

2. *Response to Comments*

2.1 **CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES**

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of DEIRs should be, “on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204(c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204(d) states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204(e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”



2.2 **COMMENTS AND RESPONSES**

Section 15088 of the CEQA Guidelines requires the lead agency to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and to prepare written responses.

This section provides all written responses received on the DEIR and the District’s response to each comment. Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in ***bold, italics, and underscore*** for additions and ~~strikeout~~ for deletions.

Table 1 lists the agencies and persons that submitted comments on the DEIR during the public review period.

2. Response to Comments

**Table 2-1
DEIR Public Comments**

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
DEIR Public Meetings			
P1	Written Comments Submitted at August 18, 2009 Public Board Meeting	August 18, 2009	2-5
P2	Verbal Comments Submitted at August 18, 2009 Public Board Meeting	August 18, 2009	2-9
P3	Written Comments Submitted at September 22, 2009 Public Board Meeting	September 22, 2009	2-13
P4	Verbal Comments Submitted at September 22, 2009 Public Board Meeting	September 22, 2009	2-17
Agencies & Organizations			
A1	City of San Marino	September 10, 2009	2-23
A2	San Marino Historical Society	September 21, 2009	2-27
A3	Department of Toxic Substances Control	September 22, 2009	2-37
A4	Division of the State Architect	September 22, 2009	2-41
A5	California Preservation Foundation	September 23, 2009	2-45
A6	Los Angeles Conservancy	September 23, 2009	2-51
A7	National Trust for Historic Preservation	September 23, 2009	2-61
A8	Pasadena Heritage	September 23, 2009	2-61
A9	San Marino Heritage	September 23, 2009	2-75
A10	Office of Historic Preservation	September 25, 2009	2-79
A11	Governor's Office of Planning and Research, State Clearinghouse	September 29, 2009	2-91
Residents			
R1	Jonathan White	September 6, 2009	2-95
R2	Gene Dryden	September 18, 2009	2-99
R3	William Enger	September 18, 2009	2-103
R4	Elsa Ruiz-Balle and Julio Garcia Aguilar	September 18, 2009	2-117
R5	Scott and Hope Welder	September 18, 2009	2-121
R6	Tom Jarrett	September 20, 2009	2-125
R7	Barbosa Polverini	September 20, 2009	2-129
R8	Stacy Brightman	September 21, 2009	2-133
R9	James Elliott	September 21, 2009	2-137
R10	E. Leroy Tolles	September 21, 2009	2-141
R11	Judith Carter	September 22, 2009	2-145
R12	Hung Chu	September 22, 2009	2-149
R13	Ling Chu	September 22, 2009	2-153
R14	Mary Falkenbury	September 22, 2009	2-157
R15	Marla Felber	September 22, 2009	2-161
R16	Cathy Gott	September 22, 2009	2-167
R17	Gwyneth Hochhausler	September 22, 2009	2-171
R18	C. Holcomb	September 22, 2009	2-175
R19	Anya Kwan	September 22, 2009	2-179
R20	Fen Lai	September 22, 2009	2-183
R21	Diane Lam	September 22, 2009	2-187
R22	Kathy Lin	September 22, 2009	2-191
R23	Kelly Manning	September 22, 2009	2-195
R24	Sandy Morris	September 22, 2009	2-199
R25	Lisa Singelyn	September 22, 2009	2-203
R26	Gyongyver Sovago	September 22, 2009	2-207
R27	Stella and Leo Szeto	September 22, 2009	2-211
R28	Ashley Tsao	September 22, 2009	2-215
R29	Leilani Wilmore	September 22, 2009	2-219
R30	Christiann Arapostathis	September 23, 2009	2-223

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Table 2-1
DEIR Public Comments

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
R31	Helen Cheng	September 23, 2009	2-227
R32	Richard de Lorimier	September 23, 2009	2-231
R33	Greg Forgatch	September 23, 2009	2-235
R34	Denise Gee	September 23, 2009	2-239
R35	Allan and Traci Kawaguchi	September 23, 2009	2-243
R36	Andrea Lappas	September 23, 2009	2-247
R37	Tim, Marguerite, Madeline, and Keith Lindsay	September 23, 2009	2-251
R38	Stacy and Patrick McCullough	September 23, 2009	2-255
R39	Paul Spitzzeri	September 23, 2009	2-259
R40	Eva and Thomas Yee	September 23, 2009	2-265
R41	Gordon A. Wainwright	September 24, 2009	2-269
R42	Gary B. Cowles	October 7, 2009	2-273



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2. Response to Comments

LETTER P1 – Written comments submitted at the August 18, 2009, public board meeting (page 1 of 1)

COMMENT CARD	
San Marino High School Michael White Adobe Project Draft Environmental Impact Report Public Meeting August 18, 2009	
Name:	<u>Mary Falkenbury</u>
Affiliation:	<u>SMHS PTSA President</u>
Address:	<u>Sierra Madre Blvd. S.M.</u>
Telephone:	<u>626- [REDACTED] [REDACTED] .com</u>
Do you wish to speak?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comments:	<u>Michael White Adobe - concerned about the destruction of the adobe because of the great loss of historical significance. However, I do not advocate the use of District Funds to move it, and feel that with the budget deficit, all monies should be used for the education of our students. Albeit, the Adobe could be a great educational tool!</u>

P1-1



2. Response to Comments

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2. Response to Comments

P1. Response to written comments submitted at the August 18, 2009, public board meeting.

One written comment was submitted at the August 18, 2009, Board of Education public meeting, by Mary Falkenbury. This comment is reproduced above and responded to below.

- P1-1 This comment expresses concern about the proposed project, but support for the use of the District's budget for education only. This comment is not related to the adequacy of the DEIR, and no specific response is required.



2. Response to Comments

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2. Response to Comments

LETTER P2 – Verbal comments submitted at August 18, 2009, public board meeting (page 1 of 1)

Public Comments

Marla Farber, parent and community member, commented on the cultural value and resource of the adobe. She opposed demolition of the adobe and voiced concerns with the terms of the DEIR and insurance company's willingness to fund the demolition project.

P2-1

Marquerite Lindsay, parent and instructional aide at Carver Elementary, noted the Adobe could provide opportunity for students to learn about its' historical significance. She discouraged demolition of the Adobe during these financial challenging times.

P2-2

Flora Chou, Preservation Advocate of the Los Angeles Conservancy, asked the District to recognize the Adobe as a historical resource and building. If the building is demolished this would no longer be a viable option. The building could be used for historical relevance for the student community.

P2-3

Gene Dryden, past President of the San Marino Historical Society, also spoke. He noted that he and many community members including Ben Schmidt, Paul Crowley who have studied the Adobe's condition and the situation over many years. He questioned the cost estimates to moving the Adobe and believed that the estimate was very high. He requested an opportunity to look more closely at the cost estimates. He also noted that in this current economic climate it would be difficult to raise the funds required to move the Adobe.

P2-4

The Board thanked the public for their comments. Mrs. Caldwell commented that there has been no viable source of funding found to support the \$1.1 million plus \$500,000-\$700,000 cost of stabilizing the Adobe building at Lacy Park. If the community were able to raise funds there would be tremendous value not only to students but the community as a whole. Mr. Dryden provided an additional comment that perhaps pieces of the adobe could be displayed (similar to the Berlin Wall).

Mary Falkenbury, PTSA President at San Marino High School, noted it may be a great loss as a historical landmark and was in favor of moving the Adobe to Lacy Park yet the costs seemed excessive. She would rather see the money be spent to educate students and preferred waiting and asked that the Board consider more alternatives.

P2-5

James Okosaki, community member, felt the demolition of the Adobe was excessive. He asked if the District could provide a match in funds to preserve the building. Dr. Woods noted the JPA would provide these funds to the District to be designated solely for the demolition of the structure as it is considered a hazard, so no match could be made. Mr. Okosaki asked the District to maintain building and noted the whole infrastructure should be considered.

P2-6



2. Response to Comments

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2. Response to Comments

P2. Response to verbal comment submitted at August 18, 2009, public board meeting.

Reproduced above is an excerpt of the recorded meeting minutes of the regular open session Board of Education meeting held on August 18, 2009. This document summarizes the verbal comments on the proposed project submitted at this meeting. The District has reproduced and responded to those parts of this document that constitute comments on the proposed project only. These responses are below.

- P2-1 Commenter Marla Felber expressed opposition to the proposed project and concerns about the funding of the proposed project. This comment is not related to the adequacy of the DEIR, and no specific response is required.
- P2-2 Commenter Marguerite Lindsay noted that the Adobe could provide an educational opportunity for students and expressed opposition to the proposed project. This comment is not related to the adequacy of the DEIR, and no specific response is required.
- P2-3 Commenter Flora Chou, Preservation Advocate of the Los Angeles Conservancy, asked the District to recognize the Adobe as a historical resource and building. The District acknowledges the historical significance of the building and recognizes the Adobe as a historical resource, as described in the DEIR, which concluded that demolition of the Adobe would constitute a significant impact to a historical resource. The commenter expressed opposition to the proposed project and suggested that the building could be used by the student community. This alternative is considered in the DEIR. See Section 7.3.3, *Stabilization In Situ Alternative*, of the DEIR.
- P2-4 Commenter Gene Dryden's comments discussed the Adobe's condition and noted that it would be difficult to raise the funds needed to relocate the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required. The commenter also suggested that the cost estimates for the project alternatives in the DEIR may be inflated. A subsequent meeting with the commenter's consultant indicated that the actual cost could be more than the estimated cost included in the DEIR. Updated cost estimates have been prepared and are included in Appendix B of the FEIR.

The commenter also suggested that, should the Adobe be demolished or disassembled, pieces of the Adobe such as wall sections or adobe bricks could be preserved and displayed. Comment is noted and will be considered by the Board of Education. It should also be noted that the District considered this suggestion and contacted the City of San Marino, Huntington Library, and Old Mill Foundation, and requested display space, should wall sections, adobe bricks, or other elements of the Adobe be preserved and a photographic collage be created for display. All three entities indicated that they would not be able to provide space for such a display. No suitable location for such a display has been identified at this time.

Furthermore, based on a meeting with the commenter and another member from the San Marino Historical Society, it should also be noted that the EIR has been revised to include a Disassembly and Storage Alternative, which would entail the disassembly of the building and salvaging of adobe bricks. The salvaged elements would need to be stored in a ventilated area and be protected from outdoor



2. Response to Comments

elements such as rain. The District has inquired as to whether the City of San Marino and San Marino Historical Society could store salvaged elements of the Adobe, and to date no affirmative response has been provided from either organization.

P2-5 Commenter Mary Falkenbury expressed concern about the proposed project, but support for the use of the District's budget for education only. This comment is not related to the adequacy of the DEIR, and no specific response is required.

P2-6 Commenter James Okosaki expressed opposition to the proposed project. The commenter noted that he also discussed funding options with Superintendent Gary Woods. These comments are not related to the adequacy of the DEIR and no specific responses are required.

2. Response to Comments

LETTER P3 – Written comments submitted at September 22, 2009, public board meeting (page 1 of 1)

COMMENT CARD

**San Marino High School Michael White Adobe Project
Draft Environmental Impact Report Public Meeting #2
September 22, 2009**

Name: Gene Dryden

Affiliation: San Marino Historical Society

Address: [REDACTED] Cumberland Road

Telephone: [REDACTED] Email: [REDACTED]@hotmail.com

Do you wish to speak? Yes No

Comments: Has demolition of Michael White Adobe
been noticed to California Office of Historic
Preservation?

P3-1

Send to: San Marino Unified School District, Attn: Julie Boucher, Assistant Superintendent, Business Services, 1665 West Drive, San Marino, CA 91108, FAX: 626.299.7010, EMAIL: jboucher626@smusd.us.



2. Response to Comments

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2. Response to Comments

P3. Response to written comments submitted at September 22, 2009, public board meeting.

One written comment was submitted at the September 22, 2009, Board of Education public meeting, by Gene Dryden. This comment is reproduced above and responded to below.

- P3-1 This comment asks if notice of the proposed project has been sent to the California Office of Historic Preservation. Notices were sent to the Office of Historic Preservation upon the release of both the Initial Study and the DEIR for the proposed project. Digital copies of the DEIR were also sent to the Office of Historic Preservation for their distribution to the Office of Historic Preservation.



2. Response to Comments

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2. Response to Comments

LETTER P4 – Verbal comments submitted at September 22, 2009, public board meeting (page 1 of 2)

<p><u>Public Comments</u> <u>John Morris</u> submitted two questions: How will the new alternatives get adequate public review if they are not available until the Final EIR is posted? What is the basis for the request for the legal opinion on the liability? When, by whom and why? Who asked for the insurance company that covered the cost related to the Adobe relocation/removal; When and why? and Who requested the loss control field inspection; When and why?</p>	P4-1
<p><u>Tom Jarrett</u> noted he was not in favor of the proposed demolition of the Michael White Adobe. He recently visited the Adobe site with his child to reflect on the significance of the building; how it has endured many years yet remains elegant in its own way. He expressed his hopes that the Adobe remain in its current location for another 150 years and noted the building deserves our up most respect.</p>	P4-2
<p><u>Maria Felber</u> first thanked the Board for giving the public the opportunity to comment on the Michael White Adobe. The DEIR notes under the deconstruction/storage alternative the Adobe would stored either at a remote, vented warehouse or Lacy Park. According to the Secretary of Interiors Standards "reconstruction at a later time when funds are available" is noted in the DEIR. Mrs. Felber felt what makes this building historic is not just the blocks and bricks; it is the collective whole that is significant. It is the relationship in which the building sits on the site and the relationship of where the Adobe sits in the San Gabriel Valley. Mrs. Felber expressed her concerns that if the Adobe were to be disassembled, the significance would no longer exist and the Adobe would not meet the Secretary of Interiors' standards.</p>	P4-3
<p><u>Mike Buhler</u>, Director of Advocacy of the Los Angeles Conservancy, noted demolition should not be considered under any circumstances based on the Michael White Adobe building's exceptional significance. There were many common sense alternatives to consider which included a secure fence and better signage. Mr. Buhler stated there was no immediate urgency to move the building at this time. He expressed his concerns about material changes to the original project definition which appears the District improperly segmented the project under the California Environmental Quality Act.</p>	P4-4
<p>Mr. Buhler requested clarification about the insurance company's only option for funding to be used for demolition. In closing he suggested, on behalf of the Conservancy's opinion, deconstruction is equivalent to demolition as the building is so fragile.</p>	
<p><u>John Ryan</u> commented that the notion that SMUSD must act immediate due to liability concerns is unfair to those who support the Adobe. His hope is that a community effort will be formed to support maintenance of the Adobe. He noted that San Marino has a sense of community, it is a great place to live and raise our families, and he is certain that funds can be raise to retain part of our history.</p>	P4-5
<p><u>Judith Carter</u> congratulated the District on its API scores. She noted that she moved here in 1969 and she has supported the schools. She commented on how the Adobe has gone into condition of neglect and she blamed the District for the lack of maintenance. When the District was considering expanding the pool she saw the District's point in addressing the Adobe. Clearly, she said it is too expensive to move. She does not agree that additional space is needed for students to congregate in that the campus already has ample space for this purpose. She would like to recommend that the options be thoroughly considered, including restoration for historical purposes. She has spent a great deal of time in building and although it is not appropriate for office use or other it should be preserved for viewing during school hours for students and for public during non-school hours. Perhaps enough funding could be collected to restore this Adobe. It would tie nicely into the City's Centennial Celebration in 2013. She noted that it would be painful if the Adobe was demolished and it would be permanent.</p>	P4-6



2. Response to Comments

Gene Dryden noted that he has spoken with Mr. Ray Tolles, a San Marino High School alumnus and experienced in structural engineering. He asked if the State Office of Historical Preservation has been contacted and asked if they concur with project and alternatives included in the DEIR. He also presented a copy of the San Marino Tribune article from 1952 showing the completion of the renovations made to the Adobe by the community at that time.

P4-7

2. Response to Comments

P4. Response to verbal comments submitted at September 22, 2009, public board meeting.

Reproduced above is an excerpt of the recorded meeting minutes of the regular open session Board of Education meeting held on September 22, 2009. This document summarizes the verbal comments on the proposed project provided at this meeting. The District has reproduced and responded to those parts of this document that constitute comments on the proposed project only. These responses are below.

- P4-1 Commenter John Morris asked how the new alternative included in this FEIR would receive adequate public review. The new Disassembly and Storage Alternative is included in Section 3, *Revision to the DEIR*, of this FEIR, which will be released for an agency review prior to consideration by the Board of Education, in accordance with CEQA Section 15089. Although the District has detailed this new alternative, including retaining a structural engineer to determine the cost for this alternative (See Appendix B of this FEIR), it has been determined that this alternative is not feasible. The District formally contacted both the City of San Marino and San Marino Historical Society for their assistance in implementing this new alternative. Specifically, the District asked the City whether it would accept the dismantled Adobe and store it at either Lacy Park or a City warehouse. The District also asked the Historical Society whether it would accept the dismantled Adobe and store it at a ventilated warehouse, as well as whether it would spearhead efforts to reassemble the Adobe, and to date, the District has not received an affirmative response to these specific questions from either entity. The City has only provided a letter to the District indicating that it is willing to have the Adobe relocated to Lacy Park as long as no additional costs are incurred by the City. As a result, this alternative was deemed infeasible and has been rejected from further consideration.
- P4-2 Commenter Tom Jarrett expressed opposition to the proposed project and support for preservation of the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required.
- P4-3 Commenter Marla Felber states that the Disassembly and Storage Alternative would not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995), and that this alternative would impact the historic resource. This is in concurrence with the findings of the EIR.
- P4-4 Commenter Mike Buhler, Director of Advocacy of the Los Angeles Conservancy, expressed opposition to the proposed project. The commenter stated that a secure fence and better signage would be an adequate alternative to the proposed project. However, as provided in Section 4.3, *Environmental Setting*, of the DEIR, there is an immediate need for the removal of the Adobe off the District property. The Adobe was built in 1845 and the building does not meet requirements of the Division of the State Architect (DSA) or the Field Act, which are applicable to school buildings and hospitals, and which call for a higher level of structural strengthening and higher level of review than the Uniform Building Code. Furthermore, because the District is aware that the Adobe does not meet the safety requirements of the DSA and is not in conformance with the Field Act, the District and governing Board Members are liable for injuries or damages caused by structural failure or collapse of the Adobe



2. Response to Comments

(Government Code Section 830.6 and Government Code Section 835). Therefore, there is an immediate need for the Adobe's removal, and the commenter's suggestion of a secure fence and better signage is not an adequate alternative.

The commenter also suggested that a change in the project description is an improper segmentation of the project under CEQA. The commenter is correct that the project description was refined in the DEIR. The project description included in the Initial Study/NOP was the expansion of the San Marino High School pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition. Since the release of the Initial Study/NOP, a couple of events have occurred: 1) it was determined that the fundraising effort that was going to finance the construction of the pool would not be successful in light of the change in the economic climate, and 2) the City of San Marino has indicated the possibility of constructing a community pool elsewhere within the City. With the possibility of a City pool, there would no longer be a need to expand the San Marino High School pool. The City's swim programs would no longer be vying with the high school program to use the pool. Elimination of the pool expansion component of the project is legitimate. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The project area would be paved over to allow students to congregate and view athletic events, competitions, and practices, as it is in the middle of the high school's athletic facilities, including the gyms, locker rooms, team rooms, swimming pool, baseball field, basketball courts, and the football/track field. The current project description was discussed and approved by the District Board of Education at their regularly scheduled meeting on May 26, 2009. Additionally, as provided in Chapter 5.0 of the DEIR, the refined project description does not include any new actions or activities not part of those originally described in the Initial Study/NOP. The District is not bifurcating the project. It has no reason to do so, especially since there is no significant impact that the District is trying to avoid by reducing the project size. Furthermore, even if the pool were included in the project description, there would not be a greater environmental impact. Inclusion of the pool in the project description would result in possibly slightly greater, but mitigable impacts associated with noise, but overall impacts would still remain less than significant, and impacts associated with cultural resources would be the same as that of the proposed project. Therefore, alternatives studied in the EIR would be similar to if not the same as those currently studied. There is no segmentation of the proposed project. The EIR is accurate and has properly followed CEQA procedures.

Finally, the commenter stated that, in the Los Angeles Conservancy's opinion, disassembly of the building would be equivalent to demolition. The FEIR concluded that disassembly or deconstruction of the building would constitute a significant impact on the historic resource. See Response P4-1 for more information.

- P4-5 Commenter John Ryan expressed opposition to the proposed project. This comment does not address the adequacy of the DEIR, and no specific response is required.
- P4-6 Commenter Judith Carter expressed opposition to the proposed project. Her comment letter, which she summarized to the Board, is provided in Comment Letter R11. District responses are also provided in R11.

2. Response to Comments

P4-7 Commenter Gene Dryden noted that he has spoken with Roy Tolles, a San Marino High School alumnus with experience in structural engineering. This comment is noted. A letter from Mr. Tolles is included in this document as letter R10.

The commenter then asked if the State Office of Historic Preservation had been contacted, and if they concur with the proposed project and alternatives in the DEIR. As stated in Response P3-1, the Office of Historic Preservation was contacted. The Office of Historic Preservation submitted a comment letter on the DEIR, which is included as letter A10 of this document.

The commenter also presented a copy of a 1952 *San Marino Tribune* article regarding renovations made to the Adobe. This is noted.

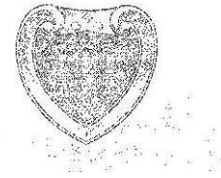
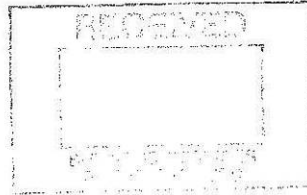


2. Response to Comments

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LETTER A1 – City of San Marino (page 1 of 1)

City of San Marino



September 10, 2009

Julie Boucher
Assistant Superintendent, Business Services
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

SUBJECT: PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DEMOLITION OF THE MICHAEL WHITE ADOBE

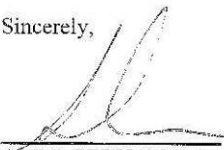
Dear Mrs. Boucher,

Thank you for giving the City of San Marino the opportunity to comment on this project. Staff has reviewed the Draft Environmental Impact Report (DEIR) and concurs with its analysis. With regards to the Alternative to relocate the Michael White Adobe to Lacy Park, we wish to reiterate the Council's willingness to accept the Adobe with the condition as stated in the DEIR on page 6 of chapter 7, "The City Council unanimously approved the relocation to Lacy Park and to take ownership, as long as the City would not incur any costs to relocate, landscape, or refurbish the Adobe". We thank you once again for your consideration, and would appreciate the ability to comment on future projects.

A1-1

If you have any questions regarding the above-mentioned information, please contact me at (626) 300-0713.

Sincerely,


ALDO CERVANTES
Senior Planner

Attachment: City Council minutes for May 13, 2009

2200 Huntington Drive, San Marino, CA 91108-2691 • Phone: (626) 300-0700 Fax: (626) 300-0709



2. Response to Comments

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2. Response to Comments

A1. Response to comments from the City of San Marino, dated September 10, 2009.

- A1-1 This comment states that the City of San Marino has reviewed the DEIR and concurs with its analysis. The comment also states that the City Council is willing to accept the Michael White Adobe at Lacy Park in accordance with the conditions stated in the DEIR on page 7-6. This comment will be submitted to the Board of Education for its consideration. No response is required.



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2. Response to Comments

LETTER A2 – San Marino Historical Society (page 1 of 3)



San Marino Historical Society

Julie Boucher
Assistant Superintendent
San Marino Unified School District
San Marino, CA 91108
21 September 2009

Dear Julie,

In December 2008, the San Marino Historical Society thanked the San Marino Unified School District for recognizing the historical importance of the Michael White Adobe in its initial study undertaken as part of request for a new pool at San Marino High School. By September 2009, the Draft Environmental Impact Report (DEIR) has a very different focus, leading to unnecessary confusion and unsettling questions about the true scope of this project. The Pool Project is now the Michael White Adobe Project and the Project Description begins with the premise that the Michael White Adobe must be demolished.

A2-1

The mission of the San Marino Historical Society is to preserve the history of our community, along with its relics, and to promote their educational value. The Michael White Adobe is a relic of San Marino's earliest days. Consequently, the San Marino Historical Society is very disappointed that the DEIR concludes that the demolition of the Adobe is the preferred purpose of this project.

A2-2

The demolition of a recognized historic structure is in direct opposition to the stated goals of the Historical Society. Consequently, preservation of the Michael White Adobe in place remains our first preference. However, should this not be feasible, our second choice remains the preservation and relocation of the Adobe within the city limits.

The Historical Society Board recognizes that this is a sensitive issue for both of us. We are appreciative of your efforts to keep the Historical Society "in the loop" and we are willing to work with you to resolve this issue to our mutual satisfaction. We have provided a number of comments on the DEIR and have separated them into comments on procedures and comments on content. We are hopeful that these comments will be taken under serious consideration in the Final Environmental Impact Report.

A2-3

Sincerely,


Ave Maria Bortz, President
San Marino Historical Society



2. Response to Comments

LETTER A2 – San Marino Historical Society (page 2 of 3)

San Marino Historical Society	
Comments on Draft San Marino High School Michael White Adobe Environmental Impact Report	
Procedural Issues:	
1. Significant changes in the Project Purpose have been made subsequent to the Notice of Preparation and the release of the Initial Study. These changes have been made without notification of other agencies or of interested parties that are concerned about the project. This is very inconsistent with the intent of the public process aspects of CEQA.	A2-4
2. No mention of the many comments on the Notice of Preparation and the Initial Study was made in the DEIR. CEQA requires a dispositive discussion of issues raised in the public review process and this was not done.	A2-5
Content comments:	
1. The Statement of Objectives includes maximizing net usable space and the Project Description mentions replacing the adobe with an asphaltic concrete area for a space for students to congregate. This is in conflict with the description in the cost estimate which indicates that the area is to be prepared for parking with striping and parking bumper stops. What is the real purpose of the intended project?	A2-6
2. The Statement of Objectives and the Project Description are inconsistent with those in the Notice of Preparation and the Initial Study. Which is to be believed?	A2-7
3. The Regional Environmental Setting indicates that the Winston Avenue Neighborhood has predominately homes of 12,000 square feet. That would be quite inconsistent with City Codes. Please explain.	A2-8
4. It is indicated on page 4-7 that no formal agreement currently exists with other organizations to maintain... the adobe. Has this been requested in the past? Which organization(s)? When? Since the District has owned the property since 1928, why haven't they been maintaining it? Would the safety risk be as great if the District had maintained its own property for the past eighty years?	A2-9
5. The text on page 4-8 indicates that cumulative impacts are based on new developments within two miles of the project site yet Table 4-1 only lists those within one mile. What happened to any other? Why does the Table not include the new houses under construction at Huntington and La Presa?	A2-10
6. One criterion for alternatives to the proposed project is that for alternative location, "only that would avoid or substantially lessen any of the significant effects...". Why were no other locations on or adjacent to the High School campus considered for the creation of open space for the students to congregate?	A2-11
7. The range of alternatives evaluated in the DEIR is woefully inadequate to permit a reasoned choice particularly the omission of those that may have helped mitigate for the loss of the valuable educational resource that the adobe affords the District.	A2-12
8. The argument presented to avoid alternative locations is extremely weak for the vast majority of the project objectives.	A2-13

2. Response to Comments

LETTER A2 – San Marino Historical Society (page 3 of 3)

- | | |
|--|-------|
| 9. Section 7.2.4 implies that the Reconstruction and Stabilization is less environmentally preferable to the proposed demolition. Please explain as we find that difficult to understand. | A2-14 |
| 10. What has occurred that has driven the District to propose this action at this time when it has not been proposed in the previous eighty years of ownership? | A2-15 |
| 11. On what basis were the minimum standards for the structural engineer and the mover for the relocation alternative set so stringently such that it is unlikely that anyone would be able to meet them? | A2-16 |
| 12. What is the rationale for the District's insurance provider to be funding the EIR and the proposed demolition of the Michael White Adobe? Why was this not made public prior to the public hearing on the DEIR and then by a member of the public and not the District? | A2-17 |
| 13. The San Marino Historical Society is very concerned about what will be included in the Statement of Overriding Considerations that San Marino Unified School District is planning on adopting at the time of the certification of the FEIR that could justify the demolition of the Michael White Adobe? | A2-18 |



2. Response to Comments

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2. Response to Comments

A2. Response to comments from the San Marino Historical Society, dated September 21, 2009.

- A2-1 The comment states that the focus of the proposed project from the Initial Study/Notice of Preparation (NOP) to the DEIR changed, leading to confusion about the true scope of the project. The commenter is correct that the proposed project changed. The project description included in the Initial Study/NOP was the expansion of the San Marino High School pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition. As described in Response P4-4, since the release of the Initial Study/NOP, a couple of events have occurred: 1) it was determined that the fundraising effort that was going to finance the construction of the swimming pool would not be successful in light of the change in the economic climate, and 2) the City of San Marino has indicated the possibility of constructing a community pool elsewhere within the City. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The project area would be paved over to allow students to congregate and view athletic events, competitions, and practices, as it is in the middle of the high school's athletic facilities, including the gyms, locker rooms, team rooms, swimming pool, baseball field, basketball courts, and the football/track field. In addition, the liability associated with a non-Field Act structure would be eliminated through its removal. The current project description was discussed and approved by the District Board of Education at their regularly scheduled meeting on May 26, 2009. Additionally, as provided in Chapter 5.0 of the DEIR, the refined project description does not include any new actions or activities not part of those originally described in the Initial Study/NOP.
- A2-2 The comment provides the San Marino Historical Society's (Historical Society) mission statement and states that the Historical Society's first preference is to preserve the Adobe in place and their second preference to preserve and relocate the Adobe within the city limits of San Marino. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project. No response is required.
- A2-3 The comment states that the Historical Society is appreciative of the District's efforts to keep them involved and informed, and that they are willing to work with the District to mutually resolve the issue of the Adobe. The District has been working with the Historical Society and the City of San Marino since the early 1990s to address the relocation of the Adobe, and to date, there has been no resolution. This comment will be forwarded to the Board of Education for their consideration.
- A2-4 The comment states that the change in the project description is inconsistent with the intent of the public process aspects of CEQA. As provided in Response A2-1, the reduced project description does not contain any new actions or activities that were not previously included in the Initial Study/NOP. The refined project description is not inconsistent with the CEQA process. Furthermore, the District has maintained a very open public process. It held one scoping meeting, a meeting on the status of the environmental review process and change to the project description, and two DEIR public meetings, none of which are required by CEQA.



2. Response to Comments

- A2-5 The comment states that CEQA requires a discussion of issues raised during the public review process and that no mention of the comments on the Initial Study/NOP were made in the DEIR. In fact, nowhere in CEQA or the CEQA Guidelines does it require a discussion of the NOP responses be provided in the DEIR. With regard to NOP comments, Section 15082(a)(4) provides, “The DEIR in preparation may need to be revised or expanded to conform to responses to the notice of preparation.” Consequently, responses to the Initial Study/NOP were considered in preparation of the subject DEIR. Furthermore—although not required—the District included all responses to the NOP in Appendix B, Responses to the Notice of Preparation, of the DEIR.
- A2-6 The comment states that the project description and objectives are in conflict with the cost estimate, which indicates that the project site is to be prepared for parking. The project description as provided in Section 3.3, *Project Description*, of the DEIR is correct. The intent of the project site would be to provide additional space for students to congregate and view athletic events, competitions, and practices and to remove a liability island associated with the non-Field Act status of the Adobe. The cost estimate has been updated to reflect this inaccuracy.
- A2-7 This comment states that the statement of objectives and project description of the DEIR are inconsistent with those of the NOP and Initial Study. A statement of objectives was not provided in the Initial Study/NOP; consequently there is no inconsistency with the statement of objectives. As provided in Responses A2-1 and A2-4, the project description in the DEIR has been downsized from that provided in the Initial Study/NOP. The current project description is the description provided in the FEIR. The proposed project, as described in the FEIR, is the discretionary action that the District Board of Education will consider at the October 27, 2009, board meeting.
- A2-8 The comment states that the description of the homes in the Winston Avenue neighborhood provided in DEIR Section 4.2, *Regional Environmental Setting*, is inconsistent with the City codes. This information has been corrected, as follows:
- “The Winston Avenue Neighborhood, immediately west of San Marino High School, has predominantly two-story homes ***with lot sizes in the range*** of approximately 12,000 square feet, often in Mediterranean and Spanish styles.”
- A2-9 The comment concerns the statement on page 4-7 of the DEIR that states that no formal agreement exists with other organizations to maintain the Adobe for increased public use. This statement does not imply that the District has not maintained the Adobe at all. In fact, the District has provided maintenance in order to keep the Adobe from causing further hazard, such as fire. Additionally, during the Historical Society’s tenure at the Adobe, utilizing it as its main office, the Historical Society maintained the Adobe’s landscaping, furnished it, and may have made improvements to the building. To the knowledge of District staff, no formal agreement exists between the District and Historical Society or any other organization to maintain the Adobe for increased public use. The District is not in the business of maintaining nonschool buildings, nor does it have the budget to do so for increased public use of the Adobe.

2. Response to Comments

- A2-10 The comment states that the cumulative impact discussion on page 4-8 of the DEIR is based on new development within two miles of the project site. This statement is inaccurate. In fact, the cumulative analysis depending on the environmental topic may cover the entire area of Southern California, as that provided in Section 5.1.7. The text on page 4-8 has been amended as follows:

The CEQA Guidelines (Section 15130 (b)(1)) state that the information utilized in an analysis of cumulative impacts should come from one of two sources:

- A. A list of past, present, and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- B. A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative impact analyses in this DEIR are based on methods **A and B, as well as on existing ranchos in Southern California**. Cumulative impacts are analyzed by considering concurrent development projects in the project area.

The majority of the City of San Marino has been developed, largely with residences. Very few development projects occur in the City. As of January 2009, only five development projects were underway in the City of San Marino. The project site is also within two miles of the cities of Pasadena, San Gabriel, Temple City, Alhambra, and unincorporated portions of the County of Los Angeles. Requests were submitted to these governments for information regarding new development within their respective boundaries. Table 4-1 contains a list of new developments within ~~two~~ **one** mile ~~s~~ of the proposed project, as provided by the above-listed agencies. This list of projects serves as the basis for the cumulative analyses provided in the individual sections of Chapter 5, *Environmental Analysis*.

- A2-11 The comment asks why alternative locations were not considered for the creation of open space for students to congregate and view athletic events, competitions, and practices. CEQA Guidelines Section 15126.5 requires that alternatives to the proposed project be able to “feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” The proposed project is the removal, by demolition, of the Adobe and paving of the project area, which would consequently result in additional space for students to congregate and view athletic events, competitions, and practices. As the proposed project is the demolition of the historical resource, the project is site specific. Additionally, the alternatives to the proposed project were selected to address the most fundamental objective, which is to remove the Adobe, which is a liability to the District and members of the Board of Education. The first of three alternatives, No Project, is required by CEQA. The second alternative concerns the relocation of the Adobe to Lacy Park by deconstructing it in two separate phases for immediate reconstruction. The third alternative focused on modernizing the Adobe in accordance with requirements of the Division of the State Architect (DSA). Furthermore, according to CEQA Guidelines Section 15126.6,



2. Response to Comments

An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).

Therefore, the alternatives selected for study in the DEIR are within a reasonable range of alternatives that will foster informed decision making and public participation.

- A2-12 This comment states that the range of alternatives evaluated in the DEIR is inadequate. As provided in Response A2-11, the number of alternatives selected for study is within a reasonable range. According to CEQA Guidelines Section 15126.6(a), "An EIR need not consider every conceivable alternative to a project." Furthermore, neither the commenter nor the agency the commenter represents provided recommendations on alternatives they would like studied during the scoping process or DEIR preparation. The District has selected those alternatives that are most realistic and that would best meet its most fundamental objective to remove the liability off District property. The District has retained industry professionals to complete full analyses on the technical and economical feasibility of these alternatives, as well as professionals to determine whether the alternatives could be implemented to meet Secretary of the Interior Standards. The alternatives selected provide a good range that will foster informed decision making and public participation.
- A2-13 The comment states that the argument presented to avoid alternative locations is extremely weak for the vast majority of the project objectives. As provided in DEIR Section 7.2.1, the project is site specific as it is the demolition of the Adobe. Therefore, the study of alternative locations to implement the proposed project is not applicable.
- A2-14 The comment states that it is not clear why DEIR Section 7.2.4, *Reconstruction and Stabilization Alternative*, is less environmentally preferable to the proposed demolition. This section never indicated that the Reconstruction and Stabilization Alternative is less preferable than the proposed project. This section specifically states the below, which is that the alternative is less preferable than the Relocation to Lacy Park Alternative:

This [alternative] would result in a less than significant impact to historic resources. However, as this alternative method involves a great potential loss of fragile archaic material, including material infilling joints in the adobe brick walls, this approach would be less preferable. This alternative method is more invasive than relocating the Adobe in the manner described in the Relocation to Lacy Park Alternative (Section

2. Response to Comments

7.3.2). For this reason, the Relocation to Lacy Park Alternative, rather than this Reconstruction and Stabilization Alternative, was selected for further analysis.

- A2-15 The commenter is questioning why the District is proposing “this action” at this time. It is assumed that the commenter is referring to the proposed action to demolish the Adobe. As indicated in Response A2-3, the District has been working with the Historical Society and the City of San Marino since the 1990s to address the relocation of the Adobe and to date there has been no resolution. With the increased awareness of the liability associated with the Adobe, the District is compelled to take action on increasing the safety of the campus and reducing legal liability associated with a non-Field Act structure. This comment does not address the adequacy of the DEIR. No further response is required.
- A2-16 The commenter is questioning why the requirements for the structural engineer and mover under the Relocation to Lacy Park Alternative are so stringent. The requirements detailed in the DEIR are based mainly on ensuring that the Adobe is relocated successfully. As provided in Section 5.1.2, page 5.1-17 of the DEIR, the Adobe is “Made from readily available materials, adobe bricks were composed from mixture of water, earth, and clay found near the home site combined with straw or horse hair and sand to hold the mixture together. The mud-like substance was then poured into rectangular wood frames.”
- The Adobe walls are very fragile, and its relocation would require extensive preparation to ensure that the Adobe remains secure. Also note, there has been no documentation of a successful move of an Adobe. Although this is the case, a number of Adobe experts, including the technical experts retained by the District, believe that with today’s technology, the move of the proposed Adobe is a feasible and viable option. For these reasons, the details to implement the relocation alternative specify the stringent requirements.
- A2-17 The commenter is questioning the rationale for the District’s insurance provider to fund the EIR and proposed demolition. Page 4-7 of Section 4.3 of the DEIR provides a discussion on Design Immunity and the liability associated with the District and governing Board Members. This question does not pertain to the adequacy of the DEIR. No additional response is necessary.
- A2-18 The comment states that the Historical Society is concerned about what will be included in the Statement of Overriding Considerations that could justify the demolition of the Michael White Adobe. The main concern is the liability associated with the Adobe. Removal of the liability would require the removal, either by demolition or relocation of the Adobe, or stabilizing the Adobe in accordance with requirements of the Division of the State Architect. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.







2. Response to Comments

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2. Response to Comments

LETTER A3 – Department of Toxic Substances Control (page 1 of 2)

 Linda S. Adams Secretary for Environmental Protection	 Department of Toxic Substances Control	 Arnold Schwarzenegger Governor									
<hr/> <p>Maziar Movassaghi, Acting Director 9211 Oakdale Avenue Chatsworth, California 91311</p>											
<p>September 22, 2009</p> <p>Ms. Julie Boucher (joucher626@smusd.us) San Marino Unified School District 1665 West Drive San Marino, CA 91108</p> <p>DRAFT ENVIRONMENTAL IMPACT REPORT FOR SAN MARINO HIGH SCHOOL MICHAEL WHITE ADOBE PROJECT, SAN MARINO, LOS ANGELES COUNTY (SCH 2008101154)</p> <p>Dear Ms. Boucher:</p> <p>The Department of Toxic Substances Control (DTSC) has reviewed the Draft Environmental Impact Report (DEIR) dated August 10, 2009, for the subject project. The due date to submit comments is September 23, 2009.</p> <p>Based on a review of the DEIR, DTSC would like to provide the following comments:</p> <table border="0" style="width: 100%;"><tr><td style="vertical-align: top; width: 20px;">1.</td><td style="vertical-align: top;">The proposed project includes the demolition of the Michael White Adobe, an existing historical structure on the project site.</td><td style="vertical-align: top; text-align: right;">A3-1</td></tr><tr><td style="vertical-align: top;">2.</td><td style="vertical-align: top;">Since the demolition of an old structure will occur, lead based paint and organochlorine pesticides from termiticide applications may be potential environmental concerns at the site. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's "Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006."</td><td style="vertical-align: top; text-align: right;">A3-2</td></tr><tr><td style="vertical-align: top;">3.</td><td style="vertical-align: top;">If San Marino Unified School District (SMUSD) plans to use State funds for the project, then SMUSD shall comply with the requirements of Education Code sections 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268.</td><td style="vertical-align: top; text-align: right;">A3-3</td></tr></table>			1.	The proposed project includes the demolition of the Michael White Adobe, an existing historical structure on the project site.	A3-1	2.	Since the demolition of an old structure will occur, lead based paint and organochlorine pesticides from termiticide applications may be potential environmental concerns at the site. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's "Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006."	A3-2	3.	If San Marino Unified School District (SMUSD) plans to use State funds for the project, then SMUSD shall comply with the requirements of Education Code sections 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268.	A3-3
1.	The proposed project includes the demolition of the Michael White Adobe, an existing historical structure on the project site.	A3-1									
2.	Since the demolition of an old structure will occur, lead based paint and organochlorine pesticides from termiticide applications may be potential environmental concerns at the site. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's "Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006."	A3-2									
3.	If San Marino Unified School District (SMUSD) plans to use State funds for the project, then SMUSD shall comply with the requirements of Education Code sections 17213.1 and 17213.2, unless otherwise specifically exempted under section 17268.	A3-3									
<p> Printed on Recycled Paper</p>											



2. Response to Comments

LETTER A3 – Department of Toxic Substances Control (page 2 of 2)

Ms. Julie Boucher
September 22, 2009
Page 2

4. California Department of Education (CDE) approval may not be required for non-state-funded school projects; however, locally funded school projects may still be required to comply with Title 5 design standards. A local education agency may request for CDE review to document a project's consistency with Title 5. In this case, CDE may require DTSC review and approval prior to its review and approval (even though it is not a state funded school project).

A3-4

If you would like to discuss this matter further, please contact me at (818) 717-6617 or kchiang@dtsc.ca.gov, or Grant Dalton at (818) 717-6619 or gdalton@dtsc.ca.gov.

Sincerely,



Ken Chiang
Senior Hazardous Substances Scientist
Brownfields and Environmental Restoration

cc: State Clearinghouse (State.clearinghouse@opr.ca.gov)
Office of Planning and Research

Mr. Michael O'Neill (Moneill@cde.ca.gov)
Department of Education – Sacramento, CA

Ms. Nancy Ritter (NRitter@dtsc.ca.gov)
DTSC CEQA Tracking Center – Sacramento HQ

School Reading File – Chatsworth (cwherry@dtsc.ca.gov)

CEQA Reading File – Chatsworth

2. Response to Comments

A3. Response to comments from the Department of Toxic Substances Control, dated September 22, 2009.

- A3-1 This comment states that the Department of Toxic Substances Control (DTSC) has reviewed the DEIR, the due date of which isn't until September 23, 2009, and the proposed project is the demolition of an historical structure. No response is necessary.
- A3-2 The comment states that lead-based paint and organochlorine pesticides from termiticide applications are potential environmental concerns at the project site and recommends that they be investigated and mitigated in accordance with DTSC procedures. Impacts related to hazards and hazardous materials were examined in the Initial Study for the proposed project. Demolition of the historic structures would comply with all applicable federal, state, and local regulations, including those from the South Coast Air Quality Management District, Environmental Protection Agency, Occupational Safety & Health Administration, and Los Angeles County Fire Authority. The contractor would be required to clean up all debris, including any paint chips that may remain. Soil sampling would be conducted at the completion of the proposed demolition to ensure that the remaining soil is free of asbestos or lead contamination. The District may consider DTSC's "Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006." However, as no state bond funds would be used, the District is not anticipated to implement all recommendations included in this document.
- A3-3 The comment states that if state funds are used for the project, then the District is required to comply with Education Code Sections 17213.1 and 17213.2. As indicated above, no state bond funds would be used for the proposed project, and the District would comply with all applicable federal, state, and local requirements.
- A3-4 The comment states that locally funded school projects are still required to comply with Title 5 design standards and involve California Department of Education (CDE) and DTSC review. As the proposed project would not increase the capacity of the campus or require the development of new structures, neither CDE nor DTSC will be contacted for project implementation.



2. Response to Comments

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2. Response to Comments

LETTER A4 – Division of the State Architect (page 1 of 1)

From: Ullah, Shaf
To: [Julie Boucher](#)
Sent: Tuesday, September 22, 2009 3:28 PM
Subject: RE: Response to SMUSD Draft EIR - Adobe Project

Hi Julie,

I reviewed the DEIR report. DSA does not have the authority to grant any sort of waiver from State Codes and Regulations governing public school construction. We discussed various options in the meeting with your architect and structural engineer.

A4-1

In order to convert the building to school use it must comply with the current codes and regulations for structural and fire life safety. There may also be other issues pertaining to electrical, mechanical, plumbing and accessibility that need to be addressed.

Thanks

Shaf Ullah
Regional Manager
Division of the State Architect, Los Angeles Office
Department of General Services
700 N. Alameda Street, Suite 5-500
Los Angeles, CA 90012
(213) 897-4092 (Tel.)
(213) 897-3159 (Fax)

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2. Response to Comments

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2. Response to Comments

A4. Response to comments from the Division of the State Architect, dated September 22, 2009.

- A4-1 The commenter indicates that he has reviewed the DEIR and that DSA does not have authority to exempt the project from state building codes governing public school construction. The commenter also states that use of the Adobe must comply with current codes and regulations for structural and fire life safety, and possibly electrical, mechanical, plumbing, and accessibility, as required by the Field Act. The District is aware of DSA's requirements concerning the reuse of the Adobe for school purposes. As discussed in the DEIR, bringing the building into compliance with requirements of the DSA and the Field Act would result in a significant impact to the historical significance of the building, as it would obstruct the sight of the adobe brick walls, the most historically significant aspect of the building. This comment will be forwarded to the Board of Education for their review and consideration.



2. Response to Comments

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2. Response to Comments

LETTER A5 – California Preservation Foundation (page 1 of 2)



September 23, 2009

SENT VIA E-MAIL

Ms. Julie Boucher
Assistant Superintendent
Business Services at the San Marino Unified School District
1665 West Drive,
San Marino, CA 91108

RE: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR SAN MARINO HIGH SCHOOL MICHAEL WHITE ADOBE PROJECT

Dear Assistant Superintendent Boucher,

On Behalf of California Preservation Foundation (CPF), I am writing to express our concern with the proposal to demolish the historic Michael White Adobe in San Marino, California. 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.

The historical significance of the Michael White Adobe is well documented. It is locally designated as a San Marino landmark and has been determined eligible for the National Register of Historic Places. The 164-year-old adobe is the second oldest structure in San Marino and one of the few remaining adobes in Los Angeles County. Built by indigenous labor with Spanish colonial architectural influences the adobe stands as an excellent example of domestic life in the years before California statehood.

The adobe's location on a high school campus offers an unparalleled opportunity to further the district's educational mission and teach early California history through a tangible, authentic artifact. We urge the San Marino Unified School District to follow the lead of other school districts across the country that have embraced historic resources and incorporated them into their curricula.

The website of the Division of the State Architect, the state agency regulating school construction, devotes an entire section to the preservation of historic schools under "Sustainable Schools" (www.sustainableschools.dgs.ca.gov).

This site notes that "if possible, use sustainable design to rehabilitate historical buildings in order to reuse existing, in-site building materials and the inherent sustainable features...Cultural value can also be increased if the structures within the school simultaneously function as a community meeting place or, for example, serve as an amenity to a neighborhood sports team. By creating after

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EXECUTIVE DIRECTOR
Cindy L. Heitzman



A5-1

A5-2

2. Response to Comments

LETTER A5 – California Preservation Foundation (page 2 of 2)

school activities and events, children, parents, teachers, and administrators can meet as not only as neighbors, but as a collective and cohesive community. Make a school a harbor of cultural celebration with art galleries, symposiums, science fairs, etc.”

School districts around the state have put these principles into practice. Some notable examples in California are the Napa Unified School District which rehabilitated the historic Napa High School located on the grounds of the contemporary high school. This 60,000 square foot building underwent a seismic upgrade and historic renovation in 2004. The building houses administrative offices and the magnificent 1922 Napa High School neo-classical theater used for student and community performances.

St. Helena Unified School District, seismically retrofitted the historic Vintage Hall (1911), located on the campus of St. Helena High School. Vintage Hall was used from 1911 until the 1960s when it was declared unsafe for children. The building now houses community meeting space, the campus cafeteria, an outdoor performance area and district offices. Both buildings are community assets and make a clear statement about the school district's commitment to teaching history and reinforcing those values by preserving historic buildings that it owns and controls.

This project would destroy an irreplaceable and exceptionally rare historic resource and sends a conflicting message, at best, and at worst, demonstrates a duplicitous attitude about your values and your deeds when teaching history.

CPF is particularly concerned that the environmental review process has thus far been inconsistent with the mandates of the California Environmental Quality Act (CEQA). An essential requirement of CEQA is that the lead agency must consider all phases of a project in the EIR. By redefining the project from the original pool expansion project to demolition only, the school district appears to have improperly segmented the project under CEQA and effectively excluded potentially feasible alternatives to demolition from further consideration.

CPF looks forward to working with all parties involved to develop sensitive alternatives to this historic structure's demolition. We believe less damaging solutions can be implemented to reduce potential risks associated with the adobe, such as increasing the height of the surrounding fence, proper landscape maintenance, and added signage, while enabling the district to meet its other objectives on campus. Please feel free to contact me at (415) 495-0349 if you have any questions or concerns.

Sincerely,



Corinne Ingrassia
Education Services Director

cc: Wayne Donaldson, FAIA, California Office of Historic Preservation
Brian Turner, Esq., National Trust for Historic Preservation
Mike Buhler, Esq., Los Angeles Conservancy

A5-2
cont'd.

A5-3

A5-4

A5-5

2. Response to Comments

A5. Response to comments from the California Preservation Foundation, dated September 23, 2009.

A5-1 The comment states that the California Preservation Foundation (CPF) is concerned with the proposed project and provides background information on its organization. The comment further provides information on the historical significance of the Michael White Adobe, indicating that the building is an excellent example of domestic life prior to California statehood and that the District should consider incorporating the Adobe into the District's curricula. Comment is noted. No response is necessary.

A5-2 The comment suggests that the District preserve the Adobe under "Sustainable Schools" and provides examples of other historic school buildings from the early 1900s that been retrofitted for school use. The District has contacted the Division of the State Architect (DSA), which is the state agency overseeing public school construction to request whether the Adobe could be rehabilitated for school use. As provided in Comment Letter A4, the DSA is not willing to exempt the project from state building codes governing public school construction. If the Adobe is reused by students, DSA will require the Adobe to comply with current codes and regulations for structural and fire life safety, and possibly electrical, mechanical, plumbing, and accessibility.

Unlike the examples provided by the commenter, the Adobe was built in 1845 and has unreinforced walls. As provided in Section 5.1.2, page 5.1-17 of the DEIR, the Adobe is "Made from readily available materials, adobe bricks were composed from mixture of water, earth, and clay found near the home site combined with straw or horse hair and sand to hold the mixture together. The mud-like substance was then poured into rectangular wood frames."

Section 7.3.3, *Stabilization In Situ Alternative*, of the DEIR discusses an alternative to the proposed project that considers reuse of the Adobe by students and staff:

Implementation of this alternative would require removal of a sufficient area of the existing footing or foundation to install a new reinforced concrete footing to support plywood and wood stud walls, which would permanently encase or encapsulate the existing adobe structure. The new foundation for the plywood and wood stud walls would be placed to avoid the existing condition of the foundation supporting the adobe wall. The existing ceiling and roof structures would be supplemented with plywood diaphragms and provide additional support at the top of the adobe wall with installation of permanent anchors set in epoxy resin. The adobe walls would be protected with batt insulation prior to placement of the permanent plywood and wood stud walls, and all-thread rods with washers (similar to threaded bolts, but without heads) would be through-bolted in the adobe walls.

The Stabilization In Situ Alternative would result in the Adobe being fully encapsulated by new interior and exterior walls. The adobe brick walls of the Adobe would no longer be visible. Consequently, bringing the Adobe into conformance with DSA standards would result in a significant impact to the historical resource. See the Cultural Resources discussion in DEIR Section 7.3.3 for additional analysis on the



2. Response to Comments

impacts associated with reuse of the Adobe. This reuse alternative will be considered by the Board of Education prior to project approval.

A5-3 This comment states that project implementation would destroy an irreplaceable historic resource and “demonstrates a duplicitous attitude.” This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project. It should be noted, however, that the District has been working with the San Marino Historical Society and City of San Marino since the 1990s to address the relocation of the Adobe in order to increase public access. As discussed in A5-4, the District is also considering retrofitting the building in accordance with DSA requirements, although it may not conform to the Secretary of the Interior Standards.

A5-4 This comment states that CPF believes the District has segmented the proposed project, which excludes other alternatives from further consideration. The District has not segmented the proposed project. The project description included in the Initial Study was the expansion of the San Marino High School pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition. Since the release of the Initial Study/NOP, a couple of events have occurred: 1) it was determined that the fundraising that was going to finance the construction of the swimming pool was not going to be successful in light of the change in the economic climate, and 2) the City of San Marino has indicated the possibility of developing a community pool elsewhere in the City. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The project area would be paved over to allow students to congregate and view athletic events, competitions, and practices, as it is centrally located to the swimming pool, baseball field, basketball courts, and football/track field. The current project description was discussed and approved by the District Board of Education at the May 26, 2009, regular board meeting, and as provided in Chapter 5.0 of the DEIR, the refined project description does not include any new actions or activities that are not part of those originally described in the Initial Study/NOP.

Additionally, even if the project included the pool expansion, the alternatives would likely be the same, as alternatives are usually selected based on immitigable significant impacts. As provided in CEQA Guidelines Section 15126.6(a), “An EIR shall describe a range of reasonable alternatives to the project... [which] would avoid or substantially lessen any of the significant effects of the project.” The environmental impacts associated with the pool component of the former project description would have resulted in slightly greater but mitigable impacts associated with noise, but similar significant and adverse impacts to cultural resources. Hence, the alternatives studied under the former project description would likely be the same as those currently considered under the proposed project. Therefore, the refined project description has not precluded a greater range of alternatives studied.

2. Response to Comments

- A5-5 This comment states that CPF looks forward to developing sensitive alternatives to the proposed project and that they believe other less damaging solutions could be implemented to reduce risks associated with the Adobe, such as increasing the height of the surrounding fence, proper landscape maintenance, and added signage. This comment is noted and will be forwarded to the Board of Education their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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LETTER A6 – Los Angeles Conservancy (page 1 of 4)



September 23, 2009

Submitted via email

Julie Boucher, Assistant Superintendent, Business Services
San Marino Unified School District
1665 West Drive
San Marino, California 91108
Email: jboucher626@san-marino.k12.ca.us

RE: Draft Environmental Impact Report —San Marino High School Michael White Adobe Project

Dear Ms. Boucher:

On behalf of the Los Angeles Conservancy, thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the San Marino High School Michael White Adobe Project, formerly the San Marino High School Pool Expansion Project. Inexplicably, the proposed project has been redefined from the original project description in the Notice of Preparation (NOP), with the District now focused exclusively on demolition of the Michael White Adobe to create a “concrete-asphalt open area.”¹ With preparations underway to fast-track demolition, this truncated project description reinforces a perception that the District is pre-committed to demolition as the only acceptable outcome. Given the exceptional significance of the Michael White Adobe – and absent any immediate need for its removal – demolition should not be considered under any circumstances.

A6-1

A6-2

A6-3

I. Historic Significance of the Michael White Adobe

The proposed demolition project would destroy an irreplaceable and exceedingly rare historic resource. Completed in 1865, the Michael White Adobe is the second oldest structure in San Marino and one of only 39 adobes remaining in Los Angeles County. It is locally designated as a San Marino landmark and has been determined eligible for the National Register of Historic Places. As an indication of exceptional significance, the adobe was among the first buildings to be documented under the federal Historic American Building Survey (HABS) in 1935, not long after the program was established in 1933, and remains the only HABS-documented structure in San Marino today. Alas, the District has just commissioned a new set of HABS documentation – this time in

A6-4

¹ “The proposed project is the demolition of the Michael White Adobe (Adobe), which is on the San Marino High School campus. Demolition of the Adobe would expand the useable recreational space on the campus. ... Once removed, the Adobe would be replaced with a concrete-asphalt open area that would be accessible to all school occupants.” (DEIR, 3-1-3-2)



2. Response to Comments

LETTER A6 – Los Angeles Conservancy (page 2 of 4)

anticipation of the adobe's planned demolition.

A6-4
cont'd.

II. There is No Need to Remove the Adobe to Reduce Perceived Liability

For the past fifty years, the Michael White Adobe has peacefully co-existed with the surrounding high school campus, with no known accidents or claims against the District over that time. As required by state school safety regulations, the building is fenced on all sides and public access is limited by appointment only. As recently as 1998, the San Marino Historical Society led regular tours of the adobe for students and local residents with permission granted by the school district.

A6-5

Certainly, the proposed demolition project is an extreme remedy for reducing the District's perceived liability and, based on a report prepared by its insurer, is also unnecessary. Indeed, the Loss Control Field Inspection report at Appendix C of DEIR, prepared in August 2008, recommends a number of common sense, less drastic measures to minimize potential risk related to the adobe, such as increasing the height of the fence, trimming back landscaping, and adding new signage. At minimum, the EIR should evaluate the feasibility of implementing these recommendations in lieu of razing the adobe. Although demolition is not mentioned once in the eight-page report, the District now claims that its insurer will only pay for demolition.

A6-6

III. The New Project Description Cuts Short the School Board's Consideration of Alternatives to Demolition

Under CEQA Guidelines Section 15378, "project" is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." An accurate and complete project description is essential to a legally sufficient EIR:

A curtailed or distorted project description may stultify the objectives of the [CEQA] reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative) and weigh other alternatives in the balance.²

Accordingly, a public agency cannot subdivide a single project into smaller individual subprojects in order to avoid reviewing the impacts of the project as a whole, or to eliminate potentially feasible alternatives from consideration.³

By redefining the Michael White Adobe Project as demolition only, the District has taken potentially viable solutions off the table that both expand the pool *and* the preserve the

² *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192-193.

³ *Oriunda Assn. v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1171.

LETTER A6 – Los Angeles Conservancy (page 3 of 4)

adobe.⁴ Indeed, because the project description in the NOP was for a pool expansion project, the Conservancy provided comments aimed at identifying preservation alternatives that would achieve this goal. Although the impacts of the new project remain similar, the range of potentially feasible alternatives has been greatly circumscribed. Whereas there may be options for building a larger pool and retaining the adobe that would meet the District’s original objectives, the new “demolition only” project description effectively excludes all preservation alternatives in one fell swoop. By changing the project description and project objectives in the middle of the environmental review process, the District has also rendered public comments on the NOP largely irrelevant.

A6-7

Despite the newly truncated project description, it appears that the District still has its sights set on expanding the pool onto the Michael White Adobe location, especially since no replacement use has been identified other than “concrete-asphalt open area.”⁵ Because the DEIR appears to conceal the ultimate project objective, decision makers lack the information they need to make a reasoned choice among project alternatives. This piecemeal approach undermines the purpose of CEQA by preventing fair consideration of preservation options because they cannot, by definition, meet the District’s immediate objective of removing the adobe.

A6-8

A6-9

A6-10

IV. The District Appears Precommitted to Demolition

An agency may not pre-commit to a project before CEQA review is completed, because “[a] fundamental purpose of an EIR is to provide decision makers with information they can use in deciding *whether* to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved.”⁶ Even though CEQA review is still underway, the District appears to be marching headlong towards demolition of the Michael White Adobe. The following actions strongly suggest that the District is already committed to demolition as the only acceptable outcome:

- At the August 18, 2009 San Marino Unified School District school board meeting, District officials stated that the proposed demolition would be paid for by the District’s insurance company, West San Gabriel Liability and Property Joint Powers Authority, and that insurance proceeds could *only* be used for demolition.
- On September 4, 2009, the San Marino Unified School District advertised in the *Pasadena Star-News* to solicit bids for “demolition of the Michael White Adobe at San Marino High School,” including a job-walk on September 22, 2009 – the

A6-11

⁴ “At the time of the release of the [NOP], the proposed project included the removal of the [Adobe]—either through demolition or relocation—and expansion of the swimming pool, either in place or in the area of the existing basketball courts.” (DEIR at 5-1) Three scenarios were being considered by the District at the time: Scenario A entailed the expansion of the pool in its current location, and Scenario B and Scenario C involved relocating the pool to the area of the basketball courts, and relocating the basketball courts to the areas of the pool and Michael White Adobe.

⁵ “Demolition of the Adobe would expand the useable recreational space on the campus.” (DEIR at 3-1)

⁶ *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 394.



2. Response to Comments

LETTER A6 – Los Angeles Conservancy (page 4 of 4)

day before the public comment deadline on the Draft EIR.

- As early as September 11, 2009, consultants hired by the District were on site completing HABS documentation, even though the DEIR recommends HABS as mitigation for demolition *if approved* by the School Board. The Board is not scheduled to take action on the Final EIR until October 27, 2009.

A6-11
cont'd.

Considered cumulatively, these actions reveal that the District has essentially approved demolition of the Michael White Adobe – and committed public funds for that purpose – rendering the EIR fatally flawed as a “post hoc rationalization of action already taken.”⁷

In light of the deficiencies set forth above, we sincerely hope that the District will begin the CEQA process anew for the proposed project, based on an accurate project description that reflects the project as a whole, and considering a range of alternatives that meet the District’s long-term objectives at San Marino High School, while retaining the historic Michael White Adobe for future generations.

A6-12

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Michael White Adobe Project. Please feel free to contact me at (213) 430-4203 or mbuhler@laconservancy.org should you have any questions.

Sincerely,



Michael Buhler, Esq.
Director of Advocacy

cc: Milford Wayne Donaldson, FAIA, California Office of Historic Preservation
Anthea M. Hartig, Ph.D., Western Office, National Trust for Historic Preservation
Cindy Heitzman, California Preservation Foundation

⁷ *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 130.

2. Response to Comments

A6. Response to comments from the Los Angeles Conservancy, dated September 23, 2009.

- A6-1 This comment states that the project description has been redefined from the Initial Study/Notice of Preparation (NOP) to the DEIR. The commenter is correct that the project description was refined in the DEIR. The project description included in the Initial Study/NOP was the expansion of the San Marino High School pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition. As described in Response P4-4, since the release of the Initial Study/NOP, a couple of events have occurred: 1) it was determined that the fundraising effort that was going to finance the construction of the swim pool would not be successful in light of the change in the economic climate, and 2) the City of San Marino has indicated the possibility of constructing a community pool elsewhere within the City. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The current project description was discussed and approved by the District Board of Education at their regularly scheduled meeting on May 26, 2009. Additionally, as provided in Chapter 5.0 of the DEIR, the refined project description does not include any new actions or activities not part of those originally described in the Initial Study/NOP.
- A6-2 This comment states that the District is “pre-committed” to the proposed demolition of the Michael White Adobe. This comment is not true. In fact, the District has continued to keep all options open. The District most recently considered a new alternative, the Disassembly and Storage Alternative, in hopes that there are other means to salvage the Adobe. The District has also been in discussions with the City of San Marino concerning this Disassembly and Storage Alternative and other potential considerations for the Adobe, and has been contacting historical organizations and experts for their assistance to further explore the technical feasibility of reusing the adobe bricks. With the District still open to all possible options, there is no indication that it has pre-committed to the proposed project.
- A6-3 This comment states that absent any immediate need for its removal, demolition should not be considered. As provided in Section 4.3, *Environmental Setting*, of the DEIR, there is an immediate need for the removal of the Adobe off District property. The Adobe was built in 1845 and the building does not meet requirements of the Division of the State Architect (DSA) or Field Act, which are applicable to all public school buildings and hospitals and which require a higher level of structural strengthening, a higher level of review, and stricter access and fire safety construction than the Uniform Building Code. Because the District is aware that the Adobe does not meet the safety requirements of the DSA and is not in conformance with the Field Act, the District and governing Board Members may be held liable for injuries or damages caused by structural failure or collapse of the Adobe, or any damages resulting from nonaccessibility and fire safety issues (Government Code Sections 830.6 and 835). Therefore, there is an immediate need for the Adobe’s removal.
- A6-4 This comment provides an overview of the historical significance of the Adobe and states that “the District has just commissioned a new set of HABS [Historic American Buildings Survey] documentation...in anticipation of the adobe’s planned demolition.” The District concurs with the information provided on the Adobe’s



2. Response to Comments

historical significance. However, as provided in Response A6-2, the District has not preplanned the demolition of the Adobe. The District has continued analyze and gather information on the proposed project and alternatives, so that the Board of Education are fully informed of all available options and associated costs. Commissioning HABS documentation in no way presumes the actions of the Board of Education.

A6-5 This comment states that there are no known accidents or claims associated with the Adobe over the past 50 years, the building has been properly fenced off, public access is limited by appointment only, and the San Marino Historical Society has led regular tours of the Adobe with permission granted by the District. However, very little activity of any kind has occurred at the Adobe building in the last 50 years, as there is no public access to the building during school hours or during school-sponsored activities during weekends or after school hours. The last known open house of the Adobe was held in 1984. Furthermore, regardless of past history, the building has been found to be currently legally unsafe.

A6-6 This comment states that the proposed demolition project is an extreme remedy for reducing a perceived liability and unnecessary based on the Loss Control Field Inspection Report prepared by the insurer. The District has been fortunate that the Adobe has withstood several large earthquakes and that no one has been injured by the Adobe. It should be noted, however, that the report was not prepared by the District's insurer. The report was ordered by the District and performed by an outside entity to determine the condition of the Adobe, and does not consider the structural integrity of the Adobe or DSA requirements for buildings on school grounds.

The comment further states that the EIR should evaluate the feasibility of implementing the recommendations of the Loss Control Field Inspection report in lieu of razing the Adobe, and states that demolition of the Adobe is not mentioned in the report. The EIR is not required to evaluate the feasibility of implementing the recommendations. The recommendations included in the report would not eliminate the liability associated with the Adobe.

A6-7 The comment provides the definition of a "project" and provides CEQA Guidelines Section 15378 and excerpts of case laws concerning the definition of a project. The comment then implies that the District has bifurcated the project description to avoid analyzing impacts of the project as a whole. This comment is erroneous, speculative, and unsubstantiated. As provided in Response A6-1, the project description was changed mainly due to two reasons: 1) lack of funding and 2) potential construction of a community pool elsewhere within the City. Consequently, expansion of the pool is no longer a viable option for the District.

The comment further states that the Los Angeles Conservancy's comments on the Initial Study/NOP were "aimed at identifying preservation alternatives that would achieve this goal" of expanding the pool and preserving the Adobe. The Conservancy's comment letter on the Initial Study/NOP is provided in Appendix B of the DEIR. The Conservancy provided three alternatives:

1. Retention in Place. This alternative proposes retaining the Adobe in place, while constructing a new pool in the area of the existing

2. Response to Comments

basketball courts and relocating the basketball courts to the current place of the swimming pool but with the development of 1.5 courts. This alternative would have been considered infeasible by the District, as the existing pool area would not be able to accommodate two full basketball courts without the removal of the Adobe and would result in the loss of a recreational facility. Furthermore, this alternative does not meet the fundamental project objective to eliminate the liability of the Adobe. Absent the recreational improvements proposed under this scenario, this alternative is essentially that of the No Project Alternative that is studied in Section 7.3.1 of the DEIR.

2. Restoration of the Michael White Adobe and its Setting. This alternative proposes to restore the Adobe and transform the existing campus' athletic facilities back to their original setting based on historic research and documentation. This alternative also would have been considered infeasible, as it does not meet a number of the project's objectives, including eliminating liability associated with the Adobe, increasing public access to the Adobe, and avoiding disruption to the high school's educational and recreational activities. This alternative suggests the District downscale its physical education curricula and athletics in order to improve the Adobe and the surrounding setting in accordance with Secretary Standards. The alternative is in disagreement with the District's vision, which is to deliver a world class education with recognized excellence in academics, arts, and athletics. Furthermore, under this alternative, the Adobe would still not be accessible by students because it would not be Field Act compliant and the public would still not be able to access the Adobe during school hours or school-sponsored events. To truly restore the landscape to its original setting, the District's baseball field, pool, gymnasiums, locker rooms, basketball courts, football stadium, parking, and driveway would all need to be removed or relocated, which is not feasible.
3. Relocation and Restoration. This alternative is similar to that of the Relocation to Lacy Park Alternative, as analyzed in Section 7.3.2 of the DEIR.



A6-8 This comment states that while the impacts to the original project description as defined in the Initial Study/NOP and refined project description are similar, the updated project description "excludes all preservation alternatives in one fell swoop." Although the project description has been refined, the alternatives that would have been considered under the original project description would have likely been the same as those currently analyzed. This is because alternatives are usually selected based on the need to reduce or eliminate immitigable significant impacts. As provided in Section 15126.6(a), "An EIR shall describe a range of reasonable alternatives to the project... [which] would avoid or substantially lessen any of the significant effects of the project." Similar to the proposed project, the alternatives that would have been studied under the original project description would have been geared toward reducing or eliminating the significant impacts to cultural resources. Therefore, changing the project description does not exclude any

2. Response to Comments

preservation alternatives, especially in light of the existing alternative to relocate the Adobe to Lacy Park.

- A6-9 The comment states that the responses received during the Initial Study/NOP are irrelevant because of the change to the project description. This comment is inaccurate. As mentioned in Response A6-1 and provided in Section 5.0 of the DEIR, the refined project description does not result in any new actions or activities that were not part of those originally described in the Initial Study/NOP, and the environmental effects under the original project description and the current refined project description are similar, as stated by the commenter in Comment A6-8. The NOP responses are therefore still applicable to the refined project description and were considered during preparation of the DEIR. Based on the NOP responses, the project architectural historian contacted the San Marino Historical Society to further explore issues mentioned in their letter, and the District paid for a report prepared by Mr. Mel Green, who was commissioned by the Historical Society, in order to fully understand the technical feasibility of moving the Adobe. Finally, as provided in Response A6-7, two of the three alternatives proposed by the Conservancy were included as alternatives in Chapter 7 of the DEIR.
- A6-10 This comment states that the proposed project is a piecemeal approach, “especially since no replacement use has been identified other than concrete-asphalt open area.” As provided in Response A6-1, the project description was changed mainly due to two reasons: 1) lack of funding and 2) potential development of a community pool elsewhere in the City. As a result, expansion of the pool is no longer a viable option for the District. The fundamental objective of the project is to remove the liability from District property.
- A6-11 This comment suggests that the District has precommitted to approving the proposed project prior to completion of the CEQA process. The comment also provides case law and lists activities the District has commissioned, which the commenter suggests predisposes its anticipated actions. The activities listed include the District identifying a funding source for project implementation and continuing due diligence efforts such as holding a construction job-walk and commencing with HABS documentation. The commenter further suggests that these actions render the EIR flawed. The District has continued to explore all options on the table, seek verification of estimated costs, and prepare and gather historical documentation about the Adobe. As provided in Response A6-2, the District has most recently considered another alternative, Disassembly and Storage Alternative, as suggested by the Historical Society. The District has also been coordinating with the City, the Historical Society, the Huntington Library, and the Old Mill Foundation, to find relocation and storage sites for the Adobe and adobe bricks. The District has also continued to further confirm the technical feasibility of reusing the adobe bricks. Conducting additional due diligence efforts in no way suggests that the District has made up its mind to demolish the Adobe. This additional investigative work has been conducted by District staff and its consultants in order to provide as much information as possible to the Board of Education so that an educated and well-informed decision on the proposed project can be made. The additional investigative efforts should not be misconstrued as presumptive actions of the Board of Education, and the EIR remains accurate in the information and analysis provided, as it has been completed in accordance with CEQA and State CEQA Guidelines.

2. Response to Comments

- A6-12 The comment recommends the District to begin the CEQA process anew, based on a project description that studies the whole of the project and retains the Adobe in its current location. As substantiated throughout this response letter, the DEIR and FEIR do study the whole of the project as currently proposed. As discussed, there are insufficient funds to expand the pool, due to the current economic environment, and the City is considering the creation of a public swimming pool elsewhere in the City. Due to these events, the project was narrowed and refined to focus on the most important components of the original project description. The FEIR accurately reflects the whole of the project and complies with the requirements of CEQA and State CEQA Guidelines. As the FEIR is adequate in its current form, there is no need to restart the CEQA process.



2. Response to Comments

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2. Response to Comments

LETTER A7 – National Trust for Historic Preservation (page 1 of 5)

September 23, 2009

VIA EMAIL

Ms. Julie Boucher
Assistant Superintendent
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**NATIONAL
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Re: **Comments on Draft Environmental Impact Report for the San Marino High School Michael White Adobe Project (SC No. 2008101154)**

Dear Ms. Boucher:

On behalf of the National Trust for Historic Preservation, we appreciate the opportunity to comment on the San Marino Unified School District's ("District's") proposal to demolish the historic Michael White Adobe (b. 1845). The District's plan to raze one of the last remaining *ranchos* in LA County to replace it with a "concrete-asphalt open area" would deprive the community of a significant piece of its heritage without a compelling urgency (DEIR 3-2). Most importantly, we are concerned that the environmental review process has been legally inadequate. Significant issues remain regarding future foreseeable actions as well as premature "approval" of the demolition option that has prejudiced public review.

A7-1

Interests of the National Trust

The National Trust for Historic Preservation was chartered by Congress in 1949 as a private nonprofit organization for the purpose of furthering the historic preservation policies of the United States and facilitating public participation in the preservation of our nation's heritage. 16 U.S.C. § 468. With the support of over 230,000 members nationwide, including more than 23,000 members in California, the National Trust works to protect significant historic sites and to advocate historic preservation as a fundamental value in programs and policies at all levels of government. The Trust has seven regional offices around the country, including a Western Office in San Francisco which is specifically responsive to preservation issues in California.

A7-2

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2. Response to Comments

LETTER A7 – National Trust for Historic Preservation (page 2 of 5)

Ms. Julie Boucher
September 23, 2009
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The Michael White Adobe is undoubtedly historically significant. It is a designated local landmark, has been determined eligible for the National Register of Historic Places, and is one of only a handful of 19th Century adobes that remain in Los Angeles County. Constructed using indigenous labor with Spanish colonial architectural influences, the building and the stories it can tell give the community a unique opportunity to understand and experience early California history. While the continued stewardship of this building is consistent with the District's educational mission, its demolition and replacement with paved open space would be irresponsible to future generations of Californians.

A7-2
cont'd.

We have several concerns that the environmental review process has thus far been inconsistent with the mandates of the California Environmental Quality Act (CEQA). CEQA requires that 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. As outlined below, several critical missteps by the District have prejudiced the public's ability to participate in the decision-making process with respect to the Michael White Adobe Project.

A7-3

The Project Description Does Not Reflect the "Whole of the Action"

A fundamental requirement of CEQA is that the lead agency must consider all phases of a project in the EIR. The Project Description in the Notice of Preparation dated October 31, 2008 explains that demolition of the adobe is necessary to expand existing recreational facilities. The description simply states that "the proposed project involves the expansion of the San Marino High School swimming pool" and describes three potential scenarios for the pool expansion. Yet the Draft EIR completely omits mention of the pool expansion plan. Instead, it vaguely refers to the need for additional "useable recreational space" (DEIR 3-1). The District does not describe if or why its plans for the pool have changed.

A7-4

The circumstances indicate that the District may still have outstanding plans for a pool expansion that is being deferred to a later date. Indeed, there is scant discussion in the EIR on why the District has an urgent need for additional concrete-asphalt space that would replace the Adobe. Instead, it appears to the public that the District is deliberately and improperly segmenting two land use decisions – expansion of the pool and demolition of a local landmark. Because the District has yet to clarify its future plans for the pool, and whether the pool will be expanded onto the site currently occupied by the Michael White Adobe, it has not addressed all reasonably foreseeable future activities in the EIR. See Laurel

A7-5

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LETTER A7 – National Trust for Historic Preservation (page 3 of 5)

Ms. Julie Boucher
September 23, 2009
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Heights Improvements Assn. v. Regents of University of California (1988) 47 Cal.3d 376.

A7-5
cont'd.

The District has Prematurely "Approved" the Project

The District has made representations to the public, prior to the certification of the EIR, that prejudice the public review process. The District has indicated its implicit "approval" for demolition of the Michael White Adobe by publishing an advertisement for a demolition contractor in the Pasadena Star-News on September 4, 2009 (see attached), with a pre-bid walk through of the building scheduled for September 22, 2009. Additionally, we understand that the District has started documenting the building in anticipation of its presumed demolition, and that District officials have publicly stated that its insurer would pay for nothing other than the demolition of the building. Taken together, these actions strongly suggest that the District is already committed to demolition of the Michael White Adobe, leaving the public with the impression that its destruction is simply inevitable.

A7-6

CEQA explicitly prohibits the lead agency from formally approving a project prior to the certification of the EIR (CEQA Guideline § 15090). The CEQA Guidelines define "approval" as "the decision by a public agency which commits the agency to a definite course of action in regard to a project..." Cal. Code Regs., tit. 14, § 15352, emphasis added). The demolition contract request for bids is an expenditure of public funds for the purpose of accomplishing a goal that has not been legally approved. In addition, the mere insertion of a CEQA compliance condition will not necessarily save the agreement from being considered an approval. See *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 132. The District did not correspondingly take action to assure the public that this offer is not a precommitment to the demolition alternative. The failure to do so has unfortunately made the EIR a "post hoc rationalization of action already taken." *Id* at 130.

A7-7

Conclusion

While we recognize the economic difficulties facing the District, no amount of funding can replace this landmark once it is gone. The Michael White Adobe is an exceptionally rare and unique part of San Marino's history. Its preservation provides the community a sense of orientation and connection to its past.

A7-8

The District's Mission Statement laudably "challenges students to take responsibility as members of a diverse, global community." We similarly challenge



2. Response to Comments

LETTER A7 – National Trust for Historic Preservation (page 4 of 5)

Ms. Julie Boucher
September 23, 2009
Page 4 of 4

the District to seize this opportunity to protect its history and ensure that this cherished landmark will remain accessible to the community.

Thank you for the opportunity to comment. Please don't hesitate to contact our office at (415) 947-0692 or brian_turner@nthp.org with any questions or concerns.

A7-8
cont'd.

Sincerely



Brian Turner
Regional Attorney
CA State Bar #251687

Encl. Notice to Contractors Calling for Bids, Pasadena Star-News, September 4, 2009

Cc: M. Wayne Donaldson FAIA, California State Historic Preservation Officer
Linda Dishman, LA Conservancy
Cindy Heitzman, California Preservation Foundation

2. Response to Comments

LETTER A7 – National Trust for Historic Preservation (page 5 of 5)

NOTICE TO CONTRACTORS CALLING FOR BIDS NOTICE IS : ... <http://pasadenastarnews.kaango.com/feViewAd/15229705?IADID=Se>

Real Estate Classifieds Real Estate MLS Jobs Autos Merchandise Garage Sale Pets

Home Sell it Find it My Account Feedback and Security Help Guest (0/0/0)

What: _____ Where: Pasadena, California Search

Home > Local Classifieds > Employment & Services > Legal & Public Notices

Free classified ads
Post your free ads long on to Jensen's Marketplace [View details here](#)

Local Job Listings
Found: 946 Jobs in Your Area! \$17 - \$35 Per Hr. Benefits, Bonuses [View Local Jobs in Area](#)

Ads by Clicklight


NOTICE TO CONTRACTORS CALLING FOR BIDS NOTICE IS .

Source: San Gabriel Valley Tribune


Ad Id: 15229705

Description


NOTICE TO CONTRACTORS CALLING FOR BIDS NOTICE IS HEREBY GIVEN that the San Marino Unified School District ("District") of Los Angeles County California acting by and through its Governing Board ("Board") will receive up to but not later than 2:00 PM on October 15 2009 sealed bids for the award of a contracts for Bid No. 2009-10-004 DEMOLITION OF MICHAEL WHITE ADOBE At San Marino High School 2701 Huntington Drive San Marino CA 91108 All bids shall be made and presented on a form furnished by the District. Bids shall be received in the Office of the Purchasing Manager and shall be opened and publicly read aloud in the District Board Room 1665 West Drive San Marino CA at the above stated time and date. Each bid must conform with and be responsive to the contract documents copies of which are on file and may be obtained from the Purchasing Office San Marino Unified School District 1665 West Drive San Marino CA 91108 (926) 399-7000 ext. 335. Each bid shall be accompanied by (1) the security referred to in the contract documents; (2) the list of proposed subcontractors; (3) the Non-collusion Affidavit; (4) Pages 5 17 & 64 of the General Conditions; (5) a completely filled out Bidder's Responsibility Form; (6) Deviations page; and (7) a Signed Bid Form. A mandatory bidder's conference and job-walk will be conducted on September 22 2009 at 10:00 AM beginning at the front parking lot just outside the main San Marino High School entrance located at 2701 Huntington Drive San Marino CA 91108. Plans and specifications will be furnished free of charge. Bidders may pick up the plans and specifications at the job walk - one set per bidder. Contractors wishing to submit a bid to the District for this project are required to attend. Arrive early! Parking may not be readily available! The project contains features which must be viewed and explained to be properly bid. The District has obtained from the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work for the Los Angeles County area for each trade craft classification or type of work needed to execute the contract. Holiday rates shall be paid as specified in the collective bargaining agreement applicable to each particular trade craft classification or type of work employed on the project. Copies of schedules of rates so determined are available on the internet (http://www.dir.ca.gov/DIR5SR/statistics_research.html) and are on file and available at the District Office address noted above. In accordance with Section 1773.2 of the California Labor Code the Contractor shall post a copy of the determination of prevailing rate of wages at each jobsite. The schedule of per diem wages is based upon a working day of eight (8) hours. The rate for holiday and overtime work shall be at time plus one-half. The Contractor and any subcontractor(s) shall pay not less than the specified prevailing rates of wages to all workers employed by them in the execution of the contract. In accordance with provisions of Public Contract Code Section 22200 substitution of eligible and equivalent securities for any monies withheld to ensure performance under this contract will be permitted at the request and expense of the Contractor. No bidder may withdraw their bid for a period of sixty (60) days after the date set for the opening of bids. A Payment and Performance Bond shall be required of the successful Bidder(s) in an amount equal to 100% of the contract amount. The successful Bidder shall enter into a direct contract with the San Marino Unified School District. The District reserves the right to reject any and/or all bids; to make no award at all; to award the Contract to the lowest responsive responsible Bidder on the basis of Base Bid; or to waive irregularities in any bid at its sole and absolute discretion. San Marino Unified School District is an "Equal Opportunity" employer and will not discriminate against any person or firm interested in providing goods and services to the District on the basis of race color religion sex or sexual orientation marital status national origin veterans' status or handicap. Qualified Disabled Veteran Business Enterprises (QDVE) are encouraged to participate in this project. AUTHORIZED: Board of Education: San Marino Unified School District By: Mrs. Julia Boudier Assistant Superintendent Business Services Publish: September 4 11 2009 Pasadena Star-News Ad #106221



Diamond Bar Mom's Lose 47lbs. Follow 1 Rule!
I Cut Down 47 lbs of Stomach Fat in A Month By Obeying This 1 Old Rule. [Explore now](#)



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1 of 1 9/8/2009 4:50 P.

2. Response to Comments

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2. Response to Comments

A7. Response to comments from the National Trust for Historic Preservation, dated September 23, 2009.

A7-1 The commenter states that the District's plan to raze one of the last remaining ranchos in Los Angeles County would deprive the community of a significant piece of its heritage without a compelling urgency, and that the environmental review process is inadequate as significant issues remain regarding future foreseeable actions. The commenter also states that there appears to be a premature approval of the proposed project. The District respectfully disagrees with the comment. Specific responses to these allegations are provided in the below responses.

A7-2 This comment provides background information on the National Trust for Historic Preservation (NTHP) and information on the historical significance of the Michael White Adobe. The comment also states that demolition of the Adobe would be irresponsible to future generations of Californians. The comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

A7-3 This comment provides that the NTHP believes the environmental review process conducted thus far is inconsistent with CEQA, which requires that public agencies "deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects." The comment also cites *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 40, 41 and Public Resources Code (PRC) Sections 21002 and 21002.1.

In *Sierra Club v. Gilroy City Council*, the court of appeal held that an agency has the duty to mitigate all environmental effects to an insignificant level, or else cite what overriding considerations cause the project to be acceptable. The District is aware that the proposed mitigation measures would not reduce the significant impact associated with the loss of a historical building to a level below significance. If the Board of Education approves the proposed project, it will adopt Findings of Fact and a Statement of Overriding Considerations.

Also, as cited by the commenter, Section 21002 of the PRC provides, "The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." Similarly, Section 21002.1(c) of the PRC states "If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency if the project is otherwise permissible under applicable laws and regulations." Both PRC Sections 21002 and 21002.1 allow projects that will result in significant impacts to be approved, as long as the lead agency adopts 1) findings that demonstrate how economic, legal, social, technological, and/or other conditions make it infeasible to mitigate the significant effect and/or how the alternatives are infeasible to implement, and 2) overriding considerations that demonstrate how the proposed project outweighs the significant effects. If the Board of Education makes such findings and demonstrates that the benefits outweigh the significant effect, in accordance with CEQA, they could approve the project as proposed even though it would cause a significant impact.



2. Response to Comments

A7-4 This comment states that the project description does not reflect the whole of the action, as the project description described in the DEIR is not the same as that included in the Initial Study/Notice of Preparation (NOP). The commenter is correct that the project description has changed, for the reasons described previously in this document. The project description included in the Initial Study/NOP was the expansion of the San Marino High School swimming pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition.

The tailoring of the project description was a result of a couple of events that occurred between the release of the Initial Study/NOP and DEIR: 1) it was determined that the fundraising that was going to finance the construction of the pool was not going to be successful in light of the change in the economic climate, and 2) the City of San Marino continued public discussions about the possibility of developing a community pool elsewhere in the City. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The project area would be paved over to allow students to congregate and view athletic events, competitions, and practices, as it is centrally located to the swimming pool, baseball field, basketball courts, and football/track field. The current project description was discussed and approved by the District Board of Education at the May 26, 2009, regular board meeting; and, as provided in Chapter 5.0 of the DEIR, the refined project description does not include any new actions or activities that are not part of that originally described in the Initial Study/NOP.

A7-5 This comment states that the circumstances indicate that the District may still have outstanding plans for a pool expansion and cites *Laurel Heights Improvements Association v. Regents of University of California* (1988) 47 Cal.3d 376 in support of its allegation that the proposed project does not include all foreseeable future activities in the EIR.

The commenter's allegation is erroneous and speculative. As provided above, the District no longer has plans to expand the pool at San Marino High School. Not only is there no funding for any other improvement other than paving of the project site, if the City were to develop a new community pool, the City's swimming program will no longer use the San Marino High School swimming pool, and consequently the high school swim program would no longer have a need for a new or expanded pool.

Additionally, the case cited by the commenter is not applicable to the proposed project. In *Laurel Heights Improvements Association v. Regents of University of California*, the court held that, by the time the EIR was prepared, the lead agency had either made decisions or formulated reasonably definite proposals as to the future uses of a new building that was the subject of the EIR, and the EIR failed to assess those future uses and their effects. In the case of the proposed project, the opposite is true. As stated, the District has no available funding to develop the pool expansion component of the project included in Initial Study/NOP, and due to the City's consideration of the construction of a community pool elsewhere in the City, the expansion of the San Marino High School pool is no longer justified. As a result, the District narrowed the project description, it did not segment it, and the District

2. Response to Comments

has to date no other plans to develop the area within the footprint of the project site other than in the manner described in the proposed project.

A7-6 The comment states that the District has prematurely approved the project, based on actions it has taken, such as disclosing the funding source for project implementation and continuing due diligence efforts such as holding a construction job-walk and commencing Historic American Building Survey (HABS) documentation. The District disagrees with this comment, as it has continued to explore all options on the table, seek verification of estimated costs, and prepare and gather historical documentation about the Adobe. In fact, the District has most recently considered another alternative, Disassembly and Storage Alternative, which has been included in Section 3, *Revisions to the DEIR*, of the FEIR. The District has also been continuing to discuss with the City, as well as historical organizations and industry experts, potential relocation and storage sites for the adobe bricks and further confirming the technical feasibility of reusing the adobe bricks. Conducting additional due diligence efforts in no way suggests that the District is committed to demolition of the Adobe. This additional investigative work has been conducted by District staff and its consultants in order to provide as much information as possible to the Board of Education so that an educated and well-informed decision on the proposed project can be made. The additional investigative efforts should not be misconstrued as presumptive actions of the Board of Education.

A7-7 This comment states that CEQA prohibits the lead agency from formally approving a project prior to certification of the FEIR. The comment also provides that the demolition contract request for bids is an expenditure of public funds for the purpose of accomplishing a goal that has not been legally approved. The District is aware that the Board of Education cannot act on the proposed project until it has considered the environmental effects the action will cause. A notice to request for construction bids has been published. The request was conducted mainly as a result of the need to complete due diligence to investigate actual costs for the project. Authorization of such a construction contract would require approval from the Board of Education, but before acting on such a contract, the Board of Education would first need to certify the FEIR and then approve the proposed project. As no decision has been made by the Board of Education on the FEIR, proposed project, or construction contract, no precommitment to the proposed project has been made.

A7-8 This section concludes the NTHP letter. The commenter states that the Adobe is a rare and unique part of San Marino history and provides the community a sense of orientation and connection to its past. NTHP also asks the District to employ the District's Mission Statement, which "challenges students to take responsibility as members of a diverse, global community." The comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



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2. Response to Comments

LETTER A8 – Pasadena Heritage (page 1 of 1)


69 South Saint John Avenue
Pasadena, California 91105-2917
Telephone 626-797-6999
Pasadena 626-447-2917

September 23, 2009

Board of Education
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

RE: San Marino High School Michael White Adobe Project


Dear President and Members of the Board of Education:

 On behalf of Pasadena Heritage, I am writing to urge the San Marino School Board to preserve the Michael White Adobe. The currently proposed option of demolishing the building and replacing it with asphalted open space would result in the loss of both an architectural treasure and an invaluable educational resource for San Marino School District students.

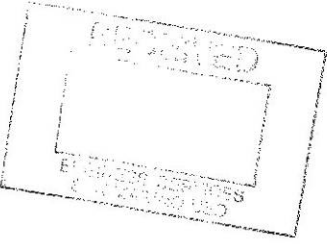
The adobe is a rare example of early Mexican California architecture that is eligible for the National Register of Historic Places. San Marino is deservedly famous for its remarkable architectural history, and the White Adobe is one of the city's earliest remaining buildings. As such, it deserves to be as highly regarded and carefully treated as the Old Mill. While the adobe has been altered over the years, the Draft Environmental Impact Report states that it retains substantial integrity. The building's demolition has been classified as a significant and unavoidable impact as defined by the California Environmental Protection Act. Under CEQA, feasible alternatives that provide for saving cultural resources are preferred and, in fact, required to be adopted. It is Pasadena Heritage's opinion that such an alternative (retain and re-use the building) is eminently feasible and must be adopted.


Far from being an endeavor outside of the San Marino School District's priorities, the preservation and restoration of the White Adobe should be viewed as key to the district's educational mission. The building is a direct and powerful link to history, as a number of your district's students are aware (as quoted in the *Los Angeles Times* article of September 22, 2009). The adobe is a rare remnant of San Marino's rancho past, and the personal history of Michael White, well-documented in his 1877 oral history, is closely linked to the significant developments of our region. From his work for the San Gabriel Mission, to his participation in key military battles, to the granting of his ranch lands by Governor Pio Pico, White's life and his adobe are profound reflections of early California. To demolish the building, as currently proposed, would represent an irreparable loss and terrible disservice to all San Marino students and to the community at large.

Pasadena Heritage strongly urges the Board of Education to adopt a plan for the White Adobe to be restored in situ, retrofitted to building code standards for school campus safety, and integrated into the School District's history curriculum.

Sincerely,

Terri Geis, Ph.D., Preservation Director

Pasadena Heritage Civil History Project
interior building provided by a loaner from a local wine tasting





A8-1

A8-2

A8-3

A8-4

2. Response to Comments

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2. Response to Comments

A8. Response to comments from the Pasadena Heritage, dated September 23, 2009.

- A8-1 The comment requests the Board of Education to preserve the Michael White Adobe and states that the loss of the building would result in the loss of an architectural treasure and an invaluable educational resource. No response is necessary.
- A8-2 This comment states that the Adobe deserves to be highly regarded and carefully treated as that of the Old Mill, and that under CEQA, feasible alternatives are preferred and required to be adopted. The Pasadena Heritage believes that a retain-and-reuse alternative is feasible and should be adopted. The District understands that if feasible measures and/or alternatives are identified, then it must adopt them. However, according to Section 21061.1 of the Public Resources Code, "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." The Board of Education will consider the feasibility of all mitigation measures and alternatives prior to its action on the proposed project.
- A8-3 This comment provides an overview of the historical significance of the Adobe. The commenter also interjects that demolition of the building would represent an irreparable loss and terrible disservice to all San Marino students and to the community at large. The comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- A8-4 The comment requests that the Board of Education restore the Adobe in place, retrofit the Adobe to building code standards for school campus safety, and integrate the Adobe into the District's history curriculum. The EIR considered the Stabilization In Situ Alternative (Section 7.3.3 of the DEIR), which would allow District staff and students to access the building. This alternative would retrofit the building to a level which would remove all liabilities for the District and members of the Board of Education associated with the Adobe. Under this alternative, the existing walls would be fully encapsulated by new interior and exterior walls designed and constructed to meet current building codes for buildings on public school campuses. This alternative would also obscure the historically significant features of the Adobe, such that the adobe brick walls would no longer be visible. Consequently, it was determined that this alternative would not meet the Secretary of the Interior Standards, and impacts to cultural resources would remain significant. Because the Adobe is an unreinforced structure and because the Adobe bricks are the primary aspect that makes it architecturally significant, there is no possible way to restore the building to code without compromising its architectural significance. For further discussion, see Section 7.3.3 of the DEIR and Comment Letter A4 from the Division of the State Architect. Therefore, the Adobe cannot be retrofitted to a level of school campus safety, which would also be the level where the liability posed by the Adobe is removed, while meeting the recommendation of the Pasadena Heritage.



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2. Response to Comments

LETTER A9 – San Marino Heritage (page 1 of 1)

Wilson Avenue
San Marino, CA 91108

September 23, 2009

Julie Boucher, Asst. Superintendent,
Business Services
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

Re: Draft EIR regarding the Michael White Adobe Project

Dear Ms. Boucher,

I am writing to express my deep concerns and opposition to the proposal to demolish the Miguel Blanco Adobe, also known as the Michael White Adobe. This building is a tangible, meaningful example and expression of the history of the area now known as San Marino as well as the San Gabriel Valley. Those who are responsible for the building have an opportunity, or even more accurately a responsibility, to bring history to life for the students within the district and to answer to the community.

A9-1

According to the October, 1985 edition of The Grapevine (the monthly newsletter of The San Marino Historical Society), eminent San Marino resident K.L. Carver gave a substantial amount of money to the school district with the understanding that this adobe was going to be preserved. I surmise that this is the reason there is a public school in the San Marino Unified School District named after him.

A9-2

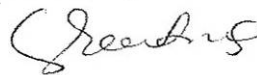
I also am of the understanding that the City of San Marino has officially recognized the Michael White Adobe as a significant part of the local historical landscape. Therefore it is not clear why The City would not enforce their responsibility to protect this building.

A9-3

Please attach these comments to the EIR and incorporate them into the permanent record and let me remain....

A9-4

Yours Sincerely,



Shirley Jagels, Founder
SAN MARINO HERITAGE



2. Response to Comments

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2. Response to Comments

A9. Response to comments from the San Marino Heritage, dated September 23, 2009.

- A9-1 The commenter expresses opposition to the proposed project, and support for preservation of the Adobe. This comment is noted. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- A9-2 The commenter states that money was donated to the District in or prior to 1985 with the understanding that the Adobe would be preserved. The District has made no agreements to preserve the Adobe indefinitely and is under no obligation to do so. Further, the District has no record of a donation received in 1985 for the purposes of restoring the Adobe. This comment is not related to the adequacy of the DEIR, and no further response is required. This comment is noted, and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- A9-3 This comment states that the City of San Marino has officially recognized the Adobe as a historic resource and suggests that the City has the authority to halt the proposed project. The Adobe is owned by the San Marino Unified School District by default, as the building is on the grounds purchased by the District for a school site. The District is the lead agency under CEQA and has the ultimate authority to approve the proposed action, as long as it complies with all applicable state and federal statutes and regulations. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- A9-4 The commenter requests that their comment letter be attached to the EIR and incorporated into the permanent record. By its inclusion in this FEIR, this has been done.




2. Response to Comments

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2. Response to Comments

LETTER A10 – Office of Historic Preservation (page 1 of 5)

SEP-25-2009 FRI 05:48 PM	FAX NO.	P. 02
STATE OF CALIFORNIA - THE RESOURCES AGENCY		Arnold Schwarzenegger, Governor
OFFICE OF HISTORIC PRESERVATION DEPARTMENT OF PARKS AND RECREATION P.O. BOX 942896 SACRAMENTO, CA 94296-0001 (916) 653-6624 Fax: (916) 653-9824 calshpo@ohp.parks.ca.gov		
Julie Boucher Assistant Superintendent, Business Services San Marino Unified School District 1665 West Drive San Marino, CA 91108		
September 25, 2009		
- Sent via facsimile (626) 299-7010 and United States Postal Service -		
<u>San Marino High School Michael White Adobe Project Draft Environmental Impact Report (DEIR), # 2008101154</u>		
Dear Ms. Boucher		
The State Office of Historic Preservation (OHP) has broad responsibility for the implementation of federal and state historic preservation programs in California. We thank you for the opportunity to comment on the above Draft Environmental Impact Report (DEIR) issued under the California Environmental Quality Act (CEQA). As we indicated to you, our office did not receive a copy of the DEIR via the State Clearinghouse. Per your phone message on September 17, 2009, we received an extension for our comment letter. We also were contacted by concerned members of the public, Mr. Andrew DiConti and Mr. Leroy Toiles about the planned demolition of the Michael White Adobe.	A10-1	
My office is very concerned with a number of issues which we will be addressing in greater detail but foremost we are very troubled with the flawed CEQA process for this project and the proposed demolition of a rare and significant historical resource representing California's history. The District has a legal obligation to comply with CEQA's procedural and substantive mandates, and moreover as a lead agency, to "prevent the elimination of . . . examples of major periods of history." (Public Resources Code 21001(c))	A10-2	
Significance of Historical Resource The Michael White Adobe is a significant and rare historical building constructed in 1845. It is locally designated as a San Marino Landmark. It was found individually eligible to the National Register of Historical Places under Criterion B for its association with Michael White in a survey. The District's consultant's evaluation resulted in a finding that also in addition to Criterion 2 of the California Register of Historical Resources; the Adobe appears to be significant under Criterion 3 as a rare and unique property type in the region and under criterion 3 for its construction technique for its period of construction, 1845. The property continues to express its adobe construction though its form, thick walls and deep openings. Extant adobe buildings are an increasingly rare and important building type. Also the site of the Adobe appears significant under criterion 4 for the information potential it may yield about construction techniques and evidence of domestic life for the period of 1845 – circa 1920. In the early history of San Marino the Adobe is referenced as "one of the oldest buildings in San Marino still standing". (Historical Resources	A10-3	



2. Response to Comments

LETTER A10 – Office of Historic Preservation (page 2 of 5)

SEP-25-2009 FRI 05:48 PM	FAX NO.	P. 03
<p>Ms. Julie Boucher September 25, 2009 Page 2</p>		
<p>Technical Report, Page 3-4) Therefore, it is important to reiterate that the Michael White Adobe is a one of a kind historical resource with wide-ranging significance and should be preserved, instead of razed.</p>		
<p>The Adobe overall retains a sufficient degree of integrity to convey its significance because it retains its location, its design, integrity of materials and workmanship and association. Due to the failure to recognize the significance of the historical resource and shortsighted planning, the construction of a swimming pool on two sides of the building has compromised the setting; nevertheless the overall integrity of the Adobe is intact.</p>		A10-3 cont'd.
<p>It appears that the San Marino Unified School District views historical resources as liabilities. To demolish the significant Michael White Adobe to create net useable asphalt space on campus is not a good use of a historical building. The Adobe indeed is small in physical size but huge for its historical significance in early California history. Moreover, there appears to be historical evidence that in 1928 what was to become the San Marino School District acquired the Adobe and its remaining land for construction of a future school. The PTA history even references a donation of land and adobe for the creation of schools in San Marino. (SMUSD website) In any case, the historical nexus between the development of schools in San Marino and the Adobe appears to be evident and the District should honor and preserve this historical resource with its connection to the (early) education in San Marino; one aspect of the Adobe's importance among its other varied layers of significance in early California history.</p>		A10-4
<p>CEQA Concerns The San Marino Unified School District (SMUSD) released a Notice of Preparation (NOP) and Notice of Public Scoping Meeting on October 31, 2008. The final Initial Study is dated, October 2008. According to these three documents in the public record the project is the San Marino High School Pool Expansion. However, in the circulated DEIR the project description was changed to the San Marino High School Michael White Adobe Project. Now, according to the DEIR the sole project is the demolition of the Adobe. The District has changed the project description and project objectives in the middle of the environmental review process, thus defining the project so narrowly that any reasonable consideration of alternatives to the project is precluded.</p>		A10-5
<p>Moreover, under CEQA project segmentation is not permitted. But the San Marino Unified School District is violating CEQA by segmenting the Adobe demolition project from the future San Marino High School Pool expansion. The only physical use identified in the project objectives for the Adobe's demolition is the "expansion of useable recreational space on campus." (DEIR 3-1) You indicated on the phone, that "the High School Pool Expansion was currently not pursued due to lack of funding." But implied is that in the future when the District has re-gained enough funds, the Pool Expansion project would occur. However, pursuant to CEQA all phases of a project, the project "as a whole" require to receive environmental review. The demolition of the Michael White Adobe is part of the future High School Pool Expansion and should be reviewed as a single project.</p>		A10-6
<p>Alternatives The proposed project is the demolition of the Adobe; once the adobe is demolished it will be replaced with a concrete-asphalt open area for students to congregate. But since the project has been changed from a pool expansion to only the demolition of the Adobe, any potential discussion of alternatives to the pool expansion and the preservation of the Adobe have been removed. In the NOP, three different scenarios</p>		A10-7

2. Response to Comments

LETTER A10 – Office of Historic Preservation (page 3 of 5)

<p>SEP-25-2009 FRI 05:49 PM</p> <p>Ms. Julie Boucher September 25, 2009 Page 3</p>	<p>FAX NO.</p>	<p>P. 04</p>
<p>were considered by the District, scenario A, the expansion of the pool in its current location, scenario B and scenario C the relocation of the pool to the basketball courts, and relocating the basketball courts to the areas of the pool and the Adobe. (NOP page 2) But by reducing the project, no further consideration of any reasonable alternatives to the project is possible.</p>	<p>A10-7 cont'd.</p>	
<p>One of the project objectives for the Adobe demolition is the maximization of net useable space and to ensure the efficient and responsible use of District funds. Considering the footprint of the Adobe (less than 1,200sf) and its surroundings the net useable space the campus will gain is less than 3,000sf (see Preliminary Estimate Carmichael-Kemp, Architects, 3-9-09). For the SMUSD to gain less than 3,000sf asphalt which students might not even use, the District will spent \$ 176,500 for the costs of the demolition, documentation and site restoration, etc. and to this dollar amount one also must add the costs for the environmental review process and its documents which are certainly not minor. This does raise the question whether spending easily over \$200,000 for the demolition of a historical building is indeed an efficient and responsible use of District funds if the net gain of useable space is less than 3,000sf. Perhaps investing these funds in needed work on the Adobe, for its maintenance, would seem a good solution and thus interpreting the Adobe's history for the benefit of the students and community.</p>	<p>A10-8</p>	
<p>One of the alternatives the current DEIR examines is Rehabilitation <i>in situ</i> following the Secretary of Interior's Standards. But the District has concluded that compliance with the Standards precludes compliance with the requirements of the Division of State Architect (DSA) since the building would not comply with DSA safety requirements, it could not be used by students or staff of the District. (DEIR 7-4)</p>	<p>A10-9</p>	
<p>The rehabilitation alternative only examines rehabilitation to the highest standard. The District has not examined other preservation alternatives and solutions. One possibility that should be examined in the CEQA process is the use and benefit of a conservation easement. While conservation easements are effective preservation tools they also provide a tax deduction that could benefit the District. Another possibility could be the sale of the Adobe to a new owner such as an interested non-profit or local historical society who also with the use of a conservation easement could rehabilitate the historical building and open it for regulated public use in its original location.</p>	<p>A10-10</p>	
<p>Demolition of the Adobe Considering the evidence before us, it is clear that the SMUSD appears to have committed itself to the demolition of the historical Adobe. The CEQA document seems to be merely an-after-the-fact requirement justifying this decision. This approach is counter to the intent of CEQA which requires a lead agency to provide decision makers, in this case the School Board, with information about the environmental effects of their project so they can make an informed decision about approving a project based on the facts before them in the DEIR. This appears not to be the case here because several actions by the District all point to the fact that the District has already pre-determined that the Adobe will be demolished.</p> <ul style="list-style-type: none"> ✓ At the August 18, 2009 San Marino Unified School Board meeting there was discussion wherein it was stated that proposed demolition would be paid for by the District's insurance company. ✓ In the Pasadena Star-News on September 4, 2009 the District advertised for solicitation of bids for the Michael White Adobe demolition at San Marino High School. A walk-through was going to be held on Sept. 22nd, 2009 at the High School. The close of the public comment deadline for the DEIR was the following day, September 23, 2009. 	<p>A10-11</p>	



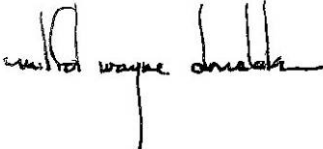
2. Response to Comments

LETTER A10 – Office of Historic Preservation (page 4 of 5)

SEP-25-2009 FRI 05:49 PM	FAX NO.	P. 05
<p>Ms. Julie Boucher September 25, 2009 Page 4</p>	<p>✓ By September 11, 2009, consultants hired by SMUSD were on site implementing HABS documentation of the Adobe. (source: Los Angeles Conservancy) Although HABS documentation is recommended in the DEIR as a mitigation measure for the demolition, the School Board has not approved the DEIR. The Board is not scheduled to act on the Final EIR until October 27, 2009.</p>	A10-11 cont'd.
<p>It is evident from these actions that the San Marino Unified School District seems to have already "approved" the demolition of the historical Adobe and the CEQA process is a meaningless paper exercise.</p>		
<p>Adobe Condition & Liability Issue</p>	<p>The District refers to maintenance costs for the Adobe but there is no reference what the annual maintenance costs for the Adobe are, what the annual regular maintenance consists of or which regular work over the last five to 10 years has been performed maintaining/improving the condition of the building.</p>	A10-12
<p>No condition assessment for the adobe was performed as part of the DEIR. A qualified preservation professional with specific knowledge of and experience in assessing adobes for earthquake stability should be consulted. Evidence of this adobe's stability is the fact that it is still standing after 164 years and the Getty Conservation Institute's Survey of Damaged Adobe Building in the 1994 Northridge Earthquake has concluded that the Michael White Adobe did not suffer any damage. (Page 143)</p>		A10-13
<p>The local San Marino Historical Society has led regular tours of the Adobe until 1998 and according to their website also stores their archival materials and records there and for over fifty years the Michael White Adobe has been fenced in on the campus of the San Marino High School and been used. The DEIR does not provide any information about known claims or accidents. The Loss Control Field Inspection report, dated August 2008 (Appendix C DEIR) recommends several basic maintenance measures which would minimize potential risks. These measures include increasing the height of the fence, regular interior and exterior inspections of chimney, windows, and roofs, trimming of landscape features, new signage, lighting, smoke detectors, and more. The report does mention that there is termite damage and some water damage and recommends repairs. At a minimum, SMUSD should be implementing these recommendations as part of their regular maintenance and in addition, discuss the feasibility of addressing some of the other repairs in the DEIR. However, the need to demolish the Adobe is not mentioned once in the report.</p>		A10-14
<p>We very strongly recommend that the District consider the many deficiencies outlined in this letter and re-initiate the CEQA process. The new CEQA document should be based on a complete and accurate project description that considers the project as a whole and develops a range of alternatives taking into account SMUSD future plans for the High School and for the preservation of the Michael White Adobe for the benefit of future generations.</p>		
<p>We thank you for the opportunity to comment on the above project. Please understand that our comments herein are specifically related to the environmental review process and adequacy of documents prepared for the environmental review purposes. We do not take positions in support of or against projects, but rather focus on the environmental review process itself.</p>		A10-15
<p>If you have any further questions, please don't hesitate to contact Michelle C. Messinger, Historian II, CEQA Coordinator Local Government Unit at (916) 853-5099 or at mmessinger@parks.ca.gov.</p>		

2. Response to Comments

LETTER A10 – Office of Historic Preservation (page 5 of 5)

SEP-25-2009 FRI 05:49 PM	FAX NO.	P. 06
Ms. Julie Boucher September 25, 2009 Page 5		
Sincerely,		
		
Milford Wayne Donaldson, FAIA State Historic Preservation Officer		
Cc: Anthea Harig, Director, Western Office, National Trust for Historic Preservation Cindy Heitzman, Executive Director, California Preservation Foundation Linda Dishman, Executive Director, Los Angeles Conservancy E. Leroy Tolles Andrew R. DiConti Eugene Sun, Mayor, City, San Marino Gary Woods, Superintendent, San Marino Unified School District Stacy St. James, Coordinator, South Central Coastal Information Center Richard Conrad, Ex-Secretary, State Historical Building Code Safety Board Ave Bortz, President, San Marino Historical Society State Clearinghouse		



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2. Response to Comments

A10. Response to comments from the Office of Historic Preservation, dated September 25, 2009.

A10-1 This comment provides background information on the State Office of Historic Preservation (OHP) and indicates that OHP did not receive a copy of the DEIR from the State Clearinghouse. The comment also states that at the request of the OHP the District extended the comment period deadline to the OHP and that the OHP was contacted by members of the public. No response is necessary.

A10-2 The comment states that OHP is concerned with the CEQA process and the proposed demolition of the Michael White Adobe and that as a lead agency the District has a legal obligation to “prevent the elimination of...examples of major periods of history.” This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

A10-3 This comment provides an overview of the significance and existing condition of the Adobe. No response is necessary.

A10-4 This comment suggests that the District views historical resources as liabilities and states that demolition of the Adobe in order to create asphalt space is not a good use of a historic building. The comment also provides some history on the Adobe’s relation to “(early) education of San Marino.” This comment does not address the adequacy of the DEIR, and no response is necessary. The comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

A10-5 This comment states that the project description provided in the Initial Study/Notice of Preparation (NOP) is different from that of the DEIR and that the revised description is so narrowly defined “that any reasonable consideration of alternatives to the project is precluded.” The commenter is correct that the proposed project changed. The project description included in the Initial Study/NOP was the expansion of the San Marino High School pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition. As described in Response P4-4, since the release of the Initial Study/NOP, a couple of events have occurred: 1) it was determined that the fundraising effort that was going to finance the construction of the swim pool would not be successful in light of the change in the economic climate, and 2) the City of San Marino has indicated the possibility of constructing a community pool elsewhere within the City. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The project area would be paved over to allow students to congregate and view athletic events, competitions, and practices, as it is in the middle of the high school’s athletic facilities, including the gyms, locker rooms, team rooms, swimming pool, baseball field, basketball courts, and the football/track field. The current project description was discussed and approved by the District Board of Education at their regularly scheduled meeting on May 26, 2009.

Additionally, even if the project included the pool expansion, the alternatives would likely be the same as those currently proposed. Alternatives are usually selected



2. Response to Comments

based on immitigable significant impacts. As provided in CEQA Guidelines Section 15126.6(a), “An EIR shall describe a range of reasonable alternatives to the project...[which] would avoid or substantially lessen any of the significant effects of the project.” The environmental impacts associated with the pool component of the former project description would have resulted in slightly greater, but mitigable impacts associated with noise, but similar significant and adverse impacts to cultural resources. Hence, the alternatives studied under the old project description would likely be those currently considered under the proposed project.

- A10-6 This comment states that CEQA requires environmental review of the “whole of a project” and that the District has violated CEQA by segmenting the demolition component of the project from the pool expansion component. The comment states that the District implied in a voicemail message that when it acquires sufficient funding it would pursue the pool expansion. It should be strongly noted that the commenter misunderstood the message left by the District representative. The District representative’s message was specific in explaining that the project description had been modified and the reasons for the change. As provided in Response A10-5, the District does not have sufficient funds for construction of the pool, and local fundraising, which was going to pay for the pool, is currently non-existent. Additionally and more important, the City of San Marino indicated the possibility of constructing a community pool elsewhere in the City. When the City constructs a community pool, the community swim programs will no longer utilize the San Marino High School pool, and there will no longer be a need to expand the pool to better accommodate both the high school and City swim programs. Elimination of the pool expansion component of the project is legitimate. The District is not bifurcating the project. It has no reason to do so. There is no significant impact that the District is trying to avoid by reducing the project size. Even if the pool were included in the project description, there would not be a greater environmental impact. As mentioned in Response A10-5, inclusion of the pool in the project description would result in possibly slightly greater, but mitigable impacts associated with noise, but overall impacts would still remain less than significant, and impacts associated with cultural resources would be the same as the proposed project.
- A10-7 This comment states that potential discussion of additional alternatives to the pool expansion and the preservation of the Adobe was removed by reducing the project description. As provided in CEQA Guidelines Section 15002(a)(3), “The basic purposes of CEQA are to:...Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.” As such, the alternatives selected for the project description provided in either the Initial Study/NOP or DEIR would have been the same since under either project description, only historical resources would have been significantly impacted. Therefore, the change in the project description does not result in the study of fewer alternatives.
- A10-8 This comment questions whether the \$176,500, the cost to implement the proposed project, would meet the project’s objectives to “Maximize the net useable space on the San Marino High School campus” and “Ensure the efficient and responsible use of school district funds,” when the money could be invested in maintaining the

2. Response to Comments

Adobe for the benefit of the students and community, and if spending this much money justifies the additional 3,000 square feet that would be made available. The comment is not related to the adequacy of the EIR, and no response is necessary. It will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

A10-9 This comment states that the Rehabilitation In Situ Alternative examines restoration in the highest standard and that the District has not examined other preservation alternatives. As you may know, one of the reasons, if not the main reason, why the District is proposing the removal of the Adobe is because of the liability associated with potential structural failure or collapse of the building, or other hazards associated with the building, such as fire safety. As the most fundamental objective of the project, whether as described in the Initial Study/NOP or DEIR, is to remove the hazardous conditions, the alternatives considered for further analysis in the EIR were selected to meet this goal. If the Adobe were to remain in place, the only way to meet this objective is to restore it in a manner that is acceptable to the Division of the State Architect (DSA), who is the state agency that oversees, governs, and enforces compliance of state laws as they apply to buildings on school grounds. As provided in Comment Letter A4, DSA states that use of the Adobe by students and staff must comply with current building code standards and regulations for structural and fire life safety, and possibly electrical, mechanical, plumbing, and accessibility, as required by the Field Act. Rehabilitation in situ under any lesser standard would not remove the liability that currently faces the District for the presence of a non-Field Act compliant structure on the school campus.

A10-10 This comment suggests that the District should consider a conservation easement alternative. A conservation easement is commonly used to provide a charitable deduction to a for-profit entity to restrict use of land. The District is a nonprofit entity and would receive no financial benefit from granting a conservation easement. A conservation easement in and of itself would also not address the threat posed by the inadequacies of the Adobe. This suggestion opens the door for trespassers to access the high school campus when students are in attendance. This is prohibited by Penal Code Section 627.7 which states "No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee." However, this comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project. Also, it should be noted that according to CEQA Guidelines Section 15126.6,

An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).



2. Response to Comments

A10-11 The comment states that the EIR is an “after-the-fact” requirement justifying the Board of Education’s decision, which is counter to the intent of CEQA. The comment lists actions, such as the District identifying a funding source for project implementation and continuing due diligence efforts, including holding a construction job-walk and commencing with Historic American Building Survey (HABS) documentation of the Adobe, and suggests that these actions predispose the District of a predetermined action. These activities were conducted by District staff in an effort to obtain more information in order to better inform the Board of Education, and to collect historical photographic documentation of the Adobe. The District has continued to explore various options and alternatives. In fact, the District has most recently considered another alternative, Disassembly and Storage Alternative, which has been included in Chapter 3, *Revisions to the DEIR*, of the FEIR. The District has been discussing the project and project alternatives with the City, as well as historical organizations and industry experts including the Historical Society, the Huntington Library, and the Old Mill Foundation, in an attempt to find relocation and storage sites for the Adobe and further confirm the technical feasibility of reusing the adobe bricks. Conducting additional due diligence efforts in no way suggests that the District is committed to demolition of the Adobe. As stated, this additional investigative work has been conducted by District staff and its consultants in order to provide as much information as possible to the Board of Education so that an educated and well-informed decision on the proposed project can be made. The additional investigative efforts should not be misconstrued as presumptive actions of the Board of Education. The District board members have yet to make up their minds. Prior to consideration of the proposed project, the board members will need to consider the adequacy of the FEIR and the comments received on the DEIR. If the Board certifies the EIR, it will then be able to consider project approval. Project approval would require adoption of the Mitigation Monitoring and Reporting Program, Findings of Fact, and a Statement of Overriding Considerations, which, as provided in CEQA Guidelines 15093, requires the decision-making agency to balance the benefits of the proposed project against its unavoidable environmental impacts.

The comment also states the District has engaged in a meaningless paper exercise to demolish the Adobe. To the contrary, the District has taken the CEQA process very seriously and has brought in a number of industry experts to explore creative alternatives to retain the Adobe in place for school use as described in detail in the Stabilization in Situ Alternative and to study the technical feasibility of moving the Adobe to Lacy Park. As documented throughout the EIR and in technical appendices, qualified professionals carefully studied alternatives to demolition that would reduce significant historic resources impacts for consideration by the Board of Education. Furthermore, the District has carefully considered public input throughout the process, and has considered the Disassembly and Storage Alternative in the EIR at the request of the San Marino Historical Society.

A10-12 This comment questions what the annual maintenance cost is for the Adobe and what type of maintenance was performed over the last five to ten years. This comment does not concern the adequacy of the DEIR. No response is necessary.

A10-13 This comment states that a condition assessment was not performed as part of the DEIR and that the Getty Conservation Institute’s Survey of Damaged Adobe Building

2. Response to Comments

concluded that the Michael White Adobe did not suffer any damage. Condition assessments were performed by Robert Chattel, AIA, of Chattel Architecture Planning and Preservation; Michael Krakower, SE, of Krakower & Associates Structural Engineers, who has extensive experience working with adobes; and Pat Taylor, Historic Preservation, who has also worked with adobes for the past 30 years. Mr. Chattel, Mr. Krakower, and Mr. Taylor are qualified preservation professionals who concluded that based on their observation of the building, the Adobe has retained most of its structural integrity, but could benefit from further investigation and preparation of a strengthening program and other work to better maintain the structure. The adobe bricks are composed from a mixture of water, earth, and clay combined with straw or horse hair and sand to hold the mixture together. Furthermore, as provided in Response A10-9, the only means to restore the building to an acceptable standard so that the District would no longer be liable for any potential structural failure is to retrofit the Adobe in accordance with DSA requirements. The Adobe is unreinforced and the possibility remains that there could be a collapse resulting from a nearby earthquake or other hazard, regardless of whether a structural study is conducted. The closest fault trace is the Raymond Fault, which is less than 100 feet north of the project site. The District has been fortunate that the Adobe has withstood several large earthquakes and that no one has yet been injured by structural failures of the Adobe.

- A10-14 This comment states that the San Marino Historical Society led tours of the Adobe and stores their archival materials and records at the Adobe. The comment further states that the DEIR does not provide any information about known claims or accidents and that the District should implement the maintenance measures identified in the Loss Control Field Inspection report and that these measures should be addressed in the DEIR. The comment further states that the report does not require that the District demolish the Adobe.



The Loss Control Field Inspection Report was not prepared by the District's insurer; it was prepared by an independent loss control specialist. It was ordered by the District to determine the condition and safety of the Adobe, as it stands in the center of the high school's athletic facilities (pool, gyms, fields, etc.). Therefore, there is no reason why the report would recommend demolition of the building. The report does not consider the structural integrity of the building or the fact that it is noncompliant with the Field Act. It should also be noted that the EIR is not required to evaluate the feasibility of implementing the recommendations in the Loss Control Field Inspection Report. The recommendations proposed by the report would not mitigate or eliminate the significant impacts to cultural resources to a level below significance, nor would it eliminate the liability that the building poses.

- A10-15 This comment recommends that the District reinstate the CEQA process with a complete project description and range of alternatives taking into account future plans for the high school and preservation of the Adobe. As substantiated in this response letter, the DEIR, and the FEIR, the District has not violated CEQA or CEQA Guidelines. The project description is accurate and complete, and the alternatives studied in the DEIR are of a reasonable range. The FEIR is adequate and complies with the requirements of CEQA and CEQA Guidelines. Therefore, there is no need to reinstate the CEQA process.

2. Response to Comments

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2. Response to Comments

LETTER A11 – Governor’s Office of Planning and Research, State Clearinghouse (page 2 of 2)

Document Details Report	
State Clearinghouse Data Base	
SCH#	2008101154
Project Title	San Marino High School Michael White Adobe
Lead Agency	San Marino Unified School District
<hr/>	
Type	EIR Draft EIR
Description	The proposed project is the demolition of the Michael White Adobe, a locally designated historic landmark that is also eligible for listing in the National or California Registers. The Adobe would be replaced with a concrete-asphalt open area that would be accessible to all school occupants. This area would expand the recreational area and provide new space for students to congregate.
<hr/>	
Lead Agency Contact	
Name	Julie Boucher
Agency	San Marino Unified School District
Phone	626 299-7000 x390
email	
Address	1665 West Drive
City	San Marion
State	CA
Zip	91108
<hr/>	
Project Location	
County	Los Angeles
City	San Marino
Region	
Lat / Long	34° 7' 35.6" N / 18° 5' 57.7" W
Cross Streets	Huntington Boulevard and Winston Avenue
Parcel No.	5331-020-901
Township	1N
Range	12W
Section	35
Base	SBBM
<hr/>	
Proximity to:	
Highways	I-210 - 2 miles north
Airports	
Railways	
Waterways	Rubio Wash Flood Channel - directly west
Schools	Several
Land Use	GP: Community Use Z: R-1 District V
<hr/>	
Project Issues	Archaeologic-Historic; Cumulative Effects; Noise; Growth Inducing
<hr/>	
Reviewing Agencies	Resources Agency; Department of Conservation; 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 7; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission
<hr/>	
Date Received	08/10/2009
Start of Review	08/10/2009
End of Review	09/23/2009
<hr/>	
Note: Blanks in data fields result from insufficient information provided by lead agency.	

2. Response to Comments

A11. Response to comments from the Governor’s Office of Planning and Research, State Clearinghouse, dated September 29, 2009.

A11-1 This comment states that the State Clearinghouse has forwarded comments from a responding agency to the District. The forwarded comment is from the Department of Toxic Substances Control, and is included in this document as letter A3. This comment also acknowledges that the District has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA. This comment is noted.



2. Response to Comments

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2. Response to Comments

LETTER R1 – Jonathan White (page 1 of 1)

From: Jonathan White
Date: Sun, 6 Sep 2009 19:39:53 -0400 (EDT)
To: <contact@smusd.us>
Subject: Mail from San Marino Unified School District

This email is automatically sent by IP address [REDACTED] on Sunday, September 6, 2009 at 04:39 PM US/Pacific timezone.

From: Jonathan White <[REDACTED]>

Regarding Michael White Adobe

I'm a direct descendent of Michael White. I recently learned about the efforts to relocate Michael White family adobe.

Our family would be very disappointed to see the adobe torn down and hope that it could be relocated to perserve not only our family connection to our gggg grandfather but it's connection to the San Mariano and the San Gabriel Valley.

We had the opportunity to visit the adobe with my Tia Pearl prior to her passing this year. It was an emotional homecoming for her and our family.

We wish the school district and community success in perserving this unique historic adobe.

R1-1



2. Response to Comments

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2. Response to Comments

R1. Response to comments from Jonathan White, dated September 6, 2009.

- R1-1 This comment states that the commenter is a direct descendent of Michael White and expresses support for the relocation of the Adobe, as opposed to the proposed demolition of the building. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R2 – Gene Dryden (page 1 of 1)

----- Original Message -----

From: Gene Dryden

To: Julie Boucher

Cc: [REDACTED]

Sent: Friday, September 18, 2009 8:22 PM

Subject: Re: Follow-up to our Meeting on the Adobe

Julie,

I would need to talk with other members of the Historical Society, but I should think we would enthusiastically support any means which would preserve and present items of our history to our community. Clearly, I would prefer means which preserve and present the Michael White Adobe, however we need to discuss means which may fall short of full restoration and preservation, but which are faithful indicators of that phase of our history.

R2-1

We will get together and talk, further. However, we have a difficult timeline.

Gene



2. Response to Comments

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2. Response to Comments

R2. Response to comments from Gene Dryden, dated September 18, 2009.

R2-1 This comment is from Gene Dryden of the San Marino Historical Society. The commenter states that the commenter would support project alternatives which “preserve and present our history to our community,” and may support other alternatives. This comment is not written on behalf of the entire San Marino Historical Society. The comment letter from the San Marino Historical Society is designated Comment Letter A2.

This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

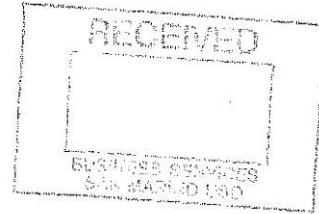
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2. Response to Comments

LETTER R3 – William K. Enger (Page 1 of 5)

September 18, 2009

Ms. Julie Boucher
Assistant Superintendent, San Marino Unified School District
1665 West Drive
San Marino, CA 91108



Re: San Marino High School Michael White Adobe Project

Dear Ms. Boucher:

Thank you for the opportunity to comment on the District's Draft Environmental Impact Report (DEIR) on the proposed San Marino High School Michael White Adobe Project (Project). As the father of children enrolled in the San Marino Unified School District and native Californian who attended public schools from Kindergarten through post graduate education, I take great interest in the Project. I oppose the project because it would destroy a unique historical resource. Once demolished, there is no way to replace or mitigate the loss for our children or future generations. I urge the Board to fulfill its duty to explore fully all feasible alternatives demolition including alternatives not set forth in the DEIR.

R3-1

Introduction: The DEIR Does Not Justify the Project

The "Project" is the demolition of a 164 year old Adobe. It is one of the few adobe structures left standing in Southern California and the second oldest structure standing in San Marino. The adobe was built by a pioneer who settled in our community before it was part of the United States. Michael White ("Miguel Blanco") was an explorer, mariner, adventurer and father of thirteen who, with his wife Maria, domesticated San Marino out of desert wilderness. Mr. White fought in the Battle of Cahuenga which forced California's last Mexican Governor to resign and led to California's eventual union with the United States. Mr. White is our pioneer heritage, and he stands shoulder to shoulder in our local history with Don Benito Wilson, Hugo Reid, Workman and Rowland.

R3-2

The 353 page DEIR is clear on three points (1) the Adobe is a rare historic and cultural resource, (2) the project would permanently destroy it, and (3) there would be no way to mitigate the loss for our community and children.

The policy of this State is to preserve historic structures. The law places a heavy burden on a District that proposes to permanently demolish a historic structure. The law requires the District to show there is no alternative to destroying a historic resource. The DEIR does not meet that burden.

R3-3

The DEIR falls short of the District's heavy burden for several reasons. Firstly, the stated benefits of the project – the addition of a 1,200 square foot concrete asphalt slab on campus - do not outweigh the permanent loss of this rare cultural resource. Secondly, the DEIR significantly overstates the liability risk presented by the Adobe. So long as the District and the Board take reasonable steps (such as adequate signage), no liability can redound to the District or to Board.

R3-4

R3-5

822642.1



2. Response to Comments

LETTER R3 – William K. Enger (Page 2 of 5)

Ms. Julie Boucher
September 18, 2009
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Thirdly, and perhaps the greatest problem, the DEIR fails to address less damaging feasible alternatives to the permanent demolition of the historic Adobe. The DEIR lacks any discussion of available measures to mitigate the security or structural risks on an interim basis while the District and community stakeholders join together to plan and fund a sustainable future for the Adobe.

R3-6

Point One: The Benefits to Be Gained by the Demolition Do Not Justify the Destruction of a Rare Cultural Resource.

According to the DEIR, the first tangible benefit resulting from the project will be the creation of a new asphalt and concrete slab for the students and greater “efficient use” of campus land and resources. At 1,200 square feet, this new asphalt and concrete slab would represent just a *fraction of one percent* of the total campus area. The permanent loss of this historic building is an extraordinarily high price to pay to gain such a small patch of asphalt.

As a parent raising school age children in Southern California, it is puzzling and surprising that the District would view the replacement of one of our oldest historical buildings with a slab of asphalt and concrete as a way to enrich our children. For better or worse, Southern California is known for its miles of asphalt and concrete. Yet despite its rich history, only a handful of adobe structures exist in the Los Angeles area. K.L. Carver, who presided over the San Marino School Board for 13 years, declared the Adobe to be an important educational resource when he said:

R3-7

“It was planned (in) 1952 that the house would become an integral part of the community used partly as an historical site and partly as a meeting place for campus organizations.”

Mr. Carver knew that the children of San Marino are better off knowing that the Michael White Adobe exists and that their educators take care to preserve their history.

Point Two: The DEIR Overstates a Theoretical Risk of Liability – The Law Protects the District and the Board When it Takes “Reasonable” Actions

The District need not demolish this unique structure in order to comply with the law. California law encourages preservation of rare and historic buildings. Moreover, a fundamental principal of California law is that public entities can be held liable only to the extent provided by statute. Government Code Section 815. In other words, there is no common law liability potential for the District. The Government Code does provide for liability of Government entities including school districts for danger condition of public property. Government Code Section 835. Liability under the statute requires that several specific elements be met with proof. And even assuming that all of the elements are met in some future matter involving the Adobe, the Government Code provides the District and Board with defenses.

R3-8

Like any public entity, the District has the right to assert any defense to a claim available to a private person. Government Code 815 (b). These defenses include comparative negligence, express assumption of the risk and third party negligence.

R3-9

More importantly, the Government Code does not require the District and Board to act as an insurer and eliminate all theoretical possibility of risk arising from the Adobe. The law only requires that the District and Board *act reasonably* under the circumstances. Government Code Section 840.2 and 840.6 According to the statute, this can be accomplished by taking steps as

R3-10

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2. Response to Comments

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simple as signage and actively looking for a source of funds to repair whatever physical defects exist.

Government Code Section 840 et seq. protects the District so long as it acts reasonably. The Government Code Section 840.6 sets forth this reasonableness standard in connection with what steps a public entity must take to address a known hazardous condition:

(b) A public employee is not liable . . . for injury caused by a dangerous condition of public property if he establishes that the action taken to protect against the risk of injury created by the condition or the failure to take such action was reasonable. The reasonableness of the inaction or action shall be determined by taking into consideration the time and the opportunity the public employee had to take the action and by weighing the probability and gravity of potential injury to persons and property foresee ably exposed to the risk of injury against the practicability and cost of protecting against the risk of such injury.

A District can show that it acted reasonably by warning the public of a known hazardous condition. Government Code Section 830 (b) and 835.4 (b).

In fact, the statutory Design Immunity under Government Code Section 830.6 similarly points to adequate warnings as a defense that could protect the District. It is set forth in the DEIR. The relevant language of the statute is as follows:

"In the event that the public entity is unable to remedy such public property because of practical impossibility or lack of sufficient funds, the immunity provided by this section shall remain so long as such public entity shall reasonably attempt to provide adequate warnings of the existence of the condition not conforming to the . . . approved standard."

As the DEIR notes, the presence of warning signs would not in and of itself establish the defense of express assumption of the risk. Still, the District and Board would have all other defenses to liability including, for example, statutory defenses and comparative negligence.

This reasonableness standard is meant to take into account various factors and provides a defense even if someone should later be injured at or near the Adobe. The requirement that the District only act reasonably should also be viewed in the context of liability insurance afforded to the District and Board for the reasonable execution of their duties. For the following reasons, the District could readily demonstrate that it acted reasonably to preserve the Adobe as a unique historic resource for San Marino and California:

1. The Adobe is gated and locked from the public;
2. The Adobe has stood for over 160 years a span that has seen repeated storms and major earthquakes;
3. The DEIR cites to no previous occurrence of a person injured because of the Adobe;
4. The DEIR cites to no reported occurrence of an unauthorized person entering into or occupying the Adobe;
5. The District has taken and continues to take affirmative steps to locate funding to move the Adobe off site to Lacy Park or another suitable location; and

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<p>Ms. Julie Boucher September 18, 2009 Page 4 of 5</p>	<p>6. To the extent that warning signs and additional physical security steps (e.g. tree trimming, lighting and an improved fence) can further reduce the risk of injury, the District can readily take such steps at modest expense and provide further evidence of its reasonable efforts to maintain this unique historic resource. The DEIR does not calculate that expense and that omission is a fundamental flaw which denies the public a full evaluation of the need for this demolition project.</p>	<p>R3-10</p>
<p>In sum, the DEIR jumps to the wrong conclusion. By the plain language of the relevant statutes, the District may preserve the Adobe and protect itself against liability. The District and Board can take the relatively easy steps of seeking funding to correct the nonconforming condition, place warning signs against entry into the Adobe and explore other cost effective interim security measures such as lighting and an alarm. The District could explore sources of outside funding to pay for these interim measures if the District Budget cannot. The policy of this state strongly encourages the preservation of historic buildings such as the Michael White Adobe. The law does not require us to tear them down.</p>	<p>Point Three: The DEIR Fails to Explore All Feasible Alternatives to the Demolition of the Adobe.</p>	<p>R3-11</p>
<p>A key policy under CEQA is that the District, as the lead agency, must “take all action necessary” to preserve for future generations our historic resources. As educators, the District and the Board, has the responsibility to ensure that every possible alternative is explored before demolishing the Adobe. The DEIR does not support the Project because it does not explore feasible alternatives to demolition.</p>	<p>Specifically, the DEIR does not address interim measures that can be taken to enhance the security and structural integrity of the Adobe while funding is sought for a more thorough relocation or restoration solution. Notably, the DEIR describes no effort by the District to seek funding for interim or permanent preservation measures. For example there is no reference to any applications made to public or private agencies that provide preservation grants (including National Trust, California Office of Historic Preservation, Getty Trust, Save Our History Grants or other public and private sources).</p>	<p>R3-12</p>
<p>The DEIR attaches a Loss Control Field Inspection Report dated, August 12, 2008 (“Field Report”). The Inspection Report identifies certain legitimate areas of concern and recommendations for further investigation and remedial measures to reduce risk of injury or damage. The DEIR, however, contains no discussion of those recommendations.</p>	<p>The recommendations contained in the Inspection Report are modest and achievable. They include tree and bush trimming, warning signs, higher fences (such as already exist elsewhere on campus), electrical repairs and regular maintenance. Implementation of the Inspector’s recommendations would alleviate the risk of injury to a student or intruder and demonstrate reasonable actions taken by the District and Board under the Government Code. Moreover, implementation of these recommendations would provide the District and community time to marshal funding resources for a permanent answer for the Adobe.</p>	<p>R3-13</p>
<p>822642.1</p>		

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Implementation of the Inspector's recommendations while funding is sought to preserve the adobe is a feasible alternative to demolition. This is similar to the "Retention in Place" alternative identified in certain responses to the District's Preliminary Notice. The DEIR, however, fails to address these recommendations or provide any projection of the cost to the District (or community volunteers) to retain the Adobe in place and implement the Inspector's common sense recommendations. Again, this omission by the DEIR is a fundamental flaw under CEQA.

R3-13
cont'd.

Rather, the DEIR assumes away the issue by concluding without analysis that the "No Project Alternative" of leaving the Adobe in place (without maintenance) would lead to a similar result (in other words be just as bad from a historical and cultural standpoint as demolishing it). That conclusion cannot with stand scrutiny for two reasons: First, there is no support in CEQA or the DEIR that demolition could ever be on equal footing with preservation. Rather, the law requires that the District explore all possibilities to demolition. This policy of the State is completely at odds with the notion that a historic resource should be taken down because without further care by its owners it would fall down at some unknown future date.

R3-14

Second, there is no evidence in the DEIR or the inspection report that the Adobe is in immediate risk of collapse. Having stood for 160 years and through multiple earthquakes, the opposite would seem true. In fact, the Inspection Report makes no prediction of an on impending collapse. Rather, the Inspection Report makes recommendations and identifies structural concerns including water damage and termite infestation. However, neither the report nor DEIR quantifies the extent of damage or provides any projection of the cost to remedy the same. The DEIR makes an unjustified leap that these un-quantified problems render the Adobe in its present state as good as demolished already. That leap of logic is contrary to the requirement of CEQA and is unfair to all living and future generations with an interest in our heritage.

R3-15

Conclusion

In conclusion, the DEIR does not support the District's proposal to demolish the Michael White adobe and forever cause a loss of this unique historical building. Before the District moves forward with this Project, the District and Board are called to their duty under law and to future generations to explore fully feasible alternatives to demolition. This citizen urges the Board to consider further and publish for public discussion the cost and funding for reasonable interim steps to make the Adobe more secure against intruders and to investigate and arrest whatever water and termite damage might exist within its historic walls.

R3-16

This citizen remains ever grateful to this excellent Board and each of its members for their selfless and valuable service to our children.

R3-17

Sincerely,

William K. Enger
[Redacted] Cambridge Rd.
San Marino, Ca. 91108

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2. Response to Comments

R3. Response to comments from William K. Enger, dated September 18, 2009.

- R3-1 This comment states that the commenter opposes the proposed project and urges the District to explore all feasible alternatives including those not included in the DEIR. The alternatives selected for further analysis in the DEIR are those that can meet the most fundamental project objective, which is to eliminate the hazard on District property, while to the extent possible reduce and/or eliminate the significant, adverse impact to the Michael White Adobe. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R3-2 This comment describes the Adobe, the history of Michael White, and the findings of the DEIR that the Adobe is a historic resource, and that the proposed project would result in a significant impact to the historic resource. This is in concurrence with the DEIR. No specific response is necessary.
- R3-3 This comment erroneously states that the policy of California is to preserve historic structures, and that the law requires the District to show that there is no alternative to destroying a historic resource. No specific statute or regulation is cited by the commenter. In fact, CEQA Guidelines Section 15093 (a) states “If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable.’” With a Statement of Overriding Considerations, a lead agency may approve a project which would result in a significant impact, including the loss of a historic resource.
- R3-4 The commenter states that the benefits of the project do not outweigh the loss of the Adobe. The commenter incorrectly defines the benefits of the project as “the addition of a 1,200 square foot concrete slab.” In fact, the proposed project would have the benefits of meeting the following project objectives:
- Maximize the net useable space on the San Marino High School campus.
 - Maintain the San Marino High School campus and other District-owned property in a manner that reflects the prudent and efficient use of public resources.
 - Ensure the efficient and responsible use of District funds.
 - Reduce costs associated with the maintenance of the Michael White Adobe.
 - ~~Reduce~~ **Eliminate** liability **and hazards** associated with the Michael White Adobe, a non-Field Act compliant structure.
- R3-5 This comment states that the DEIR “significantly overstates the liability risk presented by the Adobe,” and that “so long as the District and the Board take reasonable steps (such as adequate signage), no liability can redound to the District or Board.” This is not the finding of the District’s legal counsel. The commenter further advances these arguments in the letter, and the District’s responses can be found below.



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While it is true that there are steps that the District can take to reduce its liability, Government Code Section 830.6 specifically addresses the limits of the design immunity in instances where structures are found to be unsafe. Specifically, the immunity provided by this section only continues for a reasonable period of time sufficient to allow the District to obtain funds for and carry out remedial work necessary to address the dangerous condition.

The District lacks the funds to make the necessary repairs and it has not been able to obtain outside funding. Additionally, although it has offered to allow any interested party to relocate the Adobe to another site, it has not received any offers to do this. Thus, making the Adobe safe for use is a practical impossibility.

Because the District is unable to remedy the dangerous condition, the District must continue to provide adequate warnings of the existence of the condition and be vigilant in its protection of the Adobe. Nevertheless, even if the District provides warnings and barriers to entry, if a person fails to heed those warnings, the District may still be liable for the resulting injuries or damage.

The District must, at minimum, obtain funds for and carry out remedial work necessary to allow the Adobe to be in conformity with a plan or design approved by the appropriate authorities. If it cannot do this in a reasonable period of time it must take other remedial action in order to regain design immunity throughout the San Marino High School campus. If not, Government Code Sections 830.6 and 840.2 could impose liability on the District and individual Board member liability for which, in certain circumstances, the District must indemnify Board members and employees.

The Code provides the District with the same defenses available to a private person; however, the District's goal is to avoid a situation where these defenses must be raised. The District desires not only to limit its liability, but also to meaningfully protect the safety of students, faculty, staff, and visitors to the San Marino High School campus. Given the lack of funds to bring the Adobe to a safe and usable state, and the lack of interest from outside parties in relocating the Adobe, the District has determined that the course of action that can accomplish this is the proposed project.

- R3-6 This comment states that the DEIR does not address less damaging feasible alternatives to the proposed project. As provided in Response R3-1, the alternatives selected for further analysis in the DEIR are those that can meet the most fundamental project objective, which is to eliminate the structural hazard on District property. The DEIR included detailed analyses of three alternatives, including the No Project/No Demolition Alternative, Relocation to Lacy Park Alternative, and Stabilization In Situ Alternative. The No Project and Stabilization In Situ alternatives would be the least damaging alternatives, but under the No Project Alternative, the Adobe would continue to fall in disrepair and under the Stabilization In Situ Alternative, the adobe walls would not be visible. The commenter also states that the DEIR did not discuss available measures to mitigate the security or structural risks on an interim basis while stakeholders plan to fund a sustainable future for the Adobe. There are no other measures that would provide a greater "temporary" mitigation to the structural risks associated with the Adobe than those already

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implemented (e.g., the Adobe is secured and locked at all times). Measures such as those identified in the Loss Control Field Inspection report (Appendix C of the DEIR) would not remove the risks associated with a potential structural collapse. Furthermore, the District has been in discussions with the City of San Marino, the Historical Society, and other stakeholders since the early 1990s regarding the relocation of the Adobe. The concluding goal of all three entities has always been to relocate the Adobe to Lacy Park, but this has not happened over the last two decades mainly due to a lack of funds. It should be noted that the Historical Society even commissioned a technical study by a well-known local expert Mel Greene to determine the feasibility and preliminary costs of relocating the Adobe.

R3-7 This comment again argues that the benefits of the project do not outweigh the loss of the Adobe, and again incorrectly defines the benefits of the project as the creation of a new asphalt and concrete slab. As described in Response R3-4 above, the proposed project would have the benefits of meeting the following project objectives, the last bullet of which is the most fundamental of the objectives:

- Maximize the net useable space on the San Marino High School campus.
- Maintain the San Marino High School campus and other District-owned property in a manner that reflects the prudent and efficient use of public resources.
- Ensure the efficient and responsible use of District funds.
- Reduce costs associated with the maintenance of the Michael White Adobe.
- ~~Reduce~~ **Eliminate** liability **and hazards** associated with the Michael White Adobe, a non-Field Act compliant structure.



The comment further provides historical information associated with the Adobe. This comment is noted and will be considered by the Board of Education.

R3-8 This comment argues that the District would not be liable for injuries or damages related to the Adobe. The District disagrees. The Adobe was constructed before the current building standards were adopted. Although some refurbishment has occurred over the years, the Adobe has not been retrofitted, remodeled, or upgraded to comply with the California Building Standards Code, as adopted by the California Building Standards Commission, or with Education Code Section 17280 et seq., commonly known as the Field Act. The Adobe currently stands fenced off from the public because of the structural deficiencies and the potential for injury to persons or damage to property.

Public entities and their employees, per Government Code Section 830.6, are generally immune from liability for injuries caused by defective plans or designs as long as the plans were approved in advance by the appropriate authorities (i.e. the Division of the State Architect [DSA]). However, as the Adobe was built in 1845 and not designed to comply with applicable building requirements or approved by any appropriate authorities, the District is open to liability. This situation not only affects

2. Response to Comments

the District's liability as an entity, but also the liability of individual employees and Board members.

- R3-9 This comment states that the District can assert any defense to a claim available to a private person. Government Code Section 815(b) provides the District with the same defenses available to a private person. However, it is the District's goal to avoid a situation where these defenses must be raised. The District desires not only to eliminate its liability and the liability of District Board members, but also to meaningfully protect the safety of students, faculty, staff and visitors to the San Marino High School campus.
- R3-10 This comment argues that, as the commenter believes that liability is not a concern for the District, the District need only "act reasonably under the circumstances." The commenter goes on to describe what these reasonable actions might comprise. However, as described above, the Adobe is not in conformance with applicable requirements nor has it been approved by any appropriate authorities, and the District remains open to liability. The DEIR is not required to calculate the expense associated with implementing additional temporary security measures. The measures do not affect the analysis on the significance of the Adobe, nor as mentioned in Response R3-1, do they reduce the hazard and liability posed by the Adobe. The DEIR and FEIR are adequate and comply with the requirements of CEQA and State CEQA Guidelines.
- R3-11 This comment states that the DEIR "jumps to the wrong conclusion" and that the District may preserve the Adobe and protect itself against liability. As provided in Response R3-9, the District's desires are not only to eliminate its liability and the Board Member's liability, but also to meaningfully protect the safety of students, faculty, staff, and visitors to the San Marino High School campus. The commenter then states that the District can "take the relatively easy steps of seeking funding to correct the nonconforming condition, place warning signs against entry into the Adobe and explore other cost effective interim security measures such as lighting and an alarm." The "nonconforming condition" of concern is that associated with the structural hazard and liability the Adobe poses, not the fact that the building is noncompliant with codes and regulations concerning electrical, mechanical, plumbing, and accessibility. The District has taken the "temporary" action to secure and lock the Adobe from the public. There is no other temporary fix to address the issues of safety and liability. The DEIR identifies two means to accomplish the fundamental project goal: 1) remove the Adobe either through demolition (proposed project) or relocation (Relocation to Lacy Park Alternative) and 2) renovate it in accordance with DSA requirements (Stabilization In Situ Alternative). As indicated, the District has been discussing the Adobe with the City of San Marino, San Marino Historical Society, and other stakeholders since the early 1990s, and the holdback has continued to be identifying adequate funding. The comment further states that the state strongly encourages preservation of historic buildings. The District is aware of this policy. That is why if the Board of Education approves the proposed project, it will be required to adopt findings for the significant, adverse effects to cultural resources that the project will cause and for the alternatives considered in the EIR. The Board of Education would then need to adopt overriding considerations demonstrating how the benefits associated with project approval are greater than the significant impacts caused by the project.

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R3-12 This comment again states that the DEIR does not explore feasible alternatives to the proposed project. As described above, the DEIR examines several alternatives to the project, three of which are analyzed in depth and will be considered by the Board of Education prior to certification of the EIR. The commenter further states that the DEIR does not consider interim measures that can be taken to enhance the security and structural integrity of the building while funding is sought for a more thorough relocation or restoration solution. As mentioned, the issue of concern is that associated with the structural hazard and liability of the Adobe. Issues related to security, electrical, mechanical, plumbing, and accessibility are not the impetus of the District's proposed action. Implementing "interim measures" do not address the issues of structural safety and liability. Furthermore, the District already has such a measure in place; the project site is secured and locked from the public. There are no other temporary fixes to mitigate the issues on hand.

The commenter further states that the DEIR does not describe efforts to seek funding for preservation measures. One of the goals of the proposed action is to remove liability and a structural hazard from District property. A preservation grant to preserve the Adobe onsite would not meet the project objectives. Therefore, the DEIR did not include this information as it has no bearing on the historical significance of the Adobe or alternatives to the proposed project. Nevertheless, the District did in fact inquire about potential funding sources to relocate the Adobe to Lacy Park, which has been a goal of the San Marino Historical Society, City, and District. Based on information from Chattel Architecture, state and federal funds for preservation are scarce. The following state funds were previously available:

- (1) The California Heritage Fund (Proposition 12, Parks Bond Act of 2000, administered by the Office of Historic Preservation in State Parks), the last program administered by the Office of Historic Preservation in State Parks, is being closed out on June 30, 2009.
- (2) The California Cultural and Historical Endowment (Proposition 40, California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, administered by the CCHE program in the State Library) is no longer accepting new applications after three rounds of funding.
- (3) Given the state's long-term fiscal crisis, there is little if any possibility of a legislative appropriation for this purpose.

At the federal level, sources of funds such as Economic Development Initiative (EDI), Community Development Block Grants, Institute of Museum and Library Services (IMLS) grants seem unlikely for a variety of reasons. Listed below are other grants that were considered:

- (1) Save America's Treasures (SAT) grant program administered by the National Park Service through the Washington, DC-based grants office. Funding is made available nationwide for nationwide to projects involving nationally significant properties. Properties that are nationally significant include those listed in the National Register of Historic Places at the national level of significance or National Historic Landmarks (NHL) which illustrate the history of the United States. In the application process, the State Historic Preservation Officer (SHPO)



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must submit a finding of national significance, which is documented in either the National Register or NHL listing process. It is unlikely that the Adobe would qualify as an NHL due to losses of integrity to its setting and other physical characteristics. The SAT program has both “competitive” awards and “earmark” awards requested by a member of Congress.

(2) Congressional appropriations.

- R3-13 This alternative suggests that the recommendations of the Loss Control Field Inspection Report included as Appendix C of the DEIR be implemented in lieu of the proposed project or one of the project alternatives. This inspection report is not intended to be a thorough analysis, and the recommendations of this report would not ensure that the Adobe would conform to the requirements of the DSA or comply with the Field Act.

The commenter further states that implementation of the recommendations of the Loss Control Field Inspection Report is a feasible alternative to demolition, and its omission in the DEIR is “a fundamental flaw under CEQA.” However, as described in the disclaimer quoted above, this report is not an appropriate document to base safety decisions on, and implementation of its recommendations is not sufficient to bring the building into compliance with requirements or ensure the safety of students, staff, and visitors on the campus. It is not an appropriate alternative to the proposed project. The recommendations of the report related to security, electrical, mechanical, and fire safety would not eliminate the liability and structural hazard from the high school campus. The measures identified in the Loss Control Field Inspection Report have no bearing on the historical significance of the Adobe or the alternatives to the proposed project and for that reason have not been included in the analysis of the DEIR. The report, however, has been appended to the DEIR for informational purposes.

- R3-14 This comment states that the finding of DEIR that the No Project/No Demolition Alternative would result in a significant impact to the cultural resources of the Adobe, similar to the proposed project, is wrong, because “there is no support in CEQA or the DEIR that demolition could ever be on equal footing with preservation.” In this argument, the commenter conflates the No Project/No Demolition Alternative with preservation, when in fact the No Project/No Demolition Alternative would not include any preservation activities, and would allow the Adobe to remain in its current form, and the building would continue to deteriorate. This argument is based on an incorrect premise. In fact, a number of preservationists have visually inspected the Adobe, and although most if not all of them have indicated that the Adobe for the most part has retained its integrity, they also mentioned that the Adobe would eventually crumble if left in its current location and state, due to the moisture and chemicals from the adjacent swimming pool, and exposure to the elements. The Historical Resources Technical Report completed by Chattel Architecture provides the following:

Preservation of the Adobe in situ or in place with the same level of maintenance afforded it over the last several years is a cause of concern. Evidence of rising damp and thus moisture infiltration in the east wall of the south wing could be a condition found elsewhere in the building and could

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eventually lead to severe damage if unchecked.... Without a formal agreement with another organization, such as the San Marino Historical Society, to maintain the Adobe and provide for limited public use, the building is seen as an eyesore, restricts student use and will continue to be poorly maintained. While maintenance is preservation under the Secretary's Standards, there is no maintenance, stabilization or mothballing implementation plan, and thus the no project alternative will continue to have a potentially significant impact on the historical resource.

Therefore, the cultural analysis included in Section 7.3.1, *No Project Alternative*, is adequate in stating that the impact would be similar to the proposed project (i.e., significant), even though the magnitude of impact may not be as substantial as the proposed project.

The commenter then states again that "the law requires that the District explore all possibilities to demolition." This is not true. According to CEQA Guidelines Section 15126.6,

An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).



The range of alternatives included in the EIR is adequate. Furthermore, as stated in Response R3-3, with a Statement of Overriding Considerations, a lead agency may approve a project which would result in a significant impact, including the loss of a historic resource (CEQA Guidelines Section 15093).

- R3-15 This comment argues that there is no evidence that the Adobe is "in immediate risk of collapse," and notes that the Loss Control Field Inspection Report makes no prediction of an impending collapse. The comment further states that neither the report nor the DEIR quantifies the extent of damage or provides any projection of "the cost to remedy the same" and that the DEIR makes an unjustified leap that the unquantified problems render the Adobe in its present state as good as demolished already. The independent inspection report was commissioned by the District to determine the condition of the Adobe, and as provided in Response R3-13, the inspection report is not intended to be a thorough analysis. Implementation of the recommendations of the report would not ensure that the Adobe would conform to the requirements of the DSA or comply with the Field Act. Furthermore, an assessment for the Adobe's structural stability was not performed. The adobe bricks, as provided in the DEIR, are composed from a mixture of water, earth, and clay combined with straw or horse hair and sand to hold the mixture together. The Adobe is unreinforced and the possibility remains that there could be a collapse resulting from a nearby earthquake or other hazard. The closest fault trace is the Raymond

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Fault, which is less than 100 feet north of the project site. The District has been fortunate that the Adobe has withstood several large earthquakes and that no one has yet been injured as a result of damage to the Adobe. The District does not need a quantified injury or claim to justify the proposed project.

- R3-16 This comment states that the DEIR does not support the proposed project. For the reasons substantiated above, this assessment is incorrect. This comment also urges the District to analyze an alternative which would “make the Adobe more secure against intruders and to investigate and arrest whatever water and termite damage might exist.” Again, as described, the DEIR provides a reasonable range of alternatives. Furthermore, the recommended alternative proposed would not mitigate the significant, adverse impact to cultural resources. The security and maintenance recommendations as provided in the Loss Control Field Inspection Report would not reduce the significant impact to historical resources or bring the building into conformance with existing building code requirements, and are therefore not an acceptable alternative to the proposed project.
- R3-17 This comment thanks the Board of Education for their service. This comment is noted.

2. Response to Comments

LETTER R4 – Elsa Ruiz Balle and Julio Garcia Aguilar (Page 1 of 1)

From: "Elsa Ruiz-Balle" <[REDACTED]>
To: <jboucher626@smusd.us
Sent: Friday, September 18, 2009 7:21 AM
Subject: Comments to Draft EIR

Dear Ms. Boucher,

We are parents of two SMHS students and we oppose the proposal to demolish the Adobe as stated in the Draft EIR.

As residents of San Marino we consider the Adobe to be an important link to our history as a community. Miguel Blanco's story is the classic American/Latino pioneer story that should be celebrated and honored by our community. We have to teach our children to value their history and teach them to preserve their heritage. Preserving this historic adobe home is the best way to do so. Preservation of our Adobe house is certainly more important than creating an asphalt area that is not needed on the school campus. If we demolish the adobe house it will be gone forever.

We have the best school district in the State of California and one of the most beautiful neighborhoods in LA county. We are sure that with the help of the District's administrators and the supportive parents of SMHS we will be able to find a solution to preserve this historic building for our children and future generations to come.

Sincerely,

Elsa Ruiz Balle and Julio Garcia Aguilar

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2. Response to Comments

R4. Response to comments from Elsa Ruiz Balle and Julio Garcia Aguilar, dated September 18, 2009.

R4-1 The commenters express opposition to the proposed project and support for preservation of the Adobe. This comment is noted. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



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2. Response to Comments

LETTER R5 – Scott Welder and Hope Welder (page 1 of 1)

From: Scott Welder & Hope Welder <[REDACTED]>
Subject: Preservation of Michael White Adobe

September 18, 2009

Ms. Julie Boucher
Assistant Superintendent
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

Dear Ms. Boucher,

Our names are Scott Welder and Hope Welder. We are students at San Marino High School and are writing to express our concern that the Michael White Adobe, which has been here on our campus well before our school was built, is set for demolition, because it is "inconveniently" located in the middle of our campus and is viewed as a "hazardous" eyesore. We have become such a disposable society where there is no value placed on our past. We hope that we will not regret using an empty excuse to destroy our built heritage in the name of progress or in this case, a 20' X 20' slab of asphalt.

There is great value in maintaining and restoring our cultural heritage and understanding our roots. Instead of viewing this building as an eyesore, we should embrace it and utilize it as a teaching tool because of its historical significance. We remember learning in 4th grade our state's history and how California was settled. There was much reading about homesteads, but little hands-on viewing. There are just 306 adobe structures left throughout the state and only 42 in Los Angeles County -- one of which is right here in our backyard, literally. How many school districts can brag that they have an historical adobe? Only one and it is ours! Why aren't we taking advantage of learning from this structure, such as how its bricks were made, how it was constructed, where and why it was built in reference to the overall rancho and what the homestead contributed to the region in 1845? Here is a visual archive that we're lucky enough to have to study. Carver and Valentine students could walk over and view the building for free. Our San Marino Historical Society could give tours and demonstrate what we have outlined above. With exposure and knowledge comes appreciation and respect.

Our aunt, Cindy Tolles Tseng, who is a graduate of San Marino High School remembers the Michael White Adobe when it was open for tours. Her brother, Roy Tolles, III, also fondly remembers the structure, so much so, that he became a leading expert in seismic retrofitting for adobes, graduating from Stanford University with a PhD in Civil Engineering. Who's to say that if the Michael White Adobe were bulldozed back in the 1960's, he would have become a world expert in adobe structures? He was exposed to the building everyday while walking to and from the athletic fields and tennis courts.

Some adults may think the adobe has no value, but just being on campus exposes us to what was. Personally, we are lucky because our parents have travelled with us extensively to Mexico, China and the Eastern United States where buildings, archeological sites, and works of art are preserved, resurrected, restored and researched as cultural treasures, reflecting the history of the humans who once lived and shaped those regions. So what if our city's population is no longer predominantly Native American or Hispanic. The adobe reflects the roots of our region. The region's fore fathers are now under represented, so their legacy should be more vigorously maintained, so future generations have historical references.

Thank you for your time and consideration.

Sincerely,

Scott Welder '11 Hope Welder '13
San Marino High School San Marino High School



R5-1

2. Response to Comments

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2. Response to Comments

R5. Response to comments from Scott Welder and Hope Welder, dated September 18, 2009.

- R5-1 This comment expresses opposition to the proposed project and support for preservation of the Adobe. This comment is noted. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R6 – Tom Jarrett (page 1 of 1)

From: Tom Jarrett
To: jboucher626@san-marino.k12.ca.us
Sent: Sunday, September 20, 2009 2:31 PM
Subject: The Michael White Adobe

Dear Julie:

I am a parent of a SMHS student 9th grade student (Elizabeth) and a Carver 2nd grader (Estelle) and this letter is in regard to the proposal to demolish the White Adobe house. I am strongly opposed to this proposal, I don't feel it is properly motivated in both financial, logistical or even rational reasons. I am strongly in favor of preserving the Adobe, either in its present location or in some other location one day when the funds are raised to move it. I understand that the district is strapped for funds, I do go to the meetings and pay attention to the dire budget situation in the state of California, but I don't think this means that we (the city of San Marino) take drastic, irrational and foolish action(s) such as destroying the Adobe to satisfy the (undisclosed) true motivation of the insurance company willing/pushing to pay for it.

I certainly agree with this statement: "Preservation of our historic Adobe is certainly more important than creating a small asphalt area on the High School campus. There no shortage of paved hardscape on the campus, and once the adobe is demolished, it will be gone forever."

We have the best school district in the State of California. The District is blessed with excellent administrators and an active supportive parents. Given time, together we can find a solution we can all be proud of that helps the District in these difficult times and preserves this rare historic building for our children and future students."

So I would urge that we step back, take a breath, clear our heads and try to look at this issue from all sides. There is no rush (no matter what the insurance company spouts), we should take time and care to consider what to do with the White Adobe house. Next time you attend a football game or swimming event, walk over and look at the Adobe. It is absolutely unique and grand (in its own time-worn way), it deserves better from us.

Sincerely,

Tom Jarrett
(█████ Winston Ave)

Dr. Thomas Jarrett
IPAC/Caltech 100-22
Pasadena, CA 91125
phone: (626) 395-1844
jarrett@ipac.caltech.edu
<http://spider.ipac.caltech.edu/staff/jarrett>

R6-1



2. Response to Comments

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2. Response to Comments

R6. Response to comments Tom Jarrett, dated September 20, 2009.

- R6-1 This comment expresses opposition to the proposed project and states that the proposed project is not “properly motivated.” This comment is noted. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R7 – Barbosa Polverini (page 1 of 1)

From: Barbosa Polverini
To: jboucher626@smusd.us
Cc: [REDACTED]@yahoo.com
Sent: Sunday, September 20, 2009 9:05 AM
Subject: Michael White Adobe Project EIR

Dear Ms. Boucher,

I am writing to inquire about the San Marino High School Michael White Adobe Project and the District's Draft EIR.

I am a licensed General Contractor in the State of California with substantial expertise in the renovation and restoration of historical structures and residential construction, as well as estimating the cost of doing so. Recently, I personally managed the restoration the historic band shell at MacArthur Park in Los Angeles and the historic bandshell at Memorial Park in Pasadena. Both had been fenced and considered for demolition but were successfully restored in partnership with private and public stakeholders and funding sources. As a result, both restored bandshells are now used for community concerts and other cultural events for the public's benefit. You may find details regarding these projects at www.levittLA.org (Eye on LA Levitt Restoration clip).

I discussed the Adobe Project with Bill Enger and others interested in it. As one with experience in the renovation of public historic structures, I believe that it would be important for a full understanding of the proposed Project and options to allow me to view the Adobe's exterior and interior with a licensed civil engineer and structural engineer with whom I have worked in the past. This would help us gain a better understanding of appropriate steps needed to maintain and preserve the adobe and the cost of doing so. We ask for access to do this inspection at the earliest opportunity given the time deadlines set forth in the District's Draft EIR. I hope to do this Monday September 21 or as soon thereafter as possible. We would conduct the inspection at no cost to the District.

Kindly reply to me at this email address.

Thank you very much for your attention.

Sincerely,

Barbosa Polverini

R7-1



2. Response to Comments

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2. Response to Comments

R7. Response to comments from Barbosa Polverini, dated September 20, 2009.

- R7-1 This comment requested a site visit to allow the commenter, a licensed General Contractor, to view the Adobe with a licensed civil engineer and structural engineer. The District granted this request on September 22, 2009, and again on October 5, 2009. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R8 – Stacy Brightman (1 of 1)

From: "Stacy Brightman" <[REDACTED]>
To: <jboucher626@smusd.us>
Cc: <info@laconservancy.org>
Sent: Monday, September 21, 2009 8:45 AM
Subject: Protest against the adobe's demolition

Dear Ms. Boucher,

As the mother of two students in the district, I was astonished when the school district first announced its intention to demolish the Michael White Adobe in order to build a bigger swimming pool on the high school campus. It was a ludicrous idea (and PR blunder) to destroy a precious part of California history to build a pool in the middle of an SOS funds campaign and education budget crisis. I thought, apparently wrongly, that the idea had been rejected. I am shocked to learn, now, that the district still wishes to demolish the adobe. This has the strong appearance and odor of political tactics: destroy the adobe now by calling it a safety hazard and then when sufficient time has passed, build the pool. I add my urgent protest against this plan: Not only it would be shameful for our school district to destroy an irreplaceable monument and artifact such as the adobe, but I believe it would be a monstrous public relations misstep. Even in 1952, when the preservation movement was not nearly as strong as it is now, K.L. Carver led efforts to restore and preserve the adobe. That demonstrated leadership with integrity and it should be the model for our school district now.

I urge the school district to create a thoughtful plan that will preserve the Michael White Adobe, and honor the diverse people and history it embodies.

Yours truly,

Stacy Brightman, Ph.D.
[REDACTED] Avenue
San Gabriel, CA 91775
(626) [REDACTED]
(213) [REDACTED] (work)

R8-1



2. Response to Comments

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2. Response to Comments

R8. Response to comments from Stacy Brightman, dated September 21, 2009.

R8-1 This comment expresses opposition to the proposed project. This comment is noted. The comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R9 – James A. Elliott (page 1 of 1)

James A. Elliott
E. Arcadia Avenue
San Gabriel, CA 91775

Julie Boucher
Assistant Superintendent
San Marino Unified School District
San Marino, CA 91108
21 September 2009

Re: DEIR for White Adobe Demolition

Dear Ms. Boucher:

The physical evidence that represents the life and accomplishments of one of San Marino's pioneers, Michael White, is being threatened by your proposed project. I understand that your preference is to tear down or remove the Michael White adobe. I do not understand why. There are others in the community who also do not understand why, or who may not even know that such a plan of destruction exists.

R9-1

It would be a good idea for the people in favor of removing the adobe to step forward and participate in a public debate about it, so we can understand their reasoning. Then we should call for a ballot vote by the citizens of San Marino Unified School District. This would be fair to everyone, the majority ruling, as in any democracy, those in favor of progress and those who work to preserve history would both be well served.

R9-2

In the process, alternative ideas, such as building a new, Olympic sized pool on the campus would be brought forward, pleasing those on both sides of the issues.

R9-3

I am sure, if the above procedures are carried out, under the guidance of our District officials, the problem of the Michael White adobe will be solved to the satisfaction of everyone, and no one will feel that they have been badly served or disenfranchised in any way. In any case, all parties involved, including the writers of the DEIR report, should be given the opportunity to inform the community, and their efforts should be published, so that all concerned parties can be aware of their conclusions, before any drastic action such as demolition of the Michael White adobe (circa 1845) is permitted to proceed.

R9-4

R9-5

Respectfully,



James A. Elliott



2. Response to Comments

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2. Response to Comments

R9. Response to comments from James A. Elliott, dated September 21, 2009.

- R9-1 This comment expresses opposition to the proposed project. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R9-2 This comment suggests that a ballot vote on the proposed project be cast by “the citizens of the San Marino Unified School District.” Comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R9-3 This comment suggests that alternatives to the proposed project, such as the construction of a new Olympic-sized pool on the campus be considered. The DEIR included an analysis of project alternatives, and the Board of Education has the authority to approve the proposed project or the project alternatives described in the FEIR if the FEIR is certified. The expansion of the existing pool or construction of a new pool at the High School was originally part of the proposed project. However, it was determined that the construction of a new pool on the campus is not feasible from a financial standpoint, especially since the City is considering the construction of a community pool elsewhere within City limits.
- R9-4 This comment states that information should be made available to the public before any actions are taken. The Initial Study/Notice of Preparation was available for response for 60 days, and was also included in the DEIR, which was available for public comment for 45 days. This FEIR will be available at least 10 days prior to consideration by the Board of Education.



2. Response to Comments

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2. Response to Comments

LETTER R10 – E. Leroy Tolles (page 1 of 2)

From: "Roy Tolles" <[REDACTED]>
To: <jboucher626@smusd.us
Sent: Monday, September 21, 2009 4:55 PM
Subject: Michael White Demolition proposal

Dear Ms. Boucher,

Attached please find a letter of response from me regarding the proposed demolition of the Michael White adobe. I strongly encourage the SMUSD and the San Marino Community to search out other means protect our historic heritage and not demolish of this building.

I am a graduate of SMHS (as well as Valentine and Huntington) Class of 1972. I am an international expert of the seismic retrofit and restoration of historic adobe buildings and am keenly aware of the few historic resources that exist in California from the Spanish colonial era.

Thank you,
E. Leroy (Roy) Tolles

R10-1



2. Response to Comments

LETTER R10 – E. Leroy Tolles (page 2 of 2)

ELT & Associates
440 Grand Ave., Suite 208
Oakland, California 94610-5011

Telephone: (510) 295-4299
Email: rtolles@44adobe.com
Web site: www.44adobe.com

Sept. 21, 2009

Julie Boucher, Asst. Superintendent, Business Services
San Marino Unified School District
San Marino, California
Attn: Julie Boucher

Dear Ms. Boucher

Re: Demolition proposal for the Michael White Adobe

I have recently been informed that the San Marino School District is considering demolition of the Michael White Adobe. San Marino is a town that is rich in historical tradition and this adobe is one of our very few links back to the Spanish colonial era. There are only about 300 of these adobes throughout all of California and it would be a great loss to our community to destroy this building.

I am writing you because of my background in your community. My family moved to San Marino in 1956 when I was 2 years old. I grew up in San Marino and attended all levels of the San Marino schools. My mother still lives in San Marino and my parents have supported community projects in your town including donations to the new library. I graduated from San Marino High School with the class of 1972.

I am writing you because I am an international expert in the seismic retrofit of adobe buildings. I am a licensed Civil Engineer in California and have designed the retrofits of many adobe buildings throughout California. My web site at www.44adobe.com has examples of many of these projects. In addition, I have the following credentials:

1. Ph.D. in Structural Engineering from Stanford University. My doctoral thesis was on seismic retrofitting of adobe buildings.
2. I was Principal Investigator of the Getty Seismic Adobe Project, a multi-year, multi-disciplinary effort to develop innovative measures for retrofitting historic adobe buildings.

While it may sound feasible to disassemble the adobe brick by brick and reconstruct the building in another location, I do not consider this proposal to be feasible – as much of the building, mortar and bricks will be lost in the process – nor is it respectful of the historic fabric of the building. This most significant historic fabric in adobe buildings is represented by the labor that is contained in those bricks and the labor used to assemble those bricks into the building as it stands today.

I strongly encourage the District and the community of San Marino to spend some additional time in seeking out another way to respect OUR historic heritage.

Sincerely,



E. Leroy Tolles, P.E., Ph.D.
SMHS Class of 1972
Student Body Treasurer 1972

R10-2

R10-3

2. Response to Comments

R10. Response to comments from E. Leroy Tolles, dated September 21, 2009.

- R10-1 This comment provides a brief biography of the commenter, and encourages the District to not implement the proposed project. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R10-2 The commenter argues that it is not feasible to disassemble the Adobe and reconstruct it in another location, stating that much of the mortar and bricks will be lost in the process. The Reconstruction and Stabilization Alternative was discussed in the DEIR (Section 7.2.4), but ultimately found to be less preferable than the Relocation to Lacy Park Alternative. As a result, the DEIR rejected this alternative from further consideration. The findings of the DEIR and preservationists who have examined the Adobe concur with this comment. At the request of the San Marino Historical Society, the District also studied a new alternative, the Disassembly and Storage Alternative, during the DEIR review period. See Section 3.0, *Revisions to the DEIR*, of this FEIR for additional information. This alternative was considered but rejected as infeasible.
- R10-3 This comment urges the District to consider alternatives to the proposed project. In fact, the DEIR identified three alternatives which it analyzed in depth, including the Relocation to Lacy Park Alternative and the Stabilization In Situ Alternative.



2. Response to Comments

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2. Response to Comments

LETTER R11 – Judith Carter (page 1 of 2)

To: Members of the San Marino School Board
From: Judith Carter, [REDACTED] Gainsborough Drive, San Marino 91108
Date: September 22, 2009
Subject: The Michael White Adobe

First, congratulations on the recent API standings for the San Marino Schools. My family moved here in 1969 because of the excellence of the city's schools. Our youngest child graduated from the high school 20 years ago. Since then we have contributed each year to the San Marino Schools Foundation, worked on parcel tax measures, and supported the bond issues that allowed the schools to be rehabilitated.

R11-1

I think it is ironic that a district that prides itself on its excellence has ignored the Michael White Adobe, a significant historical landmark. For many years, I assumed the building belonged to the city or to the Historical Society. I now know that the building belongs to the School District, which has allowed it to fall into neglect. If a house in San Marino begins to become an eyesore, the city enforces an ordinance to require the owner to do the necessary upkeep to maintain city standards. I wonder why this was not done in the case of the Michael White Adobe?

R11-2

When the earlier proposal was put forward last year to move or demolish the building for the expansion of the swimming pool, there appeared to be a reason to consider the issue of the fate of the adobe. The current proposal seems bent on destroying the building, which is clearly too expensive to move. In reading the draft EIR, words like "asphalt, concrete and striping" jumped out. Is this site going to become parking spaces? In another place, mention was made of the cleared site as an additional place for students to congregate. San Marino High School's expansive, well-landscaped grounds provide sufficient places for students to congregate.

R11-3

Have other alternatives than the ones mentioned in the draft EIR been considered?

R11-4

Why not form a commission composed of members of the community, representatives of the School Board, the City of San Marino, the San Marino Historical Society, San Marino Heritage and other organizations to thoroughly investigate the options available and come up with a solution that keeps the adobe in place and makes it a teaching resource? Get the community involved in solving this thorny problem. After that is done we can tout the Michael White Adobe History Center as one more feather in the cap of the San Marino School District.

R11-5

As the archivist at the San Marino Historical Society I have spent more time than anyone in the Michael White Adobe over the past three or four years. I am aware of the condition of the building and hold no illusions about it being habitable. I understand the laws that require a building meet certain standards for it to be used for offices or for student meetings.

R11-6

Over the years I have visited many historic sites that have taken a sensible approach. The exterior of buildings are preserved. Period furniture and memorabilia are installed inside



2. Response to Comments

LETTER R11 – Judith Carter (page 2 of 2)

with viewing access through windows. Plaques inform visitors of the significance of the site and relate to the viewer the context of the material. Each student in the San Marino School District would benefit from a tour of a site that is preserved in this way. Members of the community could tour during non-school hours.

As the archivist in the capacity mentioned previously, I receive e-mails and notices about funds that are available to preserve historical buildings if there is some component which includes the education of children. The Michael White Adobe would qualify for funding under these guidelines. The above-mentioned commission could investigate such opportunities and perhaps piece together enough funding to keep the Michael White Adobe and turn it into a significant teaching tool. The district could point with pride that in addition to having the best API scores in the state, it also has a significant historical building within one of its properties. I know of no other district that could make this claim.

The city will celebrate its centennial in 2013. The demolition of the Michael White Adobe would cast a shadow on that event and on those who allowed it to happen.

As many cities and states have painfully learned, “Demolition is for ever”.

I thank you for the opportunity to speak to you this evening.

R11-6
cont'd.

2. Response to Comments

R11. Response to comments from Judith Carter, dated September 22, 2009.

- R11-1 This comment is noted.
- R11-2 The commenter states that she assumed the building belonged to the City or Historical Society. The District had also assumed the same at one point since the Historical Society was the only entity who had keys to the Adobe and had been occupying and maintaining the Adobe, and the City had even approved an agenda item proposing the relocation of the Adobe to Lacy Park at one time. The commenter asks why the Adobe has fallen into disrepair. This is not related to the adequacy of the DEIR, and no specific response is required.
- R11-3 This comment regards the purpose of the proposed project, stating that the swimming pool as proposed in the Initial Study/Notice of Preparation supplied a reason to consider the demolition of the Adobe, and implying the current proposed project is not justified. One of the main impetuses of the proposed project is provided in Section 4.3.3 of the DEIR (page 4-7), which concerns design immunity. Another reason is associated with the safety of students, staff, and visitors on the campus. The commenter further asks if the project site would be turned into parking. No parking is proposed on the project site. As described in the DEIR, the Adobe would be replaced with an open area that would be accessible to students.
- R11-4 This comment asks if alternatives other than those discussed in the DEIR have been considered. A total of seven alternatives to the proposed project have been considered, three of which were included for detailed evaluation. Additionally, since the release of the DEIR, a new alternative, the Disassembly and Storage Alternative was considered but rejected as infeasible. This alternative is included in Chapter 3, *Revisions to the DEIR*, of this FEIR.
- R11-5 This comment suggests that a commission formed of members of the community, the Board of Education, the City of San Marino, the San Marino Historical Society, and San Marino Heritage be formed, and that this commission would find a “solution to keep the Adobe in place.” The District has been working with the San Marino Historical Society, the City of San Marino, and other stakeholders since the 1990s to determine and implement a solution. The result of efforts over the last two decades was a recommendation to relocate the Adobe to Lacy Park. Relocation, however, has not occurred, as the constraint has been and continues to be funding. This comment is noted. It will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R11-6 This comment describes other historic sites, and expresses opposition to the proposed demolition of the Adobe. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R12 – Hung Chu (page 1 of 1)

From: Hung Chu
Sent: Sep 22, 2009 10:21 PM
Subject: Re: Practice Updates

Dear Juile, for the kids of San Marino, we would appreciate a private/public new San Marino City pool. We think that this new pool will help the team and newcomers. The Chang's family will support the new pool of San Marino. Thank You! -Hung Chu

R12-1



2. Response to Comments

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2. Response to Comments

R12. Response to comments from Hung Chu, dated September 22, 2009.

- R12-1 This comment expresses support for a new pool in the City of San Marino. While the proposed project originally included the creation of a new pool, this is no longer considered feasible at this time, and the proposed project now only entails the removal of the Michael White Adobe from the project site. This comment is noted. This comment is not related to the adequacy of the DEIR, and no specific response is required.



2. Response to Comments

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2. Response to Comments

LETTER R13 – Ling Chu (page 1 of 1)

From: Chu Ling
Sent: Sep 22, 2009 10:57 PM
To: Cathy Gott
Subject: FW : Re: Practice Updates

Dear Juile:

We would appreciate a private/public new San Marino City pool. We think that this new pool will help the team and newcomers. The Wen's family will support the new pool of San Marino. Thank You! | R13-1

Ling Chu



2. Response to Comments

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2. Response to Comments

R13. Response to comments from Insert Ling Chu, dated September 22, 2009.

R13-1 This comment is written in support of a new pool. While the proposed project originally included expansion of the existing pool or construction of a new pool on the high school campus, as part of improvements to the San Marino High School athletic facilities, these improvements are no longer part of the proposed project. The proposed project, as analyzed in the EIR, now consists of the removal of the Michael White Adobe and the creation of an open area in its place. As this comment is not related to the adequacy of the EIR, no further response is necessary.



2. Response to Comments

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2. Response to Comments

LETTER R14 – Mary Falkenbury (page 1 of 1)

From: [REDACTED]
To: iboucher626@smusd.us
Cc: [REDACTED]
Sent: Monday, September 21, 2009 10:43 PM
Subject: Michael White Adobe

Dear Julie,

On September 11, I had an opportunity to tour the Michael White Adobe. I was surprised to see that the overall structure appears to be in relatively good condition given its age. The three rooms are all intact and the tops of the walls are adorned with old stenciled borders. The thick adobe walls and hardwood floors are still quite impressive. It also has that wonderful aroma found in very old structures that I have experienced only in much older European churches. I am now more convinced that we should explore the opportunity to save the Adobe. I agree that the structure does not belong on the San Marino High School campus. But I do feel as though the Adobe should be relocated to Lacy Park where everyone can enjoy its historical significance.

R14-1

I strongly urge the District to forgo demolition of the Michael White Adobe at this time. We should explore the possibility of creating a Relocation Oversight Committee that will be responsible for: 1. raising the necessary funds for the relocation; 2. ensure an acceptable alternative location is secured; 3. obtaining an experienced historical landmark relocation company that will safely move the Adobe.

R14-2

I have no experience in this type of relocation, but after my tour of the Michael White Adobe it appears that the >\$1 million cost might be inflated. I agree that the District is not in the position to accept this monetary burden and associated liability. I do feel that if we establish an Oversight Committee, the generous residents of San Marino would gladly donate to preserving this historic structure that has been part of this city for over 160 years.

R14-3

Sincerely,

Mary Falkenbury, SMHS PTSA President



2. Response to Comments

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2. Response to Comments

R14. Response to comments from Mary Falkenbury, dated September 21, 2009.

- R14-1 This comment states that the commenter has toured the Adobe and found it to be in “relatively good condition given its age.” Nevertheless, the Adobe is an unsafe building, for the reasons described in the DEIR, and is a liability to the District and Board of Education. The commenter further expresses support for the Relocation to Lacy Park alternative. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R14-2 This comment urges the creation of a Relocation Oversight Committee. This comment is noted. As it is not related to the adequacy of the DEIR, no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R14-3 This comment suggests that the cost of relocation indicated in the DEIR may be inflated. The updated cost is provided in Appendix B of the FEIR. The cost is based on qualified experts and professionals who have experience with historic buildings and adobe structures. It was also reviewed by a consultant, representing the San Marino Historical Society who indicated that in his opinion additional bracing should be added as part of the Relocation to Lacy Park Alternative and thus the cost for relocation of the Adobe to Lacy Park would be higher than the cost estimate included in the DEIR. The commenter presents no evidence that the cost is inflated. As no specifics are given, no further response can be offered.



2. Response to Comments

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2. Response to Comments

LETTER R15 – Marla J. Felber (page 1 of 2)

September 22, 2009

Julie Boucher, Assistant Superintendent, Business Services
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

RE: Draft EIR-San Marino High School -Michael White Adobe

Dear Ms. Boucher:

Thank you for the opportunity to comment on the District's Draft Environmental Impact Report (DEIR) on the proposed San Marino High School Michael White Adobe Project (Project). As the parent of children enrolled in the San Marino Unified School District, a restorationist and a native Californian, I take great interest in the proposal.

The "Project" plans to demolish a 164-year-old Adobe and replace it with an asphalt area. I am opposed to the project because it would destroy a unique historical resource. I urge the Board to fulfill its duty to explore all feasible alternatives to demolition including alternatives not described in the DEIR.

There are less than 40 adobe structures left standing in Los Angeles County. The Michael White Adobe is the second oldest structure standing in San Marino. It was built by a pioneer who settled in our community before California was part of the United States. White was an explorer and marine adventurer and his oral history is in the Bancroft Library. He stands shoulder to shoulder in our local history with Don Benito Wilson, Hugo Reid and General Patton. The DEIR is clear that the Adobe is a rare historic and cultural resource. Furthermore it acknowledges the proposed project would permanently destroy the building and there would be no way to mitigate the loss for our community, our children and future generations.

R15-1



Without explanation, the current DEIR redefines the project as a demolition only. However, new construction on the site appears inevitable, given that the district has repeatedly stated its clear intent to ultimately expand the pool in the Initial Study, in media reports and at school board hearings. By splitting the project in this way, the district is undermining the purpose of the California Environmental Quality Act by preventing fair consideration of the preservation alternatives because they cannot, by definition, meet the district's new project objective to raze the Adobe.

R15-2

Furthermore, the District actions appear to show it is pre-committed to the demolition of the Adobe before the DEIR is even completed. This appearance undermines the intent of the California Environmental Quality Act as well. The District's advertisement in the Star-News on September 4, 2009 demonstrates this assertion, since the ad requested contractors to submit proposals for demolition to the Adobe, providing a job walkthrough on September 22, 2009. The comments to the DEIR are due on September 23, 2009; one day after the job walkthrough has taken place.

R15-3

2. Response to Comments

LETTER R15 – Marla J. Felber (page 2 of 2)

Ms. Julie Boucher
September 22, 2009
Page 2 of 2

The district has stated that all costs associated with this project will be paid for by JPA, the District's insurance company. The complete estimated cost of the project is projected to be \$176,000. Typically insurance companies pay out when a claim is made. Furthermore, once a claim has been made, rates usually increase. The Draft EIR does not state that anyone has been hurt on the property or that any claim has been made. Why would an insurance company voluntarily pay \$176,000 on a property that has no claim?

R15-4

The Board's proposal of dismembering the Adobe and placing the bricks in storage either at Lacy Park or some other storage facility is unacceptable. This proposal does not comply with the Secretary State Standards. What makes the building significant is the collective whole of the project not the individual pieces. The DEIR does not formally state this as a serious option. Can you specify projects of a similar age and type where this action has been successful? Having the Adobe remain in its original location so that elementary schools see the building as part of a field trip is a far more valuable educational tool than showing the children a re-enactment elsewhere else. The current location can highlight urban development, building technology of the time and the relationship to San Gabriel Mission.

R15-5

The San Marino School District has been the steward to the Michael White Adobe since the inception of the school district. Past San Marino School district staff and board members have taken that responsibility seriously and positively, examples of civic pride to all students. The DEIR does not mention any measures this current Board has taken to enhance or embrace the Adobe. In fact, by offering to sell the Adobe for \$1 it could be construed that the Board views the Adobe as a burden. The DEIR describes no efforts by the District to seek funding for the preservation of the Adobe. Other communities would value this 164-year-old building as a treasure and find means to cherish such a rich cultural resource as an exceptional teaching tool.

R15-6

The DEIR does not support the District's proposal to demolish the Michael White Adobe, causing a loss of this historic resource. Before the District moves forward with this project, I urge the District and Board to pursue alternatives – alternatives that retain and preserve the Michael White Adobe as a legacy of which the District can be proud.

R15-7

Sincerely,



Marla J. Felber
Halford Street
San Gabriel, Ca 91775

2. Response to Comments

R15. Response to comments from Marla J. Felber, dated September 22, 2009.

R15-1 This comment expresses opposition to the proposed project and encourages the District to explore all feasible alternatives, including those not included in the DEIR. According to CEQA Guidelines Section 15126.6,

An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).

The commenter does not present any alternatives for the District to consider. It should be noted, however, that the alternatives studied in the DEIR were selected because they met the fundamental project objective to eliminate a liability and hazardous condition from District property and/or they would reduce the significant, adverse impact to cultural resources. The DEIR provides a reasonable range of alternatives to the proposed project.

R15-2 This comment states that the District improperly changed the project description and states that it's the District's clear intent to ultimately expand the pool as provided in the Initial Study/Notice of Preparation (NOP) and media reports, and at some of the older school board hearings. The commenter is correct that the project description was refined in the DEIR. The project description included in the Initial Study/NOP was the expansion of the San Marino High School pool, either in place or in the area of the existing basketball courts, and the removal of the Michael White Adobe, either through relocation or demolition. Since the release of the Initial Study/NOP, a couple of events have occurred: 1) it was determined that the fundraising effort that was going to finance the construction of the swim pool would not be successful in light of the change in the economic climate, and 2) the City of San Marino has indicated the possibility of constructing a community pool elsewhere within the City. With the possibility of a City pool, there would no longer be a need to expand the San Marino High School pool. The City's swim programs would no longer be vying with the high school program to use the pool. Elimination of the pool expansion component of the project is legitimate. As a result, the District decided to downsize the project description to eliminate the expansion of the pool and the relocation of the Adobe. The project area would be paved over to allow students to congregate and view athletic events, competitions, and practices, as it is in the middle of the high school's athletic facilities, including the gyms, locker rooms, team rooms, swimming pool, baseball field, basketball courts, and the football/track field. The current project description was discussed and approved by the District Board of Education at their regularly scheduled meeting on May 26, 2009. This is discussed in Chapter 5 of the EIR, which states:



2. Response to Comments

The update to the project description does not result in any new actions or activities, which were not part of the proposed project as originally described in the Initial Study. Rather, the revisions reduced the scope of the proposed project and reduced the size of the project site.

The District's objective is to consider the actions which are currently feasible. To do so is not to undermine the purpose of CEQA, as the commenter argues. Any future projects will be subject to CEQA, and will be performed in accordance with all requirements. The District has narrowed and refined the project description, not split it, and to date has no other plans to develop the area within the footprint of the project site.

Furthermore refining the project description does not affect or reduce the range of preservation alternatives. As provided in CEQA Guidelines Section 15126.6(a), "An EIR shall describe a range of reasonable alternatives to the project...[which] would avoid or substantially lessen any of the significant effects of the project." The environmental impacts associated with the pool component of the former project description would have resulted in slightly greater, but mitigable impacts associated with noise, but similar significant and adverse impacts to cultural resources. Therefore, the alternatives studied under the former project description would have likely been the same as those currently considered under the proposed project. Therefore, the refined project description has not precluded a greater range of alternatives studied.

The commenter also suggests that the District has a new project objective "to raze the Adobe." No such objective exists. The objectives of the proposed project are as follows:

- Maximize the net useable space on the San Marino High School campus.
- Maintain the San Marino High School campus and other District-owned property in a manner that reflects the prudent and efficient use of public resources.
- Ensure the efficient and responsible use of District funds.
- Avoid disruption to the educational and recreational activities at San Marino High School and other San Marino Unified School District properties.
- Reduce costs associated with the maintenance of the Michael White Adobe.
- ~~Reduce~~ **Eliminate** liability **and hazards** associated with the Michael White Adobe, a non-Field Act compliant structure.
- Increase public access to the Michael White Adobe.
- Consider the feasibility of preserving the Michael White Adobe, either in situ or at Lacy Park.

2. Response to Comments

- Develop mitigation measures or alternatives to reduce or eliminate potentially significant effects.

R15-3 This comment argues that the District has undermined the intent of CEQA, as the District appears to show it is precommitted to the demolition of the Adobe by requesting contractors to submit proposals on the proposed project. This accusation is not true. The District has continued to explore all options and alternatives, including the proposed project. In fact, the District has most recently considered another alternative, Disassembly and Storage Alternative. The District has communicated with the City of San Marino, the Historical Society, and other organizations and industry experts to find relocation and storage sites for the Adobe and adobe bricks and to further confirm the technical feasibility of reusing the adobe bricks. Conducting additional due diligence efforts in no way suggests that the District has made up its mind to demolish the Adobe. This additional investigative work has been conducted by District staff and its consultants in order to provide as much information as possible to the Board of Education so that they can make an educated and well-informed decision on the proposed project. The additional investigative efforts should not be misconstrued as presumptive actions.

R15-4 This comment asks for information on the District's insurance arrangements. This is not related to the adequacy of the DEIR, and a response is not required. However, it should be noted that the District and Board of Education could be held liable for injuries and damages caused by structural failure or collapse of the Adobe, pursuant to Government Code Sections 830.6 and 835. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

R15-5 This comment states that the recently considered Disassembly and Storage Alternative is unacceptable and does not comply with the Secretary of the Interior's Standards. As discussed in Chapter 3, *Revision to the DEIR*, and Appendix C of the FEIR, the finding of the significance of this alternative concurs with the commenter and this alternative has been rejected as a feasible alternative.

The commenter asked for projects of a similar age and type where disassembly and reconstruction of an adobe building was performed successfully. There are existing projects where adobes are disassembled and reconstructed. Any rebuilt solution has to be engineered (seismically braced) and coordinated for site placement, appearance, etc. One example is the El Presidio Fort in Santa Barbara at Santa Barbara Street and Canon Presidio Street, which is currently being conducted by Michael Krakower, S.E., the structural engineer working on the proposed project. Additionally, a similar disassembly and storage scenario was performed with the Angels Flight Funicular in downtown Los Angeles; this is a successful example of storage of historic fabric for a long period of time (almost 20 years) before it was used.

R15-6 This comment states that the District has been the steward to the Adobe since the inception of the District and indicates that the DEIR does not mention any measures that the Board of Education has taken to enhance the Adobe or efforts by the District to seek funding for the preservation of the Adobe. These comments are not related to the adequacy of the DEIR, and no specific response is required. However, it



2. Response to Comments

should be noted that the Adobe was under the care of the San Marino Historical Society during the 1980s, during which time the Historical Society had the master keys to the Adobe. It was not until recently that the District learned that the Adobe is technically owned by the District and that the keys have been returned to the District. The commenter also states that the offering of the Adobe for \$1 could be construed that the Board views the Adobe as a burden. In its current state, the Adobe is a liability to the District. As an alternative to demolition, the District has offered to sell it. One of the stipulations is that the building be made available for public use. To date, no reliable offer has been presented to the District. These comments will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

- R15-7 This comment states that the DEIR “does not support” the proposed project. It is unclear in what way the commenter believes the DEIR to be insufficient. The EIR is adequate and accurately analyzes the environmental effects of the proposed project. Qualified professionals were retained by the District to ensure that conclusions provided in the EIR are supported and substantiated. Furthermore, the District has considered a realistic list of alternatives and the EIR analyzed a good range of alternatives in detail. The commenter further expresses support for the Board to pursue alternatives that retain and preserve the Adobe. This comment is noted, and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

2. Response to Comments

LETTER R16 – Cathy Gott (page 1 of 1)

From: "Cathy Gott" [REDACTED]
To: "Julie Boucher" <jboucher626@smusd.us>
Sent: Tuesday, September 22, 2009 9:21 PM
Subject: Re: White Adobe house/Pool issue

Dear Julie,

Thank you for all you do for our kids in San Marino. Jim and I would like to express our support for another pool in San Marino. I have publicly expressed our views and held rallies at the joint School Board/City Council meetings with other Tsunami swim team members on a number of occasions. From the bottom of our hearts, we plead with the City officials to consider a community pool for the City of San Marino. The Tsunami Swim Team has been one of the most meaningful, beneficial, enjoyable and healthy activities for our son, Nicholas. It is our belief that if we had more pool time, our City swim club would be unparalleled with the leadership of our OUTSTANDING coach Gyongyver Sovago, and her assistant coaches. It has been our experience that other teams in the area do not take into account the "whole" child, and our Tsunami experience is much more than simply a competitive sport. It has helped mold our child into a young man. It is frustrating to watch families join our team, and find it too difficult to continue, as the practices are so late in the evening. Additionally, when there are San Marino High School events, our team needs to relocate to different pools. If we had our own city pool, it would not only greatly improve our Club swimming program, but provide numerous water safety, family activities, and senior programs. Simply adding more space to the High School pool does not address any of these problems. I have offered to chair a private fund raising campaign for a city pool, so that we can create a public-private partnership. The offer still stands. We truly appreciate your consideration. Many thanks again,
Cathy Gott

R16-1



EDUCATION SPECTRUM, INC.
2235 N. Lake Ave., Suite 201
Altadena, CA 91001
(626) 797-1500
www.edspec.org

DANNY'S FARM, INC.
3064 1/2 Ridgeview Drive
Altadena, CA 91001
(626) 797-FARM (3276)
www.dannysfarm.com

2. Response to Comments

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2. Response to Comments

R16. Response to comments from Cathy Gott, dated September 22, 2009.

R16-1 This comment is written in support of a new pool. While the proposed project originally included the expansion of the existing pool or construction of a new pool, as part of improvements to the San Marino High School athletic facilities, these improvements are no longer part of the proposed project. The proposed project, as analyzed in the EIR, now consists of the removal of the Michael White Adobe and the creation of an open area in its place. As this comment is not related to the adequacy of the EIR, no further response is necessary.



2. Response to Comments

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2. Response to Comments

LETTER R17 – Gwyneth Hochhausler (page 1 of 1)

September 22, 2009

Dear Ms. Boucher,

I think that it is absurd that anybody would want to tear down the adobe. It is part of San Marino history and we should try our best to preserve it. Besides, what could you put there that would be more valuable than the White Adobe? The students and other people should learn to appreciate it and be proud of it.

R17-1

Yours truly,



Gwyneth Hochhausler
6th grade student at Huntington Middle School
Homeroom number 303



2. Response to Comments

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2. Response to Comments

R17. Response to comments from Gwyneth Hochhausler, dated September 22, 2009.

R17-1 This comment expresses opposition to the proposed project. This comment is noted. Since it is not related to the adequacy of the DEIR, no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R18 – C. Holcomb (page 1 of 1)

From: C. Holcomb
To: [Julie Boucher](#)
Sent: Tuesday, September 22, 2009 3:04 PM
Subject:

Julie, I'd like to submit the following,

In the thirteen years that I have coached the aquatics program at San Marino High School, I have seen tremendous growth. That growth is both good and bad. We have more student athletes in aquatic sports than ever before. This allows us a chance to be competitive. This, unfortunately, is not without its drawbacks. Space and practice time has become a serious issue. The pool is currently used from 5:30 am to 9:00 pm during the fall. In winter and spring it's used from 5:30 am to 8 pm. Summers are even more impacted as we try to find time to accommodate the City of San Marino Summer aquatics programs. I personally have worked with district personnel to maximize the space provided, however the aquatics programs, the school and the city have outgrown the facilities. The need to enlarge is long overdue. Enlarging the pool has become an important issue, not only for the aquatics program, but for the City of San Marino Recreation Department's swim team which also operates out of the high school's facility and is constantly being pinched for time and availability.

Thank you,

San Marino HS
Boys Varsity Water Polo and Swim Coach

R18-1



2. Response to Comments

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2. Response to Comments

R18. Response to comments from C. Holcomb, dated September 22, 2009.

R18-1 This comment is written in support of improvements to the pool at the San Marino High School. While the proposed project originally included the expansion of the existing pool or construction of a new pool, as part of improvements to the San Marino High School athletic facilities, these improvements are no longer part of the proposed project. The proposed project, as analyzed in the EIR, now consists of the removal of the Michael White Adobe and the creation of an open area in its place. As this comment is not related to the adequacy of the EIR, no further response is necessary.



2. Response to Comments

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2. Response to Comments

LETTER R19 – Anya Kwan (page 1 of 1)

From: Anya Kwan
To: jboucher626@smusd.us
Cc: Marla Felber ; Anya Kwan
Sent: Tuesday, September 22, 2009 9:15 PM
Subject: Michael White Adobe Letter

September 22, 2009
Julie Boucher, Assistant Superintendent, Business Services
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

Dear Ms. Boucher,

I am a student at San Marino High School. On the way to my sixth period, I pass the adobe everyday. When I first glanced at the adobe, I thought it wasn't extremely important, but as I have began to learn about the building, its importance and history are beginning to unravel.

As of now, the adobe is a time capsule into the past, into the beginnings of our country. If it is demolished, the history of the building and the knowledge we could get from the building will disappear forever. It is unfortunate that the district has provided little knowledge of the building's significance and history. How could a building that is 164 years old be demolished because the location of it is not ideal? Whether it becomes a "parking area" or a sport area in the future the loss does not amount to much gain. How could athletics of any type or an asphalt area be more important than an amazing building that has sat there for numerous generations and holds tangible evidence of Michael White's life and the insight to life in the 19th century? Michael White was extremely important to the history of the United States and the settling of California as a territory. How can it be that his home, his place of life, can be demolished?

Furthermore, there are only 39 adobes left in Los Angeles County. Every single one left holds so much more importance in history. How can the amount of adobes be diminished any further? Adobes are vital in the history of California. We learned about them in fourth grade and we were taken to a mission that is an adobe. Why not do a field trip closer since we have such a valuable resource in our hands? Let the adobe stay!! Don't demolish or move it. Moving it will cause just as much damage. Leave it alone. It was there before the school. It was there first.

A distressed student
Anya Kwan
2013

R19-1



2. Response to Comments

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2. Response to Comments

R19. Response to comments from Anya Kwan, dated September 22, 2009.

- R19-1 This comment expresses opposition to the proposed project and encourages the preservation of the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R20 – Fen Lai (page 1 of 1)

From: Fen Lai
To: jboucher626@smusd.us
Sent: Tuesday, September 22, 2009 10:18 PM
Subject: A new community pool

Dear Julie,

My husband George and I would like to plead with the City officials to consider a new community pool for the City of San Marino.

Our daughter Julianna has been in the Tsunami Swim Team for 3 years and is enjoying the great swim program except the very inconvenient practice time, 6-8pm. To expand the SM High School pool will not help to solve this problem. We need a new pool for the whole community.

Thank you so much for your consideration.

Sincerely,
Fen Lai

R20-1



2. Response to Comments

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2. Response to Comments

R20. Response to comments from Fen Lai, dated September 22, 2009.

R20-1 This comment is written in support of a new pool in an area other than the high school campus. As this comment is not related to the adequacy of the EIR, no further response is necessary.



2. Response to Comments

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2. Response to Comments

LETTER R21 – Diane Lam (page 1 of 1)

From: Diane Lam
To: jboucher626@smusd.us
Sent: Tuesday, September 22, 2009 5:55 PM
Subject: Adobe vote

Dear Ms. Boucher:

I am a parent of three children attending Carver and HMS and I oppose the proposal to demolish the Adobe as stated in the Draft EIR.

As a parent and resident of San Marino, I consider the Adobe to be an important link to our history as a community. The story of Michael White ("Miguel Blanco), his wife and thirteen children is a classic American pioneer story that we should celebrate and honor as a community. As part of our children's education, it is important that they be taught to value their history and preservation of this historic adobe home is the best way to do so.

Preservation of our historic Adobe is certainly more important than creating a small asphalt area on the High School campus. There is no shortage of paved hardscape on the campus, and once the adobe is demolished, it will be gone forever.

We have the best school district in the State of California. The District is blessed with excellent administrators and an active supportive parents. Given time, together we can find a solution we can all be proud of that helps the District in these difficult times and preserves this rare historic building for our children and future students.

The subject of History needs to be valued as much as the subjects of English and Math in this community. Preserving the Adobe would send a strong clear message to our youth.

Sincerely,
Diane Lam

R21-1



2. Response to Comments

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2. Response to Comments

R21. Response to comments from Diane Lam, dated September 22, 2009.

- R21-1 This comment expresses opposition to the proposed project and encourages the preservation of the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R22 – Kathy Lin (page 1 of 1)

From: [REDACTED]
Sent: Sep 22, 2009 10:15 PM
To: Cathy Gott
Subject: support a new pool in San Marino

Dear Julie:
For my kids in San Marino, we would like to support a new pool in San Marino. It will be better for the team. I would appreciate your consideration. | R22-1

thanks
Kathy Lin



2. Response to Comments

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2. Response to Comments

R22. Response to comments from Kathy Lin, dated September 22, 2009.

R22-1 This comment is written in support of a new pool in San Marino. As this comment is not related to the adequacy of the EIR, no further response is necessary.



2. Response to Comments

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2. Response to Comments

LETTER R23 – Kelly Manning (page 1 of 1)

From: Kelly and Peter Manning
To: jboucher626@smusd.us
Cc: info@laconservancy.org; 'Kelly and Peter Manning'
Sent: Tuesday, September 22, 2009 12:59 PM
Subject: MICHAEL WHITE ADOBE = do not destroy

Dear Ms. Boucher:

I'm sending this emailed letter as a LAST MINUTE PLEA for preservation of the Michael White Adobe.

I must note that I'm not proud of the date of this email as I should have sent you communications so many months ago. I'm home with the flu today and unable to attend tonight's meeting!

I am an alumnus of San Marino Schools and 1980 graduate of San Marino High School. This year, I sent my freshman daughter off on her own journey.

I smiled as I walked about campus during Back to School night and of course, as I passed by the Adobe headed for the recent football games!

The memory of the Michael White Adobe structure is a cherished link to my campus of the past! At the time I attended SMHS, we didn't have to grand 2 story structures of new about campus. The Adobe was a small and silent legacy of California history and our community that we were proud to have standing in our presence. We were told of the origin, read the signage at the front of the building and knew that a small town had done right by keeping the structure in its place! Although my school yearbooks are now destroyed from a home flood many years ago, I recall that the Adobe presented itself from time to time as background to swim events, RIVALRY DAYS and other campus activities. It was our little White House and was perfectly fine to remain in its place! It's a shame that new families and administrators don't want to continue honoring its history and support its salvation.

From the above testimonies of my past it must be clear that I oppose the proposal to demolish the Adobe as documented in the EIR and publications released these past months.

As part of our children's education, it is important that they be taught to value their history. We retain the Old Mill, we live a neighborhood away from one of California's oldest landmark Missions. The Michael White Adobe represents in its small way, the same historic value to our community of family and California pioneer spirit.

Once again, the data has confirmed our School District is #1 in the State. This is a testament of our administrators, our parents and our students = our community! We must step up and support a gathering of community, committed to find a solution for preservation of this rare historic building that will remain a legacy our children and future students.

Sincerely,

Kelly Manning

Kelly Manning
[REDACTED]

R23-1



2. Response to Comments

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2. Response to Comments

R23. Response to comments from Kelly Manning, dated September 22, 2009.

- R23-1 This comment expresses opposition to the proposed project and encourages the preservation of the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R24 – Sandy Morris (page 1 of 1)

From: Sandy Morris
To: jboucher626@smusd.us
Sent: Tuesday, September 22, 2009 8:36 AM
Subject: Response to DEIR re: M. White Adobe

Hi Julie....had to register my disappointment and shock after reading the DEIR. Please enter this in as an community response. Thank you,
Sandy

Response to DEIR re: Michael White Adobe

I am totally shocked that the DEIR is all about demolishing the Michael White Adobe and nothing about alternatives to save this historic piece of San Marino History. Is a small parking lot more important than this 164 yr old home – one of only 39 such structures remaining in Los Angeles County? Preserving historic structures is one critical way to teach our students (and my grandchildren) about their community's heritage.

R24-1

Just because no entity has stepped up to fund any moving or renovating at this time, is not the District obligated to provide for alternatives and mitigation ideas in this DEIR as stated in the original proposal?

R24-2

If safety is of concern (why after 60 years?), then surely some measures can be taken to minimize those concerns. Hopefully preservation of the Adobe is more important than additional asphalt.

R24-3



2. Response to Comments

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2. Response to Comments

R24. Response to comments from Sandy Morris, dated September 22, 2009.

- R24-1 The commenter expresses opposition to the proposed project and support for preservation of the Adobe. The comment further suggests that a small parking lot would be developed within the project site. The project description does not include a parking area. The project site would be paved for students to congregate and view athletic events, competitions, and practices. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.
- R24-2 This comment asks if the District is obligated to provide for alternatives and mitigation in the DEIR. The District has done so. Chapter 7 of the EIR discusses project alternatives and Table 1-1 summarizes the mitigation measures required for project implementation. However, it was determined that even after implementation of all feasible mitigation measures, the proposed project would result in a significant impact to the historic resource of the Adobe. The Board of Education will consider action on the proposed project at their October 27, 2009, Board Meeting.
- R24-3 This comment suggests that measures be taken to minimize safety concerns. The Measures have been taken to minimize safety concerns, such as fencing the Adobe to deter unauthorized entry. However, this does not eliminate the liability and hazard that the Adobe poses. The only means to meet the objectives of the project is to 1) remove the Adobe either via demolition (proposed project) or relocation of the Adobe (see DEIR Section 7.3.2, *Relocation to Lacy Park Alternative*), or 2) stabilize the Adobe in accordance with requirements of the Division of State Architect (DSA), the state agency with public school construction oversight (see DEIR Section 7.3.3, *Stabilization In Situ Alternative*).



2. Response to Comments

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2. Response to Comments

LETTER R25 – Lisa B. Singelyn (page 1 of 1)

From: Lisa Singelyn
To: jboucher626@smusd.us
Cc: [REDACTED]
Sent: Tuesday, September 22, 2009 7:06 PM
Subject: PLEASE SAVE THE ADOBE!

Dear Ms. Boucher:

I am a 1983 graduate of SMHS whose parents graduated in 1957 and 1958, respectively. If my mom were alive today, she would join me in strong opposition to the proposal to demolish the Adobe as stated in the Draft EIR.

As an alum of SMHS and 25-year former resident of San Marino, I consider the Adobe to be an important link to our history as a community. The story of Michael White ("Miguel Blanco), his wife and thirteen children is a classic American pioneer story that we should celebrate and honor as a community. As part of the community's education, it is important that they be taught to value their history and preservation of this historic adobe home is the best way to do so.

It was part of my mother's heritage as one of the very first Song Girls at SMHS, and mine as a Cheer Commissioner. That is where we learned our cheers, painted our signs and hosted athletic social events. The Adobe was our "home" at school—a place we deeply respected the history of. My mom taught me about the history adobe when I was a young girl.

Preservation of our historic Adobe is certainly more important than creating a small asphalt area on the High School campus. There is no shortage of paved hardscape on the campus, and once the adobe is demolished, it will be gone forever.

You have the best school district in the State of California. The District is blessed with excellent administrators and active, supportive parents. Given time, together they can find a solution to be proud of that helps the District in difficult times and preserves this rare historic building for the SMHS students.

Sincerely, Lisa Bolton Singelyn
Class of 1983
(daughter of Mary Sue Powell, '58, William Bolton '57)

Lisa B. Singelyn
Publicity and Social Media Specialist



Counterintuity, LLC/Burbank
818.731.0935 direct line
lisa@counterintuity.com

R25-1



2. Response to Comments

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2. Response to Comments

R25. Response to comments from Lisa B. Singelyn, dated September 22, 2009.

R25-1 This comment expresses opposition to the proposed project. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R26 – Gyongyver Sovago (page 1 of 2)

From: "Gyongyver Sovago" [REDACTED]
To: "Julie Boucher" <jboucher626@smusd.us
Sent: Tuesday, September 22, 2009 12:39 PM
Subject: White Adobe house/Pool issue

Hi Julie:

I reviewed the proposed plans for the issues involving the White Adobe house and the relocation and/or expansion of the existing swimming pool on the grounds of San Marino High School.

As the Head Coach of the San Marino Tsunami Swim Team and the one who is faced with the lack of space and time in the pool on an everyday basis, my comments are the following:

1) the community of San Marino needs a pool which is in a DIFFERENT LOCATION than the high school;

-by extending the existing swimming pool in case the Adobe house is moved won't solve any of the issues we are struggling with. In addition, a construction on the site, probably will require to shut down the pool for several months, therefore not having any pool at all;

-placing the pool up where the basketball courts are now and maybe making it bigger, again, will defeat the purpose of having a pool available for the community. The access to the pool will be prohibited during school hours, so classes like Mom & me and aquatic activities for senior citizens or anybody in the community could not happen up till 3PM. At that time again, THE SCHOOL ACTIVITIES WILL HAVE PRIORITY.

2) the existing pool, as it is, IS VERY SUITABLE FOR ALL THE HIGH SCHOOL AQUATICS ACTIVITIES. The issue arises when time and pool space have to be shared with other community programs. And the community programs (swim team, recreation programs) have grown over the years to be very successful offering a variety of possibilities for the kids and families of this community to be involved in. It would be a pity to see these programs stop growing and not being able to accommodate the needs of the community. In the past 3-4 years I myself, had to close enrollment and send kids away to the neighboring cities' teams because there is not enough space and time in the existing pool. And especially this year, I can see, that the high school scheduled almost every possible water polo game in San Marino, which means, that our team has to look for another pool to practice in San Gabriel or Pasadena--and we not always find accommodations. Our kids go days without the possibility to swim despite the fact that they paid into the program.

3) THE PROPOSED FUNDS to extend and/or move the existing pool on the grounds of the high school WOULD BE BETTER SPENT with a better return if another pool would be build (even if it is similar to the existing one) at a different location. The ENTIRE COMMUNITY WOULD BE SERVED this way and not only the high school. The citizens of this city could enjoy a facility all day long and no one would be displaced and have their programs disrupted because there is a school activity which as of now, has priority.



R26-1

2. Response to Comments

LETTER R26 – Gyongyver Sovago (page 2 of 2).

As to the Adobe house, I would love to see it preserved if nothing else on the present location. It could be restored and made safe and used on a daily basis by the students of the school and the community. I could envision to have a media center in there--like coaches who use videos in their educational process would be able to use this house to have a sit down meeting with their team(s) and show them the footage of their practices/competitions. This would be just one of the many possibilities. By having the Adobe house part of this community's everyday life, would teach the young generation about the history of this place and they would learn how to integrate the past and present to work together successfully.

R26-2

2. Response to Comments

R26. Response to comments from Gyongyver Sovago, dated September 22, 2009.

R26-1 This comment is in support of a new pool at a location other than the high school campus. The proposed project as defined in the DEIR consists of the removal of the Adobe and the creation of an open area in its place. This comment is not relevant to the DEIR, and no response is required.

R26-2 This comment expresses opposition to the proposed project and support for restoration of the Adobe. The comment then suggests that a media center be created in the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R27 – Stella and Leo Szeto (page 1 of 1)

From: Stella Szeto
To: jboucher626@smusd.us
Cc: [REDACTED]
Sent: Tuesday, September 22, 2009 11:01 PM
Subject: White Adobe house/Pool issue

Dear Julie:

Our family would like to add our enthusiastic endorsement for a new pool in our community.

Our three children have swam with the San Marino Tsunamis at various periods over the years. Michael is now 20 years old, Stefanie is 19, and Shana is 14. Shana is part of the Tsunamis team now and enjoys it immensely. Our family knows that the Tsunamis is an invaluable part of our community—providing children with an opportunity to swim competitively under an experienced and talented coach, Gyongver Sovago. It fosters maturity, discipline, and above all cooperative learning—things that cannot always be taught in the classroom. Stefanie's time with the Gyongver led her to swim for her high school varsity swim team. We know our story is the same story for many other families.

Right now, practices are scheduled late in the evening making it difficult for many families to make a long term commitment. If there are SMHS water events, the team as a whole must rework our schedules and commute to another pool. This makes our practices almost impromptu and can be very taxing on our families.

A new pool would not only benefit San Marino children but also our seniors, future life guards, and families who do not have a private pool (there are many!). Letting the team have more pool time is integral so more swimmers can join the Tsunamis and strengthen the entire team. Expanding the existing pool at SMHS is not sufficient to meet the needs of a growing team that needs a regular place to practice.

We support this project without hesitation and hope the city approves plans to build a new pool. If we can build a first-class library, we can build a first-class pool.

Respectfully,
Stella and Leo Szeto
[REDACTED] San Marino Avenue

R27-1



2. Response to Comments

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2. Response to Comments

R27. Response to comments from Stella and Leo Szeto, dated September 22, 2009.

R27-1 This comment is in support of a new pool. While the proposed project originally included the expansion of the existing pool or construction of a new pool, as part of improvements to the San Marino High School athletic facilities, these improvements are no longer part of the proposed project. The proposed project, as analyzed in the EIR, now consists of the removal of the Michael White Adobe and the creation of an open area in its place. As this comment is not related to the adequacy of the EIR, no further response is necessary.



2. Response to Comments

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2. Response to Comments

LETTER R28 – Ashley Tsao (page 1 of 1)

From: Ashley Tsao
To: jboucher626@smusd.us
Sent: Tuesday, September 22, 2009 10:10 PM
Subject: Proposal for the San Marino Michael White Adobe Project

Dear Julie, Thank you for all you do for our kids in San Marino. The San Marino Tsunamis swim team would like to express our support for having another pool in San Marino. We have publicly expressed our views and gathered at the joint School Board/City Council meetings with other Tsunami swim team members on several occasions. We plead with the City officials to consider a community pool for the City of San Marino. The Tsunami Swim Team has been one of the most meaningful, beneficial, enjoyable and healthy activities for our kids. It is our belief that if we had more pool time, our San Marino swim club or team would be unparalleled with the leadership of our OUTSTANDING coach Gyongyver Sovago, and her assistant coaches. It has been our experience that other teams in the area do not take into account the "whole" child, and our Tsunami experience is much more than simply a competitive sport. It has helped mold our child into a young man and woman. It is also frustrating to watch families join our team, and find it too difficult to continue, as the practices are so late in the evening. Additionally, when there are San Marino High School events, our team needs to relocate to different pools. If we had our own city pool, it would not only greatly improve our Club swimming program, but provide numerous water safety, family activities, and senior programs. Simply adding more space to the High School pool does not address any of these problems. We truly appreciate your consideration.

R28-1

Thank you again,
Tsunamis Board President
Ashley Tsao
[REDACTED] St. Albans Rd.
San Marino, CA 91108
[REDACTED]



2. Response to Comments

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2. Response to Comments

R28. Response to comments from Ashley Tsao, dated September 22, 2009.

- R28-1 This comment is in support of a new City pool at a site other than the high school. The refined project as provided in the DEIR consists of the removal of the Adobe and the creation of an open area in its place. This comment is not relevant to the DEIR, and no response is required.



2. Response to Comments

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2. Response to Comments

LETTER R29 – Leilani Willmore (page 1 of 1)

From: [REDACTED]
To: jboucher626@smusd.us
Sent: Tuesday, September 22, 2009 6:55 PM
Subject: Michael White adobe

I believe the Michael White adobe is valuable to our community and to our children's children. Surely, there must be an alternative to demolishing it. There may be a time in the future when we would regret this drastic action. | R29-1

Sincerely,

Leilani Wilmore
San Marino resident
Huntington Middle School parent



2. Response to Comments

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2. Response to Comments

R29. Response to comments from Leilani Wilmore, dated September 22, 2009.

- R29-1 This comment expresses opposition to the proposed project and suggests that alternatives must exist. Alternatives to the proposed project are being considered. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R30 – Christiann Arapostathis (page 1 of 1)

From: Arapostathis, Christiann
To: jboucher626@smusd.us
Cc: info@laconservancy.org
Sent: Wednesday, September 23, 2009 10:01 AM
Subject: Save the Michael White Adobe

Dear Ms. Boucher:

I have lived in San Marino my entire life and graduated from SMHS in 1983. What makes the city of San Marino stand out from all the other communities in the Los Angeles area is its dedication to tradition, preservation, high excellence in education and family values, not to mention a feeling of security due to our low crime rate. Visitors always comment that San Marino has maintained its beauty through its architecture. My husband and I, live in a home which was built by the Hancock family in the early 20s (the family who has an area in LA named for them – "Hancock Park") Aritsans from Europe have showcased their works in our home and I have respected and maintained its beauty since my parents passed the home on to me.

I truly feel that it would be an irreversible mistake to demolish the Adobe, as stated in the Draft EIR and that is why I **oppose** the demolition.

The Adobe is an important link to our history as a community. The story of Michael White, his wife and thirteen children, is a classic American story that we should continue to honor. Referring back to our educational system in San Marino, I feel it is necessary that our children's education is maintained in its high standards of being one of the top 10 school districts in the nation. And this can be done by teaching them to value their history and preserve such historic sites as the Adobe home.

How can an asphalt area on the High School campus replace the Adobe home. This does not make any sense to me at all.

Our District has always been blessed with outstanding administrators as well as active and supportive parents. I know in my heart that if we work together as a team we will find a solution that we can all come to support. We need to help our District during this financial crisis, but most importantly we need to preserve this rare historical building for our children and future generations.

Thank you for your time.
Sincerely,
Christiann

Christiann Arapostathis
Executive Assistant to VP
Cacique Companies
Tel: (626) 937-3532
Fax: (626) 369-5780

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R30-1



2. Response to Comments

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2. Response to Comments

R30. Response to comments from Christiann Arapostathis, dated September 23, 2009.

R30-1 This comment expresses opposition to the proposed project. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R31 – Helen Cheng (page 1 of 1)

From: Helen Cheng-Wellmax
To: jboucher626@smusd.us
Cc: [REDACTED]
Sent: Wednesday, September 23, 2009 11:04 AM
Subject: Construction of a new pool for San Marino

Dear Julie,

Thank you for all your continuous supports for our kids in San Marino.

We're very excited to hear that our City Councils are finally considering (seriously) to place a swimming pool in our COMMUNITY. Needless to say, the pro's generated for our residents will surely out-weigh all the con's. I'm sure the rest of the families have already addressed in detail how this project could benefit our residents of all age, especially kids, and we sincerely support their thoughts with no doubt.

We've gone so far to preserve what we've achieved in this outstanding community, which in return also makes this neighborhood more desirable for people to move in. Let's give it a little extra to make it more perfect.

Regards,

Helen Cheng

R31-1



2. Response to Comments

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2. Response to Comments

R31. Response to comments from Helen Cheng, dated September 23, 2009.

- R31-1 This comment is in support of a new pool at a location other than the high school. As described above, the proposed project as defined in the DEIR consists of the removal of the Adobe and the creation of an open area in its place. This comment is not relevant to the DEIR, and no response is required.



2. Response to Comments

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2. Response to Comments

LETTER R32 – Richard de Lorimier (page 1 of 1)

From: Richard & Lisa de Lorimier
To: jboucher626@smusd.us
Cc: [REDACTED]
Sent: Wednesday, September 23, 2009 10:43 AM
Subject: Resident Against Demolition of the Michael White Adobe

To the San Marino Unified School District.

c/o Julie Boucher, Assistant Superintendent, Business Services.

Regarding the Michael White Adobe.

Dear Julie:

I am writing to protest the proposed demolition of the Michael White Adobe.

My family first moved to San Marino in 1963. All seven children in my family attended San Marino schools. I have two brothers and a sister who graduated from San Marino High School. My daughter Emily currently attends San Marino High School and my son Jack currently attends Huntington Middle School. My wife and I consistently contribute monetarily and with our time to our great schools. As a community we are justifiably proud of our schools and the outstanding education they supply our children.

And yet our schools have decided to ignore a significant chapter of our own community's history. What is being proposed is not to simply disregard our history but rather to destroy it. I'm confused by the idea that somehow we demand our children learn the significance of historical events around the world and yet our School Board is proposing we wipe out the history that is directly on the school's campus. How do we justify that to our children or the community?

Please do not move forward with a plan that can never be reversed. Do not destroy the Michael White Adobe.

Sincerely,

Richard de Lorimier

[REDACTED] San Marino Ave.

San Marino, CA
[REDACTED]

R32-1



2. Response to Comments

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2. Response to Comments

R32. Response to comments from Richard de Lorimier, dated September 23, 2009.

- R32-1 This comment expresses opposition to the proposed project. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R33 – Greg Forgatch (page 1 of 1)

From: [REDACTED]
To: jboucher626@smusd.us
Sent: Wednesday, September 23, 2009 2:43 PM
Subject: Opportunities relating to Adobe Location Land Use

Dear Julie,

I am pleased to see that the School Board is considering the use of the land where the Adobe now stands. As this location is in the center of our athletic venues it's an important piece of property and has valuable utility to many of the sports teams and those who support the various programs. Whether a pre-game team meeting location, a fan/booster gathering point for post game Bar BQs, a student/peer group meeting spot, a much needed spectator location for pool events or a place for visiting teams to gather before or after the match, the property could provide for a number of needs for our athletic teams.

R33-1

Thank you for the effort being applied to evaluate this particular location.

Best,

Greg Forgatch



2. Response to Comments

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2. Response to Comments

R33. Response to comments from Greg Forgatch, dated September 23, 2009.

- R33-1 This comment expresses support of the proposed project indicating that the project site could be used to support various sporting events, such as pregame team meetings, fan/booster gathering point for barbeques, student/peer group meeting, spectator location for pool events, and a place for visiting teams to gather before or after a game. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R34 – Denise Gee (page 1 of 1)

From: Denise Gee
To: [Julie Boucher](#)
Sent: Wednesday, September 23, 2009 9:43 PM
Subject: San Marino High School Pool Expansion Project

Dear Ms. Boucher,

I am writing in regards to the San Marino High School Pool Expansion Project and to request a consideration for a fourth scenario (Scenario D). The proposed Scenario D would be to create a city aquatic pool and facility off the school campus to serve both the needs of the community as well as the school.

At present, the Tsunamis Swim Team practices at the on-campus San Marino High School pool with limited accessibility for team-related activities.

The benefits of Scenario D -- a city aquatic facility within the City of San Marino and not on school district property -- are numerous and would extend beyond the Tsunamis Swim Team. While needs of both the San Marino Athletics department and the Tsunamis Swim Team can be met, there are great advantages for the city. Some benefits include: increased opportunity to promote wellness and physical activity, a healthier and water-safe community, opportunities for the city recreation department to offer additional classes, generate revenue for the city and much more. Also, increasing the availability and use of the pool beyond the school would make the construction a worthwhile investment.

R34-1

Please consider investing time and resources in the creation of a city aquatic pool and facility.

Most sincerely,
Denise Gee



2. Response to Comments

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2. Response to Comments

R34. Response to comments from Denise Gee, dated September 23, 2009.

R34-1 This comment requests the creation of a city swimming pool outside of San Marino High School. This comment is not relevant to the DEIR, and no response is required.



2. Response to Comments

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LETTER R35 – Allan and Traci Kawaguchi (page 1 of 1)

From: [REDACTED]
To: jboucher626@smusd.us
Cc: [REDACTED]
Sent: Wednesday, September 23, 2009 8:26 PM
Subject: Community Swimming Pool

Sept 23, 2009

Julie Boucher, Assistant Superintendent
Business Services
San Marino Unified School District

Community Swimming Pool

Ms. Boucher,
Release of the DEIR for the San Marino High School Michael White Adobe Project prompted the writing of this letter. My husband and I currently have two sons participating in the Tsunami swim team, another coming up, and our oldest who swam on the team before joining the SMHS swim and water polo teams. The Tsunami team a very valuable sport experience with excellent coaches who care about the development of our swimmers in so many ways. In fact, it was this positive experience that led our son into high school water sports. Currently the Tsunamis must compete for valuable pool time at the high school and are understandably second in priority to high school team needs. We strongly support the construction of a new community pool not only for the Tsunamis, but also for the many community programs that involve use of a swimming pool. Our team can be strengthened and expanded in so many ways if this opportunity were provided.

If another pool were available, San Marino could also expand it's recreational programs and offer so much more than standard swimming lessons. Other water sports such as water polo, diving, aqua aerobics, etc... could also become a part of the program. In addition, the high school would have much more flexibility in use of its own pool.

We strongly support the construction of a new pool which would become an excellent asset for our community.

Thank you for the opportunity to provide comments.

Allan and Traci Kawaguchi
[REDACTED] Orlando Rd
Pasadena, CA 91107

R35-1



2. Response to Comments

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2. Response to Comments

R35. Response to comments from Allan and Traci Kawaguchi, dated September 23, 2009.

R35-1 This comment requests the creation of a new community pool. This comment is not relevant to the DEIR, and no response is required.



2. Response to Comments

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2. Response to Comments

LETTER R36 – Andrea Lappas (page 1 of 1)

Sep 23 09 04:02p PCH [REDACTED] p.1

To: Julie Boucher Assist. Superintendent Business Services
San Marino School District
FAX (626) 299-7010

From: Andrea Lappas
San Marino CA
Fax [REDACTED]

Dear Ms. Boucher


I am a 39 year resident of San Marino and alumnist of SMHS and I opposed the proposal to demolish the Adobe as stated in the Draft EIR.

Living and working as an Architect in San Marino have provide me with a great appreciation for our unique town with its historically significant buildings such as the Huntington Library, the Old Mill and the shamefully ignored Michael White Adobe, one of only 39 surviving adobe structures remaining in LA County. I strongly oppose destroying our town's history as the Adobe is our communities link to the pioneering spirit of California passed.

Our small city maintains a high standard of living, leads the state in premier education and excels in so many categories why can't we figure out a way to move the small Adobe building to the proposed Lacy Park site thus preserving this rare gem and a piece of San Marino's historical legacy for future generations

Even in these challenging economic times we can not afford to lose the Michael White Adobe.

Respectfully,
A. Lappas



R36-1

2. Response to Comments

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2. Response to Comments

R36. Response to comments from Andrea Lappas, dated September 23, 2009.

R36-1 This comment expresses opposition to the proposed project. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R37 – The Lindsay Family (page 1 of 1)

From: [REDACTED]
To: jboucher626@smusd.us
Sent: Wednesday, September 23, 2009 11:29 PM
Subject: EIR/Adobe

Dear SMUSD:
After reviewing the EIR regarding the Michael White Adobe we feel the demolition or removal of the adobe to another location is not a feasible option.

We strongly urge the Community of San Marino and the District to find a way to recognize and respect OUR historic heritage. We suspect there is a way to preserve and utilize the adobe to enhance and educate our Southern California community for future generations.

R37-1

Sincerely,
The Lindsay Family
Tim Lindsay
Marguerite Lindsay
Madeline Lindsay
Keith Lindsay



2. Response to Comments

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2. Response to Comments

R37. Response to comments from the Lindsay Family, dated September 23, 2009.

R37-1 The commenters believe that the proposed project and project alternatives which would relocate the building are not feasible. As no specific comments are made, no specific response can be given. This comment is noted and will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.

R37-2 This comment urges the preservation and use of the Adobe. This comment is noted. This is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R38 – Stacy and Patrick McCullough (page 1 of 2)

From: [REDACTED]
To: jboucher626@smusd.us
Sent: Wednesday, September 23, 2009 8:44 AM
Subject: Please consider building a community pool

Dear Julie,

Thank you for all you do for our kids in San Marino. Patrick and I would like to express our support for another pool in San Marino. We have publicly expressed our views and attended rallies at the joint School Board/City Council meetings with other Tsunami swim team members and their families on a number of occasions, which we hope have generated awareness.

As a graduate of SMHS, and a former Tsunami swimmer myself, I, along with my husband, appeal to City officials to consider a community pool for the City of San Marino. The Tsunamis Swim Team has been one of the most meaningful, beneficial, enjoyable and healthy activities for both of my children, Kathryn and Austin. It is our belief that if we had more pool time, our City swim club would be unparalleled!! Under the leadership of our OUTSTANDING coach Gyongyver Sovago, and her assistant coaches, including Patrick, we see the potential for our team to grow and thrive. It has been our experience that other teams in the area do not take into account the "whole" child, and our Tsunamis experience is much more than simply a competitive sport – it is something that our entire family has become involved in. It is frustrating to watch families join our team, then find it too difficult to continue, as the practices are so late in the evening, or the lanes become too crowded so that the children cannot have a meaningful practice. Additionally, when there are San Marino High School events, our team needs to relocate to other pools in the area. If we had our own city pool, it would not only greatly improve our Club swimming program, but provide numerous water safety, family activities, and senior programs. Simply adding more space to the High School pool does not address any of these problems. If there is anything we can do to help facilitate fund-raising, we are happy to help.

We truly appreciate your consideration.

Sincerely,



R38-1

2. Response to Comments

LETTER R38 – Stacy and Patrick McCullough (page 2 of 2)

Stacy and Patrick McCullough

STACY McCULLOUGH, SPHR

Director of Human Resources

Bolton & Company
(626) 535-1403 Direct Phone
(626) 583-2130 Direct Fax
[REDACTED]

www.boltonco.com

Corp. License #0008309

2. Response to Comments

R38. Response to comments from Stacy and Patrick McCullough, dated September 23, 2009.

R38-1 This comment is in support of the creation of a new city pool. This comment is not relevant to the DEIR, and no response is required.



2. Response to Comments

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2. Response to Comments

LETTER R39 – Paul R. Spitzzeri (page 1 of 3)

From: [REDACTED]
To: "Julie Boucher" <jboucher626@smusd.us>
Sent: Wednesday, September 23, 2009 12:14 AM
Subject: Public Comment: Michael White Adobe

Dear Ms. Boucher,

I am writing to express my opposition to the proposed demolition of the Michael White Adobe. As a historic site museum curator and historian, whose research has included references to Michael White and his years in 19th-century Los Angeles County, I cannot fathom the logic behind the destruction of a 164-year old adobe house, remodeled numerous time as it has been, in favor of a "concrete-asphalt open area."

Another illogical aspect to this proposal is the statement by a sitting school board member that "we are a small school district, so we don't have big revenue." Yet, the district has been able to spend \$35 million over a decade on campus improvements, when virtually any other high school in a less-affluent area could only dream of the prospect of having \$3.5 million every year to spend on capital projects. Even if money is not available now, it was, at times when the adobe could have been allotted fractions of that capital funding for phased-in maintenance, and could be again, when the economy improves.

It has been stated that the environmental impact report identifies the cost of bringing the adobe up to a standard for public use as \$1 million and the implication is that this sum would have to be generated all at once, which is simply not the case. Historic preservation projects, such as one that could be applied to the Michael White Adobe, are almost always done in phases.

It is hard to justify the plea of poverty, when the real poverty, in fact, has been what the adobe has suffered, due to what can only fairly be termed "benign neglect," since 1955. By allowing this building to sit mostly untended, uncared for, unappreciated, underutilized, but overexposed to the

elements for over half a century, the San Marino Unified School District, which serves one of the most affluent communities in the entire United States, has simply abrogated its responsibility. By allowing the building to deteriorate, the district abandoned its commitment to be the custodian of a historic landmark.

Yet, Superintendent Woods actually is quoted in today's "Los Angeles Times"

article as saying, "We're trying to find a way to protect and preserve as much of the original adobe as possible, but it's very difficult." What has actually been done? What is being done? What is contemplated being done? Every bit of evidence seems to suggest that the answers are: very little, nothing, and demolition. Where is the protection and preservation in allowing a rare example of Mexican-era architecture and history to rot away?

Where is the stewardship?

R39-1

R39-2

R39-3

R39-4

R39-5



2. Response to Comments

LETTER R39 – Paul R. Spitzzeri (page 2 of 3)

The termite damage and the foundation collapsing have happened under the district's watch--it wasn't inevitable, it was simply allowed to happen.

It is not a justification, it is an excuse and it is one that is hardly, by any reasonable standard, justified.

Moreover, Mr. Woods claims that cladding the building in a different material (without explaining why plaster is now unacceptable) would result in the structure losing its "authenticity."

Nearly all historic structures have been changed, the legacy and the symbolism and the significance do not merely lie in the physical integrity of the building, it has to do with the history that was made there on that site over a long period of time. There are historic structures that remain

so even though the interiors have been completely gutted and only the facades left. It's the story that matters, but without some physical reminder to give us a three-dimensional approach to history, the story suffers in the telling.

Is this the lesson the district wants to impart to its students? That making a commitment is meaningless, an empty gesture, a political tool only useful when expediency demands it? That ignoring something, hoping that it

will go away (or deteriorate to the extent that demolition seems an imperative) is a responsible way to conduct civic responsibility?

The generally blank responses given by San Marino High students to the reporter who wrote the "Times" article might seem a justification for tearing the building down. After all, if the students don't know about the

building, why not remove it in favor of a "concrete-ashpalt open area"?

Should it rather be seen, though, that here is actually an opportunity? There are a few students who are aware of the building and once cited in the

article who seemed inclined to starting a preservation club.

Isn't this the prototypical teachable moment?

What if some students got involved, with faculty, with community members, with others in San Marino, to raise awareness, rather than foster ignorance

and apathy, about this irreplaceable landmark?

Why couldn't class projects be developed to deal with what to do with a building in need to repair and renovation, perhaps as part of a history class or government class?

Why couldn't a preservation architect, a structural engineer, or others be enlisted to speak to such a class on the issues behind preservation?

Why couldn't funds be sought, especially in a better economy, from local residents, of whom there are many in your community, for a gradual restoration and renovation project? Board member Chang, in so many words, expressed his support for this when he stated "I'm in favor of people fundraising for its preservation."

If the "Times" article is correct and there are people in San Marino who feel the building is an afterthought, district officials and board members should ponder these statements:

"Others argue that the building no longer serves a purpose . . ." And, who decided this, who is it that allowed the building to sink into insignificance and, who, on the other hand, tried to find a way to bring some sense of purpose to a campus structure?

R39-5
cont'd.

2. Response to Comments

LETTER R39 – Paul R. Spitzzeri (page 3 of 3)

"... and is a safety hazard..." How did the Michael White Adobe become a safety hazard? What did the district do (and not do) that allowed this to be the case?

"...in need of removal from an awkward location..." Who determined the awkwardness and why? In whose charge was this building put and was there concern about awkwardness when the school opened in 1955? The National Trust for Historic Preservation and the Los Angeles Conservancy have just announced a small grant program of \$5,000 to \$10,000 (and, in some cases, more) for projects in the Los Angeles region that seek to preserve structures. The application deadline is 7 November. Is there any reason why funds like this could not be sought for, insignificant as it might seem for the larger preservation of the building? \$5,000 or \$10,000 could go a long way towards treating the structure for termites, for examining and perhaps starting treatment on the foundation, or for other work that could be done.

The question is: what does the school district really want? Does it want to back up the quotes from Superintendent Woods, Board Member Chang, and Board Member Caldwell and promote restoration in a way that doesn't tap needed district funds?

Or, is the district intent on demolishing the buildings because it is simply an inconvenience?

The Michael White Adobe is in the condition it is now because the school district allowed it to become that way. A pattern of benign neglect over a span of decades might provide a ready excuse to destroy the building, but is an indictment on an institution that professes to serve its community. Properly utilized, maintained, and preserved, the building could be a laboratory for exploring community, regional, state and even national and international history and the story of immigrants or as a practical demonstration of the importance of place in communities. Instead, the Adobe has been permitted, in violation of the terms of stewardship that were established when the high school was built on the spot 110 years after the house was erected, to languish and, worse, to rot away.

To throw up its collective hands and give up on the structure, when not a finger has been lifted for years to do anything for it is the epitome of hubris. It is not too late, however, to reverse the damage and implement the first in a series of steps, phased in over years, to bring the building back and make it relevant to the school, the district and the community. There is plenty of wealth in San Marino, but the Michael White Adobe is priceless and its loss would be a blot on the district and the city.

Respectfully,

Paul R. Spitzzeri
[REDACTED] Carbon Canyon Rd.
Chino Hills, California

R39-5
cont'd.



2. Response to Comments

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2. Response to Comments

R39. Response to comments from Paul R. Spitzzeri, dated September 23, 2009.

- R39-1 This comment expresses opposition to the proposed project. This is not related to the adequacy of the DEIR, and no specific response is required. The commenter questions the reason for the proposed project. As described in the EIR, the Adobe is unsafe and poses a liability for the District.
- R39-2 The commenter questions the finances of the District and states that historic preservation projects are almost always done in phases due to fundraising efforts. This comment is not relevant to the DEIR or CEQA, and no response is required. However, this comment is noted and will be forwarded to the Board of Education for their review and consideration.
- R39-3 This comment argues that the District is responsible for the deterioration of the Adobe. This comment is not relevant to the DEIR or CEQA, and no response is required.
- R39-4 This comment asks what has been done to the Adobe. Upon request by the Historical Society, the District has provided minor maintenance for the Adobe. It is uncertain whether the San Marino Historic Society had made any improvements to the Adobe when it occupied the Adobe and used it as its office. The District is not in the business of and does not have the budget for maintaining nonschool function buildings that cannot be utilized by its students and staff.
- R39-5 This comment continues to argue that the District is responsible for the deterioration of the Adobe. The commenter should consider perusing the EIR that has been prepared for the proposed project. The EIR provides information concerning why the building has not been utilized by the District. The Adobe is not Field Act compliant and students and staff cannot enter the building. Additionally, the Adobe poses structural hazards and liability, where the District and Board members would be held responsible in the event of an injury or damages as a result of the deterioration of or another hazard associated with the Adobe. Furthermore, because the Adobe is on a high school campus, the public cannot access the site during school hours. It is mainly these reasons why the District is proposing to remove the hazards posed by the Adobe by 1) removal, either through demolition (proposed project) or relocation (see Section 7.3.2, *Relocation to Lacy Park Alternative*, of the DEIR), or 2) stabilization in accordance with requirements of the Division of the State Architect (see Section 7.3.3, *Stabilization In Situ*, of the DEIR). This comment will be forwarded to the Board of Education for their review and consideration.



2. Response to Comments

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2. Response to Comments

LETTER R40 – Eva and Thomas Yee (page 1 of 1)

Dear Ms. Boucher:

We are parents of SMUSD student. Our daughter is currently attending Huntington Middle School. My husband and I hereby oppose the proposal to demolish the Adobe as stated in the Draft EIR.

We, as residents of San Marino, consider the Adobe to be an important link to our history as a community. The story of Michael White, his wife and thirteen children is a classic American pioneer story that we should celebrate and honor as a community. As part of our children's education, it is important that they be taught to value the history and preservation of this historic adobe home is the best way to do so.

Preservation of our historic Adobe is certainly more important than creating a small asphalt area on the High School campus. There is no shortage of paved hardscape on the campus for the student to congregate. Once the Adobe is demolished, the piece of history will be gone forever and can never be re-built. Although my daughter is only a middle school student, she attends lots of events at the High School campus, such as track and field, Tsunami swim team, volley ball team, etc. She also feels that this piece of history is very important for her once she moves on to the High School.

As the community comes together, we will find a better solution to preserve this wonderful piece of history and let more children from future generations learn about it. Please consider our opinion and we will be most grateful.

Sincerely,
Eva and Thomas Yee

R40-1



2. Response to Comments

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2. Response to Comments

R40. Response to comments from Eva and Thomas Yee, dated September 23, 2009.

R40-1 This comment expresses opposition to the proposed project and encourages the preservation of the Adobe. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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2. Response to Comments

LETTER R41 – Gordon A. Wainwright (page 1 of 1)

Gordon A. Wainwright
[REDACTED] Grafton Street
Los Angeles, CA 90026
Cell phone [REDACTED]
Lic. No. B697934, C29

September 24, 2009

Dr. Gary Woods, Superintendent
Mr. Ian Corrie, Director of Maintenance and Operations
San Marino Unified School District
1665 West Drive
San Marino, CA 91108

Dear Dr. Woods and Mr. Corrie:

I read with interest the article regarding the Michael White Adobe in Tuesday's Los Angeles Times. I am a local general contractor with extensive experience in historic renovations and complicated excavation and moving projects. I've worked for many years in the greater Los Angeles area as well as in New York City. Among my historic preservation clients was the then-buildings commissioner for the City of New York. Projects I've worked on in California include the Chartwell Mansion in Bel Air and the 7th Street Produce Market in downtown L.A.

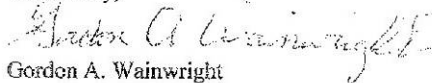
For the Chartwell Mansion, I was responsible for planning and supervising the extension of the existing foundation and building walls 12 feet below the existing footing grade. Without any damage to the building or change to the exterior appearance we were able to increase the square footage of the building by about 20,000 sq. ft.

I read your dilemma regarding the adobe, and I believe the cost estimates you've been given are inflated. I'd be happy to meet with you and provide you an estimate for relocating the building. I can also give you a price for cost effectively demolishing and removing the building, although I realize that's not the preferred option. I believe I can give you a much better price for either option than your experts have given you so far.

I will be leaving on a business trip to Eastern Europe next week. I'll be back in town on October 20 and can be reached on my cell phone anytime after that.

Good luck with the adobe. It would be my honor if I can do anything to help you preserve this historic building.

Yours truly,


Gordon A. Wainwright

Cc: Mr. Eugene Dryden, San Marino Historic Society

RECEIVED
Superintendent

SEP 25 2009

Office
San Marino Dist.



R41-1

2. Response to Comments

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2. Response to Comments

R41. Response to comments from Gordon A. Wainwright, dated September 24, 2009.

R41-1 This comment suggests that the cost of relocation indicated in the DEIR may be inflated. This updated costs are provided in Appendix B of the FEIR, based on qualified and licensed professionals experienced in working on adobe restoration projects. There is no evidence presented that the cost is inflated. As no support for this comment is given, no further response can be offered.



2. Response to Comments

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2. Response to Comments

LETTER R42 – Gary B. Cowles (page 1 of 1)

October 07, 2009

To: Julie Boucher, Assistant Superintendent of Business Services,
San Marino School District, 1665 West Drive, San Marino, CA 91108

From: Gary B. Cowles, [REDACTED] South Arroyo Boulevard, Pasadena CA 91105

Re: Michael White adobe

Dear Ms. Boucher -

I sincerely hope that some way will be found to retain the Michael White adobe located on the San Marino High School campus.

Over the years, many of these relics have disappeared. Mr. Henry Huntington, apparently, saw fit to raze the Daniel Sexton adobe in order to run a spur into his property from Sierra Madre Villa. And, it seems, he had little regard for the Stockton-Cooper adobe near Huntington drive as it was replaced with a modern cottage circa 1910 for his gardener, William Hertrich. At least he spared El Molino Viejo which is to his credit. Also, I believe, in the 1930s the Callahan adobe near the old B. D. Wilson home site was also razed.

Thank you for considering this information in the ultimate decision re the White adobe.

Sincerely -

Gary B. Cowles

R42-1



2. Response to Comments

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2. Response to Comments

R42. Response to comments from Gary B. Cowles, dated September 24, 2009.

- R42-1 This comment supports the retention of the Michael White Adobe on the project site. Examples of razed adobes in the project area are provided. This comment is not related to the adequacy of the DEIR, and no specific response is required. This comment will be forwarded to the Board of Education for their review and consideration prior to taking action on the proposed project.



2. Response to Comments

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