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**Submitted electronically**

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Aldo E. Schindler, Director of Community Development  
City of Whittier  
13230 Penn Street, 2nd Floor  
Whittier, CA 90602  
Email: [aschindler@cityofwhittier.org](mailto:aschindler@cityofwhittier.org)

**Re: Notice of Preparation (NOP) for the Lincoln Specific Plan and  
Fred C. Nelles Youth Correctional Facility Campus**

Dear Mr. Schindler,

On behalf of the Los Angeles Conservancy I am writing to comment on the Notice of Preparation (NOP) for the Lincoln Specific Plan and Fred C. Nelles Youth Correctional Facility Campus. In June 2011, the Conservancy commented on the sale and disposition of the subject property, stating our disappointment in the scope of the RFP and provisions of the sale by the State, as it ignored the historic significance of the site and failed to provide for any level of meaningful preservation for the existing historic resources comprising this historic campus or its overall setting and landscape.

Currently, the proposed project and specific plan seek to demolish fifty of the fifty-two buildings on site, resulting in a significant adverse impact. Based on the historical and architectural significance of the Fred C. Nelles Youth Correctional Facility Campus, we strongly urge the city at this time to mandate consideration of a range (more than one) of potentially feasible alternatives to demolition in the Draft Environmental Impact Report (DEIR). The DEIR should also evaluate scenic and aesthetic impacts in regards to compatibility of new, infill construction and integration with existing historic buildings.

**I. The EIR should acknowledge that Fred C. Nelles Youth Correctional Facility Campus is a historical resource**

The Fred C. Nelles Youth Correctional Facility Campus is a historic public institution that operated continuously from 1891 to 2002 and contains approximately fifty-two buildings. The entire site is listed on the California Register



of Historical Resources and determined eligible for listing on the National Register of Historic Places. At least eight buildings on the campus have been previously identified and appear to be eligible for individual listing on the National Register. Additional historic buildings may be impacted also by the proposed Lincoln Specific Plan and project, as it does not appear that any post World War II campus buildings have been properly surveyed, evaluated and identified as potentially significant.

Courts often refer to the environmental impact report (EIR) as “the heart” of California Environmental Quality Act (CEQA) because it provides decision makers with an in-depth review of projects with potentially significant environmental impacts and analyzes a range of alternatives that reduce or avoid those impacts.<sup>1</sup> A key policy under (CEQA) is the lead agency’s duty to “take all action necessary to provide the people of this state with...historic environmental qualities...and preserve for future generations...examples of major periods of California history.”<sup>2</sup> To this end, CEQA “requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.”<sup>3</sup>

## II. Project Alternatives

CEQA Guidelines require a range of alternatives to be considered in the EIR, with an emphasis on options capable of “substantially lessening” the project’s significant adverse environmental effects. Demolition is a substantial adverse impact that cannot be mitigated to a less than significant level. The Conservancy strongly encourages the city and project developer to look to successful adaptive reuse projects at similar campuses as inspiration for creative conversion. Numerous examples exist in both California and nationally that were financially-feasible while resulting in meaningful preservation.

For example, in Lorton, Virginia, a similar and former correctional facility (known now as Laurel Hill, listed on the National Register of Historic Places) is currently being converted into a 79-acre mixed-use facility. This plan re-purposes former dormitories, workshops, and other historic buildings for housing (one- and two-bedroom rental apartments), commercial, and retail uses. A portion of the complex involving the rehabilitation of ten historic buildings has already been adapted as the Workhouse Arts Center (see attachment, <http://www.workhousearts.org/about-workhouse-arts-center>). In addition to the preservation and reuse of historic buildings, the plan also calls for the building of new townhomes on some of the site’s green space, a similar approach that could be accomplished at the Fred C. Nelles Youth Correctional Facility Campus. The \$148 million project will be completed in two phases.

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<sup>1</sup> *County of Inyo V. Yorty* (1973) 32 Cal.App.3d 795; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4<sup>th</sup> 1112, 1123.

<sup>2</sup> Public Resource Code §21001 (b), (c).

<sup>3</sup> *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41; also see PRC §§ 21002, 21002.1.



CEQA “requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.”<sup>4</sup> To that end, the Draft EIR for the Lincoln Specific Plan and project should prioritize development of alternatives that avoid demolition of the Fred C. Nelles Youth Correctional Facility Campus, and the resulting loss to the city’s cultural heritage.

**No Project Alternative:** As required by CEQA, the DEIR must include a “no project” alternative that considers the viability of retaining the Fred C. Nelles Youth Correctional Facility Campus as is. This should not be presented within the DEIR in lieu of a bona fide alternative that considers and provides for meaningful preservation.

**Reduced-Scale Alternative:** The DEIR should include a reduced scale alternative that would construct a portion of the proposed project, and incorporate more of the existing buildings on campus. At present only two of the historic buildings are to be retained (1920 Superintendent’s Residence and 1929 Administration Building). A reduced-scale alternative could accommodate new housing, commercial and open space land uses, while also preserving more of the historical resource. Greater density may be possible through this approach than currently indicated and more closely adhere to the applicant’s project objectives. Because this option would potentially maintain the eligibility of the National Register buildings, the DEIR’s financial feasibility analysis should take into account regulatory and tax incentives available under the California Historical Building Code, Mills Act, Federal Rehabilitation Tax Credit program, and through conservation easement donation.

**Standards-Compliant Project:** The DEIR shall include an alternative that complies with the Secretary of the Interior’s Standards for Rehabilitation. This option would rehabilitate a majority of the existing historic resources while allowing some limited demolition and new, infill construction. In assessing the viability of a Standards-compliant alternative, the DEIR should include a detailed accounting of projected rehabilitation costs, incorporating regulatory and tax incentives available under the California Historical Building Code, Mills Act, Federal Rehabilitation Tax Credit program, and through conservation easement donation.

**About the Los Angeles Conservancy:**

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 6,500 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Lincoln Specific Plan and Fred C. Nelles Youth Correctional Facility Campus. We look forward to working with the city to

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<sup>4</sup> *Sierra Club v. Gilroy City Council* (1990) 222 Cal. App.3d 30, 41; also see PRC §§ 21002, 21002.1.



talk further about the proposed project and alternatives that result in greater and more meaningful preservation. Please feel free to contact me at (213) 430-4203 or [afine@laconservancy.org](mailto:afine@laconservancy.org).

Sincerely,



Adrian Scott Fine  
Director of Advocacy

Attachment: "A new life for Lorton," *On Site*, Winter 2009-10

cc: Whittier Conservancy  
Office of Historic Preservation, State of California  
California Preservation Foundation

