepare the site for development, but to prevent further vandalism and deterioration, thereby reducing public safety issues. No changes to the Draft EIR are required as a result of this comment.

Comment J-2

This comment provides a series of quotations from the Draft EIR and concludes that the EIR did not consider the vastly greater significance of the religious complex as an intact whole.

Section 3.1.2.1 of the Draft EIR provided a discussion of the overall contextual history of the site as relates to the Furuta family and its farm, the Wintersburg mission and church, the Pastor's House, and how the site is an important part of the Japanese American experience in Huntington Beach and Orange County.

Comment J-3

The comment states that the proposed project is inconsistent with every single tenet of the City's General Plan as set forth in the Draft EIR, and is in noncompliance with the goals and objectives.

This comment is not consistent with the text in the Draft EIR. Section 3.1 of the Draft EIR, Cultural Resources, identifies that the proposed project is inconsistent with the City's General Plan Historic and Cultural Resources Element goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. This impact was considered significant and unavoidable in the Draft EIR. However, Section 3.2 of the Draft EIR, Land Use, found the proposed project to be consistent with the City's General Plan Land Use Element goals, objectives, and policies that encourage compatible and harmonious land uses. This impact was considered less than significant.

No changes to the Draft EIR are required as a result of this comment.

Comment J-4

This comment claims that alternatives to the proposed project were dismissed without providing evidence to back up the conclusions. The comment claims that the applicant has been approached in the past by organizations wishing to assume liability and costs to restore the buildings on site. It also claims that one of the structures on the site has been rented out.

Chapter 5 of the Draft EIR presented an alternatives analysis consistent with the requirements of CEQA, including providing an environmental analysis of each alternative, discussing each alternative's ability to attain the project objectives and the feasibility of each alternative. Three

alternatives were analyzed. Evidence to support the conclusions for each alternative was provided in the document.

Alternative 1, No Project Alternative, was discussed in Section 5.5.1. As stated in the Draft EIR, Alternative 1 is technically feasible, but maintaining the status quo would not be in the best interest of the residents of the City because the property would not be used in a manner that benefits the City (i.e., it would remain unused in poor aesthetic condition and be fenced off). Alternative 1 would leave in place existing negative environmental issues related to hazards in the event people gain access to the buildings on site.

Alternative 2, Reduced Project (Historic Resources Avoidance) Alternative, was discussed in Section 5.5.2 of the Draft EIR. With this alternative, all structures would be removed from the property except for the historic resources, and the land use and zoning designations would be amended to commercial and industrial. The historic resources would remain as non-conforming uses. As stated in the Draft EIR, Alternative 2 is technically feasible, but without re-use of the buildings, the same issues would continue as discussed for Alternative 1.

Alternative 3, Historic Resources Renovation Alternative, was discussed in Section 5.5.3 of the Draft EIR. With this alternative, all structures would be removed from the property except for the historic resources, and the land use and zoning designations would be amended to commercial and industrial. The historic resources would be renovated (and, as necessary, relocated within the site) to allow re-use of the structures consistent with the amended land use and zoning designations. A feasibility analysis was undertaken and was presented in Section 5.5.3 of the Draft EIR. This analysis included the site development that would be required, the amount of leasable space that would be created, and the cost of renovating the historic buildings. It also presented a comparison of lease costs in the City for similarly sized properties, and calculated the approximate lease income that could be generated, if a suitable tenant could be found. (It also discussed the constraints of the property and the potential problems in finding a suitable tenant.) Finally, it presented a payback period that would be needed to pay off the cost of renovation alone (not including site development costs and ongoing maintenance costs) and found a payback period in excess of 19 years. Based on this evidence, Alternative 3 was found to be infeasible.

Section 5.6 presented the environmentally superior alternative analysis, as required by CEQA. It found that Alternative 3 was the environmentally superior alternative but concluded that this alternative was not feasible based on the feasibility analysis presented in Section 5.5.3.

Regarding the claim that the applicant has been approached by parties offering to assume liability and costs to restore the buildings on site, no such offer has been made. Also contrary to the comment's claim, Furuta House #2 has not been rented and is unoccupied.

No changes to the Draft EIR are required as a result of this comment.

Comment J-5

This comment makes claims about previous actions on the property but does not address the analysis in the Draft EIR. Because it does not address the environmental analysis, no response is necessary.

No changes to the Draft EIR are required as a result of this comment.

Comment J-6

This comment provides a summary and conclusion for the previous comments, and states that the project should be denied and the document recirculated due to inadequate analysis.

See responses to Comments J-1 through J-5.

According to CEQA Guidelines Section 15088.5, "a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification…New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." No significant new information has been added to the EIR, and therefore recirculation is not required.

Comment Letter K

Jones, Tanya

From: Norman Furuta [mailto:NFURUTA@aol.com]
Sent: Monday, November 19, 2012 1:59 PM
To: Ramos, Ricky
Subject: Warner-Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; demolition or removal of existing structures at 7622-7642 Warner Ave at Nichols St 92647

I am writing to express my concerns over the proposed demolition of the Historic Wintersburg Japanese site when no future development is proposed in the Draft Environmental Impact Report (draft EIR).

The Draft EIR at page 3.1-9 states that no historic photograph exists of the Furuta barn. I was able to locate this 1928 photograph among family documents showing part of the north and east sides of the barn next to some of the fishponds then existing. The photograph was taken near Warner Avenue (then Wintersburg Avenue) looking south. K-1

1


GOLD FISH FARM
C.M. FURUTA
PROPRIETOR

As for the addition to the barn on its southwest corner which was made around 1997, I believe most if not all of the siding of the addition incorporated redwood salvaged from the original structure. It is entirely possible that most of the material forming the original external walls are still present at the site. In my opinion, it is only this 1997 addition that degrades the integrity of the original structure; with the retention of original materials, restoration to its pre-1997 condition should be possible.

K-1 Cont.

The other additions to the barn were made in the 1930s or 1940s and were architecturally consistent with the original design.

A thorough search of family documents for historical photographs of the structures in question has not yet been completed, but it is possible that other photographs of these structures dating from 1912-1942 may exist.

Norman Furuta
Grandson of Charles Mitsuji Furuta
PO Box 31879
San Francisco, CA 94131
(415) 503-6994
(415) 407-2128
NFURUTA@aol.com

Comment Letter K

Norman Furuta
PO Box 31879
San Francisco, CA 94131

Comment K-1

The comment questions the justification of demolition of the existing structures when no development plan has been proposed. The comment also provided a photograph of the site.

As stated in the Draft EIR, the immediate purpose of removing the buildings on site is not to prepare the site for development, but to prevent further vandalism and deterioration, thereby reducing public safety issues.

The additional information provided in the comment (photograph) will be made part of the Administrative Record for the Warner-Nichols EIR.

Comment Letter L

Jones, Tanya

From: Hansen, Arthur [mailto:ahansen@Exchange.FULLERTON.EDU]
Sent: Monday, November 19, 2012 3:58 PM
To: Ramos, Ricky
Subject: FW: Warner-Nichols General Plan

Dear Mr. Ramos,

I inadvertently sent to you my penultimate copy of my comments instead of my final copy, which is here attached. Please be kind enough to subsitute this copy for the one sent earlier as my official response to the Historic Wintersburg (Warner-Nichols) draft EIR. Thanks so kindly. L-1

Warmly appreciative, Art Hansen

From: Hansen, Arthur
Sent: Monday, November 19, 2012 3:35 PM
To: rramos@surfcity-hb.org
Cc: ahansen@fullerton.edu
Subject: Warner-Nichols General Plan

Dear Mr. Ramos:

Attached please find my comments on the Historic Winterburg (Warner-Nichols) draft EIR. I appreciate your kind receipt and attention to this item.

Warmly, Arthur A. Hansen

1

M e m o r a n d u m

Date: November 19, 2012

To: Mr. Ricky Ramos, Senior Planner
City of Huntington Beach
Planning and Building Department
P. O. Box 190
Huntington Beach, CA 92648

From: Dr. Arthur A. Hansen
Professor Emeritus of History and Asian American Studies
California State University, Fullerton

Subject: Warner-Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; demolition or removal of existing structures at 7622-7642 Warner Ave. (southeast corner or Warner Ave./Nichols St.)

I am writing to express my concerns over the proposed demolition of the Historic Japanese [American] site when no future development is proposed in the Draft Environmental Impact Report (draft EIR). I am writing from the perspective of someone who is generally acknowledged to be among the leading authorities of the Japanese American experience within not only Orange County, but also California and the United States. In addition to founding the Japanese American Oral History Project within the Oral History Program at California State University, Fullerton (CSUF) and continuing to head that project through my 2008 retirement, I was the Senior Historian at the Japanese American National Museum in Los Angeles, California (2001-2005), an institution for which I have since served in the capacity of a historical consultant and lead national conference research planner. In the 1980s, I was the co-director for the Honorable Stephen K. Tamura Orange County Japanese American Oral History Project, co-sponsored by the Historical and Cultural Foundation of Orange County and the Oral History Program at California State University, Fullerton.

L-2

When I launched the Japanese American Oral History Project in 1972 at CSUF, it incorporated a number of interviews that previously were included in the general collection of the Oral History Program. All of these interviews related to the Orange County Japanese American experience; most of them were interview with Japanese Americans, while a few of them were with non-Japanese American conversant with Japanese American history, society, and culture within the context of Orange County. These tape-recorded interviews had been transacted by past students enrolled in the History Department "History of California" class and principled revolved around the subject of the World War II exclusion and incarceration experience of the prewar Orange County Japanese American population of roughly 2,000, one-third of who were Japanese nationals then ineligible for naturalization (called Issei, denoting first-generation), while two-thirds were U.S.-born citizens (called Nisei and Sansei, denoting second-generation and third-generation). Most of those who had been interviewed by the History of California students were Nisei, who at the outset of World War II held the average age of 17.5 years. This group of Nisei interviewees included the following individuals: Henry Kanegae, George Kanno, James Kanno, Harry Nakamura, Clarence Nishizu, Hitoshi Nitta, Mary Nitta, Minoru Nitta, Mitsuo Nitta, and Kiyoshi Shigekawa. All of them were leaders in their own racial-ethnic community as well as the mainstream Orange County community. Arguably, the most notable among them in this dual capacity was James Kanno, largely because when Fountain Valley was incorporated as a city in 1957, he became not only its first mayor, but also the first mayor of Japanese ancestry in the mainland United States. Moreover, along with his older brother, James Kanno, and Clarence Nishizu, James Kanno was a member of the Wintersburg Presbyterian Church, which had its roots and early development on the historic Warner-Nichols site in Huntington Beach that occupies center stage in the draft EIR at issue.

L-2 Cont.

In the 1970s, although the CSUF Japanese American Oral History Project enlarged the scope of its tape-recording activities to include interviews elsewhere in California and throughout the entire United States, it nonetheless continued to conduct interviews with additional Orange County Japanese Americans. Among such interviews were those tape-recorded with the following Nisei: Reverend Abraham Dohi, George Fujii, Ken Hayashi, Roy Kobayashi, Tad Mumemitsu, Roy Taketa, Masako Yagi Tashima, Masayuki Tashima, Yoshie Mary Tashima, Yoshiyuki Tashima, Roy Uno, Ikuku Amatatsu Watanabe, Harry Yamamoto, and Tim Yasumatsu. Although virtually all of these men and women were prominent in Orange County and Orange County Japanese American affairs, it should be especially noted that Reverend Abraham Dohi was a longtime pastor of the Wintersburg Presbyterian Church, and that Yoshiyuki Tashima and his family

lived in prewar Wintersburg and were affiliated with the Wintersburg Presbyterian Church.

Then, in 1981, the Japanese American Oral History Project of the CSUF Oral History Program turned its primary attention to a joint project it undertook with the Japanese American Council of the Historical and Cultural Foundation of Orange County. As noted above, it was called the Honorable Stephen K. Tamura Orange County Japanese American Oral History Project. Because I have written a detailed four-part history of this project's origins, development, and results for the blog coordinated by Mary Adams Urashima (www.HistoricWintersburg.blog.spot.com), which can be readily accessed and reviewed, I will limit myself in this present context to a few select points of information about that project. First, the project was named in honor of the late Stephen Kasako Tamura (1911-1982) the first Japanese American appellate judge in the continental U.S. and Orange County's first attorney of Japanese ancestry, as well as a member of both the historic Wintersburg Japanese Presbyterian Mission and its institutional successor, the Wintersburg Japanese Presbyterian Church. The co-director of this project with me was Carol Kawanami, who, in 1980, was not only elected as Villa Park's mayor, but in doing so became the first Japanese-ancestry female mayor of a city in the continental U. S. This project was designed to include full life-history interviews with representative pioneer family Issei and Nisei Orange Countians from across the entirety of the county. Those selected who agreed to participate included the following Issei (Kiyomi Henry Akiyama, Yukiko Furuta, Shizu Kamei, Hyotaro Kaneko, Mine Kaneko, Maki Kanno, Reverend Kenji Kikuchi) and Nisei (Aiko Tanimachi Endo, George Fujii, Charles Ishii, Yoneko Dobashi Iwatsuru, Betty Oba Masukawa, Don Miyada, Clarence Nishizu, Yoshiki Yoshida). The interviews with the primarily Japanese-speaking Issei were conducted bilingually in Japanese and English with the assistance of a translator, while the interviews with the Nisei were transacted exclusively in English. Of the seven Issei interviewees, four of them were associated with the Wintersburg Japanese Presbyterian Mission and/or Wintersburg Japanese Presbyterian Church: Reverend Kenji was a pastor at this institution in both of its iterations; Yukiko Furuta lived in the 1912 residence built for her and her husband, Mitsuji Furuta, who donated part of the Furuta property for the construction of the historic mission and church buildings; Kiyomi Henry Kikuchi, Orange County's first Japanese American millionaire, was married to the sister of Yukiko Furuta, and both lived and worked on the historic Furuta property before establishing a separate residence for himself and his wife; Maki Kanno, the mother of James Kanno, Fountain Valley's first mayor, was a parishioner at the Wintersburg Japanese Presbyterian Mission/Church. Of the eight Nisei interviewees, two of them, Charles Ishii and Clarence Nishizu, were parishioners

L-2 Cont.

at the Wintersburg Japanese Presbyterian Mission/Church. All of these interviews were transcribed, edited, indexed, bound, and made available in hard copies and posted on the Internet. One of these published interviews, with Clarence Nishizu, serves as a comprehensive history of the Orange County Japanese American community. In part because of this achievement, in 1999 California State University, Fullerton bestowed upon Mr. Nishizu an honorary doctorate in humane letters, in a ceremony jointly honoring *Titanic* film director James Cameron with the same degree.

Two public affairs were held to pay homage to the work of the Honorable Stephen K. Tamura Orange County Japanese American Oral History Project. On March 31, 1984, 660 people attended a gala event held at the South County Plaza Hotel in Costa Mesa that was billed as *A Tribute to the Issei Pioneers of Orange County*. This tribute highlighted the historical contribution of Orange County's pioneering Issei, thirty-eight of whom were in attendance. Two years later, on November 22, 1986, another event of considerable magnitude was mounted to celebrate the work of the project. Held at the Emerald Hotel in Anaheim and titled the *Nikkei or Japanese American Legacy of Orange* County, it attracted a crowd only somewhat smaller from that of its predecessor event. In addition to the presentation of the completed oral history volumes to the Issei and Nisei interviewees, this tribute unveiled the publication of a published novel, *The Harvest of Hate*, an epic story of the World War II exclusion and detention experience of Japanese Americans written by a Caucasian Orange County woman, Georgia Day Robertson, who accompanied, as a mathematics teacher, nearly 2,000 Japanese Americans from County to their wartime Poston Relocation Center in southwestern Arizona. Finally, this event released published copies of a "Historic Building Survey, prepared by noted Orange County historian Phil Brigandi, which documented pre-1940 Japanese American-related private and public building sites throughout Orange County. Two of the sites identified on this 1986 survey identified the Wintersburg Japanese Presbyterian Mission/Church complex and the 1912 Furuta residence as being among thirty-three buildings of historical significance to the Orange County Japanese American experience. In 2012, virtual all of the buildings identified on this survey have been demolished, leaving a diminished footprint in the built environment representative of the history and memory of the county's illustrious Japanese American community.

L-2 Cont.

In 1986, the City of Huntington Beach Historic Building Survey states that "in addition to individual structures, collections of buildings are important from a historic preservation standpoint where these collections represent a distinguishable entity which conveys the feelings and associations of the past—even though the individual buildings may not be significant. Generally termed an

4

historic district, these collections of buildings maintain a feeling and association of the past by an internal coherence and integrity. In other words, the buildings relate to one another in the same way that they did originally." These words pertain with especial force to the buildings on the Furuta site in Huntington Beach, and accordingly they should neither be demolished; nor should the site in which they are presently arrayed be disturbed or compromised by a zone change of the property from residential to commercial. The proposed project by Rainbow Disposal is in conflict with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources, as stated in the draft EIR. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant. In the EIR's check list of Environmental Factors Potentially Affected, by far the most pertinent one is that of CULTURAL RESOURCES, Part a, where it is clearly determined that the proposed project would: *cause a substantial adverse change in the significance of a historical resource (as duly defined)*. The discussion relative to this impact, rooted as it is in Tim Gregory's 2002 Historic Resource Report is telling, particularly in the section of the discussion that states: "The report determined that the subject property and its buildings served as a key part of the cultural center for the Japanese community f the Wintersburg area (annexed into the City of Huntington Beach in 1957). The analysis concludes that each building found on-site is potentially eligible for listing in the National Register as a contributor to a historical district and in the California Register of Historical Resources. The proposal to demolish or remove the subject structures will have potentially significant impacts and will require further analysis in an Environmental Impact Report."

L-2 Cont.

There have been many past attempts in California (which from the late nineteenth-century to the present has been the epicenter of the mainland U.S.'s Japanese American community), and in the United States as a whole, to erase through legal and extralegal measures the racial-ethnic Nikkei or Japanese American population. The Gentlemen's Agreement of 1907 prohibited the further immigration of members of the Japanese laboring class to the United States. In 1924, Japanese immigration to the United States was completely banned. During World War II, virtually all Americans of Japanese ancestry were unconstitutionally evicted from their homes and communities and, without any charges made against them or hearings held to establish their guilt or innocence, were incarcerated in veritable concentration camps for up to four years, notwithstanding that two-thirds of this population were U.S.-born American citizens. The result of that mistreatment was judged in 1983 by the Commission on Wartime Relocation and Internment of Civilians (CWRIC)—a distinguished group of people appointed by the U.S. Congress to conduct an official

5

governmental study of Executive Order 9066 (issued on February 19, 1942) related wartime orders and their impact on Japanese Americans—to have been unjustified by military necessity. Instead, the CWRIC report determined that the decision to incarcerate was based on "race prejudice, war hysteria, and a failure of political leadership." The Commission recommended legislative remedies consisting of an official U.S. Government apology; redress payments of $20,000 to each of the survivors; and a public education fund to help ensure that this would not happen again. These recommendations were implemented with the August 10, 1988, Civil Liberties Act of 1988, signed into law by President Ronald Reagan.

The signing of the Civil Liberties Act of 1988 featured an important role played by the pioneer Masuda family of Orange County. The members of this Japanese American family from the Fountain Valley area, whose Nisei children attended Huntington Beach High School, were congregants at the Wintersburg Presbyterian Japanese Mission/Church. Because of my belief that the historical story of this family epitomizes, in an epic or iconic fashion, the larger story of the Japanese American experience in Orange County, from immigration in the late nineteenth-century up through the Civil Liberties Act of 1988 and beyond into the current century, I tried to represent this situation in a presentation I made on October 19, 2011, in a public program held on the California State University, Fullerton. This presentation supported an exhibition, *New Birth of Freedom: Civil War to Civil Rights in California*, and was delivered in the Fullerton Arboretum, just outside of the Orange County Agricultural and Nikkei Heritage Museum, an institution whose construction resulted in large part through the animating vision and fund-raising skills of the late Clarence Nishizu, whose 2006 memorial service I had participated in at the Wintersburg Presbyterian Church in which he had for so many of his ninety-six years been a devout member. I think it is fitting for me in the present context, to share this presentation, in the service of responding as a historian to the draft Environmental Impact Report for the Historic Wintersburg site.

L-2 Cont.

6

Nikkei Agriculture in Orange County, California, the Masuda Farm Family, and the American Way of Redressing Racism

Arthur A. Hansen

(Presentation at Public Program in Support of *New Birth of Freedom: Civil War to Civil Rights in California,* Orange County Agricultural and Nikkei Heritage Museum, Fullerton Arboretum, California State University, Fullerton, October 19, 2011)

As we gather here this evening next to a building called the Orange County Agricultural and Nikkei Heritage Museum, we need to reflect on the integral relationship between the history of Orange County agriculture and that of the county's Americans of Japanese ancestry. And while doing so, we should keep in mind that the Masuda family of Orange County was a farm family from the time that its Issei (or immigrant Japanese) progenitors, Gensuke and Tamaye, settled in Westminster in 1906 or 1907, and there, and later in nearby Talbert (today's Fountain Valley), raised into early adulthood their large family of Nisei (or American-born U.S. citizen children) up until World War II. Thereupon the Masuda family was forced to abandon their farm and exchange their life as farmers in Orange County for imprisonment in U.S. concentration camps in California, Arkansas, and Arizona, and/or military service in the U.S. Army. Moreover, following the war, most of the surviving Masuda family members once again became Orange County farmers and remained so for many years of the post-World War II era. In fact, even now, the one Nisei member of the Masuda family alive today, Masao Mas Masuda, is still at the young age of 94 doing some farming at his suburban Fountain Valley home that he shares with his wife of 63 years, Lily Yuriko Masuda.

L-2 Cont.

As is quite well known, agriculture has been an important part of Orange County's history. Up until World War II, and even beyond, Orange County was rated as one of the richest agricultural counties in the entire United States. In recent decades, the onetime importance of agriculture is less reflected in the county's changing landscape. For within the county, thousands of acres of orange groves and bean fields have been replaced, and are even today in the second decade of the twenty-first century still being replaced with homes, office buildings, and shopping malls. There are, however, still a few remnants and reminders of the county's bountiful agricultural past, and sometimes the neatly plowed furrows that we view as we drive around the county perform double duty in that they symbolize the county's ethnic past as well. If agriculture has been an important part of Orange County's history, so too have Japanese immigrants, the Issei, and their American-born Nisei children, Sansei grandchildren, Yonsei great-grandchildren, and even a few Gosei great-great grandchildren. The farmland in the county dwindles, but the memories and meanings of the farmland should not. Farming is part of the fabric of Orange County and also part of the historical and cultural weave of the county's Japanese American community. This fact was notably brought home at the outset of the gubernatorial administration of Arnold Schwarznegger when he appointed a third-generation Orange County Japanese American farmer, A. G. Kawamura, as his California Secretary of Agriculture. When asked what he liked best about agriculture, Kawamura, who majored in comparative literature at the

University of California, Berkeley, responded: "I like the fact that I work within nature and I like working with people in agriculture. I also like the fact that there is tremendous room for creativity in farming. There is a careful balance of art and science involved."

During the 1870s, in the wake of the Meiji Revolution, the rapid movement in Japan toward modernization and industrialization resulted in large tax increases, high levels of poverty, and a steep reduction of agricultural land for Japanese farmers. A decade later, the enactment in the United States of the Chinese Exclusion Act of 1882 prompted American farmers to complain of a lack of labor, and this situation in turn prompted thousands of Japanese farmers to emigrate to the United States, at first to Hawaii, but later to the mainland, particularly the West Coast, and most especially California, including Orange County. From the turn of the nineteenth into the twentieth century, when Issei workers first started to populate Orange County in significant numbers and to plow its fields and grow and harvest its crops, Japanese Americans have not only played a prominent role in the county's agricultural production, but also contributed mightily to the steadily escalating agricultural wealth boasted by the county.

When the Japanese immigrants came to this county, the land was still in rather a wild state. As the 1890s decade gave way to a new century, roughly 31 percent of the laborers in the Orange County citrus industry were Japanese immigrants. Moreover, a large number of those who worked in this county as fruit pickers and fruit packers were employed right here in Fullerton and neighboring Placentia and other north Orange County towns. Between 1900 and the mid-1920s, Japanese laborers migrated into the county in such substantial numbers as to represent the highest percentage of people of Japanese ancestry, relative to the total population, to ever call Orange County its dwelling place. The land in Orange County was still, even by 1900, quite unruly. But thanks in large measure to the efforts of the Japanese immigrants, the boggy bottom lands bordering the Santa Ana River were opened up to farming. Much of this land, principally that lying within the Huntington Beach/Fountain Valley area, was used to produce celery for shipping. During the first decade of the twentieth century, out of the 2000 carloads of celery that were shipped annually from southern California, 90-95 percent of it was grown in and shipped from Orange County. One third of this Orange County celery crop was raised on land share-leased by the Japanese. In 1907, this translated into 144 Issei farmers growing celery on 5,160 acres. Strictly speaking, it was not a lease that the Japanese had, but rather a contract to do the needed handwork for celery (seeding, transplanting, weeding, hand cultivating, and gathering) in return for a share of the crop, which they preferred instead of a wage payment. As for the handwork supplied for the remaining two-thirds of the Orange County celery crop, it was practically all done by Japanese laborers.

L-2 Cont.

In the thirty years between 1910 and 1940, many of the Issei, in Orange County and elsewhere, chose to return to Japan and continue their lives there. Still, a significant portion of them, in spite of being barred by law (along with all Asian immigrants) from becoming naturalized citizens and, after 1913, disallowed from owning land or leasing it for longer than three years by a series of anti-Japanese alien land laws, remained here to marry (mostly to so-called picture brides from Japan), to produce and raise typically large families of U.S. citizen Nisei children, and in time to lease and, less often, to buy property in their name and, with the assistance of their toil, to transform themselves from agricultural laborers to fairly independent family farmers. Many of these Nikkei families became well rooted within Orange County and a substantial number of Issei, and later older Nisei, assumed respected positions within both the

8

emerging Japanese American community of Orange County and, to a decidedly restricted sense, in the mainstream Orange County society and culture.

In California as a whole, and especially in urban areas like Los Angeles and San Francisco where large Japantowns mushroomed to service their racial-ethnic communities, the pre-World War II Japanese American state population of some 70,000 people (as of 1940) was divided almost equally between those who made their living in urban and rural occupations. In Orange County, on the other hand, an authentic Japantown never materialized. Instead, although a handful of Japanese immigrants and an even smaller number of their citizen children ran businesses in modest urban centers like Santa Ana, Anaheim, and Orange, most of the county's nearly 2,000 Nikkei residents were dispersed across a predominantly rural landscape, with small clusters settling around community institutions such as language schools and churches. What well more than 90 percent of these Orange County Nikkei did for a living was to farm and by so doing to assist mightily in making Orange County's 795 square miles one of the state's and the nation's richest agricultural areas.

Mainly, pre-World War II Japanese American family farmers contributed through the tillage of the soil and the production of various types of food, such as truck crops, field crops, poultry, and livestock. Whereas the Caucasian farmers in the county specialized in citrus, grain, potatoes, corn, sugar beets, and fruits, the *extensive* dimension of the county's farm work, Japanese American farmers added to it the complementary *intensive* dimension.

L-2 Cont.

At least five vegetables were produced in a very large quantity by pre-World War II Japanese Americans in Orange County: celery, chili, tomatoes, Kentucky beans, and strawberries. Of these crops, chili pepper was the most unique crop grown by the county's Nikkei. For one thing, they produced the controlling percentage of chili peppers in the entire country, turning it into first a million dollar industry, and then a billion dollar one. As for the celery, the Utah type grown here by Nikkei farmers consistently brought the top price of the market. This commodity added by 1940 about a million dollars a year to the Orange County economy. With respect to tomatoes, the production of canning and marketing variety represented very big business indeed, grossing something like three-quarters of a million dollars per annum. Altogether, the agricultural income generated by people of Japanese ancestry in Orange County in 1940 represented between 10 and 13 percent of the total Orange County income.

What the prewar Issei farmers had accomplished under adverse conditions would not be forgotten by the American-born generations of Nikkei. In an event that occurred on the evening of March 31, 1984, whose sponsor was the Nisei-led Orange County Japanese American Council of the Historical and Cultural Foundation of Orange County, the Issei generation became the center of attention. Entitled "A Tribute to Issei Pioneers in Orange County, the event was held at the South Coast Plaza Hotel in Costa Mesa, adjacent to the "California Scenario" sculpture garden fashioned by arguably the world's greatest sculptor in the twentieth century, Isamu Noguchi, who had spent a part of World War II as a neighbor of Orange County farmers in the Poston concentration camp next to the Colorado River in southwestern Arizona. Then, too, quite near to the hotel in the cultural-commercial center of Costa Mesa was a street named after a post-World War II mega-millionaire Japanese American farmer, Katsumasa Roy Sakioka. There were 660 people present that night to honor the contribution of the county's pioneering Issei, 38 of whom were in attendance. Certainly, age alone, in most communities, and perhaps especially

so within the Japanese American one, is a trait that commands, even demands, respect. But it was clear to anyone who was fortunate enough to speak to the surviving Issei that night that they represented something more than age to praise, something connected with survival, achievement, and dignity.

As Laura Saari, an *Orange County Register* reporter who covered this event for her newspaper, observed in her follow-up story:

> [These three dozen first-generation Japanese Americans] shared stories about moving from farm to farm in an attempt to eke out a living, about men sending for 'picture brides' from Japan, about sisters and brothers dying in American internment camps during World War II. Second-generation Nisei, who today are successful realtors talked about their childhood homes, shacks with newspapers for wallpaper. Produce giants remembered toiling in the fields under the hot sun. They told us their stories, many of them in their native Japanese, with a matter-of-factness that tended to heighten the personal drama.

* * *

Having now provided a snapshot of the pre-World War II Japanese American community in Orange County during the so-called "Issei Pioneer Era," we need to shift our attention to the main focus of my presentation tonight, which I have titled "Nikkei Agriculture in Orange County, California, the Masuda Farm Family, and the American Way of Redressing Racism."

L-2 Cont.

Based on an two oral history interviews done in 2006 with Masao "Mas" Masuda by, respectively, Susan Shoho Uyemura, for the Japanese American Living Legacy organization, and Takamichi Go, for the Center for Oral and Public History and the Garden Grove Historical Society, we are able to construct a portrait of the pre-World War II Masuda family in Orange County and trace the diverse experiences of that family through World War II and into the postwar period commonly known as Japanese American resettlement.

The Masuda family's Issei parents, Gensuke and Tamaye, were both born and raised in Wakayama, one of the seven prefectures in southwestern Japan that supplied most of the emigrants to the United States. When Gensuke, while still a boy, immigrated into the United States in 1898, he worked on the railroads in Oregon, along with many other Issei. Some years later, Tamaye sailed to Vancouver, British Columbia, in Canada, and it was there that she and Gensuke were married. Gradually, the couple worked their way southward along the West Coast until, as I noted earlier, they settled in Orange County around 1906 or 1907. By 1908, the Masudas were blessed with the birth of the first of their ten children, eight of whom (four boys and four girls) would survive into adulthood. These Nisei offspring of the Masudas appeared on the scene in rapid succession: Takeo in 1908, Mary Fumi in 1909, Shiz in 1911, Hisako and Nobuo in 1913, Mitsuo in 1916, Masao in 1917, Kazuo in 1918, Takashi in 1920, and Masako June in 1922.

PHOTO #1: Early Photo of Masuda Family

Although all eight of the Masuda progeny who reached maturity were loved by their parents and their other siblings and contributed to the family's agricultural economy and well-being, three of them, as we shall soon see, would (because of their heroic deeds) assume a place of prominence on the historical stage of both Orange County and the United States. They were: Mary, the oldest daughter; June, the youngest daughter; and their brother Kazuo, or Kaz, the eighth child in the family.

PHOTO #2: Mary Masuda

PHOTO #3: June Masuda

PHOTO #4: Kazuo Masuda

At the time of Masao's birth, in 1917, the same year the United States entered World War I, the Masuda family was farming 100 acres of sugar beets in the Orange County community of Westminster. Thereafter, the family moved to Tustin and grew mainly tomatoes. When Mas was in grammar school, around 1927-1928, the Masudas moved again, this time to Fountain Valley, then known as Talbert. There they grew strawberries, string beans, celery, cabbage—a lot of what is called "truck farming." All of the Masuda kids, girls as well as boys, worked on the family farm. However, most of the girls married fairly young, since in those days they were among the oldest of the county's Nisei generation, and consequently married the younger Issei who had migrated to Orange County and were seeking wives.

L-2 Cont.

During the school year, the Masuda children went on weekdays to public grammar schools, including ones in Tustin, Fountain Valley, and Westminster, whose students were mostly Caucasian but included some Japanese Americans. The Westminster grammar school was destroyed by the devastating earthquake of 1933, which had its epicenter in Long Beach but caused a great deal of damage in Orange County. On Saturdays, the Masuda kids joined other Nisei in attending a nearby Japanese language school, or *Gakuen*. Most of the Masuda brood matriculated at and became graduates of Huntington Beach High School, where the boys developed reputations as good athletes. Mas, for example, played football, basketball, and track, in which his specialty event was the shot-put. As for his younger brother Kaz, he was active in football, boxing, swimming, track, and cross-country running. After high school, the Masuda boys lived and worked with their parents and siblings growing mostly chili peppers on the Masuda farm, a 200-acre property located on Newhope Road in Fountain Valley.

On Sundays the Masudas would periodically attend religious services with other Nikkei pioneer families, who lived scattered apart at roughly quarter-mile intervals, at the Wintersburg Japanese Presbyterian Mission. This structure had been built in 1910 upon an acre of land owned by Charles Furuta on Warner Avenue in Huntington Beach. Then, in 1934, it was supplanted on the very same property by a new building that carried the name reflective of the enhanced status the congregation had gained four years earlier: the Wintersburg Japanese Presbyterian Church. It should be stated that most of the Nikkei families in Orange County could not attend the Wintersburg church or other community

churches on a regular basis. This is because they were mostly farm families, which meant that family members usually had to harvest crops on Sundays so they could take them to the market on Monday mornings.

Even before Japan's December 7, 1941, bombing of the U.S.'s Hawaiian naval station at Pearl Harbor,

PHOTO #5: Pearl Harbor Attack, December 7, 1941

then home to the main part of the American fleet, precipitated the Masuda family's eventual exclusion from designated West Coast military areas, along with the rest of the approximately 2000 other Orange Countians of Japanese descent, some of the county's Nisei were required to exchange their agricultural attire for military apparel. This occurred because of the passage by Congress of the Selective Training and Service Act of 1940 on September 17, 1940, which President Franklin D. Roosevelt signed into law two days later. This act, which was the first peacetime conscription in United States history, required men between ages 21 and 35 to register with their local draft boards. Ironically, a little over a year later, on October 17, 1941, both Kaz Masuda and his younger brother Tak received their draft notice to serve in the U.S. Army.

PHOTO #6: Takashi and Kazuo Boarding the Train for Respective Basic Training Camps at Camp Roberts and Fort Ord, Flanked by Masuda Family Members

L-2 Cont.

As a result, these two Masuda brothers were involved in basic training for the army, Kaz at Fort Ord, California, and Tak at Camp Roberts, California on the so-called "Day of Infamy," the name President Roosevelt used to denote Japan's surprise December 7, 1941, attack on Pearl Harbor.

In the excellent 2009 book narrated by Masao Masuda and written by Russell K. Shoho, *From the Battlefields to the Home Front: The Kazuo Masuda Legacy*,

PHOTO #7: Cover of Masao Masuda/Russell Shoho Book

the collaborative authors provide the following account of the immediate impact of Pearl Harbor on the Issei leaders of the Orange County Japanese American community like Gensuke Masuda.

PHOTO #8: Photo of Russell Shoho

> That very night, only hours after the Pearl Harbor attack, two sheriffs came to the Masuda's residence on Newhope Road, and asked if there was a Gensuke Masuda living there. June Masuda Goto was 19 then and remembers holding open the screen door for the deputies. They said they came for Gensuke Masuda. Tamae Masuda cried. Gensuke was home and they told him they were ordered to pick him up. It was so sudden, recalled Masao Masuda. They loaded my dad and other parents who were Isseis onto a bus. We asked where they were taking

12

them but were given no reply. The Masuda family was devastated, not knowing what their father had done to deserve such humiliating treatment.

He was among 18 [Orange County] Japanese men interrogated by FBI agents that night at the County Jail in Santa Ana. Ten days later, Gensuke Masuda was accused of "subversive activity" and sent to a stockade at Ft. Missoula [Internment Camp], Montana [administered by the U.S. Department of Justice]. There was no trial, no opportunity to answer the accusations.

Incensed by the arrest of his father, Kaz wrote a letter of protest to the proper American government authorities in Washington D.C., in which he expressed the following message:

PHOTO #9: Kazuo Masuda in Military Battle Outfit

I cannot believe that my father has done any act of disloyalty towards the United States. He has been a resident of this country for over 40 years; that is to say, since 1898. He has been a farmer for over 35 years. During this time he has seen his sons and daughters grow into good, solid American citizens. Only recently has he given up the leadership of his family in favor of my older brother, Mitsuo, because of old age and ill health caused by stomach ulcers. I know my father, though an alien is loyal to this country in which he has lived the greater part of his life. If he had been given the privilege of naturalization, I know that he would not have failed to secure the citizenship of the United States for himself. He has, in my opinion, maintained during his 44 years of residence in this country a perfect record of unquestioned loyalty. He has never been arrested for any violations of the laws of this country. That he would commit acts which endanger the safety of this country is unthinkable. At the moment of this writing, he has two sons in the armed services of this country; my brother, Takashi, and me. He has two other sons, Mitsuo and Masao, who are also eligible for the services.

L-2 Cont.

In all the 23 years I have lived with my father, he has never uttered a single word against the United States. He has always considered this nation his country, and I believe he has done his part in making it the great nation that we are. He did not, as so many others have done, send any of his children to Japan for any part of their education. He wanted his children to be Americans. I know that he has succeeded in his wish. He has often expressed hope that he would be able to spend the remainder of his life in the United States. I believe that his arrest and his subsequent imprisonment and internment were based on mistaken facts. I would be grateful if his release could be affected in the near future.

The facts behind the government's arrest of Gensuke Masuda were sent to the Masuda family subsequent to Kaz's letter of protestation. What inspired his arrest, said the federal authorities, was that Gensuke had been actively involved with the local Orange County Japanese wrestling or *sumo* team, which frequently held wrestling matches with sailors on leave from touring Japanese vessels. Moreover, the local club that sponsored the wrestling team had hosted these sailors to a chop suey dinner, and it was this situation that served as the basis for the charge of "subversive activity" against Gensuke. It was similar innocuous activities on the part of some 2,000 West Coast Japanese alien residents in and outside of Orange County that had prompted the government in the wake of Pearl Harbor to be suspicious that Issei were possible saboteurs and spies for Japan and thus deserving of detention in alien enemy internment centers such as the one at Missoula.

By late December of 1941, the armed services ceased accepting Japanese Americans either as volunteers or draftees, even though the Selective Service Act barred discrimination. Consistent with this discriminatory policy, Nisei were classified not as 1-A, but rather as 4-C, the classification assigned to "enemy aliens."

13

In response to a great deal of agitation from the old anti-Japanese forces in California and elsewhere on the West Coast and in scattered parts of the United States,

PHOTO #10: Woodcut of "No Japs Wanted Any More"

on February 19, 1942, President Roosevelt issued Executive Order 9066, which, as a matter of "military necessity," authorized the army to exclude "any and all persons" from as yet unspecified "military areas." Those military areas turned out to be the southern part of Arizona and the western halves of the states of Washington, Oregon, and California. Initially, the government urged Nikkei to voluntarily relocate themselves out of the military areas and to resettle east of them. Most Californians, including Orange Countians, who had the wherewithal and inclination to relocate and resettle chose to do so in the eastern half of California, which was then designated as a "free zone."

Accordingly, the Masuda family moved from the ten-acre homestead in Fountain Valley (which the family had just shortly before purchased in the name of one of the Nisei children) and settled in Fresno, where one of the married daughters lived and maintained a vineyard. Because the Masuda family owned a new car, a 1941 Ford, as well as a truck and farm equipment that were in good condition, they took all of these items with them to Fresno. There, before too long, the family was joined by Gensuke, who had been released from the Missoula internment camp, no doubt because of the letter of protest that Kaz had sent to the government coupled with the fact that the Masudas had two sons serving in the U.S. Army.

L-2 Cont.

When the government decided to extend the military area in California from its western half to the entire state, the Masuda family, as with so many other Nikkei families, lacked the means to undertake another move that would take them outside of the military areas. When the government decided to end so-called "voluntary resettlement" for Japanese Americans and instead institute the forced mass incarceration of the entire Nikkei population, aliens and citizens alike, first in temporary "assembly centers," located in the West Coast region, and afterwards in permanent "relocation centers," mostly situated in the Interior West region. All of these facilities wore the trappings of concentration camps: armed guard towers, barbed-wire fences, and pervasive surveillance.

PHOTO #11: "To All Persons of Japanese Ancestry" Notice

In the case of the Masudas, they were duly imprisoned in the Fresno Assembly Center, where they remained with mostly incarcerated northern California Nikkei for nearly two months before being transferred to the forested, rattlesnake-infested Jerome Relocation Center in Arkansas,

PHOTO #12: Jerome Concentration Camp in Arkansas

where the summer temperatures soared to above 100 degrees and the winter months brought temperatures of below 20 degrees. They stayed at Jerome for almost 20 months, until the government closed it in June 1944, after which they were transferred to the Gila River Relocation Center in the scorching hot and dry desert of Arizona, where they stayed until moving back to their Talbert home in July 1945, one month before the atomic-bombing-induced surrender of Japan to the United States brought an end to World War II.

As for Kazuo Masuda (about whom we will soon hear more), after Pearl Harbor, although he was not summarily discharged and assigned an alien enemy status like most Nisei soldiers, he was transferred to a non-essential duty as a gardener. Then, too, although a top graduate of a radio class receiving instruction in Morse code and theory, Kazuo was not accepted for service in the Signal Corps. While such discriminatory treatment brought Kazuo acute disappointment, it fell short of the humiliation experienced by Nisei soldiers stationed at Fort Riley, Kansas. When President Roosevelt visited that camp, they were herded under gunpoint into a plane hanger, which was surrounded on the outside by machine guns and tanks, and ordered to remain silent and to look straight ahead for four hours, until the president had departed Fort Riley.

Time limitations will not permit an in-depth treatment by me of the World War II military experience of Japanese Americans, but here are a few key points that will help to contextualize the experience of Kazuo Masuda. In early 1943, the American government reversed its policy on military service. The Japanese government had been making effective propaganda in Asia out of the incarceration of Japanese Americans; the camps appeared to confirm their depiction of war as a racial conflict. To respond to the Japanese propaganda, and under pressure from some Japanese Americans, most notably the Japanese American Citizens League leadership, and civil liberties organizations, President Roosevelt authorized the enlistment of Japanese Americans into the U.S. Armed Forces. Japanese Americans were now permitted to form a special segregated infantry outfit, the unit which could come to be called the 442nd Infantry Regimental Combat Team. In Hawaii, where Japanese Americans had not experienced mass eviction and incarceration, recruitment exceeded all expectations; instead of the 1,500 volunteers anticipated, 10,000 volunteers turned up at the recruiting offices, of which 2,645 men were selected. This situation was much different from that which occurred in the ten mainland War Relocation Authority-administered detention centers incarcerating Nikkei, where the response of 1,300 volunteers for the new all-Japanese American unit was decidedly "underwhelming."

L-2 Cont.

By June 1944, the men who signed on with the 442nd found themselves in Italy fighting alongside the 100th Infantry Battalion, a battle-tested unit made up mostly of Japanese Americans from Hawaii. The 100th had been formed in 1942, before the ban had been placed on the enlistment of Japanese Americans, and they had seen action in North Africa and Italy, and for months the men in this unit had distinguished themselves in repeated assaults on the German lines as the Allies fought northward in Italy. The 100th had lost so many men that they came to be called the "Purple Heart Battalion." The fall of Rome in June 1944 had boosted Allied morale, but it had not ended warfare in Italy, and new troops were needed to fight the Germans. As the campaign in Italy continued into the summer, the newcomers of the 442nd and the combat-wise survivors of the 100th would be asked to spearhead the Fifth Army's drive northward from Rome.

Kazuo Masuda was one of these newcomers. After training at Fort Ord, he had moved on to Camp Crowder, Missouri, and then to Camp Shelby, Mississippi, where he received combat training and was assigned as a staff sergeant to Company F, 2nd Battalion, 442nd Regimental Combat Team. Before leaving for combat in Italy, Kazuo took advantage of a furlough to visit his family at their Jerome detention camp barracks residence.

PHOTO #13: Kazuo Masuda Visiting Family at Jerome Concentration Camp

While stationed in Italy in 1944, Masuda, then 24, wrote to his niece at the Gila River camp, to which the Masuda family had moved since his visit with them at Jerome. "I sure do hope the war will end soon so I can see you and all the people I used to know," he wrote. "When I come back, I will tell you about my experiences. Goodbye, and write again soon. Sincerely, Uncle Kaz."

Kaz was killed less than a month later. On August 27, 1944, while leading a patrol across the Arno River in Italy, Staff Sergeant Kazuo Masuda encountered a German machine gun nest. He fired 18 rounds from his Thompson submachine gun before he was cut down by the German machine gun bullets.

Ironically, Kazuo's brother Takashi, a replacement member of Company A of the 100th Infantry Battalion, had shortly thereafter come by to visit his brother at the Arno River encampment, utterly unaware of Kazuo's death.

PHOTO #14: Takashi Masuda (tilted cap) in U.S. Army Uniform

When informed of this situation, Takashi first paid his respects at Kazuo's gravesite and then, a few days later, sought and was approved to take Kazuo's place in the 4th platoon. Sadly, on November 3, 1944, Takashi himself was wounded in action while in combat at Bruyeres, France.

L-2 Cont.

A third Masuda Nisei, Masao, before reporting to basic training and undertaking duty in the Military Intelligence Service, was visiting his detained family at the Gila River camp in Arizona,

PHOTO #15: Masao Masuda in Uniform at the Driving Wheel

when he was handed a telegram bearing the tragic news that Kazuo had been killed in action.

PHOTO #16: Western Union Telegram, Kazuo Masuda Death

Masao then handed this telegram to his sister Mary so that she could read its sad contents to their parents.

On December 18, 1944, the U.S. Supreme Court's decision in the *Endo v. the United States of America* case unanimously determined that the government could no longer detain Japanese American citizens which the government had conceded as being loyal to the United States. This decision helped lead to the re-opening of the West Coast for resettlement by Japanese Americans in 1945. However, many among the 80,000 still imprisoned in the War Relocation Authority camps were reluctant to return to their prewar West Coast communities because of reading reports and hearing rumors that told of terrorist and intimidation threats by irate home-front residents, some of whom were said to be employing dynamite and gunfire to back up their threats.

16

PHOTO #17: "New Anti-Japanese Terrorism" News Article

PHOTO #18: Five News Articles, Anti-Japanese Terrorism

But there were nonetheless a substantial number of Japanese Americans who refused to be intimated. One of these was Mary Masuda. In the spring of 1945, she decided to leave the Gila River camp

PHOTO #19: Outdoor Camp Photo of Mary Masuda (talking to man holding a saw)

PHOTO #20: Indoor Camp Photo of Mary Masuda (reading letter)

and travel to Talbert to check out local conditions there. She was surprised and dismayed to find that, while the Masudas were incarcerated or serving their country in the military, another Orange County family had moved into their vacant home and farmed their land without telling them about this situation or compensating them for the use of either the house or the land. While she was visiting friends, an unidentified man telephoned and asked if Mary Masuda was there. When Mary answered, the man told her "she'd better go back to the concentration camp because Japanese Americans weren't welcomed in Orange County."Then, on the night of May 11, 1945, she was confronted at the door to the Masuda home by four or five visitors who said that they represented the Native Sons of the Golden West, and that they were "Patriots." They told Mary that it would be in her best interests if they called a taxi for her return to Los Angeles, where she could catch a train to get her back to camp. They hinted that the road to Los Angeles wasn't safe for Japanese. The intimidation did not work. That night, Mary lay awake with this nagging thought: "I came this far, I must fight for what Kazuo and all of the rest of the soldiers fought for." More determined than ever, Mary returned to the Gila River camp and in September 1945, in an act of extraordinary heroism, moved her family back to Talbert.

L-2 Cont.

Two months later, on Saturday morning, December 8, 1945, in a simple ceremony on the porch of the Masudas' small framed family home in Talbert, General Joseph "Vinegar Joe" Stilwell, a four-star general who had served as the commander of the China-Burma-India campaign, pinned a medal on Mary who, in turn, pinned it on her mother.

PHOTO #21: General Joseph Stilwell pinning DSC Medal on Mary Masuda

PHOTO #22: Mary Masuda pinning DSC Medal on Tamae Masuda

The medal was the Distinguished Service Cross,

PHOTO #23: Distinguished Service Cross Medal

17

the second-highest military decoration that can be awarded to a member of the United States. It had been awarded posthumously to Kazuo Masuda for his gallant heroism and selfless devotion to duty and for exemplifying the highest traditions of the military forces of the United States. Inspired by Mary Masuda's noble actions, the War Relocation Authority used this ceremony, which was broadcast nationwide, to send out a message about the steep price that Japanese Americans had paid during the war to safeguard democracy and also to send a warning that anti-Japanese actions, such as those faced by Mary Masuda, would not be tolerated. Instead of having a high ranking officer residing in the local Orange County community, which was the general practice for awarding posthumous medals, the U.S. Army dispatched a top-flight, big-name officer from Washington D.C. to perform the honors. For his part, General Stilwell, following the reading of the Army's DSC Citation for Sergeant Kazuo Masuda, stepped forward and saluted the Masuda family and said, "It is an honor to be delegated to make this award."

PHOTO #24: L.A. Times "Stilwell Salutes Nisei Hero's Family"

Moreover, following the medal presentation, General Stilwell participated later that same day in a rally in his honor staged at the Santa Ana Bowl by the Council for Civic Unity and all Santa Ana civic organizations.

PHOTO #25: General Stilwell in Auto Caravan En route to Santa Ana Bowl

L-2 Cont.

Featured at this so-called "United America Day" rally, the theme for which was "American-All," were representatives from an array of minority racial and ethnic groups plus a complement of Hollywood celebrities, including Louise Allbritton, Robert Young, and Will Rogers, Jr., who had attended the morning ceremony at the Masuda farm. It was Rogers who introduced Stilwell, who then declared: "Who, after all, is the real American? The real American is the man who calls it a fair exchange to lay down his life in order that American ideals may go on living. And judging by such a test, Sgt. Masuda was a better American than any of us here today." The featured speaker at the rally, who capitalized on its theme of racial unity, world peace, and domestic harmony, was the actor and Army captain Ronald Reagan, also a morning visitor to the Masuda farm. Following Pearl Harbor, when five Nisei produce clerks were fired from their jobs in Los Angeles as a "patriotic" gesture by the market's owner, Reagan and his mother allegedly gathered the market's customers together and won them over to an acceptance of the Nisei as Americans deserving fair play, and this action in turn inspired the market owner to reinstate his Nisei employees. Now, in Santa Ana, Ronald Reagan delivered these stirring words: "Blood that has soaked into the sands of a beach is all one color. America stands unique in the world, the only country not founded on race, but in a way an ideal. Not in spite of, but because of our polyglot background, we have had all the strength in the world. That is the American way."

PHOTO #26: Ronald Reagan Commemorative Plaque at Santa Ana Bowl

18

But there is still more to the Masuda family story. In 1948 when Kazuo's remains had been disinterred from his grave in Italy and shipped to the United States for reburial in his native Orange County, the family had a rude surprise when they met with the manager of the Westminster Memorial Cemetery to make burial arrangements. He informed the family that the cemetery was a racially restricted one, and this meant that Sergeant Kazuo Masuda could not be buried in a desirable spot within the cemetery (desirable meaning a central location with trees and a lawn). This revelation, when made public, provoked a sharp protest from the Orange County chapter of the Japanese American Citizens League,

PHOTO #27: "Home Town Cemetery Bars Burial of Nisei War Hero" (*Pacific Citizen news article, November 20, 1948)*

as well as the feisty libertarian publisher-editor of the *Santa Ana Register*, R. C. Hoiles, who had editorially opposed the 1942 exclusion and detention of Japanese Americans and later, in 1945, had vigorously campaigned for Orange Countians to welcome, in a spirit of democratic humanitarianism, the county's returning Japanese Americans residents. As public reaction in the county as a whole became intensely supportive on behalf of the Masudas, the cemetery manager reversed himself and allowed them the plot they desired for the burial of their son. Finally, on December 9, 1948, Kazuo Masuda came home.

PHOTO #28: Car Caravan for Sgt. Kazuo Masuda Burial

L-2 Cont.

On that day, in a funeral service with full military honors, he was buried in a "desirable" section of the Westminster Memorial Park.

PHOTO #29: Pallbearers with Sgt. Kazuo Masuda's Coffin

PHOTO #30: Graveside Ceremony for Sgt. Kazuo Masuda

PHOTO #31: Presentation of American Flag to Parents of Sgt. Kazuo Masuda

In the years following Kazuo Masuda's re-burial in Orange County, his name and his and his family's story have become memorialized. November 2, 1957, witnessed the mustering in of the Kazuo Masuda Memorial Post 3670 of the Veterans of Foreign Wars in Huntington Beach.

PHOTO #32: Members of Kazuo Masuda VFW Memorial Post

PHOTO #33: VFW Memorial Post Member with Kazuo Masuda photograph

Then, on December 17, 1975, the Kazuo Masuda School in Fountain Valley was dedicated;

PHOTO #34: Kazuo Masuda School Dedication Flyer

19

PHOTO #35: Kazuo Masuda School Dedication Ceremony

it was the first American public school named for a Nisei.

PHOTO #36: Newspaper Article, "Valley School Named After 'Go for Broke' Team Hero (*Huntington Beach Independent*)

Later a Japanese garden was developed at the school,

PHOTO #37: Japanese Garden at Kazuo Masuda School

which in 1983 was converted from an elementary school into a middle-school.

One additional chapter to the story of the Masuda family and its war hero son, Kazuo, was developed in relation to the culmination of the historic Japanese American redress and reparation movement. That movement began in the 1970s when community activists began to campaign for some kind of "redress" for their wartime incarceration. This campaign led to President Jimmy Carter signing a bill in 1980 creating the Commission on Wartime Relocation and Internment of Civilians (CWRIC) to determine whether any wrongs had been committed in the incarceration of Japanese Americans during World War II. This blue-ribbon committee held hearings across the nation, and it was in these hearings that hundreds of Nikkei survivors of the wartime camps told their stories, often for the very first time. In 1983, following its detailed investigation, the Commission found that a grave injustice had been done to Japanese Americans, and the Commission recommend that the federal government should formally apologize and that each survivor should be granted a tax-free payment of $20,000. Five years later, after the House of Representatives and the Senate had voted to support these recommended redress measures, the Civil Liberties Act of 1988 still needed to be signed into law by the then president of the United States, Ronald Reagan.

L-2 Cont.

In the years since his 1945 talk at the Santa Ana Bowl Ronald Reagan had moved substantially from the left to the right of the political spectrum. Thus, there was a widespread fear among the bipartisan Congressional supporters of redress that President Reagan, who it was said objected to the $1.3-billion price tag involved, might very well veto the Civil Rights Act legislation. On November 19, 1987, June Masuda Goto, Kazuo's youngest sister, wrote a letter to President Reagan reminding him of his words at the Santa Ana Bowl on December 8, 1945, and urging him to look favorably upon redress legislation should it arrive on his desk. The letter had been drafted by Grant Ujifusa, JACL redress strategy chair, and was delivered to the White House by Governor Thomas Kean of New Jersey via a special line of access used by Republican governors. Ujifusa was Kean's book editor in New York. After reading the letter, the president called Governor Kean and said that he remembered being at the ceremony for Kaz Masuda, that he had changed his mind, and that he was going to sign the redress bill.

At the August 10, 1988, signing ceremony, in which Ruth Masuda Goto was present, President Reagan recounted the Masuda story, placing special emphasis on the events in Talbert and Santa Ana on December 8, 1945. He then repeated the words that day of someone who he referred to as "a young actor," after which he said: "The name of that actor, and I hope I pronounce it right, was Ronald Reagan. And yes, the ideal of liberty and justice for all, that is

still the American way. Thank you and God bless you. And now, let me sign H.R. 442, the redress bill for Japanese Americans, so fittingly named in honor of the 442nd. Thank you all again, and God bless you all. I think this is a fine day.

PHOTO # 38: President Reagan shaking hands with June Masuda Goto

The late Clarence Iwao Nishizu, the person most responsible for the construction of the Orange County Agricultural and Nikkei Heritage Museum, was at the signing of the Civil Liberties Act. According to his oral history in the archives of the CSUF Center for Oral and Public History, this is the memory that Clarence Nishizu took away from this event: "The President then signed the bill. I noticed that the first person whose hand the president shook after that was June Masuda Goto's. He used both of his hands, holding his left hand over her hand to indicate sincerity. It was a very special moment for me." It was also a very special moment for American democracy and fair play.

L-2 Cont.

21

Comment Letter L

Professor Emeritus of History and Asian American Studies
California State University, Fullerton
Arthur Hansen

Comment L-1

The commenter has asked that the current letter supersede his previously submitted comment letter. No changes to the Draft EIR are required as a result of this comment.

Comment L-2

This comment provides an introduction of the commenter and his involvement in the Japanese American Oral History Project. Additional information related to the Furuta family and the history of the Wintersburg Japanese Presbyterian Mission is provided. The comment states the proposed project is in conflict with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. It questions why the analysis did not consider the site to be an historic district.

The Draft EIR disclosed that there would be a significant impact on historic resources and that the effects on historic resources would be inconsistent with the City's General Plan, which is a significant impact. Although mitigation is included to lessen these impacts, the impacts would be significant after mitigation. No changes to the Draft EIR are required as a result of this comment.

As relates to the 2002 report, there is an inconsistency between the findings in the technical report and the individual California DPR records prepared for the properties. The DPR record for the Pastor's House, the original church, and the newer church found the three of them to be contributors to a potential National Register district. The DPR record for the Furuta House #1 and associated barn concluded that this property is individually eligible for the National Register. However, in contrast with the DPR records, the 2002 report concluded in its summary of significance (page 10), "National Register Evaluation code: 3D (Each building is potentially eligible for listing in the National Register as a contributor to a historic district)."

Regardless of the inconsistency between the 2002 DPR records and the 2002 report, the Draft EIR did not identify the existence of a historic district because there are only two parcels upon which the buildings were constructed. APN 111-372-07 contains Furuta House #1, House #2, and the barn. APN 111-372-06 contains the Pastor's House, Church #1, and Church #2. In defining categories of historic properties, National Register Bulletin *How to Apply the National Register Criteria for Evaluation* requires on page 5 "a significant concentration" of resources to qualify as a district. In this case, there are only two properties containing historic resources that together do not constitute a significant concentration to justify the identification of a district.

Regardless of whether the properties are identified as individually eligible for listing in the National Register or as contributors to a potential National Register–eligible district, under CEQA, the demolition of these resources (except for the barn and House #2) would result in identical impacts that would be significant and unavoidable, as identified in Section 5.1 of the Draft EIR. No changes to the Draft EIR are required as a result of this comment.

Comment Letter M

Jones, Tanya

From: Mike Marshall [mailto:mikeshlikas@gmail.com]
Sent: Monday, November 19, 2012 3:34 PM
To: Ramos, Ricky
Cc: Robert Schaaf; Klemm, Aaron; Kim Nicolson; Jeff Coffman
Subject: Warner-Nichols Draft EIR Comment

Dear Mr. Ramos:

Attached please find the HB Environmental Board's comments regarding the above-referenced project in Word format. Thank you for your consideration in this regard. M-1

Sincerely,

Michael Marshall

1

CITY OF HUNTINGTON BEACH

ENVIRONMENTAL BOARD

November 19, 2012

Mr. Ricky Ramos
City of Huntington Beach
Planning and Building Department
2000 Main St
Huntington Beach, CA 92648

Subject: Warner-Nichols Project – Draft Environmental Impact Report

Dear Mr. Ramos,

The Warner-Nichols Project includes the demolition or removal of existing structures on the subject site that have been identified in the Huntington Beach General Plan as having historical significance as local landmarks. It would be nice if we could preserve these structures for future generations. Unfortunately no viable means for preservation has been identified. Substantial efforts have been made to find a way to retain at least the church for future generations to no avail. Since there are no real alternatives and the site is in disrepair, the Environmental Board agrees with the findings of the Draft Environmental Impact Report and is supportive of the demolition and removal of the site's existing structures. M-2

We appreciate the opportunity to comment on this report.

Sincerely,

Michael Marshall
Chairman, Huntington Beach Environmental Board

Comment Letter M

Huntington Beach Environmental Board
Michael Marshall

Comment M-1

This comment is a general introduction requesting the City of Huntington Beach Environmental Board's comments be accepted and considered. The comment states that further comments on the proposed project can be found in the attached letter. No changes to the Draft EIR are required as a result of this comment.

Comment M-2

This comment supports the findings of the Draft EIR regarding alternatives, and supports the demolition and removal of the existing structures on the site. No response is required under CEQA.

Comment Letter N

Jones, Tanya

From: Robert Rusky [mailto:ruskykai@earthlink.net]
Sent: Monday, November 19, 2012 2:49 PM
To: Ramos, Ricky
Subject: Comments on the Historic Wintersburg (Warner-Nichols) draft EIR: Warner-Nichols General Plan Amendment No. 05-001, Etc.

Comment on the Historic Wintersburg (Warner-Nichols) draft EIR
Robert L. Rusky
November 19, 2012

Warner-Nichols General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; re demolition or removal of existing structures at 7622-7642 Warner Avenue (southeast corner of Warner Avenue/Nichols Street.

I am writing to express my grave concern about the proposed demolition of the Historic Wintersburg Japanese American site. Not only is no future development of the site proposed or studied in the Draft Environmental Impact Report ("draft EIR" or "dEIR"), but the loss of the unique history embodied in the site's structures cannot be adequately mitigated.

The Wintersburg site the dEIR addresses comprises a unique collection of historic structures dating back before WWI to the near beginning's of Orange County's Japanese American community in what was once Wintersburg Village. The individual structures include the 1912 Futura home and barn, the 1910 Presbyterian Mission manse (identified as the oldest surviving Japanese American religious structure in the county), and the 1934 Presbyterian church, each an historic structure in itself, but together representing a thoroughly unique, and irreplaceable, image of an important part of Orange County's and California's history. As documented by Mary Urashima's November 12, 2012 article in the Huntington Beach Independent, that the first –generation immigrant Japanese American community was able to obtain the properties at all, given the intense discrimination they suffered, including being barred from becoming citizens, all leading up to the enactment of the Alien Land Law in 1913. Still, the Japanese American community persevered, and built a thriving community contributing to the County's and state's spiritual, legal and economic well being. N-1

The site, both in its individual structures and as a whole, is an image of the history of Japanese Americans in Orange County that cannot be duplicated or replaced. The project proposes to demolish or remove these structures from the site, but has not, and cannot, propose adequate mitigation for the proposed destruction of this historic site. Photographing the buildings is patently inadequate, and moving the buildings intact, even assuming it could be done, would unavoidably destroy the historical cohesion of the site. The Wintersburg Village buildings are individually significant and worthy of protection, but the draft EIR essentially ignores that this cohesion – the gestalt that makes the site more than the mere sum of its parts – represents the true reality of the site's history. As Huntington Beach has recognized for over a quarter-century:

> [I]n addition to Individual structures, collections of buildings are important from a historic preservation standpoint where these collections represent a distinguishable entity which conveys the feelings and associations of the past - even though the individual buildings may not be significant. Generally termed an historic district, these collections of buildings maintain a feeling and association of the past by an internal coherence and integrity. In other words, the buildings relate to one another in the same way that they did originally."

1

CEQA recognizes that a project's adverse effects on historically significant sites or structures must be addressed and redressed. But it shouldn't take a formal statute to make us realize the importance of meaningfully retaining the artifacts of our community histories. Over fifteen years ago in 1996, the San Francisco Japantown community rallied together not just to preserve from demolition for condominiums, but to regain community ownership, of the 1932 Julia Morgan designed Japanese YWCA building, which had been placed in another entity's name in trust in order to avoid the Alien Land Law. A decade ago, in 2002, we settled the lawsuit arising out of the title dispute, with the community non-profit childcare organization, Nihonmachi Little Friends, assuming legal ownership with the promise to rehabilitate the building and return it to community use. The effort to reach that settlement, and to help NLF to secure the resources, including necessary funds, to keep its promise, has been of incalculable value in vitalizing the community by anchoring it to its roots, and serving as an emblem of an important part of San Francisco's, California's, and the nation's history.

N-1 Cont.

Properly preserved and shepherded, the Wintersburg Village site has analogous historical importance and could serve as a similar catalyst. Regardless of whether a future "development" project was presented for the consideration, the historical importance of the site should compel rejection of the planned demolition or relocation of the site resources.

Thank you for your consideration of my comments on the Draft EIR in this matter.

Sincerely,

Robert L. Rusky

Robert L. Rusky
159 Beaver Street
San Francisco, CA 94114
Tel: (415) 255-7385
Fax: (775) 310-0610
Email: ruskykai@earthlink.net

Comment Letter N

Robert Rusky
159 Beaver Street
San Francisco, CA 94114

Comment N-1

The comment expresses concerns about the proposed demolition of historic structures and questions why future development of the site was not included in the Draft EIR. It states that the loss of historic structures cannot be adequately mitigated. It urges rejection of the proposed demolition or relocation of the site resources.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time.

Section 3.1 of the Draft EIR provided mitigation for impacts on historic buildings (Mitigation Measures CR-1 and CR-2) but found that residual impacts would still be significant after mitigation.

As stated in Section 5.3 of the Draft EIR, offsite relocation of the historic buildings was considered. The City has researched the City's land uses and has determined that it does not have ownership or jurisdiction over a site that could accommodate the historic buildings. The Community Services Department was contacted to see if there were any city parks that could take the structures. The cost of relocation and the preparation of the sites in the parks, including providing adequate parking, as well as potential impacts on existing park uses and other restrictions, made this alternative infeasible for the City. The City planning staff also contacted the Historic Resources Board, an advisory board to the Huntington Beach City Council, and the Huntington Beach Historical Society to see if they had any interest in taking the structures or if they knew of possible relocation sites. Late in 2012, a City Council ad hoc committee was formed to work on the preservation of the structures. That committee has been meeting monthly since September 2012 and has developed a matrix of possible relocation sites, but at present no definitive relocation site has been identified.

No changes to the Draft EIR are required as a result of this comment.

Comment Letter O

Jones, Tanya

From: Mary Urashima [mailto:mary.adams.urashima@gmail.com]
Sent: Monday, November 19, 2012 2:26 PM
To: Ramos, Ricky
Cc: Mary Urashima
Subject: Warner - Nichols Public Comments on DEIR

Hi Ricky,

Please confirm receipt of these comments on the Warner-Nichols Draft Environmental Impact Report, sent via email at 2:25 p.m. on November 19, 2012.

Thank you,

Mary Urashima

1

Mary Adams Urashima
19432 Pompano Lane, #110 Huntington Beach, CA 92648

Ricky Ramos, Senior Planner
City of Huntington Beach
Planning and Building Department
P.O. Box 190
Huntington Beach, CA 92648

Re: Warner- Nichols - General Plan Amendment No. 05-001, Zoning Map Amendment No. 05-001; demolition or removal of existing structures at 7622-7642 Warner Ave

I am writing to express my concerns over the proposed demolition of the Historic Wintersburg Japanese site when no future development is proposed in the Draft Environmental Impact Report (draft EIR). The draft EIR for the General Plan amendment and Zoning Map amendment, as well as the demolition application is inadequate in its historic analysis and in the analysis of potential alternatives.

In 1986, the Bowers Museum Japanese American Council of Orange County published a Historic Building Survey of pre-1940 Japanese-related sites, identifying the Wintersburg Japanese Presbyterian Mission complex and the Furuta's original house as being among 33 surviving buildings of historical interest to the County. Today, almost all the buildings on that survey have been demolished. The original 1910 buildings associated with the Wintersburg Japanese Presbyterian Mission are identified as the *oldest surviving* Japanese-American religious structures in Orange County.

O-1

The Furuta family farm site and Wintersburg Japanese Presbyterian Mission complex is a rare, extant historic district that represents our early immigrant and agricultural roots, our early Gospel Swamp mission period, unique enterprises like goldfish farming, and the upheaval of World War II for California's Japanese Americans. In my comments, I provide the names of those known to-date for those of national and regional significance associated with the property.

I ask the Planning Commission to consider that the draft EIR *segments* the future land development plans from the current proposal to change the zoning to industrial / commercial. The draft EIR also *separates* the onsite structures for historic analysis. While the majority of structures meet state and federal historic criteria for listing, the entire site and collection of buildings should be evaluated as a historic district due to its age, the progression of extant buildings, and unique history.

O-2

The draft EIR provides an inadequate historical and archaeological review. The historical technical report is ten years old and the environmental assessment is eight years old. A more thorough site survey should be conducted for both 20th Century activities and for prehistory uses and artifacts. The City has already been notified by both the California Native American Heritage Commission and the Tongva Nation of sensitivities in the area during the Beach –Warner Mixed Use review.

O-3

My comments are with this letter. Please do not allow this uniquely historic site to be demolished.

O-4

Regards,

Mary Adams Urashima

1

Historical Images:
Furuta farm and Wintersburg Japanese Presbyterian Mission complex

Yukiko and Charles Mitsuji Furuta, circa 1912, the year the home was constructed.

O-5

The Charles M. Furuta Gold Fish Farm, showing extensive coverage of the farm site with gold fish ponds. Structure to the right is the barn, still extant.

2

The Wintersburg Japanese Presbyterian Mission and manse, circa 1911-1912.

O-5 Cont.

The Wintersburg Japanese Presbyterian Church, circa 1934.

3

Comments to Warner-Nichols Draft EIR

ES.4 Site History and Existing Conditions

Report: *The Furuta Houses #1 and #2 were built in 1914 and 1947, respectively.*

COMMENT: This is incorrect. The original Furuta home fronting Warner Avenue was constructed shortly after the Furuta marriage in the last quarter of 1912, per a 1982 oral history with Yukiko Furuta for the Honorable Stephen K. Tamura Orange County Japanese American Oral History Project cosponsored by the Historical and Cultural Foundation of Orange County, Japanese American Council and California State University, Fullerton, Oral History Program, Japanese American Project. The 1912 date also is noted in earlier historical surveys which are included in the draft EIR.

O-6

Report: *Since sitting vacant the buildings on site have been vandalized by vagrants and boarded up by the property owner because of security concerns.*

COMMENT: It is the responsibility of the property owner to maintain safe site conditions and security, per municipal nuisance code. The California Office of Historic Preservation and the California Preservation Foundation provide informational resources regarding "mothballing" historic structures during CEQA review to prevent demolition by degradation.

O-7

ES.5.2 Removal of Site Buildings and Improvements

Report: *The project would demolish or remove the six existing buildings and the site improvements. This includes removal of the water tanks, agricultural fixtures, and any other remnants from previous uses. However, the existing vegetation on the site (including trees, bushes, and grass) would remain. After demolition and removal activities, the project site would remain undeveloped and vacant. Only the existing fencing that surrounds the project site and the existing trees and bushes would remain. No new development or active use is proposed for the project site. The intent of the proposed land uses and zoning designations is to provide appropriate non-conflicting land uses. If any development is proposed for the project site in the future, a project-specific development plan would be required by the City, and any project would be implemented consistent with City entitlement requirements and existing General Plan land use policies that minimize impacts on adjacent existing sensitive uses. Further, an industrial and commercial development proposal may require additional documentation pursuant to CEQA.*

COMMENT: What necessitates demolition? The applicant has stated publicly that they plan an industrial / commercial use for the property. Why is the future use separated from the application for demolition and the zone change? How can the public make a decision regarding a change to the General Plan and regarding a future proposed development and its impacts? What General Plan policies encourage increasing an industrial footprint adjacent to an elementary school and residential uses? The fundamental intent of CEQA is to allow the public to review the plan in its entirety, without "piecemealing" the process.

O-8

4

ES.6 Project Objectives

Report: *Accordingly, the applicant's objectives of the proposed project include the following:*

- *Establishing land use and zoning designations that are compatible with the adjacent existing commercial and industrial uses to the west and southwest of the project site.*
- *Providing a buffer to limit conflicts between the commercial and industrial uses to the west and the existing residential neighborhood to the east.*
- *Removing the existing structures to eliminate public safety concerns and unsightly conditions.*

COMMENT: The applicant's primary goal is to *add* more industrial / commercial uses to provide a buffer between existing industrial / commercial uses and residences?

There is no mention of mitigating effects on the adjacent elementary school site, Oakview Elementary School. O-9

Oakview is the City's most economically depressed neighborhood. How will eliminating historic resources, open space and increasing industrial / commercial uses impact this neighborhood?

How can the public review and consider unknown industrial / commercial plans?

How do the applicant's objectives meet the City of Huntington Beach General Plan policies?

To quote the City's own analysis, "*The proposed project would conflict with applicable General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Demolition of historic resources, as proposed by the project, is not consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant.*" Why approve a project that conflicts with General Plan policy?

ES.8 Issues to Be Resolved

Report: *Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved; this includes the choice among alternatives and whether or how to mitigate significant impacts. The major issues to be resolved within the proposed project include decisions by the lead agency as to whether:*

- *this Draft EIR adequately describes the environmental impacts of the project,*
- *the recommended mitigation measures should be adopted or modified,*
- *additional mitigation measures need to be applied to the project,*
- *or the project should or should not be approved.*

O-10

COMMENT: The Draft EIR does not adequately describe the full impact of the proposed demolition and zone change.

5

The Draft EIR considers each structure separately and not the site in its entirety. The historic significance of the site is segmented, which reduces the meaningfulness of the historic nature of the site. This is the only extant Japanese American site of its type in Orange County and perhaps Southern California. *The site in its entirety qualifies as a historic district.* Segmenting the structures for separate analysis removes the full consideration of the property's historic value from the environmental analysis.

O-11

To quote the City of Huntington Beach Historic Building Survey (1986)—which listed this site as historic--"*In addition to Individual structures, collections of buildings are important from a historic preservation standpoint where these collections represent a distinguishable entity which conveys the feelings and associations of the past - even though the individual buildings may not be significant. Generally termed an historic district, these collections of buildings maintain a feeling and association of the past by an internal coherence and integrity. In other words, the buildings relate to one another in the same way that they did originally*."

The draft EIR does not include comprehensive archeological or paleontological surveys, even though there are concerns noted by acknowledged experts. It should be noted that plowing methods of the time were shallow, due to the rich peat nature of the soil, and that most of the site has only seen shallow uses. There are examples of other sites around Huntington Beach and in the area where burials or artifacts were found on what was thought to be previously "developed" land.

O-12

A recent environmental impact review for a mixed-use project at Beach Boulevard and Warner Avenue—about one or two minutes from the site—reported "*the Native American Heritage Commission identified the presence of Native American cultural resources within the immediate area...and noted that the general area was considered sensitive for cultural resources...representatives from the Gabrieleno Tongva Nation (expressed) their concerns about the sensitivity of the...area for Native American resources and burial grounds*." A multiple burial site was found in the 1970s only 1320 feet northwest of site (Shell Midden, Site Number 30000346). In the early 1900s, the Universe Effigy (on display in the Bowers Museum) was found just west of the property off Warner Avenue at the Cole Ranch.

The ALTA survey only notes visible structures, but does not note the location of goldfish ponds, the Furuta tennis courts, former outhouses (known sites for dumping of artifacts in early America), or the movement of the original Mission building to accommodate the widening of Nichols Lane in the early 1900s. The site's physical history is not reflected in any of the draft EIR documents.

O-13

Additionally, conversations with the descendants of the Furuta family indicate they learned there was at least one significant artifact thrown into a goldfish pond after Pearl Harbor. Upon the family's return from internment at the Poston Arizona Internment Center, the ponds were in neglect and filled in with silt. The family did not attempt to retrieve the artifact and it is likely that artifact remains onsite. This important artifact and its history are a reminder of the history unique to California's Japanese American population. The artifact should be returned to the Furuta family descendants.

The recommended mitigation measures are inadequate and are the lowest level of mitigation regarding historic preservation, e.g. photographing the site before demolition to accompany old and incomplete historic analysis. This is inadequate for a site widely recognized as significant not only in Huntington Beach, but in Orange County and statewide. Stronger mitigation must be directed.

O-14

6

The project should not be approved due to the inadequacy of the draft EIR, the lack of full analysis of the historic resources in their entirety, and the inadequacy of the mitigation.

O-15

ES.9 Significant and Unavoidable Impacts

Report: *The following cultural resource related unavoidable impacts would result from implementation of the proposed project.*

- *The proposed project would result in a substantial adverse change in the significance of several historical resources that exist on the project site. Demolition of a historic resource is considered a significant adverse impact that cannot be mitigated to a level of less than significant.*
- *The proposed project would conflict with applicable General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Demolition of historic resources, as proposed by the project, is not consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant.*

O-16

Section 3.1, Cultural Resources, provides a detailed discussion of the environmental setting, impacts associated with the proposed project, and mitigation measures designed to reduce impacts to existing resources on the project site. Implementation of the proposed mitigation measures would reduce some but not eliminate all of the significant impacts. Therefore, impacts related to cultural resources would remain significant and unavoidable. As a result, to approve the proposed project the City of Huntington Beach must adopt a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

COMMENT: What necessitates demolition with the zone change? The proposed project results in not just "substantial adverse change" in several historical resources, rather it results in demolition of structures that together represent an entire historic district.

The project is not consistent with the City's General Plan goals, objectives and policies encouraging the protection, preservation and retention of historic resources. The project increases industrial / commercial uses adjacent to an economically depressed residential neighborhood and elementary school. What is the purpose of the General Plan goals, objectives and policies if they are not upheld? What constitutes the overriding consideration?

ES.10 Alternatives to the Proposed Project

Report: *As required by Section 15126.6(a) of the CEQA Guidelines, an EIR must: Describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.*

O-17

Further, Section 15126.6(b) Guidelines state: The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects

7

of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.
These alternatives evaluated in the EIR include the following:
- *Alternative 1. No-Project Alternative*
- *Alternative 2. Reduced Project (Historic Resource Avoidance Alternative)*
- *Alternative 3. Historic Resource Renovation Alternative*

O-17 Cont.

COMMENT: The recommendations proposed in the draft EIR have not met CEQA goals of substantially lessening the significant effect of demolition. Alternative 2 (reduced project) would accomplish compliance with CEQA guidelines and the City's General Plan policies, by allowing for preservation of historic resources in situ as a public resource.

ES.11 Summary of Impacts and Mitigation Measures

Report: *Mitigation Measure CR1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 .*

O-18

COMMENT: This is the lowest level of mitigation for a historic resource or historic district. As noted previously, the draft EIR does not include comprehensive archeological or paleontological surveys although historical data and finds nearby indicate there is strong potential of pre history findings. Again, the ALTA survey does not indicate the historic uses on the site, presenting an incomplete view of the property's historic resources.

Report: *Mitigation Measure CR2. Offer Buildings for Relocation Prior to Demolition.*
Prior to the issuance of a demolition permit for the historic buildings on site, the Applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

O-19

COMMENT: How did the applicant inform community / preservation groups during the initial phases of the CEQA process that buildings were available for relocation? To-date, all contact or site tours have been initiated solely by community members.

When requested in Fall 2011, there was no apparent active plan to seek relocation sites by the applicant. City staff has stated that three entities were asked about potential properties: the Huntington Beach Historical Society, the Huntington Beach Historic Resources Board, and a private citizen, Mary Urashima. These requests came in the form of emails, and it was not known the email to me, a private citizen, was an "official" inquiry. I was informed the Historical Society did not respond and the Historic Resources Board did not know available relocation sites, although the issue was discussed at their meetings. As a private citizen, I requested parameters for relocation sites and a matrix or list of properties being considered. This request did not receive a response. It does not appear there was a formal, publicly noticed effort to determine potential relocation sites.

Why does the applicant expect other parties to pay for mitigation? How is this consistent with what is required by CEQA at other project sites?

8

Report: Mitigation Measure CR3. Archaeological Resources.
Level of significance before mitigation: less than significant
Prior to the issuance of demolition permits, the Huntington Beach Department of Planning and Building Director or his designee will confirm that the project plans stipulate that a qualified professional archaeologist will be contacted in the event that potential archaeological resources are discovered during the demolition or removal of the structures. Work will stop until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures to the approval of the City's Planning and Building Department. Treatment measures typically include development of avoidance strategies or mitigation of impacts through data recovery programs such as excavation or detailed documentation. If during cultural resources monitoring the qualified archaeologist determines that the site area of work is unlikely to contain significant cultural materials, the qualified archaeologist can specify that monitoring be reduced or eliminated.

O-20

COMMENT: How was the determination that the level of significance is less than significant? What criteria were used?

As previously stated, there are known potential sites on the property that could yield historical and archaeological resources / information. What qualifies the applicant or its contractors to determine if something is of archaeological significance? How will they recognize that if they are not academically qualified? Without a comprehensive archaeological survey, the draft EIR relies on the hope after the fact that artifacts at a relatively untouched century-old site will be noticed and reported.

Report: Mitigation Measure CR4. Paleontological Resources. Less than Significant

COMMENT: How was the determination that the level of significance is less than significant? What criteria were used?

O-21

As previously stated, there are known potential sites on the property that could yield paleontological resources / information. What qualifies the applicant or its contractors to determine if something is of paleontological significance? How will they recognize that if they are not academically qualified in this highly specialized field? Without a comprehensive archaeological survey, the draft EIR relies on the hope after the fact that artifacts at a relatively untouched century-old site will be noticed and reported.

Report: Impact CR-4. Disturb Human Remains: Less than Significant

O-22

COMMENT: No consideration that there may be human remains onsite, when another burial was found nearby? No mitigation measures if human remains are found? The draft EIR is inadequate in archaeological analysis and in the lack of mitigation measures for the potential for human remains.

Report: Impact CR-5. Conflict with applicable General Plan policies: Significant
Mitigation Measures CR-1 and CR-2.

O-23

COMMENT: Mitigation measures proposed in CR-1 and CR-2 are inadequate to address significant conflict with the General Plan, for reasons previously stated.

9

Report: Land Use LU-1. Conflict with any applicable land use plan, policy, or regulation: Less than Significant No mitigation measure proposed.

O-23 Cont.

COMMENT: The draft EIR previously states the project is in conflict with the City's General Plan and that this is a significant adverse impact. *"The proposed project would conflict with applicable General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Demolition of historic resources, as proposed by the project, is not consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. The inconsistency with the City's resource protection policies is a significant adverse impact that cannot be mitigated to a level of less than significant."*

No mitigation measures are proposed for a significant conflict with the General Plan? Please explain.

Report: Land Use LU-2. Conflict with existing on-site and adjacent land uses: Less than Significant None.

COMMENT: No mitigation measures are proposed for a proposed project that does not meet General Plan objectives and policies, and for which there is a significant adverse impact. The proposed project places a higher priority on the adjacent use on one side of the property (commercial / industrial), as opposed to the adjacent uses on the greater portion of the property, which are residential and an elementary school. Please explain the analysis that there is a less than significant impact to residential and elementary school uses.

2.2.2 Existing Site Conditions

COMMENT: As noted previously, the draft EIR separates the structures for analysis, which has the effect of segmenting the historic resources analysis. The entirety of the structures, their placement on the property, and their collective history qualifies the property as a historic district. By segmenting or separating the analysis, the draft EIR attempts to reduce the significance of the historic value of the entire property as part of the Wintersburg Village.

O-24

Report: *Church #1. This structure was constructed in 1911, measures approximately 50 feet north-south by 20 feet east-west, and is approximately 922 square feet in size. It is located in the northwest corner of the project site behind Church #2 adjacent to the Pastor's House. This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant importance to the local community.*

COMMENT: The date is incorrect. "Church #1", more accurately referred to as the Mission (Mission effort not formally incorporated as Church until later) was constructed beginning in 1909, with the first service held in December, 1910. The Mission was founded in 1904, with fundraising efforts throughout Orange County. This is documented in oral histories, church records and newspaper records. The Mission complex also has been noted as historically significant beyond the local community, to the County (Bower's Museum Orange County Japanese Council Historic Building Survey, 1986) and the State (Preserving California's Japantowns). A 1934 Church history noted the Mission was already the oldest known Japanese Church in Southern California.

O-25

10

Report: *Pastor's House. This structure was constructed in 1911 and is connected to Church #1 by a breeze-way. It measures approximately 21 feet east-west by 23 feet north-south, is approximately 461 square feet in size, and is located in the northwest corner of the project site along Nichols Street. This building is legal non-conforming because it is setback 3-feet from the ultimate Nichols Street right-of-way, instead of the required 10-foot setback. This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant historical importance to the local community.*

COMMENT: The date is incorrect. The Manse was constructed in 1910. The Manse originally was to the left or east of the Mission building. The Mission building was moved further east due to the encroachment by Nichols Lane. The setback is a result of the encroachment by the City, as the property originally was surrounded by ample land, as documented by historical photographs. Like the entire Wintersburg Japanese Presbyterian Mission complex, it is historically significant beyond the local community, to the County (Bower's Museum Orange County Japanese Council Historic Building Survey, 1986) and the State (Preserving California's Japantowns).

Report: *Church #2. This structure was built in 1934, measures approximately 30 feet north-south by 82 feet east-west, and is approximately 2,552 square feet in size. It is located in the northeast corner of the project site at the corner of Warner Avenue and Nichols Street, fronting Warner Avenue. Church #2 is legal non-conforming because it lies within the ultimate right-of-way for Warner Avenue. This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant historical importance to the local community.*

COMMENT: Construction on the building initiated prior to 1934, with funds raised during the Great Depression. The setback is a result of the encroachment by the City, as the property originally was surrounded by ample land, as documented by historical photographs. Like the entire Wintersburg Japanese Presbyterian Mission complex, it is historically significant beyond the local community, to the County (Bower's Museum Orange County Japanese Council Historic Building Survey, 1986) and the State (Preserving California's Japantowns).

O-25 Cont.

Report: *Furuta House #1. This structure was constructed in 1914, measures approximately 27.5 feet east-west by 46.5 feet north-south, and is approximately 900 square feet in size. It is located in the north-central portion of the project site along Warner Avenue. This building is included in the City of Huntington Beach's list of local landmarks considered to be of significant historical importance to the local Community.*

COMMENT: This is incorrect. This conflicts with information under Section 2.2.3 Project Site History. The Furuta House was constructed in 1912, per a publicly available oral history with Yukiko Furuta conducted by California State University-Fullerton. It is historically significant beyond the local community, also to the State (Preserving California's Japantowns).

Report: *The Barn. This structure was constructed in 1914. It is located approximately 40 feet southeast of Furuta House #2 and measures approximately 1,524 square feet in size.*

COMMENT: This is incorrect. How was the date 1914 arrived at? This conflicts with information under Section 2.2.3 Project Site History. The barn is considered to pre-date the Furuta House, which was constructed in 1912. The barn may have been constructed between 1909 and 1912, to house C.M. Furuta's property, prior to construction of the house (as was the practice of the day for farmers).

11

This may be the only remaining, untouched heritage barn in Huntington Beach. In a 2007 interview for the California Farm Bureau, Bob Crittendon, an Orange County resident and author of Barn in the U.S.A., said "barns in the West are disappearing much faster than anywhere else in the nation. In Southern California, for example, only a handful of historic barns actually remain...'The century-old barn that is a valuable historic treasure is too often knocked down to make way for a new shopping center...Soon they may all be gone.' "

O-25 Cont.

2.2.3 Project Site History

Report: *Charles Mitsuji Furuta relocated from Hiroshima, Japan, in 1900 and purchased the vacant and undeveloped project site. He then donated a portion of his land for the construction of a church (Church #1) and a residence (Pastor's House) for the Japanese Presbyterian Mission of Wintersburg. Construction of these two buildings was completed in 1910, and in 1912, Charles Mitsuji Furuta built a home and barn for himself and his family (Furuta House #1 and Barn).*

COMMENT: This property represents the sole remaining property owned by a Japanese family prior to California's Alien Land Law of 1913, which prohibited land ownership by non-citizen Japanese (who also were prohibited from attaining citizenship). This property and its buildings have survived for a century, including the World War II years when many properties of this type were destroyed.

The Furuta Property is one of two known properties purchased in Wintersburg and Huntington Beach proper prior to the Alien Land Law of 1913. The other property was owned by Tsurumatsu "T.M." Asari; the Asari property was subsequently sold and redeveloped, retaining no historical features or resources.

O-26

The property also is a remaining extant site of significance representing the early immigrant period of the former Wintersburg Village.

Report: *Because the existing buildings on the project site have been siting vacant and no regular activity occurs on the project site, the six buildings have been repeatedly vandalized, utilized by vagrants, homeless people, and gangs. In response and pursuant to City police and fire department recommendations, the site is completely fenced and all of the buildings have been boarded up. However, the site's condition continues to be a concern.*

O-27

COMMENT: The property owner is responsible for the security and maintenance of property undergoing CEQA review. Additional actions could be taken to protect a property with known historic and cultural resources. As of recently, there was inadequate "no trespassing" signage, inadequate lighting, and buildings were left unboarded sometimes for days or weeks. The most recent incident of this is buildings left unboarded for 3 ½ weeks between August and September 2012. Safeguarding a historic property to prevent it becoming an invitation for vandalism should be maintained and is required by municipal code. Allowing an unsecured situation is termed by preservationists as "demolition by deterioration."

Figure 2.1 Project Location

O-28

12

COMMENT: The project location "star" looks inaccurate. The property fronts Warner Avenue and is on the east side of Nichols Lane.

O-28 Cont.

Figure 2.2 Existing Buildings

COMMENT: The aerial photograph taken in 2009 does not reflect activity at the site in 2012, including tilling and planting of *nopales* behind the Furuta barn, and grading to level land for a private event. As the purpose of the draft EIR is focused on the historic and cultural resources, the photograph does not indicate recent activities that occurred during a CEQA process.

O-29

2.3 Proposed Project

Report: *Concurrent with the General Plan amendment and zone change, the project also includes the demolition or removal of all of the existing buildings and improvements on the site, four of which are included in the City of Huntington Beach's list of local landmarks. The project does not include any development. Therefore, the site would remain vacant after implementation of the project.*

O-30

COMMENT: The application for demolition is included with a zone change, but not with a development plant. The ultimate land use is segmented from the proposed action. The public is not able to evaluate the future land use proposal in its entirety to determine what justifies demolition of four structures identified as local historical landmarks. This is counter to the intent of CEQA.

Report: *Because the existing buildings on the project site have been siting vacant and no regular activity occurs on the project site, the six buildings have been repeatedly vandalized, utilized by vagrants, homeless people, and gangs. In response and pursuant to City police and fire department recommendations, the site is completely fenced and all of the buildings have been boarded up. However, the site's condition continues to be a concern.*

O-31

COMMENT: The property owner is responsible for the security and maintenance of property undergoing CEQA review. Additional actions could be taken to protect a property with known historic and cultural resources. As of recently, there was inadequate "no trespassing" signage, inadequate lighting, and buildings were left unboarded sometimes for days or weeks. The most recent incident of this is buildings left unboarded by the property owner for 3 ½ weeks between August and September 2012. Safeguarding a historic property to prevent it becoming an invitation for vandalism should be maintained and is required by municipal code. Allowing an unsecured situation is termed by preservationists as "demolition by deterioration."

2.3 Proposed Project

Report: The proposed project involves a General Plan amendment and a zone change to amend the designated uses of the project site from residential to industrial and commercial to make the site more compatible with the adjacent industrial uses. The land use and zoning designations are also intended to provide a buffer for the existing residential uses that are adjacent to the east of the project site.

O-32

13

COMMENT: The draft EIR indicated priority is placed on making the site compatible with industrial / commercial use, rather than with the immediately adjacent residential and elementary school uses. Does this meet General Plan policies and objectives?

O-32 Cont.

Report: Concurrent with the General Plan amendment and zone change, the project also includes the demolition or removal of all of the existing buildings and improvements on the site, four of which are included in the City of Huntington Beach's list of local landmarks. The project does not include any development. Therefore, the site would remain vacant after implementation of the project. Figures 2-5 and 2-6 identify the existing and proposed land use and zoning designations.

O-33

COMMENT: What necessitates demolition with the zone change, if the proposed project does not include development? Again, the proposed project is segmenting the ultimate land use from this analysis, so the public has no way of knowing how to fully analyze the proposal.

3.1.2.1 Historic Setting

Report: However, the census of 1930 counted only 52 inhabitants, not including a settlement adjacent to Ocean View School, which had become the center of the community.

COMMENT: Orange County was a rural agricultural region. The draft EIR misses the point that the significance of Wintersburg Village was the Southern Pacific Railroad, Armory building, the Asari / Tashima Market, and the Wintersburg Japanese Presbyterian Mission which provided a social center for a larger population outside the boundaries of Wintersburg Village. People came to this business and social center from Santa Ana, Talbert, Bolsa, Smeltzer, Westminster, and Huntington Beach.

Report: *The Wintersburg area was known for its relatively large Japanese-American population, which had begun with the arrival of farmhands around 1893, joining the Chinese and Italian laborers who had preceded them. One source says that at least 70 Japanese workers lived in bunkhouses in the Smeltzer/Wintersburg area and that they adhered to their ethnic customs.*

O-34

COMMENT: The "bunkhouses" were labor camps, often managed by Japanese. There were labor camps in Smeltzer and off the Springdale Avenue area, within the former Wintersburg Village. I'm not sure what is meant that they "adhered to their ethnic customs." They were immigrants like other immigrants and in the process of assimilation, learning the language and customs of their new country.

Report: *Similar to what their colleagues were undergoing elsewhere in California, the Japanese were discriminated against, first generation (or Issei) immigrants being forbidden to own real property.*

COMMENT: By 1913, all people of Asian ancestry were prohibited from owning property and those of Japanese ancestry were prevented from becoming citizens. The prohibitions on property ownership did not apply to non-citizen White or African immigrants.

Report: *During World War II, Japanese-Americans in California were rounded up and sent to internment camps throughout the western United States.*

14

COMMENT: "Rounded up" is a disrespectful term and this is an incomplete description of what occurred. It is a significant part of the history of the Warner-Nichols property and what makes it unique.

President Roosevelt issued Executive Order 9066 on Feb. 19, 1942, which authorized the Secretary of War to prescribe certain areas of the country as military zones. This included much of the western coastal area of the United States. Both non-citizen Japanese and American-born citizens of Japanese ancestry were either arrested and taken to Department of Justice or military incarceration center, or eventually evacuated to "relocation" centers.

Charles Mitsuji Furuta was taken by the FBI first to the U.S. Army's incarceration center in Tajunga Canyon, then to the U.S. Army's Lordsburg, New Mexico incarceration center. It is believed he was taken because of his involvement in the Smeltzer Japanese Association and his involvement with the Wintersburg Japanese Presbyterian Mission. Other congregants who were involved with the Japanese Association or the Church's affiliation with Japanese language schools—such as Tsurumatsu Asari and Shuji Kanno (father of Fountain Valley's first mayor)—were among the first taken by the FBI. None of the Wintersburg Village residents or Church congregants—in fact no Japanese or Japanese Americans—were ever convicted of any crime against the United States.

Report: *Japanese Presbyterian Mission/Church of Wintersburg - Many Japanese who immigrated to the United States in the late 19th and early 20th centuries converted to Christianity and established congregations in their local communities. The Presbyterian faith was one such sect that attracted Japanese immigrants.*

O-34 Cont.

COMMENT: There also were Japanese who had already converted to Christianity before they left Japan. The post Meiji Restoration period (1871) introduced freedom of religion. By the late 1800s, there were Christian seminary schools in Japan.

Report: *In 1930, the church prepared A Brief Report of the Presbyterian Mission of Wintersburg in honor of its 20th anniversary as a mission. The report stated that it was "one of the oldest Japanese Presbyterian churches in Southern California".*

COMMENT: This is incorrect. The 1930 history written by Reverend Kenji Kikuchi states the Wintersburg Japanese Presbyterian Mission is "one of the oldest Japanese churches in Southern California" (no denomination in his description).

Report: *At the same time, the Japanese Presbyterian Mission of Wintersburg officially changed their name to the Japanese Presbyterian Church of Wintersburg, which is an official recognition of the importance of the congregation by the local Presbytery.*

COMMENT: The actual names are Wintersburg Japanese Presbyterian Mission and Wintersburg Japanese Presbyterian Church. The present-day Church retains the name, "Wintersburg Presbyterian Church." Their congregation remains predominantly Japanese American.

Report: Furuta Family - Charles Mitsuji Furuta (1882–1957) arrived in Tacoma, Washington, from a farm outside Hiroshima, Japan, in 1900. He relocated to Orange County around 1904. Mr. Furuta purchased acres of land in Wintersburg just before Japanese without American citizenship were forbidden to buy land (a law which took effect in 1913).

15

COMMENT: The law referred to is the Alien Land Law of 1913.

O-34 Cont.

3.1.2.2 Existing Cultural Resources

Report: *The determination whether a property or structure is to be considered a historical resource is dependent upon several factors.*

(a) [Criterion 1] is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
(b) [Criterion 2] is associated with the lives of persons important in our past;
(c) [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; or
(d) [Criterion 4] has yielded, or may be likely to yield, information important in prehistory or history.

COMMENT: Regarding the criteria –

Criterion 1 – The late 1800s / early 1900s immigration of Japanese to California is considered significant to the State's agricultural development and later urban development. It also is significant due to State legislation passed regarding citizenship and land ownership. The evacuation and internment of California's Japanese is significant United States' history. The ultimate passage of the federal Civil Liberties Act of 1988 relates directly to President Ronald Reagan's experience with California's Japanese community.

O-35

To quote Donna Graves, with the statewide Preserving California's Japantowns, "*People knowledgeable about Orange County history and Japanese American heritage agree that the Wintersburg Japanese Church complex is extremely significant. Our research for the statewide Preserving California's Japantowns survey confirmed that this is an unusually intact and significant collection of historic buildings with important connections to the history of Japanese Americans in Orange County. Not only does the site have great local significance, it is a rare example of an intact complex of buildings that reflect a thriving immigrant population from the early 20th century.*"

Criterion 2 – There are people of regional and national note associated with the property.

THE MASUDA FAMILY (National note): the entire Masuda family—farmers in Talbert—were congregants of the Wintersburg Japanese Presbyterian Mission. Four of the Masuda brothers served in the U.S. military. On the night of Dec. 7, 1941--while Kazuo Masuda was stationed at Ft. Ord, California, beginning his Army training--his father, Gensuke, was taken by the sheriff from his farm in Talbert to the Orange County jail, then to Fort Missoula, Montana. The family was evacuated to the Jerome Relocation Center in Drew and Chicot counties, Arkansas. After Gensuke was released from Fort Missoula, the Masudas were sent to the Gila River Relocation Center in Arizona in 1944, until 1945. While interned, Kazuo Masuda was killed in action in Italy.

16

Mary Masuda was granted leave from the Gila River camp to travel to Orange County and check on the family farm in Talbert, before the family returned home in 1945. Upon arrival in Orange County, Mary was threatened by men claiming association with the Native Sons of the Golden West. Mary was told not to return to Orange County, that she, her family, and other Japanese were not welcome. The War Relocation Authority (WRA) took action. A Washington news bulletin reported at the time, that the WRA "*took steps to end threats against an American girl of Japanese ancestry who has four brothers with honorable army service records. The WRA announced it is prepared to turn over to law enforcement officials the names of five men who have threatened Mary Masuda of Talbert, Orange County, California, with bodily harm unless she moves out of the county in which she resides with the Caucasian Family named Trudeau*." Hearing of the incident, General Joseph "Vinegar Joe" Stillwell arranged a personal honor for the Masudas. On Dec. 9, 1945, on the front porch of their farmhouse in Talbert, Gen. Stillwell—along with then Captain Ronald Reagan—presented Mary Masuda with the Distinguished Service Cross in honor of her brother, SSgt. Kazuo Masuda. Mary, in turn, pinned the medal on her mother.

Kazuo and Masuo Masuda were nominated in 2011 for the Congressional Medal of Honor. The Masuda family was specifically remembered by President Ronald Reagan when he signed the Civil Liberties Act of 1988.

President Reagan: *"And now in closing, I wonder whether you'd permit me one personal reminiscence -- one prompted by an old newspaper report sent to me by Rose Ochi, a former internee. The clipping comes from "The Pacific Citizen" and is dated December 1945. 'Arriving by plane from Washington,' the article begins, 'General Joseph W. Stilwell pinned the Distinguished Service Cross on Mary Masuda in a simple ceremony on the porch of her small frame shack near Talbert, Orange County. She was one of the first Americans of Japanese ancestry to return from relocation centers to California's farmlands.' Vinegar Joe Stilwell was there that day to honor Kazuo Masuda, Mary's brother. You see, while Mary and her parents were in an internment camp, Kazuo served as staff sergeant to the 442nd Regimental Combat Team. In one action, Kazuo ordered his men back and advanced through heavy fire, hauling a mortar. For 12 hours, he engaged in a single-handed barrage of Nazi positions. Several weeks later at Cassino, Kazuo staged another lone advance. This time, it cost him his life. The newspaper clipping notes that her two surviving brothers were with Mary and her parents on the little porch that morning. These two brothers -- like the heroic Kazuo -- had served in the United States Army. After General Stilwell made the award, the motion picture actress Louisa Albritten -- a Texas girl -- told how a Texas battalion had been saved by the 442nd. Other show business personalities paid tribute -- Robert Young, Will Rogers, Jr., and one young actor said: 'Blood that has soaked into the sands of a beach is all of one color. America stands unique in the world, the only country not founded on race, but on a way -- an ideal. Not in spite of, but because of our polyglot background, we have had all the strength in the world. That is the American way.' The name of that young actor -- I hope I pronounce this right -- was Ronald Reagan. And, yes, the ideal of liberty and justice for all -- that is still the American way...Thank you all again, and God bless you all. I think this is a fine day."*

O-35 Cont.

See http://www.vfwyouthgroup.org/forms/kazuo1.pdf and http://historicwintersburg.blogspot.com/2012/06/masudas-national-civil-liberties-icons.html

17

JAMES KANNO (National note): James Kanno became the first mayor of Fountain Valley and the first Japanese American mayor on the continental United States. The Kanno family were congregants of the Wintersburg Japanese Presbyterian Mission and Shuji Kanno, James Kanno's father, taught at the affiliated language school in Costa Mesa. Due to this involvement, Shuji Kanno was among the first Japanese taken by the FBI and was incarcerated at the Department of Justice Lordsburg New Mexico detention center. The entire Kanno family was interned at the Poston Arizona Relocation Center.

JUSTICE STEVEN TAMURA (National note): The Honorable Stephen K. Tamura first Japanese American appellate judge in the continental United States and Orange County's first Japanese attorney. He also served as Justice Pro Tem on the California Supreme Court and as a member of the California Judicial Council from 1979 to 1981. In addition to his 43 years in the law, Tamura was a founding board member of the Orange County Japanese American Citizens League and the Japanese American Cultural and Community Center in Los Angeles. The Tamura family were congregants at the Wintersburg Japanese Presbyterian Mission, which is documented in a 1981 oral history interview with Wintersburg Japanese Presbyterian Mission Reverend Kenji Kikuchi for the Honorable Stephen K. Tamura Orange County Japanese American Oral History Project (he referred to Tamura as one of "*my Sunday school boys*"). The Hisamatsu Tamura Elementary School in Fountain Valley is named after Justice Tamura's father, a Japanese pioneer who was instrumental in organizing one of the first schools in Talbert (Fountain Valley). Justice Tamura was interned at the Granada War Relocation Center (also known as Camp Amache, in Colorado), before attending Harvard University in 1943 and enlisting in the U.S. Army in 1945.

O-35 Cont.

CLARENCE NISHIZU (National note): Clarence Nishizu was a congregant of the Wintersburg Japanese Presbyterian Mission, as documented in his 1982 oral history for the Honorable Stephen K. Tamura Orange County Japanese American Oral History Project. Instrumental in the passage of the Civil Liberties Act of 1988 by President Ronald Reagan, Clarence Nishizu was present at its signing. Nishizu also was instrumental in the creation of the Nikkei Museum in Fullerton, California.

REVEREND JOSEPH K. INAZAWA AND KATE ALICE GOODWIN (National note): The first clergy member for the Wintersburg Japanese Presbyterian Mission in 1910, Reverend Joseph K. Inazawa held the first official service. He and his new bride, Kate Alice Goodwin, became internationally known when they became engaged in 1909 and again when they married in 1910 due to their marriage being interracial. Their marriage made headlines in newspapers across the country and around the world, as far away as New Zealand. The couple famously eloped to New Mexico, because California banned interracial marriage between 1850 to 1948. Their story is documented in oral histories and also in news clippings from 1909 and 1910, as well as the 1913 article by Neeta Marquis for *The Independent*, Interracial Amity in Los Angeles, Personal Observations on the Life of the Japanese in Los Angeles. See http://historicwintersburg.blogspot.com/2012/07/the-marriage-that-made-headlines.html

TSURUMATSU ASARI (Regional note): Signatory on Wintersburg Japanese Presbyterian Mission 1904 "Prospectus" document (see http://historicwintersburg.blogspot.com/2012/05/prospectus-for-establishing-church.html). Noted in a 1982 oral history with Clarence Nishizu as the first Japanese to arrive in Orange County, Asari was one of two Japanese land owners in Huntington Beach prior to the Alien Land Law of 1913 (the other

18

being Charles Mitsuji Furuta). Asari owned a market and goldfish farm on Wintersburg Avenue. He initiated the Smeltzer Japanese Association, which met on the second floor of his market. Asari also organized the Smeltzer Flying Company.

CHARLES MITSUJI AND YUKIKO FURUTA (Regional note): One of Wintersburg's three goldfish farmers and one of the two Japanese land owners prior to the Alien Land Law of 1913 (the other being Tsurumatsu Asari). Donated land to Wintersburg Japanese Presbyterian Mission. President of the Smeltzer Japanese Association. Charles Mitsuji Furuta was among the first Japanese taken by the FBI, due to his involvement with the Smeltzer Japanese Association. The Furuta family was interned at the Poston Arizona Relocation Center.

YASUMATSU MIYAWAKI (Regional note): Signatory on the Wintersburg Japanese Presbyterian Mission 1904 "Prospectus" document (see http://historicwintersburg.blogspot.com/2012/05/prospectus-for-establishing-church.html). Miyawaki owned the first Japanese market in Huntington Beach on Main Street in 1907—then known as the "Rock Bottom Store"—in the present-day Longboard Restaurant and Pub.

HENRY KIYOMI AKIYAMA (Regional note): One of Wintersburg's three goldfish farmers, who later opened the Pacific Goldfish Farm—billed as the "largest goldfish farm in the world." Akiyama became one of Orange County's wealthiest Japanese.

O-35 Cont.

Criterion 3 – The Furuta home (1912) is a classic example of early 1900s California bungalow style architecture. The gradual additions to the home are reflective of the manner in which farm homes gradually grew as the family grew. The home retains its red iron oxide paint and the interior still contains its early 1900s Japanese wallpaper, underneath the wall board.

The Furuta barn (pre 1912) is iconic of early 1900s agricultural barn structure, with wide plank redwood plank construction. The barn still retains evidence it was once washed in the classic red iron oxide paint. The additions to the barn are typical of early American barns and reflect the history of the farm's activity and use.

The Wintersburg Japanese Presbyterian Mission (1910) is a classic early American style, plain and utilitarian, with deep-set windows and wide plank construction. It is comparable with other pioneer architecture for buildings constructed in the late 1800s / early 1900s, as evidenced by historical photographs for the Wintersburg and Huntington Beach region.

The manse (1910) for the Wintersburg Japanese Presbyterian Mission is early 1900s pioneer architecture and represents the early mission period in the Gospel Swamp region. Few of the early missionary structures remain from that time period.

The Wintersburg Japanese Presbyterian Church (1934) reflects Depression-era architecture and with a Spanish Colonial Revival style gaining popularity in California during that time period. Funds to construct the church were raised during the Depression. The main arched doorway is carved of tiger maple.

19

Criterion 4 – As evidenced by previous comments, there is significant history to the Furuta home and the Wintersburg Japanese Presbyterian Mission complex. Recognition of this history has previously been omitted from the majority of historical reports for Huntington Beach. Also as indicated in earlier comments, there have been archaeological findings and a human burial a short distance from the property. Since the property was minimally developed over the past century and the onsite uses were shallow, it is likely there may be pre history left to discover.

O-35 Cont.

3.1.2.3 Existing Structures on the Project Site

Report: *However, it does not appear that Charles or Yukiko Furuta achieved a sufficient level of importance as historic personages for the dwelling to warrant NRHP or CRHP eligibility under Criterion B or 2, respectively.*

COMMENT: This finding is disputed. The California State University-Fullerton Center for Oral and Public History Honorable Stephen K. Tamura Orange County Japanese American Oral History Project retains the files of oral histories conducted with Orange County Japanese that represent early Orange County and California history. Yukiko Furuta's 1982 oral history and photographs provided by the Furuta family are considered significant as providing first-hand accounts of life in the early 1900s, the World War II internment years, and the return and recovery years.

Report: *While the barn is clearly associated with the Furuta family and was most likely used for agricultural activities related to the family's goldfish, water lily, and snow pea businesses, the prominent alteration/additions to the barn have degraded its integrity of design, materials, and workmanship. Utilizing the National Register standards for assessing properties, a structure such as the barn that has experienced a substantial loss of integrity does not qualify for designation as a historic resource.*

O-36

COMMENT: This finding is disputed. The barn most likely predates the Furuta home, as the practice of farmers was to construct the barn first to house their equipment. The majority of the barn is original construction, with additions made in the early 1900s by the *original* owner. These additions reflect the use and history of the barn and are not considered "alteration" of a structure because they are part of its history. This is one of the sole *rare heritage barns* left in Huntington Beach. While the roof shingles have degraded, the wide redwood plank barn construction is sturdy and does not show signs of rot, termites or insect infestation. The barn also is iconic to the history of Wintersburg and Orange County's early agricultural roots, the majority of which has been lost by urban development.

Report: *It appears that the Pastor's House was relocated from its original site southeast of the Mission chapel (Church #1) to its current location just west of the chapel, most likely when the second chapel (Church #2) was erected in 1934.*

COMMENT: It may be more likely the Mission building was moved east of the manse to accommodate the widening of Nichols Lane.

Report: *"the Pastor's House represents a way of life that has almost vanished from the urban areas of Southern California. It is among the few surviving examples from one of Orange County's earliest Anglo settlements and among a dwindling number of historic resources related to Japanese-American life in the County.... As a result, the Pastor's House appears eligible for individual listing in the NRHP and the CRHP for its association with patterns of settlement in Orange County, including the Japanese-American*

20

community, under Criterion A and 1, respectively, at the local level of significance."

COMMENT: Agree with this finding.

Report: However, current research did not reveal information indicating that the house (manse) is associated with historic personages who achieved a sufficient level of importance for the dwelling to warrant NRHP or CRHP eligibility under Criterion B or 2, respectively.

COMMENT: This finding is disputed. Please see earlier comments regarding persons of national note, specifically Wintersburg Japanese Presbyterian Mission's Reverend Joseph K. Inazawa and his wife, Kate Alice Goodwin. They were the first couple to live in the manse.

Report: the Mission chapel (Church #1) is among a dwindling number of historic resources related to Japanese-American life in the County and highly representative of the presence of this ethnic group in the area in the first half of the 20th century. As a result, and despite its loss of some physical integrity, Church #1 appears eligible for individual listing in the NRHP and the CRHP for its association with patterns of settlement in Orange County, including the Japanese-American community

COMMENT: Agree with this finding.

O-36 Cont.

Report: However, current research did not reveal information indicating that Church #1 is associated with historic personages who achieved a sufficient level of importance to warrant NRHP or CRHP eligibility under Criterion B or 2, respectively.

COMMENT: This finding is disputed. Please see earlier comments regarding persons of national note who were congregants or clergy of the Wintersburg Japanese Presbyterian Mission.

Report: As with the Mission chapel (Church #1) discussed above, the second chapel associated with the Wintersburg Japanese Presbyterian church (Church #2) erected in 1934 is also one of a dwindling number of historic resources related to Japanese-American life in the County and it, too, is highly representative of the presence of this ethnic group in the area in the first half of the 20th century. As a result, Church #2 appears eligible for individual listing in the NRHP and the CRHP for its association with patterns of settlement in Orange County, including the Japanese-American community, under Criterion A and 1, respectively, at the local level of significance.

COMMENT: Agree with this finding.

Report: However, current research did not reveal information indicating that Church #2 is associated with historic personages who achieved a sufficient level of importance to warrant NRHP or CRHP eligibility under Criterion B or 2, respectively.

COMMENT: This finding is disputed. Please see earlier comments regarding persons of national note who were congregants of the Wintersburg Japanese Presbyterian Mission, continuing at the 1934 Church.

3.1.6.1 Project Impacts

O-37

21

Impact CR-1. The proposed project would cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5.

Report: Implementation of the proposed project would demolish all of the existing buildings on the project site. The following provides a description of the project's historical resource impacts on each of the existing buildings.

COMMENT: This is a significant flaw and inadequacy in the draft EIR. The historic structures are separated for their analysis and not considered in their *entirety* as a historic district. Where else in Huntington Beach do we have a site that retains a half dozen structures reflective of early 1900 immigrant settlement through late 1900s, continually owned and occupied by one owner? Where else in Huntington Beach do we have structures owned by a Japanese family, prohibited to own property after 1913?

The draft EIR acknowledges the historic nature of the buildings and that most are eligible for national and local listing. However, the draft EIR never considers the site in its entirety or notes the uses not now visible on the site, e.g. earthen tennis court, goldfish ponds.

O-37 Cont.

Mitigation Measure CR1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 .

Report: Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional...

COMMENT: This is the lowest level of preservation mitigation. It is inadequate for a historic resource of this unique significance. This does not meet the General Plan goals for protection and preservation of historic resources.

O-38

Mitigation Measure CR2. Offer Buildings for Relocation Prior to Demolition.

Report: Prior to the issuance of a demolition permit for the historic buildings on site, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

COMMENT: The applicant has not initiated any outreach to seek preservation groups or relocation sites. While they are cooperating with the current process, the initiative was undertaken by community members and preservationists in an effort towards preservation. Many of the historic photographs and historic notes in the draft EIR are the result of information submitted by community members and not through research by the applicant.

O-39

22

The applicant expects other parties to pay for mitigation, in this case preservation or relocation of historic resources. In what other circumstances do applicants state others will pay for their project's mitigation?

O-39 Cont.

Report: Mitigation Measures CR-1 and CR-2 would reduce some but not eliminate all of the significant impacts of the project to the identified historic resources. The demolition of Furuta House #1, Pastor's House, Church #1, and Church #2 would result in a substantial adverse change to each of these historic resources that cannot be mitigated to a less-than-significant level.

O-40

COMMENT: Agree with this finding.

Impact CR-2. The proposed project would not cause an adverse change in the significance of an archaeological resource.

O-41

COMMENT: Dispute this finding. Addressed under earlier comments.

Impact CR-3. The proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

O-42

COMMENT: Dispute this finding. Addressed under earlier comments.

Impact CR-4. The proposed project would not disturb any human remains, including those interred outside of formal cemeteries

O-43

COMMENT: Dispute this finding. This is an unknown and a burial site was found a short distance from the property. Addressed under earlier comments.

Impact CR-5. The proposed project would conflict with applicable General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect

O-44

Report: As described in Table 3.1-1, removal of historic structures, as proposed by the project, is not consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. Because the project would not be consistent with these policies, objectives, and goals of the City's General Plan that are related to avoiding or mitigating an environmental effect, project impacts are significant.

COMMENT: Agree with this finding. The project is not consistent with City Goal Policy Objectives HCR 1, HCR 1.1, HCR 1.3.6, HCR 1.4.5,

The proposed project would remove four buildings that are identified in the City's General Plan as having historical significance to the City of Huntington Beach. The draft EIR for this proposed project should be denied as inconsistent with the General Plan goals, objectives and policies.

23

Table 3.2-2. General Plan Land Use Consistency Analysis

Report: *Objective LU 8.1. Maintain the pattern of existing land uses while providing opportunities for the evolution, including intensification and re-use, of selected subarea in order to improve their character and identity. Additionally, the project site is vacant and includes abandoned aged structures. The proposed project would remove the aged structures and provide for the re-use of the project site.*

O-45

COMMENT: The analysis neglects to mention the site's existing identity is as a historical resource. The structures are historic and not "abandoned," as they are the responsibility of the current property owner to maintain and keep secure. Also, this objective can be met through re-purposing of historic structures for re-use; demolition is not a given.

Report: *Policy LU 10.1.6. Require that commercial projects abutting residential properties adequately protect the residential use from the excessive or incompatible impacts of noise, light, vehicular traffic, visual character, and operational hazards. The proposed project would result in a commercially designated property located adjacent to existing residential properties. The project does not include development of a commercial use. However, any future commercial uses would be required to adequately protect the existing residences against potential effects of adjacent commercial activities…*

O-46

COMMENT: As stated in earlier comments, how does increasing industrial / commercial use protect adjacent residential uses? The project states it does not include development of a commercial use, which segments the future land use from the proposed project. The public cannot fully analyze the proposed use, per the intent of CEQA.

Report: *Policy LU 12.1.4. The proposed project would result in a new industrially designated property. The project does not include development of any industrial uses. However, the intent of the proposed project is to provide non-conflicting land uses and buffer the existing residential uses from existing odor, noise, traffic, operational hazards, and visual character of the existing industrial uses to the west of the site.*

O-47

COMMENT: As stated in earlier comments, how does increasing industrial use adjacent to residential and elementary school uses provide a non-conflicting land use? Again, the project segments the eventual development plan from the current proposed project. The public cannot fully analyze the proposed use, per the intent of CEQA.

Report: *Overall, the proposed project is consistent with the City's land use policies that encourage compatible and harmonious land uses. As shown in Table 3.2-2, the proposed project is compliant with all of the applicable General Plan land use goals, objectives, and policies. Because the project would not generate inconsistencies with land use policies, objectives, or goals of the City General Plan, impacts are less than significant.*

O-48

COMMENT: This is in conflict with what is stated elsewhere in the report that the project conflicts with the City's General Plan goals, objectives and policies.

Report: *Because the project would remove all of the existing structures on the project site and does not propose development, the development regulations associated with the proposed zoning designations would not conflict with onsite structures or existing uses. No mitigation is required.*

O-49

24

COMMENT: The project imposed industrial / commercial zoning on a residential site with historic significance. This does present a conflict with an existing onsite structures and potential historic preservation.

O-49 Cont.

4.3.1 Cultural Resources

Report: *However, as described in Section 3.1, the proposed project would result in demolition of historic resources that are located on the project site. Because all cultural resources are unique and nonrenewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base... Hence, after implementation of mitigation, impacts related to historical resources would remain significant and adverse. Similarly, the project's incremental contribution to the loss of historic resources is cumulatively considerable. Therefore, this would be considered a significant cumulative impact.*

O-50

COMMENT: Agree with this finding.

Report: *As described in Section 3.2, Land Use, the project site is vacant and partially developed, and implementation of the land use and zoning designation changes would not negatively affect adjacent existing land uses.*

O-51

COMMENT: This is because the project segments the proposed zone change and demolition from proposed development plans. The public cannot fully analyze the impacts to adjacent existing land uses, as intended by CEQA.

5.2 Alternatives Considered

Report: *Alternative 2 – Reduced Project (Historic Resource Avoidance Alternative): This alternative would entail removal of the buildings and improvements that are not historic resources (the barn and Furuta House #2), and amend the land use and zoning designations for commercial and industrial uses. The buildings that have been identified as historic resources would remain in place as they currently exist.*

O-52

COMMENT: The draft EIR is inadequate in that it separates the analysis of the historic structures, and does not analyze the site in its entirety as a historic district. The proposal to remove some of the buildings and demolish others is a result of inadequate historic analysis. Also, the findings that the barn is not of historic value are disputed, per earlier comments.

5.3 Alternatives Considered But Rejected

Report: *Relocation of historic buildings alternative: This alternative was rejected because a relocation site has not been identified. The City has researched the City's land uses and determined that it does not have ownership or jurisdiction over a site that could accommodate the historic buildings. Although various City parks were considered, the costs of the relocation and the preparation of the sites in the parks, including adequate parking, and the impacts to the park resources made this alternative*

O-53

25

infeasible. In addition, the City has reached out to local historical organizations and private citizen organizations, which have also been unsuccessful in identifying a relocation site.

COMMENT: This alternative does not appear to have been fully explored. What public notification did the City or applicant undertake to communicate with historical organizations or community members? What analysis regarding park resources or other potential sites is documented? Through discussions with staff, there were only two historical organizations and one private citizen contacted (myself). A request for other organizations contacted, the specifications for the buildings, relocation cost analysis and potential relocation sites analyzed by the City received no response. After the initiation of a process for reviewing potential sites was initiated by the ad hoc committee in September 2012, it is apparent there are a number of sites that could have been considered. The analysis of this alternative is inadequate.

O-53 Cont.

5.4 Proposed Project

Report: *As described in the Project Description and Land Use sections of this EIR, the existing buildings on the project site have been vacant for many years and no regular activity occurs on the project site. The buildings have been repeatedly vandalized and are utilized by vagrants, homeless people, and gangs. In response, and pursuant to City police and fire department recommendations, the site is completely fenced and all of the buildings have been boarded up.*

O-54

COMMENT: As stated previously, the property owners are responsible for taking adequate site security actions to safeguard properties undergoing a CEQA process and per municipal public nuisance codes.

Report: **...***the project's historic impacts related to the historic buildings would remain adverse and significant after implementation of mitigation. In addition, removal of historic structures, as proposed by the project, is not consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. Because the project would not be consistent with these policies, objectives, and goals of the City's General Plan that are related to avoiding or mitigating an environmental effect, project impacts are adverse and significant and cannot be mitigated to a level of less than significant.*

O-55

COMMENT: Agree with this finding.

5.5.1 Alternative 1 – No Project Alternative

Report: *Furthermore, this alternative would leave in place existing negative environmental issues related to hazards (potential exposure to asbestos, lead based paint, structural issues and safety concerns with the aged structures) in the event people gain access to the buildings on the property.*

O-56

COMMENT: There is no supportive evidence for the "hazards" described in this statement. There is no evidence to indicate there is asbestos of any significant amount associated with the historical structures. If there is a minute amount, this does not represent a significant concern as there are procedures for containing and/or removing asbestos. There is no evidence provided regarding paint sampling for lead. If there is presence of lead based paints in historic buildings, there are procedures

26

for sealing the surfaces and repainting. Also, the buildings are not being recommended for occupation which is the only use that would create long-term exposure.

O-56 Cont.

5.5.3 Alternative 3 – Historic Resources Renovation Alternative

Report: Construction of any new facilities is not part of the proposed project but would be included in this alternative (parking, ingress/egress, landscaping), plus rehabilitation and onsite relocation of the existing historic buildings.

O-57

COMMENT: This analysis is skewed due to the fact the ultimate land use has been separated from the current project proposal (zone change and demolition) for a future draft EIR. The analysis and assumptions in this alternative are inadequate because the entire project is being segmented. How can the public evaluate this when the ultimate land use is not part of the analysis for this property.

Report: *The small size and internal configurations of the four buildings may constrain commercial activities, and it could be difficult to find tenants to lease them.*

O-58

COMMENT: This is a very outdated approach to repurposing and integrating of historic structures into commercial developments. Increasingly, historic structures are being incorporated in innovative ways that preserve the history and have been proven to add value to the development due to the uniqueness of the property. These integrated developments become destination locations because they have incorporated historical buildings, e.g. Montery's Cannery Row.

Report: *The restoration and preservation of the four buildings would be a time consuming and expensive process. A feasibility and cost study was prepared in May 2012 by Thirtieth Street Architects, Inc. that estimated a cost of $2.65 million, which does not include costs of ongoing maintenance to the restored buildings.*

O-59

COMMENT: There is no documentation provided for this cost estimate. What was this cost estimate based on? The analysis does not consider national and state funding available for historic preservation. Also, the analysis makes an assumption that cost is the sole reason this alternative should be rejected, which is in conflict with the General Plan goals and objectives regarding the preservation of historic landmarks.

5.6 Environmentally Superior Alternative

Report: *With regard to the remaining alternatives, the environmentally superior alternative would be Alternative 3, the Historic Resources Renovation Alternative. This alternative would avoid the significant adverse impacts to the historical resources located on the project site, and would avoid impacts related to inconsistencies with the City's General Plan policies. This alternative would renovate the historic buildings in their existing historic location on the project site.*

O-60

COMMENT: Agree with this finding.

Report: *However, as described previously in Section 5.5.3, several feasibility constraints related to the Historic Resources Renovation Alternative have been identified. The small size and internal configurations of the four buildings (such as containing 5 rooms within a 900-square-foot building)*

O-61

27

for sealing the surfaces and repainting. Also, the buildings are not being recommended for occupation which is the only use that would create long-term exposure.

O-56 Cont.

5.5.3 Alternative 3 – Historic Resources Renovation Alternative

Report: Construction of any new facilities is not part of the proposed project but would be included in this alternative (parking, ingress/egress, landscaping), plus rehabilitation and onsite relocation of the existing historic buildings.

O-57

COMMENT: This analysis is skewed due to the fact the ultimate land use has been separated from the current project proposal (zone change and demolition) for a future draft EIR. The analysis and assumptions in this alternative are inadequate because the entire project is being segmented. How can the public evaluate this when the ultimate land use is not part of the analysis for this property.

Report: *The small size and internal configurations of the four buildings may constrain commercial activities, and it could be difficult to find tenants to lease them.*

O-58

COMMENT: This is a very outdated approach to repurposing and integrating of historic structures into commercial developments. Increasingly, historic structures are being incorporated in innovative ways that preserve the history and have been proven to add value to the development due to the uniqueness of the property. These integrated developments become destination locations because they have incorporated historical buildings, e.g. Montery's Cannery Row.

Report: *The restoration and preservation of the four buildings would be a time consuming and expensive process. A feasibility and cost study was prepared in May 2012 by Thirtieth Street Architects, Inc. that estimated a cost of $2.65 million, which does not include costs of ongoing maintenance to the restored buildings.*

O-59

COMMENT: There is no documentation provided for this cost estimate. What was this cost estimate based on? The analysis does not consider national and state funding available for historic preservation. Also, the analysis makes an assumption that cost is the sole reason this alternative should be rejected, which is in conflict with the General Plan goals and objectives regarding the preservation of historic landmarks.

5.6 Environmentally Superior Alternative

Report: *With regard to the remaining alternatives, the environmentally superior alternative would be Alternative 3, the Historic Resources Renovation Alternative. This alternative would avoid the significant adverse impacts to the historical resources located on the project site, and would avoid impacts related to inconsistencies with the City's General Plan policies. This alternative would renovate the historic buildings in their existing historic location on the project site.*

O-60

COMMENT: Agree with this finding.

Report: *However, as described previously in Section 5.5.3, several feasibility constraints related to the Historic Resources Renovation Alternative have been identified. The small size and internal configurations of the four buildings (such as containing 5 rooms within a 900-square-foot building)*

O-61

27

would constrain commercial activities, and it would be difficult to find tenants to lease them. Additionally, the restoration and preservation of the four buildings would be a time-consuming and expensive process that is estimated to take 20 years of lease payments to pay for, which does not include the cost of building and site maintenance.

O-61 Cont.

COMMENT: The draft EIR analysis of this alternative assumes the renovated buildings must stand alone. There are examples of historic structures being integrated into commercial developments, retaining historic features while creating modern additions to accommodate new uses. The analysis is inadequate because it focuses on a narrow view of renovation and re-purposing of historic structures.

7.3 Significant and Unavoidable Environmental Effects

Report: *As described in Section 3.1, implementation of the proposed project would demolish the existing buildings and structures on the project site. This action would include four buildings that are identified historic resources*

- Furuta House #1 is a historic resource that appears individually eligible for listing in the National Register and California Register.
- The Pastor's House is a historic resource that appears individually eligible for listing in the National Register and California Register.
- Church #1 is a historic resource that appears individually eligible for listing in the National Register and California Register.
- Church #2 is a historic resource that appears individually eligible for listing in the National Register and California Register.

O-62

COMMENT: The proposed action would eliminate not only four structures eligible for state and national historic listing, but an entire historic district. This is the only extant Japanese American site of its type in Orange County and probably in Southern California. It contains the oldest known Japanese church in Southern California.

8.1 Printed References

COMMENT: The draft EIR lists only two non-City printed references, one of which was provided to the City by community members (1930 history of Wintersburg Japanese Presbyterian Church, Rev. Kenji Kikuchi). It appears only one oral history was reviewed, while there are others relating to Wintersburg Village (including Furuta family relatives). No references are listed for the Presbytery.

O-63

28

Comment Letter O

Mary Adams Urashima
19432 Pompano Lane, #110
Huntington Beach, CA 92648

Comment O-1

This comment expresses concerns about demolition of the onsite structures, claims the historic analysis and alternatives analysis is inadequate, and provides background information about the structures on site.

This comment is an introduction to the following comments. See specific responses to each comment below.

Comment O-2

This comment states that the entire site should be evaluated as a historic district. The Draft EIR did not identify the existence of a historic district because there are only two parcels upon which the buildings were constructed. APN 111-372-07 contains Furuta House #1, House #2, and the barn. APN 111-372-06 contains the Pastor's House, Church #1, and Church #2. In defining categories of historic properties, National Register Bulletin *How to Apply the National Register Criteria for Evaluation* requires on page 5 "a significant concentration "of resources to qualify as a district. In this case, there are only two properties containing historic resources that together do not constitute a significant concentration to justify the identification of a district. This approach does not reduce the significance of the properties as representative of the Japanese American experience in Huntington Beach. It should be noted that regardless of whether the properties are identified as individually eligible for listing in the National Register or as contributors to a potential National Register–eligible district, under CEQA, the demolition of these resources (except for the barn and House #2) would result in identical impacts that are significant and unavoidable. No changes to the Draft EIR are required as a result of this comment.

Comment O-3

This comment states that the historic technical report is ten years old and the environmental assessment is eight years old. The Draft EIR was prepared in 2011 and 2012, based in part on the Historic Resources Technical Report conducted in 2002 (Appendix C of the Draft EIR) and Phase I Environmental Site Assessment conducted in 2004 (Appendix B of the Draft EIR). The properties were surveyed and assessed for historic significance at that time. In addition, those two documents are unlikely to include significantly different information if they were updated today. No changes to the Draft EIR are required as a result of this comment.

Comment O-4

This comment requests the historic structures not be demolished, and states the remainder of the letter contains further comments. The comment does not address specific issues related to the environmental analysis. See responses to specific comments below.

Comment O-5

The commenter has submitted several historical images of the Furuta farm and Wintersburg Japanese Presbyterian Mission complex. These have been added to the administrative record for the proposed project. No changes to the Draft EIR are required as a result of this comment.

Comment O-6

This comment notes that the date of construction for Furuta House #1 is incorrect. The incorrect date was included in Chapter 2 of the Draft EIR, "Project Description." The correct date of 1912 was referenced in Section 3.1, "Cultural Resources," and in the accompanying Department of Parks and Recreation record. Chapter 2 has been corrected in the Final EIR.

Comment O-7

This comment claims that it is the responsibility of the property owner to maintain safe site conditions, and provides references for how to preserve historic structures to prevent demolition by degradation.

This comment does not address the environmental document. Therefore, no response is required under CEQA.

Comment O-8

This comment questions what necessitates demolition and asks why future development of the site is not included in the project, claiming that the CEQA process is being piecemealed (i.e., dividing the project into smaller pieces for the purposes of analysis in separate environmental documents).

As stated in Section 2.4 of the Draft EIR, the purpose of removing the existing buildings is to eliminate public safety concerns and unsightly conditions.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole of the action." Consequently, there is no piecemealing.

No changes to the Draft EIR are required as a result of this comment.

Comment O-9

This comment questions whether the adjacent Oakview Elementary School would experience any impacts as a result of eliminating historic resources and open space. Additionally, the comment questions how the public can consider the impacts of unknown industrial and commercial development and how increasing industrial and commercial uses on the project site would affect the surrounding neighborhood.

Potential land use conflicts were addressed in the Draft EIR in Section 3.2, under Impact LU-2. As discussed therein, the intent of the project is to provide non-conflicting land uses that would buffer the existing residential and other uses from larger-scale commercial/industrial land uses, particularly those west of the property. As a result, impacts related to conflicts with adjacent land uses were found to be less than significant. Finally, the comment questions why the City would approve a project that conflicts with the General Plan.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. If development is proposed in the future, such development would be a discretionary action, subject to CEQA.

As discussed in Section 3.1 of the Draft EIR, the analysis found that the project would be in conflict with the City's General Plan policies related to historic resources. This impact was considered significant and unavoidable in the Draft EIR. Under CEQA Section 15043, the lead agency has the

authority to approve projects despite significant effects on the environment if the agency makes a fully informed and publicly disclosed decision that:

(a) There is no feasible way to lessen or avoid the significant effect; and

(b) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project.

The Draft EIR has fully disclosed the significant and unavoidable impacts of the proposed project and has demonstrated a good faith effort of exhausting all alternatives to meet the project objectives. The City's decision makers will consider these impacts when deciding whether to approve the project. If their decision is to approve the project despite these significant and unavoidable impacts, a Statement of Overriding Considerations would be required to provide the reasons for this decision.

No changes to the Draft EIR are required as a result of this comment.

Comment O-10

The comment claims that the Draft EIR did not adequately describe the full impact of the proposed demolition and zone change.

This comment serves as an introduction to additional comments below. See specific responses to the comments below.

Comment O-11

This comment states that the entire site should be evaluated as a historic district. See response to Comment O-2.

Comment O-12

This comment states that the Draft EIR did not include comprehensive archaeological and paleontological surveys. Archaeology and paleontology were analyzed in Chapter 3.1 of the Draft EIR. These studies served as the basis of the Mitigation Measures CR-3 and CR-4, which require treatment of archaeological or paleontological resources if any are found during project activities. It should be noted that ground disturbance is not proposed for the project. No changes to the Draft EIR are required as a result of this comment.

Comment O-13

The comment claims that there may be subsurface cultural resources present on the site.

The project does not propose ground disturbance, but only the removal of existing above-ground structures. The remainder of the site will not be disturbed. Mitigation Measures CR-3 and CR-4 address procedures for discovery of unknown cultural resources during demolition. No changes to the Draft EIR are required as a result of this comment.

Comment O-14

This comment claims that recommended mitigation measures are inadequate based on the significance of the site.

In response to this and other comments on the Draft EIR, two mitigation measures for cultural resources have been revised in the Final EIR to provide additional detail. The following is the revised mitigation measures showing the added (<u>underlined</u>) and removed (~~struck out~~) text:

Mitigation Measure CR-1. Photography and Recordation of Furuta House #1, Pastor's House, Church #1, and Church #2 . Prior to the issuance of a demolition permit or relocation of the historic buildings on site, large format photographic documentation and a written report will be prepared by a qualified architectural historian, architect experienced in historic preservation, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture pursuant to 36 CFR 61. The written report will follow the guidelines associated with HABS Level I documentation, which uses the "Outline Format" instead of the one-sheet architectural data form associated with Level III recordation. ~~This~~ The ~~written report and~~ large format 4x5 photography with photo index will document the significance of Furuta House #1, Pastor's House, Church #1, and Church #2 and their physical conditions, both historic and current, through photographs ~~and text~~ pursuant to Level III ~~recordation of the~~ HABS documentation. Photographic documentation noting all elevations and additional details of the buildings' architectural features will be undertaken. The photographer will be familiar with the recordation of historic resources. Photographs will be prepared in a format consistent with the HABS standard for field photography. Copies of the report will be submitted to the City of Huntington Beach Planning and Building Department, Huntington Beach Central Library, Huntington Beach Historic Resources Board, Huntington Beach Historical Society, Historical and Cultural Foundation of Orange County – Japanese American Council, Wintersburg Presbyterian Church, Orange County Archives, and Orange County Japanese American Association.

Mitigation Measure CR-2. Offer Buildings for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the Furuta House #1, the Pastor's House, Church #1, and/or Church #2 ~~historic buildings on site~~, the applicant shall demonstrate to the City that it has worked with community/preservation groups to offer the buildings for relocation to a compatible location that will reestablish contributing aspects of the dwelling's historic orientation, immediate setting, and general environment. (If such a site is not available, a less compatible site may be used, if the only other option is demolition.) ~~an offsite location for preservation. Relocation of the buildings would be at the expense of the party that takes responsibility for relocation, and not at the applicant's expense.~~ In the offer, the applicant shall state that they will contribute money towards this relocation in an amount equal to the cost of demolition, based on an estimate approved by the City from a licensed contractor. The relocation efforts will be conducted in accordance with the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation. Negotiations shall be accommodated for a period of not less than 1 year following project approval. Should no plan of relocation be brought forward within 1 year, demolition will be allowed to occur.

Even with this revised mitigation, significant and unavoidable cultural resources impacts would remain.

Comment O-15

This comment states that the project should not be approved due to the inadequacy of the Draft EIR, the lack of full analysis of the historic resources in their entirety, and the inadequacy of the mitigation.

See responses to Comments O-1 through O-14 regarding adequacy of the Draft EIR. See response to Comment O-2 regarding designation of the site as an historic district. See response to Comment O-14 regarding revisions to mitigation.

Comment O-16

This comment questions what necessitates demolition and claims that the impacts would be on a historic district, not just several historical resources. It states that the project is not consistent with the City's General Plan, which encourages protection, preservation, and retention of historic resources. It states that the project would increase industrial and commercial land uses adjacent to a residential neighborhood and school. Finally it asks what constitutes an overriding consideration.

As stated in Section 2.4 of the Draft EIR, the purpose of removing the existing buildings is to eliminate public safety concerns and unsightly conditions.

See response to Comment O-2 regarding designation of the site as an historic district.

The Draft EIR disclosed that there would be significant impacts on historic resources, and that the effects on historic resources would be inconsistent with the City's General Plan, which is a significant impact. Although mitigation is included to lessen these impacts, the impacts would be significant after mitigation.

Potential land use conflicts were addressed in the Draft EIR in Section 3.2, under Impact LU-2. As discussed therein, the intent of the project is to provide non-conflicting land uses that would buffer the existing residential and other uses from larger-scale commercial/industrial land uses, particularly those west of the property. No development is planned at this time. Any development planned in the future would be required by the City General Plan to adequately protect the existing residences against potential effects (noise, light, glare, odor, etc.). As a result, impacts related to conflicts with adjacent land uses were found to be less than significant.

Because this EIR has identified significant and unavoidable impacts related to the project, the lead agency (the City of Huntington Beach) is required to make a Statement of Overriding Consideration prior to approving the project. This statement provides the decision-making bodies reasons for approving the project in spite of the impacts.

Although a Statement of Overriding Considerations is required by CEQA, the statement is not part of the EIR, and is required only if the project is approved. The statement will be included in the record of project approval and identified in the Notice of Determination for the Final EIR.

No changes to the Draft EIR are required as a result of this comment.

Comment O-17

This comment states that the recommendations proposed in the draft EIR have not met CEQA goals of substantially lessening the significant impact of demolition, and claims that Alternative 2 would accomplish compliance with CEQA guidelines and the City's General Plan policy by preserving historic resources in place as a public resource.

CEQA requires that mitigation be considered for any significant environmental impact and that the environmental document determine whether the impact would be reduced to less than significant after implementation of the mitigation. For impacts on cultural resources, Mitigation Measures CR-1 and CR-2 were proposed and analyzed. As stated in Section 3.1.6.1, the residual impact (after mitigation) would still be significant and unavoidable.

Alternative 2, Reduced Project (Historic Resources Avoidance) Alternative, would avoid the significant impacts on cultural resources and the inconsistency with the City's General Plan, as stated in Section 5.5.2 of the Draft EIR. However, this alternative would not reduce the existing safety concerns on the site, and it would not remove existing onsite hazards. Because of these hazards, access to the historic resources would not be available to the public.

Comment O-18

This comment states that photography and recordation is the lowest level of mitigation, and claims that the Draft EIR did not provide archaeological or paleontological analysis.

The following background information regarding recordation of historic resources is of import. HABS Level I is the highest level of recordation and is appropriate for historic buildings possessing a high level of architectural complexity. Unlike Level II and III recordation, Level I requires full measured drawings that are produced to comprehend what the historic buildings reveal of the past and to place that knowledge in the perspective of architectural evolution. In contrast, HABS Level III recordation is appropriate for recording resources that have less physical complexity and do not possess a substantial level of architectural detail typically associated with a measured drawing illustration set. The existing conditions and level of architectural style and design of the buildings at the Wintersburg site do not appear to rise to the level of complexity to require HABS Level I recordation. A Level III recordation that uses large-format photography and the more detailed "Outline Format" written report used in Level I and 2 recordation can serve as an historical record appropriate for these resources, which is why Level III was the level chosen.

See the response to Comment O-14 regarding additional requirements that are included in Mitigation Measure CR-1.

See the response to Comment O-12 regarding archaeological and paleontological analysis in the Draft EIR.

Comment O-19

This comment asks about previous contact between the applicant and community or preservation groups and about what efforts had been made to look for relocation sites. It also states that the applicant should pay for mitigation for cultural resources.

Communications between the applicant and community members is not a topic for the EIR. However, in the context of the Draft EIR, in Section 5.3, offsite relocation of the historic buildings was considered. The City has researched the City's land uses and has determined that it does not have ownership or jurisdiction over a site that could accommodate the historic buildings. The Community Services Department was contacted to see if there were any city parks that could take the structures. The cost of relocation and the preparation of the sites in the parks, including providing adequate parking, as well as potential impacts on existing park uses and other restrictions, made this alternative infeasible for the City. The City planning staff also contacted the Historic Resources Board, an advisory board to the Huntington Beach City Council, and the Huntington Beach Historical Society to see if they had any interest in taking the structures or if they knew of possible relocation sites. Late in 2012, a City Council ad hoc committee was formed to work on the preservation of the structures. That committee has been meeting monthly since September 2012 and has developed a matrix of possible relocation sites, but at present no definitive relocation site has been identified.

Regarding paying for mitigation, Mitigation Measure CR-1 (as amended in the Final EIR), requires documentation of the historic buildings on the site before they are demolished. The cost of this documentation will be borne by the applicant. (See response to Comment O-14 for the revised mitigation measure.)

Mitigation Measure CR-2 (as amended in the Final EIR), requires the applicant to make an offer of the buildings prior to demolition, and contribute to the relocation costs up to the amount they would spend for demolition, based on a contractor's estimate approved by the City. (See response to Comment O-14 for the revised mitigation measure.)

Mitigation Measure CR-3 requires that the demolition contractor contact a qualified professional archaeologist in the event that potential archaeological resources are discovered on the site during demolition. The costs of the demolition, the archaeologist, and any subsequent studies would be borne by the applicant.

Mitigation Measure CR-4 requires that the demolition contractor contact a qualified professional paleontological monitor in the event that potential paleontological resources are discovered on the site during demolition. The costs of the demolition, the paleontologist, and any subsequent studies would be borne by the applicant.

Comment O-20

The comment asks how the determination was made in the Draft EIR that impacts on archaeological resources would be less than significant, and how untrained contractors would recognize an archaeological artifact during demolition.

The methods and thresholds of significance are presented in Sections 3.1.4 and 3.1.5 of the Draft EIR. No archaeological sites are known to be present in the project area. An archaeological study was conducted for the Draft EIR, and this served as the basis for Mitigation Measure CR-3, which requires treatment of archaeological resources if any are found during project activities. Because ground disturbance is not proposed for the current project, this is the appropriate level of mitigation for the project. No changes to the Draft EIR are required as a result of this comment.

Comment O-21

The comment asks how the determination was made in the Draft EIR that impacts on paleontological resources would be less than significant, and how untrained contractors would recognize an archaeological artifact during demolition.

The methods and thresholds of significance are presented in Sections 3.1.4 and 3.1.5 of the Draft EIR. No paleontological resources are known to be present in the project area. A paleontological study was conducted for the Draft EIR, and this served as the basis for Mitigation Measure CR-4, which requires treatment of paleontological resources if any are found during project activities. Because ground disturbance is not proposed for the current project, this is the appropriate level of mitigation for the project. No changes to the Draft EIR are required as a result of this comment.

Comment O-22

The comment states that the Draft EIR did not consider whether human remains may occur on the site, mentioning a burial site found nearby. It states that there was no mitigation for the discovery of human remains, and that the EIR was inadequate as a consequence.

No human remains are known to be present in the project area. The remains mentioned in the comment, though not specified, were likely the closest recorded human remains (Site 30000346) (1972), which were about one-quarter mile distant.

The Draft EIR specified that, should human remains be uncovered, they will be treated as required by law, specifically following State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. No ground disturbance is proposed for the project; therefore, no impacts on burials are anticipated. The Draft EIR was adequate because the unlikely discovery of human remains is covered by existing state codes.

No changes to the Draft EIR are required as a result of this comment.

Comment O-23

This comment states that Mitigation Measures CR-1 and CR-2 are inadequate to address significant conflicts with the City's General Plan. It also questions the finding of less than significant for Impact LU-1 and LU-2 because the project would conflict with General Plan policies.

Mitigation Measures CR-1 and CR-2 (as amended in the Final EIR) are intended to address impacts on cultural resources and, in so doing, impacts related to inconsistency with the City's General Plan policies calling for the preservation of the buildings. As stated in the Draft EIR, these impacts would still be significant even with implementation of the mitigation measures. (See response to Comment O-14 for the revisions to these mitigation measures in the Final EIR.)

Potential impacts related to conflicts with General Plan Economic Development Element goals and objectives and Land Use Element goals, objectives, and policies were addressed in Section 3.2.6.2 of the Draft EIR, under Impact LU-1. Because the project would not generate inconsistencies with relevant economic development and land use goals, objectives, and policies of the General Plan, impacts would be less than significant. Conflicts with policies related to protection of cultural resources are discussed in Section 3.1, and impacts are found to be significant and unavoidable.

Impact LU-2 does not address conflict with land use policies relating to protection of cultural resources, but rather conflicts with existing onsite and adjacent land uses. The analysis concludes less than significant impacts and no mitigation measures are required. The area already has industrial uses located next to residential and elementary school uses. The proposed project would not change this condition. However, any future proposed commercial and industrial uses on the project site would be required by the City General Plan policies to adequately protect the existing residences and elementary school against potential effects of the adjacent commercial and industrial activities (e.g., noise, light, glare, or odor). Conflicts with policies related to protection of cultural resources are discussed in Section 3.1, and impacts are found to be significant and unavoidable.

Comment O-24

The comment states that the entire site should be evaluated as a historic district and that "segmenting the analysis" reduces the significance of the property. See response to Comment O-2 regarding designation of the site as an historic district.

The Draft EIR did not segment the analysis of the historic resources to reduce the significance of the resources. As stated in Section 3.1, a significant and unavoidable impact on cultural resources would result from implementation of the project. No changes to the Draft EIR are required as a result of this comment.

Comment O-25

The comment notes that the dates of construction for the historic buildings in the Draft EIR were incorrect. The comment also states that the barn predates the construction of Furuta House #1 and that it "may be the only remaining, untouched barn in Huntington Beach."

Incorrect dates were included in Chapter 2 of the Draft EIR, "Project Description," and have been revised in the Final EIR. The correct dates were referenced in Chapter 3, "Cultural Resources," and in the accompanying Department of Parks and Recreation records as follows:

- Church #1 – 1910
- Pastor's House (Manse) – 1910
- Church #2 – 1934 is the date of completion

- Furuta House #1 – 1912

The comments regarding the barn being the only remaining untouched barn in Huntington Beach is not supported by any evidence in the comment. In fact, the barn is not "untouched." As described in the Draft EIR, the barn's west elevation has an addition that extends around the south and east elevations, with the barn's original roof visible above the shed-like roof of the addition. These additions have degraded the structure's integrity of design, materials, and workmanship such that it does not appear eligible for National Register or California Register listing.

No changes to the Draft EIR are required as a result of this comment.

Comment O-26

The comment provides background information about the project site's history, but does not address the environmental analysis in the Draft EIR. No response is required under CEQA.

Comment O-27

This comment claims that it is the responsibility of the property owner to maintain safe site conditions and suggests additional actions that could be taken to protect the property. The comment claims that safeguarding historic properties is a requirement of the municipal code.

This comment does not address the environmental document; therefore, no response is required under CEQA.

Comment O-28

The comment states Figure 2-1 does not accurately identify the location of the proposed project. The figure has been revised in the Final EIR to show a more precise and exact location of the project site.

Comment O-29

The comment states the aerial on Figure 2.2 is outdated. The figure represents the existing conditions as defined by CEQA, which is normally at the time of the Notice of Preparation of an EIR. In response to this comment, an updated aerial has been used to provide an additional figure, Figure 2.2a.

Comment O-30

This comment claims that future development has been segmented from the proposed project, and that the public cannot evaluate the proposal without a development plan.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole of the action," and there is no segmentation. No changes to the Draft EIR are required as a result of this comment.

Comment O-31

This comment claims that it is the responsibility of the property owner to maintain safe site conditions and suggests additional actions that could be taken to protect the property. The comment claims that safeguarding historic properties is a requirement of the municipal code.

See the response to Comment O-27.

Comment O-32

The comment states that the analysis in the Draft EIR suggested a priority is placed on making the site compatible with industrial and commercial uses rather than residential and educational uses. The comment also questions whether making the site compatible with industrial and commercial uses meets the General Plan policies and objectives.

Potential land use conflicts were addressed in the Draft EIR in Section 3.2, under Impact LU-2. As discussed therein, the intent of the project is to provide non-conflicting land uses that would buffer the existing residential and other uses from larger-scale commercial/industrial land uses, particularly those west of the property. As a result, impacts related to conflicts with adjacent land uses were found to be less than significant.

A thorough analysis of the project's consistency with General Plan policies and objectives was performed in Section 3.2 of the Draft EIR, "Land Use and Planning." The Draft EIR found the proposed project to be consistent with the General Plan's land use policies and objectives. The exception is for policies related to historic resources, which were discussed in Section 3.1, and a significant and unavoidable impact was identified therein.

No changes to the Draft EIR are required as a result of this comment.

Comment O-33

The comment questions what necessitates demolition of the structures if no development plan is proposed. The comment also suggests the proposed project is segmenting the development of the project site.

As described in Chapter 2 of the Draft EIR, "Project Description," the purpose of removing the buildings on site is not to prepare the site for development, but to prevent further vandalism and deterioration, thereby reducing public safety issues.

The general plan amendment and zone change, along with demolition of the buildings on site, are the project, as described in Chapter 2 of the Draft EIR. There are no plans to develop the site at this time. Therefore, the project described in Chapter 2 is the "whole of the action," and there is no "segmenting" of the project. No changes to the Draft EIR are required as a result of this comment.

Comment O-34

This comment states that the Draft EIR did not consider the significance of the Wintersburg Village. It provides background information on Asian American history in the area. The comment also disagrees with terminology used in the analysis, specifically the term "rounded up," and points out minor discrepancies in the local history description in the Draft EIR.

The Draft EIR did consider the significance of the Wintersburg Village, as described in Section 3.1.2.1. The additional background information is incorporated into the administrative record for the project.

To address this comment, Section 3.1.2.1 is revised in the Final EIR as follows, showing the added (<u>underlined</u>) and removed (~~struck out~~) text:

> … During World War II, Japanese-Americans in California were ~~rounded up and~~ sent to internment camps throughout the western United States….
>
> … The report stated that it was "one of the oldest Japanese ~~Presbyterian~~ churches in Southern California" (Japanese Presbyterian Church of Wintersburg 1930).

Regarding the name of the church and mission, the names in the historic records vary. Slight differences in the names do not affect the findings in the Draft EIR, so no additional changes to the text have been made.

Comment O-35

This comment provides information about criteria used to determine whether property is considered a historical resource. For Criterion 1 (association with events that have made a significant contribution to the broad patterns of California's history and cultural heritage), the comment provides a quote related to the Wintersburg Japanese Church Complex. For Criterion 2 (association with lives of persons important to our past), the comment provides biographical information about the people associated with the property. For Criterion 3 (embodying the distinctive characteristics of a type, period, region, or method of construction or representing the work of an important creative individual or possessing high artistic values), the comment discusses the structures on site, providing detailed architectural descriptions. For Criterion 4 (has yielded, or may be likely to yield, information important in prehistory or history), the comment states that the history of the site is more significant than previous reports have recognized, and that the site may have additional archaeological resources and human remains.

Section 3.1 of the Draft EIR and the associated Department of Parks and Recreation records for the buildings and structures associated with the site considered each structure against each of the criteria. The information included in the comment does not change the determinations of the significance of the properties under National Register criteria for the purposes of CEQA.

The additional background information is incorporated into the administrative record for the project.

See the responses to Comment O-20 regarding archaeology and Comment O-22 regarding human remains.

No changes to the Draft EIR are required as a result of this comment.

Comment O-36

This comment disputes several portions of the historic setting in the Draft EIR:

- The comment claims that Charles and Yukiko Furuta meet National Register and California Register eligibility under Criterion B and 2, respectively.
- The comment disagrees with the description in Section 3.1.2.3 of the Draft EIR of changes to the barn as "alterations." It also states that the additions were "made in the early 1900s." The comment also states that the barn "is one of the sole rare heritage barns left in Huntington Beach."
- The comment disputes the statement in Section 3.1.2.3 of the Draft EIR that the Pastor's House appears to have been relocated from its original site and instead asserts that "it may be more likely the Mission building [Church #1] was moved east of the manse [Pastor's House] to accommodate the widening of Nichols Lane." It disputes the finding that the Pastor's House does not possess sufficient associations with historic personages necessary to meet National Register or California Register Criterion B or 2, respectively.
- The comment disputes the finding in Section 3.1.2.3 of the Draft EIR that Church #1 and Church #2 do not possess sufficient associations with historic personages to meet National Register and California Register Criterion B or 2, respectively

The comment agrees with the finding in Section 3.1.2.3 of the Draft EIR that the Pastor's House meets National Register and California Register eligibility under Criterion A and 1, respectively. The

comment agrees with the finding that Church #2 meets National Register and California Register eligibility under Criterion A and 1, respectively.

National Register and California Register Eligibility under Criterion B and 2: The analysis for the Draft EIR utilized the National Register Bulletin *How to Apply the National Register Criteria for Evaluation* pages 14 and 15 in assessing the importance of these individuals under Criterion B (and California Register Criterion 2). According to the National Register, the importance of an individual must be ascertained in determining whether a property is significant for its associative values under Criterion B. While evidence indicates that Charles and Yukiko Furuta were actively involved in forming and supporting the Wintersburg Presbyterian Mission and Church and were known for their role as farmers, it does not appear that they achieved a sufficient level of importance in a local, state, or national context to warrant National Register or California Register eligibility under Criterion B or 2, respectively. It should be noted that regardless of whether the properties are identified as eligible for listing in the National Register or California Register under Criterion B/2, they remain eligible for National Register and California Register listing under Criterion A/1. Therefore, under CEQA, the demolition of these resources (except for the barn and House #2) would result in impacts that are significant and unavoidable.

The Barn: The analysis for the Draft EIR utilized the National Register Bulletin *How to Apply the National Register Criteria for Evaluation* pages 44–47 in assessing the integrity of the barn. The barn has experienced a substantial loss of integrity of design, materials, and workmanship to its exterior, primarily through additions. The conclusion in the Draft EIR was that the loss of this level of physical integrity reduces the barn's ability to convey its significance to be eligible for listing in the National Register or California Register. No evidence was provided in the comment to support the claim that the additions were "made in the early 1900s" or that the barn "is one of the sole rare heritage barns left in Huntington Beach."

The Pastor's House and Church #1: No evidence was provided to validate the claim about the relocation of the Pastor's House. As related to the comments that the Pastor's House (manse) and Church #1 are associated with historic personages, evidence is provided by the commenter regarding the importance of Reverend Joseph K. Inazawa, the first clergyman for the Mission Church (Church #1), and his wife Kate Alice Goodwin. It appears that there was national and international notoriety surrounding the couple's interracial marriage in 1910. If this information is confirmed, it appears that there would be sufficient evidence to support the commenter's assertion that the house in which they resided (manse) and Church #1, for which Joseph K. Inazawa was the pastor, appears eligible for listing in the National Register and California Register under Criterion B and 2, respectively. It should be noted that regardless of whether these properties appear eligible for listing in the National Register or California Register under Criterion B/2, they have already been found eligible for National Register and California Register listing under Criterion A/1. Therefore, under CEQA, the demolition of the Pastor's House and Church #1 would result in the same impact, which is significant and unavoidable.

Church #2: Evidence was provided indicating that the Wintersburg Japanese Presbyterian Church (Church #2) was associated with the lives of persons significant in our past. However, unlike Reverend Inazawa, who was the original pastor of Church #1, Church #2 does not appear to be the building that best represents the historic contributions of the persons referenced.

No changes to the Draft EIR are required as a result of this comment.

Comment O-37

This comment asserts that the Draft EIR should have identified the properties as a historic district. See the response to Comment O-2.

Comment O-38

This comment sates that Draft EIR included only the lowest level of preservation mitigation, which was inadequate, and that the project is in conflict with the General Plan goals for protection and preservation of historic resources.

See the response to Comment O-14 regarding revised mitigation.

The Draft EIR disclosed that there would be significant impacts on historic resources, and that the effects on historic resources would be inconsistent with the City's General Plan, which is a significant impact. Although mitigation is included to lessen these impacts, the impacts would be significant after mitigation.

Comment O-39

This comment claims that the applicant has not initiated any outreach to seek preservation groups or relocation sites. See the response to Comment O-19.

Comment O-40

This comment agrees with the findings in the Draft EIR that Mitigation Measures CR-1 and CR-2 would not reduce the significant impacts on historic resources to less than significant. No response is required under CEQA.

Comment O-41

This comment disputes the findings of the Draft EIR regarding archaeological resources and refers back to the writer's previous comments on this subject. See the response to Comment O-20.

Comment O-42

This comment disputes the findings of the Draft EIR regarding paleontological resources and refers back to the writer's previous comments on this subject. See the response to Comment O-21.

Comment O-43

This comment disputes the findings of the Draft EIR regarding human remains and refers back to the writer's previous comments on this subject. See the response to Comment O-22.

Comment O-44

The comment requests that the Draft EIR be denied due to inconsistency with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources. This impact was considered significant and unavoidable in the Draft EIR, and the comment has not identified an inadequacy in the analysis or findings. Therefore, no changes to the Draft EIR are required as a result of this comment.

The comment to deny the EIR represents a misunderstanding of the CEQA process. The EIR provides the City's decision makers information to consider when deciding whether to approve the project or not. The decision for the City relative to the EIR is whether or not to certify the EIR as being adequate for their use in making this decision. No changes to the Draft EIR are required as a result of this comment.

Comment O-45

This comment takes issue with wording in Table 3.2-2 of the Draft EIR, General Plan Land Use Consistency Analysis, stating that the buildings on site should not be characterized as "abandoned," but rather historic, and that the objective of General Plan Objective LU 8.1 could be met through re-purposing the historic structures for re-use, rather than demolition.

As stated in Table 3.2-2 of the Draft EIR, Objective LU 8.1 states: "Maintain the pattern of existing land uses while providing opportunities for the evolution, including intensification and re-use, of selected subarea in order to improve their character and identity."

The analysis in Table 3.2-2 is the proposed project's consistency with this policy. Analysis of an alternative that would renovate and reuse the existing buildings is provided in Section 5.5.3 (Alternative 3).

The text in this table has been revised to remove the word "abandoned" and replace it with "vacant."

Comment O-46

This comment questions how increasing industrial/commercial use of the site protects the adjacent residential uses. It also claims that the project is segmented because it does not including proposed future development.

See response to Comment O-16 regarding potential conflicts with adjacent land uses.

See response to Comment O-30 regarding segmenting.

Comment O-47

This comment questions how increasing industrial land use adjacent to residences and an elementary school provides a non-conflicting land use. It also claims that the project is segmented because it does not including proposed future development so the public cannot fully analyze the proposed use.

See response to Comment O-16 regarding potential conflicts with adjacent land uses.

See response to Comment O-30 regarding segmenting.

Comment O-48

The comment states that the Draft EIR makes contradictory statements about consistency with the General Plan goals and policies. The commenter has provided a quote from Section 3.2, "Land Use," which stated the proposed project is consistent with the City's General Plan Land Use Element goals and policies.

The analysis in Section 3.2 of the Draft EIR was not contradictory. The instance where the proposed project is inconsistent with the General Plan is not related to the Land Use Element, but with the Historic and Cultural Resources Element of the General Plan. Section 3.1 of the Draft EIR, "Cultural Resources," analyzed the proposed project's consistency with the goals and policies of the Historic and Cultural Resources Element of the General Plan and found that impacts would be significant and unavoidable after mitigation. This finding is not contradicted in the Draft EIR.

No changes to the Draft EIR are required as a result of this comment.

Comment O-49

The comment disagrees with the analysis in Section 3.2 of the Draft EIR, "Land Use," and contends that the zone change proposed by the project would result in a conflict with existing onsite structures and potential historic preservation.

If the proposed project was solely proposing a zone change, then proposed industrial and commercial zoning designations would conflict with the existing residential and religious structures on site. However, the proposed project is proposing demolition of the structures as well as a land use amendment, which would make the site consistent with the City's Land Use Plan and zoning ordinance. No changes to the Draft EIR are required as a result of this comment.

Comment O-50

The comment agrees with the findings in the Draft EIR that the proposed project would contribute to a significant cumulative impact. No changes to the Draft EIR are required as a result of this comment.

Comment O-51

This comment states that the project segments the proposed zone change and demolition from proposed development plans, so that the public cannot fully analyze the proposed use.

See response to Comment O-30 regarding segmenting.

Comment O-52

This comment claims that the Draft EIR is inadequate because the analysis did not study the historic structures as an historic district. It also disputes the finding that the barn does not qualify for designation as a historic resource.

See the response to Comment O-2 regarding evaluation of the site as an historic district. See the response to Comment O-25 regarding the barn.

Comment O-53

This comment states that the relocation of the historic buildings off site has not been fully explored. See the response to Comment O-39.

Comment O-54

This comment claims that it is the responsibility of the property owner to maintain safe site conditions and suggests additional actions that could be taken to protect the property. The comment claims that safeguarding historic properties is a requirement of the municipal code. See the response to Comment O-27.

Comment O-55

This comment agrees with the findings in the Draft EIR that the proposed project would not be consistent with the City's General Plan goals, objectives, and policies that encourage protection, preservation, and retention of historic resources; and therefore would result in a significant and unavoidable impact. No changes to the Draft EIR are required as a result of this comment.

Comment O-56

This comment claims that statements regarding hazards in the analysis of Alternative 1, No Project Alternative, are not supported, and that if the buildings are not proposed to be occupied, then there would be no hazard to the public.

Because of the age of the buildings is it reasonable to assume that asbestos and lead-based paints may be present, as stated in Section 5.5.1 of the Draft EIR. Structural issues and safety issues are known to be present. As stated in the document, despite fencing and boarding up the buildings, trespassers occasionally gain access to the buildings, representing an ongoing safety concern.

No changes to the Draft EIR are required as a result of this comment.

Comment O-57

This comment states that the analysis of Alternative 3 is skewed because the development of the site is not included in the project.

See response to Comment O-30 regarding segmenting.

As stated in Section 5.2, Alternative 3 would include a zone change and general plan amendment, as well as renovation of the existing historic buildings and their re-use of the buildings for commercial or industrial purposes. The comment does not explain how this analysis relates to the segmenting, which has not occurred because there are no plans for development of the site.

No changes to the Draft EIR are required as a result of this comment.

Comment O-58

The comment contends that the approach to re-use of the buildings under Alternative 3 in the Draft EIR was outdated, citing other places where the historic nature of the buildings adds value to the development due to the uniqueness of the property.

This comment references a development (Monterey's Cannery Row) with very different attributes than the project site. Most notably, as stated in the Draft EIR and quoted in the comment, the small size and internal configurations of the four buildings would constrain commercial activities. This was certainly not true of the large factories that were converted into commercial space on Cannery Row. While the historic nature of the buildings on site may create more interest for tenants, their small size would preclude all but the smallest businesses. No changes to the Draft EIR are required as a result of this comment.

Comment O-59

This comment states that there is no documentation to back up the cost estimate provided for renovation of the historical buildings under Alternative 3. The comment states that national and state funding should be sought. The comment claims that cost is the sole reason for rejecting this alternative.

The cost estimate for Alternative 3 was based on an analysis by Thirtieth Street Architects, Inc., which is attached as Appendix G of the Final EIR. The City knows of no funding currently available that would make onsite restoration feasible.

Under CEQA, an alternative can be found infeasible for economic reasons alone if "the marginal costs of the alternative as compared to the cost of the proposed project are so great that a reasonably prudent property owner would not proceed with the alternative" (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal. App. 4th 587). The cost of renovation alone for the historic properties was

estimated at $2.44 million, which is over 100 times the cost of demolition. In addition, the time it would take to pay back just the renovation (not including required site improvements and maintenance) would be over 19 years. Therefore, a reasonably prudent property owner would not proceed with this alternative.

No changes to the Draft EIR are required as a result of this comment.

Comment O-60

The comment agrees with the Draft EIR that the environmentally superior alternative would be Alternative 3, the Historic Resources Renovation Alternative. No changes to the Draft EIR are required as a result of this comment.

Comment O-61

This comment claims that Alternative 3 has too narrow of a focus because it does not include additional development on the site that would integrate renovated buildings into a larger commercial development.

The comment appears to address the feasibility of Alternative 3, and suggests that by doing more development there would be a greater chance for the alternative to be feasible. This alternative was found to be not feasible because it would take over 19 years of average lease payments to pay off the cost of renovation alone (not including the costs of site development and ongoing maintenance). Additional development (at additional expense) would only add to the cost of renovation. At average rental prices, it would take over 19 years to pay off this renovation, not including paying for site development or funding ongoing maintenance. Adding additional development would be unlikely to either raise rental prices significantly above average for the area, or provide enough revenue to offset the costs of the renovation, which is over 100 times the cost of demolition. No changes to the Draft EIR are required as a result of this comment.

Comment O-62

This comment states that the project would eliminate an entire historic district. See the response to Comment O-2.

Comment O-63

This comment states that there are additional printed references that could have been reviewed.

While there may be additional printed references related to the history of the project site, a sufficient number of sources were uncovered and referenced to come to the conclusion that Furuta House #1, Pastor's House, Church #1, and Church #2 appear eligible for listing in the National Register and California Register under Criterion A/1 for important historic associations.

Comment Letter P

Jones, Tanya

-----Original Message-----
From: Farzane Farazdaghi [mailto:ffarazdaghi@gwc.cccd.edu]
Sent: Tuesday, November 20, 2012 12:12 PM
To: Ramos, Ricky
Subject: Historic Wintersburg

Dear Mr. Ramos,

I am writing to express my concerns over the proposed demolition of the Historic Wintersburg Japanese site when no future development is proposed in the Draft Environmental Impact Report (draft EIR). I had the opportunity to share about this site with my students at golden West College, and they very much were in favor of keeping this building. It has historical value, particularly for our young generation to know what challenges we've faced in history to make America a democracy. I like to share these pints with you:

* City of Huntington Beach Historic Building Survey (1986)
states "in addition to Individual structures, collections of buildings are important from a historic preservation standpoint where these collections represent a distinguishable entity which conveys the feelings and associations of the past - even though the individual buildings may not be significant. Generally termed an historic district, these collections of buildings maintain a feeling and association of the past by an internal coherence and integrity. In other words, the buildings relate to one another in the same way that they did originally."

P-1

* The original 1910 buildings associated with the Wintersburg
Japanese Presbyterian Mission are identified on as the oldest surviving Japanese-American religious structures in Orange County.

* This property represents the sole remaining property owned by
a Japanese family prior to the Alien Land Law of 1913. This property and its buildings have survived for a century, including the World War II years when many properties of this type were destroyed.

1

Comment Letter P

Farzane Farazdaghi

Comment P-1

This comment expresses concerns about the demolition of historic resources on site, provides background information about the site and its buildings, and suggests that the site should be considered an historic district.

The additional information provided in the comment related to the historical background of the site will be made part of the administrative record of the project, as are all communications received during the public review period.

The Draft EIR did not identify the existence of a historic district because there are only two parcels upon which the buildings were constructed. APN 111-372-07 contains Furuta House #1, House #2, and the barn. APN 111-372-06 contains the Pastor's House, Church #1, and Church #2. In defining categories of historic properties, National Register Bulletin *How to Apply the National Register Criteria for Evaluation* requires on page 5 "a significant concentration "of resources to qualify as a district. In this case, there are only two properties containing historic resources that together do not constitute a significant concentration to justify the identification of a district. This approach does not reduce the significance of the properties as representative of the Japanese American experience in Huntington Beach. It should be noted that regardless of whether the properties are identified as individually eligible for listing in the National Register or as contributors to a potential National Register–eligible district, under CEQA, the demolition of these resources (except for the barn) would result in identical impacts that are significant and unavoidable. No changes to the Draft EIR are required as a result of this comment.

Comment Letter Q

RECEIVED
NOV 2 5 2012
Dept. of Planning & Building

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

November 20, 2012

Ricky Ramos
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Subject: Warner-Nichols Project
SCH#: 2011081099

Dear Ricky Ramos:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 19, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Q-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2011081099
Project Title Warner-Nichols Project
Lead Agency Huntington Beach, City of

Type EIR Draft EIR

Description The proposed project involves a General Plan amendment and a zone change to amend the designation uses of the project site from residential to industrial and commercial to make this site more compatible with the adjacent industrial uses. The land use and zoning designation are also intended to provide a buffer for the existing residential uses that are adjacent to the east of the project site. Concurrent with the General Plan amendment and zone change, the project also includes the demolition or removal of all of the existing buildings and improvements on the site, which are included in the City of Huntington Beach's list of local landmarks. The project does not include any development. Therefore, the site would remain vacant after implementation of the project.

Lead Agency Contact

Name Ricky Ramos
Agency City of Huntington Beach
Phone (714) 536-5271 **Fax**
email
Address 2000 Main Street
City Huntington Beach **State** CA **Zip** 92648

Project Location

County Orange
City Huntington Beach
Region
Lat / Long 33° 42' 54" N / 117° 59' 43" W
Cross Streets Warner Avenue and Nichols Lane
Parcel No. 11-372-06 and -07
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 39 (Beach Blvd), I-405
Airports
Railways Union Pacific
Waterways
Schools Oakview Elem, Oceanview HS, Liberty Christian
Land Use RM-15 (Residential Medium Density - 15 units per acre) Zoning: RM (Residential Medium Density).

Project Issues Archaeologic-Historic; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 12; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 10/04/2012 **Start of Review** 10/04/2012 **End of Review** 11/19/2012

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

clear
11/19/12
e

October 8, 2012

RECEIVED
OCT 10 2012
STATE CLEARING HOUSE

Mr. Ricky Ramos, Senior Planner
City of Huntington Beach
2000 Main Street; P.O. Box 190
Huntington Beach, CA 92648

Re: SCH#2011081099; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for the **"Warner-Nichols Project;"** located in the City of Huntington Beach; Orange County, California

Dear Mr. Ramos:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that lead agencies conduct a Sacred Lands File search of the proposed 'area of potential effect' (APE) as part of their due diligence. .

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

2

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

3

Comment Letter Q

State of California Governor's Office of Planning and Research
Scott Morgan
1400 10th Street
Sacramento, CA 95812

Comment Q-1

This comment forwards comments from the Native American Heritage Commission. Responses to their comments are provided in the responses to Comment Letter A above.