ARDENWOOD FARM HISTORIC BUILDINGS DEMOLITION PROJECT ENVIRONMENTAL IMPACT REPORT

State Clearinghouse Number 2013082045

Leann Taagepera Environmental Planning

October 30, 2013
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PUBLIC REVIEW DRAFT

ARDENWOOD FARM HISTORIC BUILDINGS
DEMOLITION PROJECT

ENVIRONMENTAL IMPACT REPORT

State Clearinghouse Number
2013082045

Submitted to:
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October 30, 2013
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Appendix B  IS/NOP Comment Letters
Appendix C  Mitigation Monitoring and Reporting Program
Appendix D  Historic Architecture Studies prepared by Ward Hill
Appendix E  Architectural Analyses and Recommendations William Patterson Farming Education Center prepared by Page & Turnbull
Appendix F  Public Notice of Three Historic Houses Available for Relocation and Restoration
1.0 INTRODUCTION

PURPOSE OF THIS ENVIRONMENTAL IMPACT REPORT

This Draft Environmental Impact Report (DEIR) evaluates the environmental impacts associated with the proposed demolition of three buildings of historic significance (known as the Mowry Schoolhouse and the Bettencourt and Brown Houses) which were moved from other locations in 1984-1985 and stored on cribbing at the Ardenwood Historic Farm Regional Preserve (Ardenwood) (See Figure 1, Project Location).

This DEIR has been prepared pursuant to the California Environmental Quality Act (CEQA), California Public Records Code, Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), as amended. The DEIR's purpose is to identify the significant effects of the Project on the environment, to identify alternatives to the Project, and to indicate the manner in which those significant effects can be mitigated or avoided, as stated in the CEQA Guidelines, Section 15002(a). The East Bay Regional Park District (District), as the lead agency, must certify and adopt this DEIR as adequate and complete prior to taking action on the proposed demolition of the Bettencourt and Brown Houses. The cities of Newark and Fremont also are required to evaluate the EIR prior to the approval or disapproval of the project. The City of Newark, as a responsible agency and owner of the Mowry Schoolhouse building, would take action on the proposed demolition of that building. In addition, the City of Fremont owns the land on which the buildings are located and would issue a demolition permit for the remaining two buildings as a responsible agency.

ORGANIZATION OF THE DEIR

The DEIR consists of the following sections:

1. **Introduction** – describes the purpose and objective of the DEIR and the public review process.

2. **Summary** – summarizes the significant environmental impacts of the project, mitigation measures proposed, and any unavoidable impacts.

3. **Project Description** – details information about the project and approvals required.
4. **Historic Resource Impact Analysis** – addresses historic building impacts of the project and proposed mitigation measures.

5. **Alternatives to the Project** – evaluates the potential impacts that could result from the following alternative scenarios to the Project. However, none of the alternatives meet all of the objectives of the project, and all, except for the Demolition of the Bettencourt House and Mowry Schoolhouse and Retaining Exterior of the Brown House alternative, have been considered but rejected, due to their economic infeasibility and inability to meet the objectives.

- No Project – Allowing Continuing of Deterioration of Historic Buildings

- Restoration/Rehabilitation of Historic Buildings

- Reduced Project – Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House

- Reduced Project - Demolishing Bettencourt and Brown House, Moving Mowry Schoolhouse to a Location in Newark.

- Reduced Project – Demolishing Mowry Schoolhouse and Brown House, Moving Bettencourt House to a Location in Fremont.

6. **Other CEQA Topics** – addresses other types of impacts that could result from the project, per the requirements of CEQA, including unavoidable impacts, irreversible environmental changes that may result from the project, growth-inducing impacts and cumulative impacts.

7. **Report Preparers** – lists the report authors and agency staff involved in preparing the DEIR.

8. **References** – includes the organizations and agencies contacted during its preparation and the bibliography of the published material used in the preparation of the DEIR.

**SIGNIFICANT IMPACTS IDENTIFIED IN INITIAL STUDY**

An Initial Study was prepared for this project in July, 2013 (Appendix A) for the purpose of focusing the EIR on the potentially significant impacts that could result from the project. The Initial Study analyses identified only one impact topic that could not clearly be mitigated to a less-than-significant level: historic resources.

The following environmental issue areas were found in the Initial Study to require mitigation to reduce impacts to a less-than-significant level: air quality, biological resources,
cultural resources, hazards and hazardous materials, noise, and utilities and service systems. These are summarized below and listed in Table 2-1:

- **Air Quality:** Impacts are related to construction dust and potential lead and asbestos in buildings to be demolished. Mitigation measures were included in the Initial Study to reduce the impact to less than significant.

- **Biological Resources:** Potentially significant impacts were identified in the Initial Study regarding nesting special status birds and bats. Mitigation measures requiring preconstruction surveys and avoidance for both birds and bats, with the addition of potentially evicting bats, were included.

- **Cultural Resources:** Potentially significant impacts were identified related to the unexpected encountering of prehistoric and historic archaeological resources. Mitigation measures regarding the ceasing of construction activities in the areas of any such finds and their review and evaluation were required in the Initial Study. However, the project description has been further refined and no earth-moving activities would take place as part of the project. The buildings have been stored on cribbing and are not located directly on the ground. Further, the site is not in the area of the known Native American archaeological site. There is no potential for disturbance of any possible historical or Native American archaeology. The mitigation measures identified in the Initial Study are not necessary, since the impact would be Less Than Significant. Therefore, the unnecessary mitigation measures have not been required in this DEIR.

- **Hazards and Hazardous Materials:** Potentially significant impacts were identified regarding the removal of lead paint and asbestos. If these hazards are found to be present, appropriate safety measures would be required.

- **Noise:** The Initial Study identified temporary, potentially significant impacts due to the exposure of neighboring residences to excessive noise levels from construction activities. Mitigation measures were identified which would reduce the impacts to a less-than-significant level.

- **Utilities and Service Systems - Solid Waste:** As part of the proposed project, the existing structures on the site would either be relocated or demolished and disposed of in a landfill. Such waste material is not expected to result in a significant impact to landfill capacity; however, a mitigation measure was included in the utilities and service systems section of the Initial Study to require the salvaging of materials from the buildings.
COMMENTS IN RESPONSE TO THE NOP AND INITIAL STUDY

The District circulated a Notice of Preparation (NOP) notifying responsible agencies and interested members of the public that an EIR would be prepared for the project. The NOP described the environmental topics which to be analyzed in this DEIR. The NOP was published on August 8th, 2013 (see Appendix A). Comment letters from the Museum of Local History, located in Fremont, were received by the City of Newark and the District. In addition, a comment letter was received from the State Office of Historic Preservation regarding archaeology, alternatives, and mitigation measures. Public and governmental agency comments responding to the NOP and the Initial Study for this DEIR were considered when determining the scope of the EIR. Comment letters submitted in response to the NOP are found in Appendix B.

PUBLIC REVIEW PROCESS

The DEIR will be circulated for a 35-day public review period. During this comment period, the public, agencies, and organizations are invited to submit written comments on the adequacy of the DEIR in its assessment of the potential environmental effects which could result from the Project. The State Clearinghouse, an office of the Governor’s Office of Planning and Research, will circulate the DEIR to state agencies that hold jurisdiction over aspects of the Project. Oral and written comments received during the review period, responses to comments and any necessary revisions will be included in the Final EIR (FEIR). The City of Fremont would process a demolition permit through the Historic Architectural Review Board, which would be tasked with approval of the demolition prior to the issuance of a demolition permit by the City Building Department. The City of Newark Planning Commission and City Council would also process a demolition permit. The District Board of Directors, after reviewing the DEIR and FEIR, will decide whether to certify the FEIR as complete and adequate, per CEQA Guidelines Section 15090 Certification of the Final EIR. This Section states that, “(a) Prior to approving a project the lead agency shall certify that: (1) The final EIR has been completed in compliance with CEQA; (2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and (3) The final EIR reflects the lead agency’s independent judgment and analysis.” Certification of the FEIR does not constitute approval of the proposed Project, but certifies that the FEIR and the decision-making process have been completed in compliance with CEQA.
ENVIRONMENTAL IMPACT REPORT PURPOSE

The DEIR’s purpose is to identify the significant effects of the project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided, as stated in CEQA Guidelines, Section 15002(a). The District must certify and adopt this DEIR as adequate and complete prior to taking action on the proposed project. As responsible agencies, the cities of Newark and Fremont also need to evaluate the EIR prior to the approval or disapproval of the project.

PROJECT DESCRIPTION SUMMARY

This DEIR evaluates the environmental impacts associated with the proposed demolition of three buildings of historic significance (known as the Mowry Schoolhouse and the Bettencourt and Brown Houses) which were moved from other locations in 1984-1985 and stored on cribbing at Ardenwood, located at 34600 Ardenwood Boulevard in the City of Fremont. The General Plan designation for the project is Institutional Open Space and the Zoning is Open Space.

Previous efforts at restoration and reuse by the District have been unsuccessful due to the high cost of renovation. Because of public safety issues, the District has proposed demolition without replacement of the three structures. The Ardenwood property is owned by the City of Fremont but managed by the District. The Park was opened to the public in 1985 and includes a working farm and a historic mansion now called the Patterson House which was first constructed in 1857 by the farm's original owner, George Washington Patterson. The Patterson House, landscaping, associated buildings and most of the park’s acreage have been placed on the National Register of Historic Places. The three buildings which are the focus of this project, however, are not considered to be Contributing Elements, since they are not permanently affixed to the property (on foundations) and have never been part of the present part of the Patterson Ranch / Ardenwood Farm property. The Brown House is the only one of the three buildings that is historically associated with Ardenwood Farm. The buildings that are the subject of this evaluation have been stored adjacent to one another in the northwest edge of the park since 1985. This area is occupied by the stored buildings in a wooded area surrounded by Eucalyptus, oak, and other trees. A chain-link fence separates this part of Ardenwood from a paved street and residential homes located to the north. The site is relatively flat. Since being
relocated to the site, the buildings have been kept locked, but have suffered from numerous break-ins, vandalism, theft, and small fires over the years, resulting in public safety issues and damage to the buildings. In addition, the condition of the buildings when they were received, and deferred maintenance, have resulted in the current dilapidated condition of the buildings.

The agencies involved in this project would allow the buildings to be relocated to other sites; however, relocation is not guaranteed at this time, and also may not result in the restoration of the buildings. Therefore, demolition is assumed to be the result of the project. The District has also issued a public notice of the availability of the three buildings for relocation and restoration at the cost of $1.00 to any individual or organization who will commit to relocating and restoring them at its own expense and reusing them for any purpose. The District requested a response from any such interested party by September 30, 2013; but while the notice received considerable, initial interest, no proposals were received. The District has since placed the advertisement in the National Trust for Historic Preservation’s on-line historical real estate site and extended the response deadline to November 29, 2013. While there have been inquiries about the buildings, there have been no offers to date.

**PROJECT OBJECTIVES SUMMARY**

The project’s objectives are to:

- implement the recommendations of the Historic Structures Management Plan contained within the Ardenwood Business Plan (1996);
- provide for public safety at Ardenwood through the removal of three deteriorated historic buildings which have become an attractive nuisance and fire and public safety hazard;
- manage the removal of the buildings guided by the overall management priorities for the Ardenwood Historic Farm and the wise use of public funds.

**ALTERNATIVES TO THE PROJECT SUMMARY**

The DEIR evaluates the potential impacts which could result from the following alternative scenarios to the Project. However, none of the alternatives meet all of the objectives of the project, and, all, except for the “Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House” alternative, have been considered, but rejected, due to their economic infeasibility and inability to meet the objectives.

- No Project – Continuance of Debilitated State of Historic Buildings
- Restoration/Rehabilitation and Relocation of Historic Buildings
- Reduced Project – Demolition of Bettencourt House and Mowry School, and Retaining Exterior of Brown House
- Reduced Project - Demolishing Bettencourt and Brown House, Moving Mowry Schoolhouse to a Location in Newark.
- Reduced Project – Demolishing Mowry Schoolhouse and Brown House, Moving Bettencourt House to a Location in Fremont.

SUMMARY OF ENVIRONMENTAL IMPACTS

The Initial Study (see Appendix A) prepared for the project and Chapter 4 of this DEIR discuss the potentially significant impacts which could result from the project and mitigation measures which would reduce those impacts to an acceptable level. This DEIR further analyzes the issue of Historic Resources. A summary of all of the significant impacts is presented in Table 1-1, along with the associated mitigation measures. Impacts that were found to be less than significant are identified and discussed in the Initial Study.

SIGNIFICANT UNAVOIDABLE IMPACTS

Table 1-1 summarizes all potentially significant impacts associated with the proposed project, and all but one of these impacts would be reduced to less-than-significant levels by implementation of mitigation measures included in the Initial Study. Project implementation would also result in the demolition of historically-significant structures, which is a significant impact under CEQA. Implementation of mitigation measures would not reduce this impact to a less-than-significant level. Therefore, this impact would remain significant and unavoidable. The buildings have been offered for relocation; however, this option may not be feasible. The project’s contribution to cumulative impacts on significant historical resources would be considerable, and remain a significant cumulative and unavoidable impact of the project.

ISSUES TO BE RESOLVED

The District and the cities of Newark and Fremont will need to decide whether to adopt the project as proposed or one of the alternatives identified in this EIR. The agencies could also adopt a combination of elements from the project and the alternatives. The No Project Alternative is the environmentally superior alternative, but this alternative does not meet the project objectives. The District will need to consider the mitigation measures proposed in the EIR and include them as conditions of the project if that is decided.
ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The Environmentally Superior Alternative would be the alternative that results in the fewest environmental impacts while meeting the project objectives. If the Environmentally Superior Alternative is the “No Project” Alternative, CEQA requires that the EIR shall also identify an Environmentally Superior Alternative among the other alternatives. The “Reduced Project – Demolition of Bettencourt House and Mowry School, and Retaining Exterior of Brown House” alternative would reduce one significant impact, as one building out of three would not be demolished. In addition, as discussed later in the document, the Brown House is the only one of the three buildings to be associated with the Patterson Ranch. Therefore, this alternative would be the Environmentally Superior Alternative.

AREAS OF PUBLIC CONTROVERSY

The demolition of the historically-significant structures, which is the proposed project, is the area of controversy associated with the project. With no viable relocation options presented by any agencies, organizations or members of the public or new sources of funding, the buildings would need to be demolished to meet the objectives of removing the public safety and attractive nuisance issues associated with the storage of the vacant buildings in Ardenwood.
## Table 2-1
### Summary of Potential Impacts and Mitigation Measures

<table>
<thead>
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<th>Potential Impact</th>
<th>Significance</th>
<th>Mitigation Measure</th>
<th>Significance After Mitigation</th>
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<tr>
<td><strong>Air Quality</strong></td>
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</table>
| AQ-1: Demolition of the buildings would result in dust creation. | Significant | AQ-1: The EBRPD shall require its construction contractor to implement a dust control plan that shall include the following Basic Construction Mitigation Measures (as appropriate for the building demolition plans) as recommended by the BAAQMD:  
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph. | Less than Significant |
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<td>AQ-2: The demolition of the buildings could result in exposure of people to lead and asbestos.</td>
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<td>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.</td>
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<td>AQ-2: To address the potential for lead and asbestos in buildings to be demolished, the EBRPD shall:</td>
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<td>• Use abatement contractors that are licensed by the State of California and registered with the Department of Occupational Safety and Health (DOSH).</td>
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<td></td>
<td>• Require contractors to remove prior to demolition asbestos-containing material that may be impacted during demolition, in accordance with local, state, and federal asbestos regulations.</td>
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<td>Potential Impact</td>
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<td>Require that contractors who have employees working on this project with potential lead-based paint exposure are required to assess lead exposure risk to their employees (as per Cal OSHA lead standard CCR Title 8 Section 1532.1).</td>
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**Biological Resources**

**BIO-1:** Demolition of the buildings could result in disturbance of bats.

<p>| BIO-1: Significant: | BIO-1: Since the historic structures on site provide potential habitat for bats, bats could become established within the structures at any time. A follow up bat survey shall be conducted by a qualified bat biologist within three weeks prior to demolition to determine if any roosting bats are present within the Mowry Schoolhouse, Bettencourt House or Brown House. Bat surveys shall consist of a minimum of one daytime survey and two nights of emergence surveys. If no active roosts of protected or special-status species of bats are found, then no further action would be warranted. If a qualified biologist identifies evidence of roosting bats and either a maternity roost or hibernacula (structures used by bats for hibernation) of protected or special-status species of bats is present, the District shall consult with the California Department of Fish and Wildlife (CDFW) regarding appropriate protective measures. The following shall be implemented: |
|-----------------|-------------|-------------------------------------------------|-----------------------------|</p>
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<td>BIO-2: Demolition of the buildings could result in disturbance of nesting special status birds.</td>
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<td>a) If a bat roost is detected, the bat biologist shall assess the colony to determine if non-volant (young of the year) bats are present. If young are not present, exclusion may proceed as follows: A qualified bat biologist shall exclude the bats from the structures by installing one-way exclusion devices. After the bats vacate the cavities, the bat biologist shall plug the cavities. The demolition contractor shall only remove structures after the bat biologist verifies that the exclusion methods have successfully prevented bats from returning, usually in seven to 10 days. b) If non-volant bats are determined to be present, the biologist shall only conduct bat exclusion and eviction from February 15 through April 15 and from August 15 through October 30 to avoid impacts on non-volant bats.</td>
<td>Less than Significant</td>
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BIO-2: If demolition activities occur outside of the nesting bird season (September 1 – January 31), no pre-demolition surveys for migratory birds are necessary. If demolition is scheduled during the migratory bird breeding season (February 1 to August 31), The EBRPD shall ensure that, no more than two weeks prior to the initiation of demolition of the structures and/or tree removals or pruning; or other activities related to the demolition, a qualified biologist shall perform a...
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<td><strong>Significant</strong></td>
<td>Pre-construction survey for nesting migratory passerines and raptors. If the biologist detects no nesting or breeding activity, work may proceed without restrictions.</td>
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**Cultural and Historic Resources**

**HIS-1:** The project would result in the demolition of three historically-significant buildings.

**Significant**

HIS-1: The District *(for the Bettencourt and Brown Houses)* and the City of Newark *(for the Mowry Schoolhouse)* shall prepare a report for each building to document its architecture and history. The reports shall consist of the Page & Turnbull report (Page & Turnbull, Inc., Architectural Analyses and Recommendations: William Patterson Farming Educational Center, prepared for the East Bay Regional Park District, June, 1991), the reports prepared by Ward Hill, as pertinent to each building, 1997, 2011) plans and drawings of the buildings, copies of any photographs taken in the past, and current interior and exterior photographs.

The documentation shall be filed with the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System, the Fremont Museum of Local History, and other local historical societies, if requested, and drawings and historical descriptions shall be used as part of interpretive materials at Ardenwood. In addition, the reports shall be available in an electronic format to allow museums or other
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<td>interested groups better access to the information.</td>
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<td>HIS-2: Salvaging of Materials. Prior to the demolition of the buildings, the District <em>(for the Bettencourt and Brown Houses)</em> and the City of Newark <em>(for the Mowry Schoolhouse)</em> shall salvage any unique or interesting external and internal material and architectural features of the buildings which may be reused for educational purposes or be incorporated into other buildings. Deconstruction methods shall be utilized that minimize damage to historical features. Examples of potential items to be salvaged include decorative brackets, corbels, molding, siding, historic paneling, and doors. The District may sell or give salvaged materials to a local historical organization or to a recycling/reuse materials company.</td>
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<td>HIS-3: If the “Reduced Project – Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House” alternative is not chosen, this mitigation measure would be required. Public Interpretation. The District shall prepare a permanent exhibit on immigrant and other Patterson Ranch farm workers and their housing or the Brown House specifically, which is the only</td>
<td>Less than Significant</td>
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<tr>
<td>Potential Impact</td>
<td>Significance</td>
<td>Mitigation Measure</td>
<td>Significance After Mitigation</td>
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</tr>
<tr>
<td>A building stored in Ardenwood that is associated with the historic farm. This could include the history of the building, the workers who lived in it, and farm working housing in general, any historic and current photographs, drawings, or other historical material. The exhibit shall be placed in a publicly accessible location in Ardenwood.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>Hazards and Hazardous Materials</strong></td>
<td>Significant</td>
<td>See AQ-2.</td>
<td>Less than Significant</td>
</tr>
<tr>
<td><strong>Noise</strong></td>
<td>Significant</td>
<td>NOISE-1: The District shall require its construction contractor to comply with City of Fremont hours of construction. For construction within 500 feet of any residences, construction hours shall be limited to weekday hours of 7:00 a.m. to 7:00 p.m. and the Saturday or holiday hours of 9:00 a.m. to 6:00 p.m., and Sunday construction is not allowed.</td>
<td>Less than Significant</td>
</tr>
<tr>
<td>Potential Impact</td>
<td>Significance</td>
<td>Mitigation Measure</td>
<td>Significance After Mitigation</td>
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<tr>
<td><strong>Utilities and Service Systems</strong></td>
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<tr>
<td>UTIL-1: The project could result in the addition of solid waste to landfills. The Altamont Landfill near Livermore would likely be utilized for the project. Such waste material is not expected to result in a significant impact to landfill capacity; however, a mitigation measure has been added to require the salvaging of materials from the buildings to comply with City of Fremont Municipal Code Section 8.40.</td>
<td>Significant</td>
<td>UTIL-1: If the buildings currently on the project site are demolished, the District shall comply with the requirements of the City of Fremont Municipal Code Section 8.40. The District shall require that the construction contractor salvage as much material as possible, including architectural features, doors, windows, fixtures, etc., to avoid placing such material into landfills. The materials shall be sold or donated by the construction contractor, as directed by the District. Contract specifications shall address this and shall be approved by the EBRPD.</td>
<td>Less than Significant</td>
</tr>
</tbody>
</table>
3.0 PROJECT DESCRIPTION

PROJECT SITE LOCATION AND SETTING

The proposed project is the removal (demolition or relocation - if possible) of three buildings of historic significance (known as the Mowry Schoolhouse and the Bettencourt and Brown Houses) which were moved from other locations in 1984-1985 and stored on cribbing at Ardenwood.

Previous efforts at restoration and reuse by the East Bay Regional Park District (District) have been unsuccessful due to the high cost of renovation. Because of public safety issues, the District has proposed demolition without replacement of the three structures. Each building is described in more detail below. The Ardenwood property is owned by the City of Fremont, but managed by the Park District. The Park was opened to the public in 1985 and includes a working farm and a historic mansion now called the Patterson House which was first constructed in 1857 by the farm’s original owner, George Washington Patterson. The Patterson House, landscaping, associated buildings and most of the park’s land have been placed on the National Register of Historic Places.

Patterson called his estate "Ardenwood", after the setting of Shakespeare’s play, As You Like It. The Park preserves a portion of the former Patterson Ranch, one of the largest working farms in Alameda County during the late 19th century. The park also includes a pool, tennis court, picnic areas, a blacksmith shop and various other farm buildings, plus farm animals and pens. The District hosts many events at Ardenwood throughout the year.

The buildings that are the subject of this evaluation have been stored near to each other in the northwest edge of the park since 1985. This area is occupied by the stored buildings in a wooded area surrounded by Eucalyptus, oak, and other trees. A chain-link fence separates this part of Ardenwood Historic Farm from a paved street and residential homes located to the north. The site is relatively flat. Since being relocated to the site, the buildings have been kept locked, but have suffered from numerous break-ins, vandalism, and small fires over the years, resulting in public safety issues. In addition, the condition of the buildings when they were received, deferred maintenance, and the passage of time, have resulted in the current dilapidated condition of the buildings. For example, in 1997, the Mowry Schoolhouse suffered from a severe termite infestation. The agencies involved in this project have advertised the availability of the buildings to be relocated to other sites; however, relocation is not guaranteed.
at this time, and also may not result in the restoration of the buildings. Therefore, demolition is assumed to be the result of the project.

The project site, within Ardenwood, is bounded by the park’s open space and trees. Ardenwood is surrounded on all sides by suburban development. Single-family residences are located to the north, northwest and west of the project site. To the northeast is Interstate - 880, the Nimitz Freeway, and to the east is State Route 84 and Decoto Road. Commercial and residential development is located farther east of Highway 84. Office parks and other commercial land uses are located to the south and southwest.

**PROJECT BACKGROUND**

In 1984-1985, the District, working with the cities of Fremont and Newark and the then-owners of the land on which Ardenwood Historic Farm now is located (the Patterson family) agreed to the relocation of four buildings to Ardenwood in order to vacate land for other, private development projects. The Mowry Schoolhouse was moved from Newark and the other two houses were moved from other locations in Fremont. Originally, a fourth building was also moved to the site. However, that building (the Tacchela Gomes House) was determined not to qualify for historic status and has since been demolished. At the time, it was hoped that the four buildings would become an education center with a historic village theme within Ardenwood Historic Farm. Ownership of the Mowry Schoolhouse was transferred to the City of Newark in 1997 and the intent was for the building to be relocated and restored in the City of Newark.

Due to the high cost of renovation and lack of funding from the District, the City of Newark, or the City of Fremont, the restoration of the buildings has become economically infeasible despite various intents and efforts to rehabilitate the buildings. The District and the City of Newark did intend to restore the buildings, with the District receiving grants for the restoration of the Brown House and the City including the Mowry Schoolhouse as a line item on its Capital Improvement Plan. Funding was not secured by the City for this item, however. In the end, none of the entities were able to accomplish the restoration of the buildings. Various efforts were made to protect and restore the buildings over the years as detailed in the following paragraphs.

**Bettencourt and Brown House Preservation Efforts**

The background on the District’s efforts to rehabilitate the Bettencourt and Brown Houses is based on a chronology prepared by Ira Bletz, Ardenwood Historic Farm Supervising Naturalist,
as updated by Diane Althoff, the District’s Chief of Design. On April 17, 1984, the Fremont City Council determined, at the recommendation of the Ardenwood Regional Preserve Advisory Committee (ARPAC) that the Brown House or the “Patterson Ranch Road farmhouse” is “of historic importance to the history, architecture, and culture of the area.” In addition, on May 7, 1985, the Fremont City Council, also at the recommendation of ARPAC, determined by motion that the Bettencourt building was “of historic importance to the history, architecture, and cultural of the area.” These requests were made of the City Council in order for the buildings to be relocated and preserved using the State Historical Building Code, instead of the Uniform Building Code. The staff reports stated that “Strict application of the Uniform Building Code in regulating changes to the buildings would destroy the historic character of the structures and make them infeasible to move.” The buildings were not placed on the City’s list of historic structures, but were included on the City’s Secondary Historic Resource list, which has no official status and does not provide any protections to resources on this list. In 2004, the City of Fremont recognized the Brown House as eligible for the California Register. However, no formal nomination process for such a listing took place.

The Bettencourt and Tacchela houses were accepted by the District from a developer in the City of Fremont in 1984. The District allocated $25,000 for their relocation in March of 1985 at the same time it applied for 1984 Bond Act funds for the two buildings in the amount of $241,000. In October of 1985, ARPAC revised funding priorities for the 1984 Bond Act projects. The Bettencourt and Tacchela houses were lowered on the priority list. ARPAC recommended to the District’s Board of Directors that any available funds should be used to fully develop the farm area, with the top priority being the food service building, before developing the Patterson Education Site. In the next month, ARPAC recommended that the buildings be deleted from the 1984 Bond Act priority list altogether. As a result, the “William Patterson [Education] Center Barn - $96,000” was deleted from the 1984 Bond Act list by the City of Fremont.

In 1986, District staff began to prepare plans and specifications for the rehabilitation of the Bettencourt and Tacchela houses, with a budget of $150,000. ARPAC recommended that the priorities for any future work be foundation, framing, and roofing. In June of 1987, ARPAC discussed the proposed interpretive program for the site. The Regional Parks Foundation and the District began exploring possible grants and other funding. In August of the same year, ARPAC received an approval for a “Proposed Use of Available Funds (1984 Bond Act). It showed $144,000 for historic house rehabilitation under “Current Projects with 1984 Bond Act

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Grant Funds.” Later that year, the District’s Board approved the use of grant funds for the buildings in the amounts of $66,336 for rehabilitation and $29,459 for foundation work.

Approximately a year later, in September 1988, District staff reported to ARPAC on the estimated costs of foundations and some frame work for the Bettencourt, Tacchela, and Brown Houses in the amount of $118,542. The meeting minutes of September 26, 1988 state that “The original grant which was intended to cover the cost of the foundations was diverted to cover the cost of installing the well.” Later that year, the District Board removed the three buildings from the list of projects to receive grant funds in favor of other projects at Ardenwood. Through the years of 1989-1995, the District continued to seek grant funding for the buildings. The cost of restoration rose dramatically after the California State Department of Parks and Recreation indicated that any grant applications for restoration funds would have to include retrofitting the buildings for accessibility. A 1991 report commissioned by the District estimated restoration costs for all four buildings at $1,270,160 (Page & Turnbull, 1991. This report is described further in this EIR section.)

In November of 1996, the District Board approved the Ardenwood Historic Farm, Phase One Business Plan2, the purpose of which was to decrease the percentage of tax-supported, General Fund revenue supporting Ardenwood’s operations while increasing visitorship and revenue-generating activities and contributions from public-private partnerships in the park. District staff began seeking outside partnerships to provide funding for building restoration.

The Business Plan included an Historic Structures Management Plan. This Plan is excerpted below:

   Historic Structures Management Plan

   The houses and other old structures currently being “stored” at Ardenwood, with the expectation that they will be restored, require a specific plan to be adopted. These structures are not listed as Primary Historic Resources in the City of Fremont’s General Plan, and are therefore not subject to the regulations in Article 19.2 Historic Resources of the Zoning Code, which includes review by the Historic Architectural Review Board and a 90 day demolition grace period.

   There are perception issues that need to be clarified with a wider audience than just the specific interests represented in the Business Plan Process. These perceptions include the following: (1) that these buildings have official historic

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2 East Bay Regional Park District, Ardenwood Historic Farm Phase One Business Plan, Resolution No. 1996-11-291 November, 1996
status; (2) that these buildings were relocated to Ardenwood based on a commitment from the District to rehabilitate them; (3) that the District can afford to carry out rehabilitation projects; and (4) that these buildings are appropriately located because of the National Register status of the site. (See Appendix E, to address these perceptions and other probable questions about the project) The Business Plan proposes that the following process be followed to determine the interest in preserving these structures:

A. Contact representatives from local historical organizations to determine interest.

B. Evaluate site conditions on the present level of deterioration, fire Marshall issues, liability issues, etc.

C. Document the level of support that can be provided by the District and other interested parties. Promote a sponsorship effort for those that wish to save any existing or potential new structures. The District should determine the specific level of support it can provide and give others up to two years to commit to sponsorship levels that will save the structures. Structures that have not garnered support within that time should be removed or destroyed.

D. Compile a historic photo and written record from District sources and the Museum of Local History to augment the more recent photos and floor plans in the Page & Turnbull document.

E. Update the National Register nomination in State Historic Preservation Officer’s records, using new information now available in archaeologic reports and oral histories.

In August of 1997, the District Board transferred ownership of the Mowry Schoolhouse to the City of Newark and the District commissioned architectural historian Ward Hill to complete a Historic Architecture Assessment of the other three buildings (Hill, 1997, 2011). The Tacchela House was found not to meet any of the four criteria for listing as historic on the California Register. The Bettencourt and Brown houses were found to be potentially eligible for the California Register, under Criterion C, (“…resource embodies the distinctive characteristics of a type, period, region, or method of construction…”). In 1998, representatives of the Newark Unified School District made a presentation to ARPAC on a project to rehabilitate the buildings.

In October of 2000, the Alameda County Parks, Recreation and Historic Commission (PRHC) voted to allocate $275,000 in County Proposition 12 Per Capita Funding to the Brown House relocation and rehabilitation project. In August of the next year, the District Board authorized
the allocation of that amount in Proposition 12 funding for the Brown House and the funding was to be available in 2002.

In January of 2003, the Brown House Rehabilitation project was placed on the 5-Year Capital Improvement Project list. The District’s Architect and Chief of Interpretation began meeting with PRHC to determine the scope of the project. In December of the same year, the District Board allocated additional funding of $200,000 from Proposition 40 in the 2004 Capital Budget for site work related to the Brown House Rehabilitation project.

As mentioned above, in February of 2004, the City of Fremont determined that the State Historical Building Code could be applied to the rehabilitation of the Brown House. However, conversion to a publicly accessible use increased the budget significantly, due to current building codes for seismic retrofitting, fire protection (sprinklers) and disabled access. In July, the PRHC asked that an “architectural rendering” of the Brown House be supplied by the District by December. Submission of plans to the City of Fremont by the end of the year was considered to be the District’s commitment to move the project forward.

In January of 2005, the District submitted architectural plans and elevation drawings of the Brown House structure to the PRHC and conveyed the District’s concerns about the increasing costs of the project. Due to the high costs and lack of sufficient funding, District staff suggested abandoning the project. PRHC passed a resolution at that meeting to terminate the Brown House Rehabilitation project and to reallocate the $275,000 County share of Proposition 12 funds to another eligible project. The next month, the District/Fremont Liaison Committee concurred that the Brown House Rehabilitation project should be terminated. On June 22, 2005, the District Board authorized the abandonment of the Brown House Rehabilitation project. The staff report stated that,

The Brown House was originally identified by the Alameda County (PRHC) as a candidate for historic restoration because of its age (circa 1850’s), original location within the Patterson Ranch, the box-style of construction (now obsolete) and its use, which is representational of a ranch worker’s quarters. The Park District saw further value in utilizing the Brown House as an indoor interpretive/exhibit space and to that end the Board of Directors allocated an additional $200,000 in State Proposition 40 monies to the project for related site improvements. However, the deteriorated condition of the structure combined with code compliance for issues of life safety and access required in the conversion of the Brown House from residential to public use have greatly escalated the projected costs.
The Board action also changed the Project Account No. for the remaining $200,000 in District Proposition 40 funding to “Improvements/Ardenwood.” The District Resolution No. 2005-06-113 stated that “the Park District staff has determined that the escalated costs of an accurate, historic renovation of this small, 16’x20’ structure for public use now outweighs the benefits.”

Mowry Schoolhouse Preservation Efforts

On November 8, 1984, the City of Newark City Council approved Resolution No. 4629 determining that the Mowry Schoolhouse is a “historical resource.” This resolution granted the City a Conditional Use Permit to designate the building and the site. At the time, the owner of the building wished to demolish the building to allow for the sale and development of the site. The findings in conjunction of the Conditional Use Permit stated that the building “after relocation and restoration will be a valuable historical resource as a habitable structure of historical significance.” This action was taken while estimating the restoration cost to be $25,000. At that time, the District planned to incorporate the Schoolhouse building into its plan for the restoration of all three buildings at Ardenwood. The City then requested that ownership be transferred to the City in 1997 with the intent of restoring the building at the site of a proposed historical museum complex in Newark, instead of in Ardenwood. However, the funding for the restoration, maintenance, and operational costs was not allocated or secured and there is no expectation that it will be obtained in the future. The current estimate for restoration of the building is $850,000. At this time, the District has requested that the City remove the Schoolhouse from Ardenwood.

PREVIOUS HISTORICAL ASSESSMENTS

Page & Turnbull, Inc. of San Francisco was retained by the District in 1991 to assess the historical significance and the physical integrity of the then-four historic buildings that were moved to Ardenwood. As noted above, the Tacchela Gomes House was determined in December, 2011 not to qualify for historic status and was demolished after that time. In addition, Page & Turnbull conducted a historic building code analysis of the structures to describe the expected changes that would be required of the buildings in order to convert them to their then-proposed uses as a historic farm educational center or office use. Page & Turnbull also prepared cost estimates comparing rehabilitation costs with the costs of duplicating the structures from new materials. The total recommended budget for renovating the remaining

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3 East Bay Regional Park District, Board of Directors, Resolution No. 2005-06-113.
4 Newark City Council, Council Meeting Agenda, Item F.3, May 9, 2013.
The cost for the Brown House was estimated to be $176,392; the Bettencourt House, $470,138.00, and the Mowry Schoolhouse, $313,380.00. The report found that the cost of replicating the buildings was higher than the cost for rehabilitation. Due to the passage of time, the three buildings are currently in a more dilapidated state than when the report was prepared in 1991.

In 2011, Ward Hill, an architectural historian who had prepared the original, 1997 historical assessment, was retained by the District and the City of Newark to revisit and update the historic architecture assessments of all three buildings. Photographs of the buildings are shown in Figure 2 and the Ward Hill architectural assessments are discussed below.
Figure 2: Building Photographs

Ardenwood Historic Farm
Fremont, California
The Mowry Schoolhouse

The Mowry’s Landing School building (referred to herein as the “Mowry Schoolhouse”) was constructed in 1884 after an original school was destroyed by fire. The school served the local farming families, who were mostly Swiss and Portuguese immigrants who operated nearby dairies. The one room schoolhouse was remodeled as a residence in 1939. Prior to remodeling, it was the last one room school house in Washington Township, which was one of the six Townships that originally comprised Alameda County. Washington Township contains Union City, Newark, Fremont, and small unincorporated areas nearby. In the early 1980’s, the owner of the building attempted to gain approval for demolition; however, the building was granted historic designation by the Newark City Council in 1985 under the City’s adopted historic sites ordinance. The designation resulted in negotiations and efforts to move the building to Ardenwood Historic Farm, which was achieved in 1985. Ownership of the building was later transferred to the City of Newark in 1997. In a 2012 historical evaluation, commissioned by the City, the building was determined to be eligible for the California Register of Historic Places, under Criterion 3 – “the resource embodies the distinctive characteristics of a type, period, region, or method of construction.” It is described as a “particularly rare surviving example of a rural “one-room” school building in not only Washington Township, but also in Alameda County.”

Bettencourt House

The Bettencourt House was moved from a site in the Centerville area of Fremont, near Peralta Boulevard and Paseo Padre Parkway. It was originally adjacent to the Tacchela Gomes House, which was determined not to be historically significant and has been demolished. The house was originally owned by a local farmer, John Bettencourt, an immigrant from Portugal. The house has two main sections: the gable-roofed rear portion probably dating from late 1860s/early 1870s, and the large cross-gable, Queen Anne style, front portion dating from the late 1880s. The rear portion of the house was a simple, classical revival farm house common in Washington Township during the 1850s and 1860s. A 2011 historical evaluation of the building, which updated a 1997 evaluation, concluded that the Bettencourt House appears to be eligible for the California Register of Historic Places, under Criterion 3 – “the resource embodies the distinctive characteristics of a type, period, region, or method of construction.” The house was described in that evaluation as a “particularly distinguished example of the Queen Anne Style

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in Washington Township” and a “rare and interesting example of how the form of a 19th century farm house grew and evolved over time…”

**Brown House**

The Brown House is the only one of the three buildings that is historically associated with Ardenwood, although, like the other houses, it was never located on the land that currently comprises the park. The building was not originally constructed as Patterson Ranch farm worker housing. It was said to have been built in the 1850’s by George Simpson, who was a squatter on Rancho Petrero de los Cerritos, owned by Augustin Alviso. Simpson eventually bought the land from the Alviso in 1862. The land was later purchased by William Patterson, becoming a part of the vast land holdings that comprised the Patterson Ranch. The house was occupied by Joe Brown, one of the two permanent ranch hands on the Patterson Ranch, along with Manual Martin, and his family. Joe Brown was an immigrant from Portugal, who changed his name from Brun to Brown, and worked for the Patterson Ranch for approximately thirty-five years, living on the farm in the Brown House from approximately 1918 until 1934. The house was said to have been located at the corner of Marsh Road (now Newark Boulevard) and Jarvis Street, and later moved to Ardenwood Historic Farm in 1985.

The Brown House was described in a 2011 update to a 1997 historical evaluation as a rare surviving example of box or vertical plan construction from the early years of Washington Township. The same evaluation concluded that the Brown House appears to be eligible for the California Register, under Criterion 3 - “the resource embodies the distinctive characteristics of a type, period, region, or method of construction”. It was described as a particularly rare example of an early house in Washington Township and as one of the few surviving local examples of box construction. The report also concludes that the Brown House appears to be eligible for the California Register under Criterion A - “the resource is associated with events or patterns of events that have made a significant contribution to the broad patterns of local and regional history,” due to its associations with the history of the Patterson Ranch.

**PROJECT OBJECTIVES**

CEQA Guidelines Section 15124(b) states that the project description shall contain “A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid

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7 Ward Hill, Historic Architecture Assessment Three Houses at Ardenwood Historic Farm, Fremont, California, December 20, 2011.
8 Ibid.
9 Ibid.
the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.”

The District’s objectives for the project are to:

- implement the recommendations of the Historic Structures Management Plan contained within the Ardenwood Business Plan (1996);
- provide for public safety at Ardenwood through the removal of three deteriorated historic buildings which have become an attractive nuisance and fire and public safety hazard;
- manage the removal of the buildings guided by the overall management priorities for the Ardenwood Historic Farm and the wise use of public funds.

**PROJECT SCHEDULE**

Demolition of the existing structures on the project site is estimated to occur in 2013 or early 2014. It is expected that the buildings would be removed in approximately one or more days. Prior to demolition, the buildings would be analyzed to determine if lead or asbestos was present. If so, compliance with lead-based paint regulations and asbestos regulations would ensure that those materials would be disposed of appropriately and safely.

**REQUIRED PERMITS AND APPROVALS**

*Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement):*

<table>
<thead>
<tr>
<th>Agency/Provider</th>
<th>Permit/Approval</th>
</tr>
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<tbody>
<tr>
<td>East Bay Regional Park District</td>
<td>Lead Agency: Certification of EIR for and approval of the project for the Bettencourt and Brown Houses</td>
</tr>
<tr>
<td>City of Fremont</td>
<td>Responsible Agency: Demolition permit. The City of Fremont owns the land on which the buildings are located.</td>
</tr>
<tr>
<td>City of Newark</td>
<td>Responsible Agency: Approval of Project for Mowry Schoolhouse. The City of Newark owns the Mowry Schoolhouse building.</td>
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</tbody>
</table>
4.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

HISTORICAL RESOURCES

This section evaluates the potential impacts the project would have on historic and cultural resources. For analysis purposes, cultural resources may be categorized into four groups: archaeological resources (prehistoric and historical); historic properties, buildings and districts; areas of importance to Native Americans; and paleontological resources (fossilized remains of plants and animals). Cultural resource impacts include those to existing historic resources (i.e., historic districts, landmarks, etc.) and to archaeological and paleontological resources.

Potentially significant impacts were identified in the Initial Study related to the unexpected encountering of prehistoric and/or historic archaeological resources. However, the project description has been further refined and no earth-moving activities would take place as part of the project. The buildings have been stored on cribbing and are not located directly on the ground. Further, the site is not in the area of the known Native American archaeological site. There is no potential for disturbance of any possible historical or Native American archaeology. The mitigation measures identified in the Initial Study are not necessary, since the impact would be Less Than Significant. Therefore, the unnecessary mitigation measures have not been required in this DEIR. This section and the Project Description summarize the findings of historical assessments that were completed for the project by Page & Turnbull and Ward Hill. These reports are included in Appendix C of this EIR.

ENVIRONMENTAL SETTING

The Ardenwood property is owned by the City of Fremont, but managed by the Park District, with the exception of the Patterson House (the mansion), which is managed by Fremont. The Park was opened to the public in 1985 and includes a working farm and a historic mansion now called the Patterson House which was first constructed in 1857 by the farm’s original owner, George Washington Patterson. The Patterson House, landscaping, associated buildings and most of the park’s land was placed on the National Register of Historic Places on November 29, 1985. The Patterson Ranch House itself was placed on the National Register in 1974.

Ardenwood and its history are described in “A Field Guide to America’s Historic Neighborhoods and Museum Houses, The West States”:
George Patterson died in 1895, leaving an estate that included 6,478 acres of prime land worth close to one million dollars and over thirty-one thousand dollars in gold. Clara continued to live in their fine new house and ran the farm...The family managed to keep the farm intact until 1952, when they finally began yielding to pressure from development interests. Gradually land was sold off, and in 1971 the remaining heirs banded together to try to sell the 400 acres around the house in a manner that would save the house and surrounding farmland for historic interpretation. It took until 1985 for this to be accomplished, with 46 acres being donated to and 160 acres being purchased by the city of Fremont. Today, these 200-plus acres are administered by the East Bay Regional Park District, and the mansion is operated by the city of Fremont.10

The buildings that are the subject of this evaluation have been stored close together in the northwest edge of the park since 1985. This area is occupied by the stored buildings in a wooded area surrounded by Eucalyptus, oak, and other trees.

National Register Designation

As stated earlier, most of Ardenwood is listed on the National Register of Historic Places and the Patterson Ranch House is individually listed on the Register. The National Register of Historic Places Inventory-Nomination form, stamped as received by the National Park Service on October 17, 1985, includes a detailed Statement of Significance of Ardenwood as follows:

Ardenwood today represents what is left of one of Alameda County's largest ranching operations. "The Patterson family's economic and social position was influential in the history and development of the county (Alameda). A history of the ranch and family is illustrative of 19th and 20th century rural life in California. The rapid growth in urbanization of the eastern margins of San Francisco Bay beginning in the mid-20th century had its impact on the ranch and Patterson family, so that only a small portion of that rural life is still reflected."

The extant structures and landscape elements at Ardenwood reflect both the evolution of a ranching operation of great size and importance in Alameda County and the history of one of its prominent families. The evolution of the George W. Patterson House itself reflects the growth of the operations and the family through numerous small changes and two major additions (in 1883 and ca. 1910-1914) to the original house built in ca. 1856. The addition, built in 1883, is

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a major example of the Queen Anne style. The house, together with the outbuildings and landscape elements, form a cohesive complex possessing a high degree of integrity (7 buildings remain from the historical period) and is one of the few such collections in Alameda County.

The outbuildings and other features which contributed to the National Register listing were the:

- **Milk House:** This is a small rectangular structure, measuring approximately 20 feet (ft) x 15 ft, located just north of the George W. Patterson House. It has a gable roof, one door on the northeast side, and two windows on the northwest and southeast ends. Date: ca. mid-1850s, about the same time as the first George W. Patterson House.

- **Cook House:** This is a rectangular wood-framed structure, located about 20 feet north of the George W. Patterson House. It has a gable roof and two doors on the south façade leading to two connected, but separate rooms on the interior. Windows are one-over-one and are placed on each facade. A lean-to addition has been constructed to the north. Date: ca. 1910-1914, about the same time as the last addition to the house.

- **Bean Barn:** 35 ft x 45 ft, built on concrete pillars 10” above the ground. Possible later addition to the east—concrete floor flush with ground. Two other portions of this addition have wood floors. Main Building: gable roof, double doors to north and south, 9” tongue-and-groove siding. Date: ca. mid-1850s.

- **Milk Barn/Equipment Shed:** A long, narrow structure, about 115 ft x 35 ft. An enclosed shed to the east 20 ft x 30 ft, was the actual area used for milking. Another enclosed portion to the west was used as a blacksmith shop. The remainder was an open shed used for equipment storage. Date: ca. mid-1850s.

- **Hay Barn:** Consists of two connected structures. Both wood-framed with gable roofs with composition shingles. Siding is similar to what is found on the Bean Barn and Milk Barn/Equipment Shed. Northern portion is taller and narrow than the southern part. Sliding double doors on the north, east, and west sides. Four 24 ft x 24 ft windows are located on the west and east sides, closed from the interior with wooden doors. Date: 1910.

- **Garage:** 20 ft by 25 ft, wood framed with tongue-and-groove siding. It has a gable roof covered with corrugated galvanized metal, and the floor is plank set on earth. Double wall construction with interior walls of bare lathe, set vertically. West end has double sliding doors. Date: 1901.

- **A Native American archaeological site,** not located in the area of the stored buildings that are the subject of this evaluation.

- **Landscape features.**
Photographs of the contributing buildings are found in Figures 3a and 3b, as existed in 1984 and part of the National Register nomination form. As can be seen from the photographs and reading the description of each building, the Patterson Ranch House exemplified the residence of a wealthy ranch owner, while the other buildings were simpler and functional agricultural support buildings. Besides the Brown House, an additional farm worker’s bunkhouse from the Patterson Ranch is in existence in Ardenwood. While the Brown House was that of a farm worker foreman, and was moved to its present site from another location, which was formerly part of the larger Patterson Ranch, the other bunkhouse was a common laborer/farm workers’ bunkhouse on the Patterson Ranch. This building has not been evaluated for historical significance, but could, potentially, be found to contribute to the National Register status of Ardenwood.

**HISTORICAL ASSESSMENTS**

The eligibility of the Bettencourt House, the Brown House, and the Mowry Schoolhouse for inclusion on the California Register of Historic Places was determined previously by Ward Hill in his reports of 1997, 2011, and 2012. In his report of 2011, Mr. Hill also indicates that “…the Brown House appears to be significant under Criterion 1 because of its important association with the history of the Patterson Ranch, and thus a structure contributing to the property’s National Register eligibility.” In addition, on April 17, 1984, the City of Fremont City Council determined at the recommendation of the Ardenwood Regional Preserve Advisory Committee (ARPAC), that the Brown House or the “Patterson Ranch Road farmhouse” is “of historic importance to the history, architecture, and cultural of the area.” In addition, on May 7, 1985, the City of Fremont’s City Council, also at the recommendation of ARPAC, determined by motion that the Bettencourt building was “of historic importance to the history, architecture, and cultural of the area.” The buildings were not placed on the City’s list of historic structures, but were included on the City’s Secondary Historic Resource list, which has no official status and does not provide any protections to resources on this list. In 2004, however, the City of Fremont recognized the Brown House as eligible for the California Register. On November 8, 1984, the City of Newark City Council approved Resolution No. 4629 determining that the Mowry Schoolhouse is a “historical resource.” Additional photographs of the Bettencourt House, the Brown House, and the Mowry Schoolhouse are included in Figures 4, 5, and 6.

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Ardenwood Historic Building DEIR September 2013
Patterson Ranch House

Cook House  Bean Barn

Ardenwood Historic Farm
Fremont, California

ARDENWOOD NATIONAL REGISTER CONTRIBUTING STRUCTURES - 1984

FIGURE 3a
Milk Barn/Equipment Shed

Hay Barn

Milk House

Garage

Ardenwood Historic Farm
Fremont, California

ARDENWOOD NATIONAL REGISTER CONTRIBUTING STRUCTURES - 1984

FIGURE 3b
Ardenwood Historic Farm
Fremont, California

ADDITIONAL PICTURES OF
MOWREY SCHOOLHOUSE
TAKEN IN 2007

FIGURE
4
Ardenwood Historic Farm
Fremont, California

ADDITIONAL PICTURES OF
BROWN HOUSE
TAKEN IN 2011, FROM WARD
HILL’S ASSESSMENT

FIGURE
6
The three buildings and the results of the historical evaluations are described more fully in the Project Description. In the 2012 historical evaluation, the Mowry Schoolhouse was determined to be eligible for the California Register of Historic Places, under Criterion 3 – “the resource embodies the distinctive characteristics of a type, period, region, or method of construction.” It is described as a “particularly rare surviving example of a rural “one-room” school building in not only Washington Township, but also in Alameda County.”

The 2011 historical evaluation of the building, which updated the 1997 evaluation, concluded that the Bettencourt House appears to be eligible for the California Register of Historic Places, under Criterion 3 – “the resource embodies the distinctive characteristics of a type, period, region, or method of construction.” The house was described in that evaluation as a “particularly distinguished example of the Queen Anne Style in Washington Township” and a “rare and interesting example of how the form of a 19th [century] farm house grew and evolved over time…” As discussed earlier, the Bettencourt House is not historically related to the Patterson Ranch.

**Brown House**

The Brown House is the only one of the three buildings that is historically associated with Ardenwood Farm, although, like the other houses, it was never located on the land that currently comprises the park. The building was not originally constructed as Patterson Ranch farm worker housing. It was said to have been built in the 1850’s by George Simpson, who was a squatter on Rancho Peturo de los Cerritos, owned by Augustin Alviso. Simpson eventually bought the land from the Alviso in 1862. The land was later purchased by William Patterson becoming a part of the vast land holdings that comprised the Patterson Ranch. The house was occupied by Joe Brown, one of the two permanent ranch hands on the Patterson Ranch, along with Manual Martin, and his family. Joe Brown was an immigrant from Portugal, who changed his name from Brun to Brown, and worked for the Patterson Ranch for approximately thirty-five years, living on the farm in the Brown House from approximately 1918 until 1934. The house was said to have been located at the corner of Marsh Road (now Newark Boulevard) and Jarvis Street, and later moved to Ardenwood Historic Farm in 1985.

Joe Brown’s son, Ruel Brown, was interviewed in 1986, as part of a larger interview and oral history research project entitled, “The Patterson Family and Ranch: Southern Alameda County in Transition.” The introduction to this interview states:

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http://archive.org/stream/pattersonfamily01lagerich#page/n95/mode/2up/search/+Brown

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Ruel Brown’s memories of the Patterson Ranch go back to the early 1920s. The perspective he brings to this volume on agriculture and rural life is that of the son of a Patterson Ranch employee living with his family of eight on the ranch in a house provided by the Patterson family. Ruel was the son of Joseph Brown, who emigrated with his family from Portugal in 1914, joining the large colony of Portuguese people in Washington Township. He went to work for the Pattersons about 1918. The family lived on the ranch until 1934 when they moved to an orchard they had purchased several years earlier. Joseph Brown continued to work for the Pattersons until a few years before his death in 1954.

The Brown House was described in a 2011 update to a 1997 historical evaluation as a rare surviving example of box or vertical plan construction from the early years of Washington Township. The same evaluation concluded that the Brown House appears to be eligible for the California Register, under Criterion 3 - “the resource embodies the distinctive characteristics of a type, period, region, or method of construction”. It was described as a particularly rare example of an early house in Washington Township and as one of the few surviving local examples of box construction. The report also concludes that the Brown House appears to be eligible for the California Register under Criterion A - “the resource is associated with events or patterns of events that have made a significant contribution to the broad patterns of local and regional history,” due to its associations with the history of the Patterson Ranch.

As stated above, the Brown House is described in the historical resource assessment as of box or vertical plank construction. Box construction is a type of construction of early America in which the building is built entirely of planks, without any structural framing behind the boards.

The 2011 report by Ward Hill states that “The walls are one inch boards, in irregular widths of approximately one to one and a half feet, supporting the roof and second floor diaphragms nailed to the walls. The vertical boards are then covered with clapboard siding. Although more complicated than balloon frame construction, box construction retained its popularity especially during the 1850s in California because of the high cost of building materials: it required 2/3 the amount of lumber and half as many nails.” Box construction is a historical construction method that was low cost and needed little skill for the construction. Therefore, it was a popular house type in communities where quick and/or inexpensive housing was in demand. “Groups of these box houses are typically found in communities that were originally company-built mining

13 Ibid.
towns, lumber camps, tenant or workers cottages on farms, and summer resort communities that were popular around the turn of the last century.”

The National Register nomination form of 1985 provided the following information regarding the ranch’s farm workers:

Patterson's early help consisted of a small number of farm laborers, who, in the 1870 population census were listed as being mainly of Caucasian stock. They were eventually supplemented by Chinese laborers. "Apparently the family hired Chinese agricultural workers and domestic servants and leased land to Chinese tenant farmers. Some sources state that the Pattersons employed 30-40 laborers, mostly Chinese,...". Portuguese and Japanese laborers also may have played a part on the ranch. Employment practices are thus characteristic of patterns here and elsewhere in the state.

According to interviews completed with surviving Patterson Ranch workers between 1955 and 1987, most of the farm workers were Portuguese immigrants.

REGULATORY AND PLANNING FRAMEWORK

Regulatory Setting

Federal, state, and local governments have developed laws and regulations designed to protect significant cultural resources that may be affected by actions that they undertake or regulate. The National Historic Preservation Act (NHPA) and the California Environmental Quality Act (CEQA) are the basic federal and state laws governing preservation of historic and archaeological resources of national, regional, state and local significance.

Federal

National Historic Preservation Act

The National Register of Historic Places (NRHP) is the nation’s master inventory of known historic resources and was created by the National Historic Preservation Act of 1966. The NRHP is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level. Structures, sites, buildings, districts, and objects

over 50 years of age can be listed in the NRHP as significant historic resources. However, properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP. The criteria for listing in the NRHP include resources that:

a) are associated with events that have made a significant contribution to the broad patterns of history;

b) are associated with the lives of persons significant in our past;

c) embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

d) have yielded or may likely yield information important in prehistory or history.

State

California Environmental Quality Act

Under CEQA, public agencies must consider the effects of their actions on both “historical resources” and “unique archaeological resources.” Pursuant to Public Resources Code (PRC) Section 21084.1, a “project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” Section 21083.2 requires agencies to determine whether proposed projects would have effects on unique archaeological resources.

“Historical resource” is a term with a defined statutory meaning (PRC, Section 21084.1; determining significant impacts to historical and archaeological resources is described in the State CEQA Guidelines, Section 15064.5 [a], [b]). Under State CEQA Guidelines Section 15064.5(a), historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.1).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as
significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.1), including the following:

   a) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
   b) is associated with the lives of persons important in our past;
   c) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
   d) has yielded, or may be likely to yield, information important in prehistory or history.

4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Section 5020.1(j) or 5024.1.

**California Historic Register**

The State Historic Preservation Office (SHPO) maintains the California State Register of Historic Resources (CRHR). Properties that are listed on the National Register of Historic Properties (NRHP) are automatically listed on the CRHR, along with State Landmark and Points of Interest. The CRHR can also include properties designated under local ordinances or identified through local historical resource surveys.
Local

City of Fremont General Plan

The City of Fremont “Parks and Recreation Background Report General Plan Update 2030”\textsuperscript{16} states that:

The primary purpose of historic parks is the preservation of historic structures or sites. The secondary aim is to provide a place to serve and enhance citywide activity needs. Historic parks are established around an important historic building or other historic resources (such as a plaza, monument or nursery). An historic park can also serve as a memorial to events of historic, cultural and/or social significance to the City of Fremont. The location of the historic park has a reasonable relationship to the event being commemorated. The City’s 10 historic parks contain buildings and other resources with local, regional, state- and nation-wide significance, and make up about 24% of the City’s parklands.

The City of Fremont, General Plan, Community Character Element\textsuperscript{17} includes the topic of historic preservation. This section states that:

Fremont places enormous value on its historic and cultural heritage and established policies ensure that this heritage is preserved. The City has worked proactively to identify, preserve, and maintain its historic resources. These resources provide the community with a sense of permanence that fosters civic pride and stewardship. Cities throughout the country have discovered the value of historic resources as a way to revitalize neighborhood commercial districts, promote tourism, educate residents about local history, and enhance their communities.

The City of Fremont has a local historic register for use in preservation planning, education, and implementation. The list is officially adopted by the City Council and contains 153 listed resources as of 2010\textsuperscript{18}. Some of the sites are also on the National Register of Historic Places and / or the California Register of Historic Resources. The City also contains potential register resources that may be identified as future additions to the Register.


\textsuperscript{18} Note that the Bettencourt and Brown Houses are not included on this list.
The General Plan contains the following goals and policies relating to cultural resources that would be applicable to the proposed project.

**GOAL 4-6: Historic Preservation and Cultural Resources: Conservation and enhancement of Fremont’s historic sites, buildings, structures, objects, and landscapes into the 21st Century and beyond.**

“Historic, cultural and archaeological sites and resources enrich a community by providing it with a unique identity and connection to its past. The maintenance, rehabilitation, and continued use of historic resources can provide economic benefits, support tourism, engender civic pride, and create a stronger sense of place in the City. In 2008, the City of Fremont adopted an updated Historic Resources Ordinance to advance its preservation policies. General Plan policies promote historic preservation on a number of levels, including:

- Discouraging demolition of historic buildings, structures, or objects
- Encouraging appropriate remodeling and alteration of older structures
- Requiring development on properties adjacent to historic structures or in historic areas to be sensitive to historical setting
- Updating and expanding inventories of historic resources
- Improving historic preservation education and awareness
- Protecting historic landscapes, as well as buildings, structures, or objects
- Applying for grants and tax credits to promote historic preservation
- Developing clear and consistent criteria for identifying historic resources”

**Policy 4-6.1: Protection of Historic Resources:** Identify, preserve, protect and maintain buildings, structures, objects, sites and districts which are reminders of past eras, events, and persons important in local, state, or national history.

“Historic structures which provide significant examples of architectural periods and styles of the past are irreplaceable assets. They should be protected to provide present and future generations with examples of the physical environments in which past generations lived and worked. The needless destruction and impairment of significant historic resources must be prevented so that opportunities for public enjoyment and economic utilization of such resources are not diminished or lost.”

**Implementation 4-6.1.A: Demolition, Alteration or Relocation of Historic Resources**

Evaluate all applications for demolition, alteration or relocation of buildings, structures or objects constructed prior to 1955 to determine if there is sufficient significance and integrity to
merit classification as a Potential Fremont Register Resource or formal designation as a Fremont Register Resource.

**Implementation 4-6.1.E: Review and Approval of Demolition, Alteration, and Relocation**

Continue the role of [the Historic Architecture Review Board] as advisors to the City Council regarding demolition, alteration, and relocation affecting Fremont Register Resources. The City Council is the final body for review and approval of applications affecting Fremont Register Resources.

**Policy 4-6.3: Resource Documentation and Funding**

Identify and record significant historic and archaeological resources, and maximize the use of all potential funding sources, including those available through State and federal programs, for the preservation, rehabilitation, restoration and enhancement of such resources. The City has an ongoing program of evaluating potential historic resources. In addition, project applicants may be required to evaluate historic resources as part of the development process. Property owners and the general public may also apply for listing of historic resources on the Fremont Register.

**Implementation 4-6.3.C: Designation of Fremont Register Resources**

The HARB shall consider and recommend designation of proposed Fremont Register Resources, including buildings, structures, objects, sites, and districts. Such designations are subject to review and approval by the City Council.

**Policy 4-6.8: Historic Resource Education and Awareness**

Promote a greater understanding and awareness of historic resources in Fremont, and greater appreciation and knowledge of local history. Use historic markers, plaques, walking tours, museums, and other tools to educate residents and visitors about Fremont's history. Educational and informational resources include the Museum of Local History (housed in a former fire station in Mission San Jose), the Niles Depot Museum and Niles Canyon Railway, the Jim Sullivan Memorial Library, the Niles Essanay Silent Film Museum and Edison Theater, and the Mission San Jose complex, among others. There are also local organizations and non-profits such as the Niles Main Street Association that promote historic revitalization and restoration.

**Policy 4-6.9: Adaptive Use of Historic Properties**

Encourage the adaptive use and rehabilitation of historic buildings, structures and objects when original use of the historic property has become obsolete or is no longer feasible.
Implementation 4-6.9.A: Adaptive Use Feasibility Studies

For properties that include historic structures, conduct feasibility studies to evaluate adaptive reuse options as part of the development approval process. Evaluate options as a form based process rather than by use and zoning standards.

Policy 4-6.10: Protection of Native American Remains

Coordinate with representatives of local Native American organizations to ensure the protection of Native American resources and to follow appropriate mitigation, preservation, and recovery measures in the event such resources could be impacted by development.

City of Fremont Historic Preservation Ordinance

City of Fremont, Municipal Code, Chapter 18.175 - Historic Resources provides procedures for the treatment of historic resources. Under “Purpose and Intent”, the ordinance states:

It is hereby found that historic resources within a community enrich it by providing it with a distinct identity and a link with the past, and by serving as a source of ideas and inspiration for contemporary buildings, designers and other artisans. It is further found that the number of irreplaceable historic resources within Fremont is limited and that the retention of such resources is essential to the general welfare of the public. The identification, protection, enhancement, and appropriate use of historic resources within the city are required in the interest of the health, economic prosperity, cultural enrichment and general welfare of the community.

The ordinance further states in Section 18.175.200 - Approach to historic preservation, that:

- It is the goal of the city to retain historic resources in their original context and setting. Should retention of an historic resource in its original context and setting prove infeasible or be disproportionate to its historical significance and functional value, the city will evaluate (in order of preference) any development project involving historic resources as follows:
  
  a) Consider on-site relocation of an historic resource retaining as much of the original setting as possible; then
  
  b) Consider off-site relocation to a site possessing as appropriate a setting as possible; and only then

c) Consider demolition as a last resort.

The Ordinance includes a process for the demolition of historic structures. Section 18.175.170 - Issuance of demolition or relocation permit states, that “A demolition or relocation permit may be issued by the planning manager upon the applicant obtaining any discretionary city approvals required under other chapters of this code and meeting the requirements of the city-adopted building and fire codes and other requirements of utility companies and other agencies with jurisdiction.”

Section 18.175.300 - Demolition of register/potential register resources includes the following procedures for the proposed demolition of a “register/potential register resource as follows:

a) Upon determination that a building, structure or object proposed for demolition is a register/potential register resource, the planning manager will have an environmental assessment prepared and circulated unless a statutory exemption is applicable.20

b) The applicant shall, as a prerequisite to consideration of the application, provide evidence that they have explored alternatives and the proposed demolition is consistent with the city’s approach to historic preservation as stated in Section 18.175.200.

c) Within 45 days following completion of the environmental assessment, the board shall hold a noticed public hearing to consider the application and whether, in the case of a potential register resource, it is properly classified as such. Following the hearing, the board shall take one of the actions described in subsection (d), (e) or (f) of this section.

d) Approve or Recommend Approval. The board may approve the demolition permit for a potential register resource, or recommend approval of the demolition permit to the city council for a register resource. The board or city council must make one or more of the following findings to approve demolition:

(1) The historic resource does not actually meet the standards for listing on the Fremont register; or

(2) Retention of the register/potential register resource in accordance with this chapter would cause immediate and substantial hardship to the property owners because rehabilitation or restoration would:

(A) Be infeasible from a technical, mechanical, or structural standpoint; or

20 Note that this EIR represents the environmental assessment required in this section.
(B) Be disproportionately great in relation to its historical significance and functional value; or

(C) Leave the property with no reasonable economic value, taking into account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state, and federal codes. Costs necessitated by the neglect or failure of the current owners to maintain the property need not be taken into consideration; or

(D) Create an immediate or potential hazard to other buildings.

The board or city council, at its discretion, may impose or recommend imposition of conditions requiring documentation or salvage of the register/potential register resource before or during demolition.

e) Invoke a 90-Day Delay. The board may establish a period, not to exceed 90 days, during which the applicant shall pursue relocation or restoration or rehabilitation of the register/potential register resource. At the end of this time, the board shall hold a second noticed public hearing and take one of the actions listed in subsection (d) or (f) of this section.

f) Deny the Demolition Permit. The board may deny a demolition permit if it finds that:

   (1) The potential register resource/register resource could be relocated without substantial damage to it; or

   (2) The potential register resource/register resource could be retained at its present location and that the expense of restoration or rehabilitation is not disproportionate to its historical significance and functional value. (Ord. 27-2007 § 2, 10-23-07; amended during 2012 reformat. 1990 Code § 8-219130.)

City of Newark General Plan

The proposed update to the City of Newark General Plan, Land Use Element\(^\text{21}\) includes the topic of historic preservation. The Element contains the following relevant goals, policies, and actions:

Goal LU-5: Identify, preserve, and maintain historic structures and sites to enhance Newark’s sense of place and create living reminders of the city’s heritage.

Policy LU-5.1: Preserving Important Buildings. Encourage the preservation of historically and architecturally important buildings that help enhance Newark’s character and sense of identity. The demolition of historically important buildings is strongly discouraged.

Policy LU-5.3: Adaptive Reuse. Where it is no longer feasible to continue to use an older building for its originally intended use, encourage adaptive reuse of the structure rather than demolition and replacement.

Action LU5.A: Evaluating Historic Resource Impacts. Evaluate applications for demolition, alteration, or relocation of structures more than 50 years old to determine if the structure has sufficient significance and integrity to merit its designation as a historic resource. In the event alterations to a historic resource are proposed, use the Secretary of the Interior Standards for the Treatment of Historic Properties to guide application review.

Action LU5.B: Historic Building Code. Allow the use of the State Historic Building Code to achieve the preservation of important historic structures.

City of Newark Historic Preservation Ordinance

Section 17.39 of Newark’s Municipal Code describes its Historic Preservation Program, which establishes procedures for the designation of historical resources within the City22. The Program, adopted in 1989, also establishes procedures for the modification, alteration, demolition, or removal of landmark sites. The City of Newark Historic Preservation Program evaluates potential historic resources, which it defines as a nominated building, cluster of buildings, structure, tree, plant, or site based on historic merit, and deems the nominated resource either not historic, primary landmark, or secondary landmark.23

Section 17.39.060 - Landmark demolition or removal — “Development projects on landmark sites” states the following24:

A. The community development director shall have an inspection made of the physical condition of the landmark by the building official in the case of a building or structure, or the landscape parks supervisor if it is a tree or plant life. The inspection shall be made upon the filing of a permit application for any of the following:

23 Note that this Ordinance was approved after the Mowry Schoolhouse was deemed a “historic resource” through a Resolution of the Newark City Council in 1984.
24 Note that this Section is intended to apply to private development projects on landmark sites. City Council review is required for the Mowry Schoolhouse because it is considered a public works project.
1. An application for a permit for the demolition of a landmark;

2. A notice of intention to move, or remove a landmark;

3. An application for a development project on any landmark site, or land on which a landmark is located.

B. The inspection official shall report to the community development director as to the physical condition of the landmark.

C. If the report does not cite conditions hazardous to public health and safety, the community development director shall refer the permit application to the planning commission. The planning commission shall forward its recommendation to the city council for review. A hearing shall be conducted within thirty days of the filing of the application or notice of intention, except as provided in subsection F of this section.

D. The planning commission shall review applications for the development of a landmark site in accordance with the requirements of this code and forward its recommendation to the city council for review.

E. An owner, or the agent of an owner, may appeal to the city council the recommendation of the planning commission. Such an appeal will be processed in accordance with this code.

F. If the community development director finds that the removal, demolition, or destruction of the landmark must be undertaken promptly to adequately protect the public health and safety due to a hazardous condition of the landmark, the director shall do one of the following:

1. Advise the city council immediately of hazardous conditions. The city council shall determine whether to call for a special meeting, or hold the hearing at their next regular meeting to decide if a finding pursuant to subsection G of this section should be made.

2. If the community development director finds that the danger to the public health and safety is so immediate that no delay in undertaking the removal, demolition or destruction should take place, the permit may be issued, if such is required, for the removal, demolition or destruction in conformance with other applicable requirements of this chapter, to the extent necessary to eliminate the hazardous condition, without referral of the matter to the city council.

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25 Note that the Mowry Schoolhouse has not been determined to be “hazardous” as defined in the ordinance.
G. The city council, upon review of the application for a permit for removal or demolition of a landmark, may:

1. Authorize the building official to issue the permit by finding that taking into account the current market value, the value of transferable development rights, and the costs of rehabilitation to meet the requirements of the Building Code or other city, state or federal laws, the property retains no reasonable economic use; or

2. Authorize the building official to issue the permit by finding that moving, removal, or demolition of the building will not have a significant effect on the achievement of the purposes of this chapter;

3. Impose a ninety-day moratorium, starting with the application date, on the issuance of the permit. During this period the city may indicate an interest in purchasing or relocating the historical resource; or

4. Impose a thirty-day moratorium, beginning with either the permit application date or the date of receipt of a letter of intent to apply for a permit. The letter of intent must be submitted by the property owner, via registered mail, to the community development director. The thirty-day period shall apply only to primary landmarks (those historic resources meeting at least three criteria) that are not on the City of Newark Historical Resources List. During this period the city may indicate an interest in purchasing or relocating the historical resource.

5. The city shall have the right to acquire the landmark only at the time the landmark is proposed to be moved or demolished.

East Bay Regional Parks District

The District’s Vision and Mission are included below, as listed on the District’s website and its Master Plan26.

Vision

The East Bay Regional Park District will preserve a priceless heritage of natural and cultural resources open space, parks and trails for the future and will set aside park areas for enjoyment and healthful recreation for generations to come. An environmental ethic guides us in all that we do.

Core Mission

We will acquire, develop, manage, and maintain a high quality, diverse system of interconnected parklands which balances public usage and education programs with protection and preservation of our natural and cultural resources.

The District’s website further states:

Cultural Resource Stewardship

The lands managed by the East Bay Regional Park District have a rich history and diverse cultural background. Cultural resources include archaeological, historical, and scientifically valuable sites, areas, and objects. The District has a responsibility to preserve the legacy and the history of the peoples who occupied this land before the District was established and park properties acquired, as well as to preserve the history of the District itself. Within the regional parks are some of the finest remaining Native American sites in the Bay Area. Native American descendants treasure these remnants of their ancestral heritage and look to the District for their continued protection. The parks also contain many historic features, including buildings, corrals, springs, and foundations in use today, that serve to educate citizens about the early settlers who carved an existence out of the land in the East Bay.27

District Master Plan

The District’s 2013 Master Plan was approved by its Board of Directors on July 16, 2013. As stated on the District’s website, “The Master Plan defines the vision and the mission of the East Bay Regional Park District and sets priorities for the future. It explains the District’s multifaceted responsibilities and provides policies and guidelines for achieving the highest standards of service in resource conservation, management, interpretation, public access and recreation.”28

Its mission as described in the Master Plan and as related to the project is as follows:

The East Bay Regional Park District will achieve its vision in the following ways:

• Provide a diversified system of Regional Parklands, trails and parkland-related services that will offer outstanding opportunities for creative use of outdoor time.

• Acquire and preserve significant biologic, geologic, scenic and historic resources within Alameda and Contra Costa counties.
• Manage, maintain and restore the parklands so that they retain their important scenic, natural and cultural values.
• Interpret the parklands by focusing educational programs on the visitor’s relationship to nature, natural processes, ecology, the value of natural conditions and the history of the parklands.
• Create quality programs that recognize the cultural diversity represented in the region.
• Pursue all appropriate activities to ensure the fiscal health of the District.

PROJECT CONSISTENCY WITH PLANS

Section 15125(d) of the California Environmental Quality Act (CEQA) Guidelines requires EIRs to "...discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The Guidelines indicate that the objective of this discussion is to identify possible modifications to the project to reduce any inconsistencies with relevant plans and policies. As described below, the proposed demolition of the three historic buildings would be a significant impact on historical resources. While mitigation measures are required to reduce this impact, the measures cannot reduce this impact to a less-than-significant level. Therefore, this impact would be significant and unavoidable and the project would not be consistent with the General Plan and Master Plan Goals described above regarding historic preservation.

THRESHOLDS OF SIGNIFICANCE

Following Public Resource Code Sections 21083.2 and 21084.1, and Section 15064.5 and Appendix G of the State CEQA Guidelines, cultural resource impacts are considered to be significant if implementation of the project considered would result in any of the following:

1. Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5, respectively;

2. Cause a substantial adverse change in the significance of an archaeological resource as defined in Public Resources Code section 21083.2, 21084.1, and CEQA Guidelines section 15064.5, respectively;

3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature; or
4. Disturb any human remains, including those interred outside of formal cemeteries.

For purposes of CEQA, to determine whether cultural resources could be significantly affected, the significance of the resource itself must first be determined. Section 15065 of the CEQA Guidelines mandates a finding of significance if a project would eliminate important examples of major periods of California history or prehistory.

Impacts to Native American and Historical-era archaeological resources, paleontological resources, and human remains were addressed in the Initial Study (see Appendix A.) Mitigation measures were identified to reduce those impacts to a less-than-significant level.

IMPACTS

Impact His-1: The project would result in the demolition of three historically-significant buildings. This would be a significant impact.

The three buildings would be demolished. Demolishing a historic resource constitutes a substantial adverse change and, therefore, the project would have a significant effect on the environment. Mitigation measures cannot reduce this impact to a less-than-significant level.

The District has issued a public notice of the availability of the three buildings for relocation and restoration at the cost of $1.00 to any individual or organization who will commit to relocating and restoring them at its own expense and reusing them for any purpose. This notice was the feature of a news story on a local television station and was featured in newspaper articles about the project. The District requested a response from any such interested party by September 30, 2013, but received no responses.

MITIGATION MEASURES

CEQA requires mitigation measures to reduce impacts even if they will not eliminate or reduce the impacts to a less-than-significant level.

HIS-1: The District (for the Bettencourt and Brown Houses) and the City of Newark (for the Mowry Schoolhouse) shall prepare a report for each building to document its architecture and history. The reports shall consist of the Page & Turnbull report (Page & Turnbull, Inc. Architectural Analyses and Recommendations William Patterson Farming Educational Center, prepared for the East Bay Regional Park District, June, 1991), the reports prepared by Ward Hill, as pertinent to each building) plans and drawings of the buildings, copies of any photographs taken in the past, and current interior and exterior photographs.
The documentation shall be filed with the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System, the Fremont Museum of History, and other local historical societies, if requested and drawings and historical descriptions shall be used as part of interpretive materials at Ardenwood. In addition, the reports shall be available in an electronic format to allow museums or other interested groups better access to the information.

HIS-2: Salvaging of Materials. Prior to the demolition of the buildings, the District (for the Bettencourt and Brown Houses) and the City of Newark (for the Mowry Schoolhouse) shall salvage any unique or interesting external and internal material and architectural features of the buildings which may be reused either for educational purposes or be incorporated into other buildings. Deconstruction methods shall be utilized that minimize damage to historical features. Examples of potential items to be salvaged include decorative brackets, corbels, molding, siding, historic paneling, and doors. The District may sell or give salvaged materials to a local historical organization or to a recycling/reuse materials company.

HIS-3- If the “Reduced Project – Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House” alternative is not chosen, this mitigation measure would be required.

Public Interpretation. The District shall prepare a permanent exhibit on immigrant and other Patterson Ranch farm workers and their housing or Brown House specifically, which is the only building stored in Ardenwood that is associated with the historic farm. This could include the history of the building, the workers who lived in it, and farm working housing in general, any historic and current photographs, drawings, or other historical material. The exhibit shall be placed in a publicly accessible location in Ardenwood.

Impact Significance After Mitigation

Implementation of these measures would help to reduce the project’s impact on the significant historic resources; however, such measures would not reduce these impacts to a less-than-significant level. Therefore, this impact is considered to be significant and would only be avoidable if the project were not to be implemented.
5.0 ALTERNATIVES TO THE PROJECT

ALTERNATIVES OVERVIEW

CEQA Section 15126(f) requires that an EIR discuss “Alternatives to the Proposed Project.” CEQA Section 15126.6 “Consideration and Discussion of Alternatives to the Proposed Project” does not require that all possible alternatives be evaluated, but requires that an EIR analyze a “range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The section further states that an EIR “must consider a reasonable range of potentially feasible alternatives that will foster information 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.” CEQA Section 15126(d)(3) also requires that an EIR evaluate the “No Project” Alternative.

In addition, CEQA Section 15126(b) describes the purpose of the alternative analysis:

(b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

SIGNIFICANT IMPACTS OF THE PROJECT

The Initial Study and EIR identify the following potentially significant impacts:

- Air Quality: Impacts are related to construction dust and potential lead and asbestos in buildings to be demolished. Mitigation measures were included in the Initial Study to reduce the impact to less than significant.

- Biological Resources: Potentially significant impacts were identified in the Initial Study regarding nesting special status birds and bats. Mitigation requiring preconstruction surveys and avoidance for both birds and bats, with the addition of potentially evicting bats was included.
• Cultural Resources: Three historical resources would be demolished because of the project, a significant impact.

• Hazards and Hazardous Materials: Potentially significant impacts were identified regarding the removal of lead paint and asbestos. If these hazards are found to be present, appropriate measures would be required to mitigate for the potential impact.

• Noise: The Initial Study also identified temporary potentially significant impacts due to the exposure of neighboring residences to excessive noise levels due to construction activities. Mitigation measures were identified which would reduce the impacts to a less than significant level.

• Utilities and Service Systems - Solid Waste: As part of the proposed project, the existing structures on the site would either be relocated or demolished and disposed of in a landfill. Such waste material is not expected to result in a significant impact to landfill capacity; however, a mitigation measure was included in the utilities and service systems section of the Initial Study to require the salvaging of materials from the buildings.

All of the impacts described above, except one, would be reduced to a less-than-significant level by incorporating mitigation measures or regulations specified in the Initial Study and listed in Chapter 2, Summary. The demolition of the three buildings would be a significant impact to historic resources that could not be reduced to a less-than-significant level even with the implementation of feasible mitigation measures.

OBJECTIVES OF THE PROJECT

The project’s objectives are to:

• implement the recommendations of the Historic Structures Management Plan contained within the Ardenwood Business Plan (1996);

• provide for public safety at Ardenwood through the removal of three deteriorated historic buildings which have become an attractive nuisance and fire and public safety hazard;

• manage the removal of the buildings guided by the overall management priorities for the Ardenwood Historic Farm and the wise use of public funds.

As a result of the public safety issues and lack of financial resources for restoration, the District and the City of Newark have proposed demolition without replacement of the three structures. The District has also issued a public notice of the availability of the three buildings for relocation and restoration at the cost of $1.00 to any individual or organization who will commit to relocating and restoring them at its own expense and reusing them for any purpose. The
District requested a response from any such interested party by September 30, 2013, but received no responses.

**SELECTION OF ALTERNATIVES**

These alternatives were chosen for analysis to provide a discussion of the merits of demolishing all three buildings, restoring all three buildings, moving off-site and restoring buildings in the future, and alternatives in which one of the three buildings would be restored and the other two, demolished. The District could choose to approve the proposed project, one of the alternatives, or a combination of features of alternatives.

The following alternatives would reduce impacts on historic resources:

- **No Project – Allowing Continuing Deterioration of Historic Buildings**
- **Restoration/Rehabilitation and Relocation On-site of Historic Buildings**
- **Reduced Project – Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House**
- **Reduced Project - Demolishing Bettencourt and Brown House, Moving Mowry Schoolhouse to a Location in Newark.**
- **Reduced Project – Demolishing Mowry Schoolhouse and Brown House, Moving Bettencourt House to a Location in Fremont.**

The impacts associated with each of these alternatives are evaluated below, but at a general level of detail than the impact analysis for the proposed project, per CEQA Guidelines section 15126.6(d).

Criteria that may be used to eliminate alternatives from detailed consideration in an EIR, as described in CEQA Section 15126.6(c) include: “(i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts. The demolition of the three historic buildings would be a significant impact that could not be reduced to a less-than-significant level even with the implementation of mitigation measures. The alternatives discussed below focus on alternatives that could avoid or reduce the significant and unavoidable impact on historic resources, while still meeting most of the objectives of the project. Feasibility and, therefore, the reasonableness, of each alternative is also discussed.

CEQA Guidelines Section 15126.6 (C)(f) provides a review by what is meant by the feasibility of alternatives analyzed:

(1) Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability,
availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

ANALYSIS OF ALTERNATIVES

NO PROJECT - Continuance of Debilitated State of Historic Buildings

CEQA Guidelines Section 15126.6(e)(1) requires that an EIR include the “No Project” Alternative. The purpose of the No Project Alternative is to “allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project.” As stated in CEQA Guidelines Section 15126.6(e)(3)(C), the lead agency should “analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.” Section (B) states that if the proposed project is a development project, the no project alternative is the “circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved.”

Under the No Project Alternative, the proposed demolition would not proceed and the three buildings would remain in the current conditions. The attractive nuisance and public safety issues would remain. The buildings would continue to deteriorate over time and potentially experience fires, theft, or other acts of vandalism. The potential public health risks associated with demolition of on-site structures, construction-related noise impacts, and potential disturbance of bats and nesting birds would not exist. The buildings would remain boarded up and vacant.

Conclusion. If the proposed demolition were not allowed, impacts described above would not occur. The three historic building would continue to exist in a state of disrepair and would further deteriorate over time. Since the project would not occur, no impacts would occur and no mitigation would be required. The attractive public safety issues would remain. The No Project Alternative does not meet the project objectives.

Reduced Project – Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House
An alternative to demolishing all the buildings would be to demolish two buildings and retain the only building of the three that is related to the historic Patterson Ranch – the Brown House. The Brown house was determined, by architectural historian Ward Hill, to be a structure that contributes to the Ranch’s National Register eligibility. The Brown house was said to have been built in the 1850’s by George Simpson, a squatter on the Augustin Alviso’s Rancho Petero de los Cerritos. Mr. Simpson purchased the land in 1862 and was subsequently purchased by William Patterson. The house was occupied by Joe Brown, who was one of the permanent ranch employees on the Patterson Ranch.29 As stated in architectural historian Ward Hill’s 2011 report, “Although it has been moved, the Brown House appears to be significant under Criterion 1 [and National Register Criterion a that are associated with events that have made a significant contribution to the broad patterns of our history] because of its important associations with the history of the Patterson Ranch, and thus a structure contributing to the property’s National Register eligibility. The Brown House also appears to be significant under [California Register] Criterion 3 as a rare and very early example of box or vertical plank construction in Alameda County, a vernacular 19th century construction technique.”

Due to its association with the Patterson Ranch and architecture and construction style, this building can be considered to be the most important of the three to Ardenwood. While the park contains the historic mansion of the Patterson family and various important agricultural outbuildings, the life of the common farm worker is currently not represented, as an exhibit. However, an additional farm worker’s bunkhouse from the Patterson Ranch is in existence in Ardenwood. While the Brown House was that of a farm worker foreman, the other bunkhouse was a common laborer/farm workers’ bunkhouse on the Patterson Ranch. This building has not been evaluated for historical significance, but could, potentially, found to contribute to the National Register status of Ardenwood. This bunkhouse is included in the park’s land use plan with the goal is to restore it into an exhibit showing how the workers lived and could be considered an important contrast to the elegant Patterson Ranch House. A restoration and exhibit of this building is planned, but currently unfunded, although it was earmarked by the District as a Measure WW project for Ardenwood. Measure WW was approved by voters in Alameda and Contra Costa counties in November 2008. The measure extended Measure AA, approved in 1988, to help the Park District meet the increasing demand to preserve open space for recreation and wildlife habitat. It made funding available directly to cities and special park districts for high priority community park projects.

29 Ward Hill, Historic Architecture Assessment Three Houses at Ardenwood Historic Farm, Fremont, California, December 20, 2011.
The lives of these workers appear to have not been included in literature associated with the Patterson Ranch. For example, the life of George Washington Patterson and that of his family and the history of the ranch is detailed in the book “George Washington Patterson and the Founding of Ardenwood” by Keith Kennedy in 1995. The book contains no description of the ranch’s workers or that of any worker housing. However, details of the lives and remembrances of various farm workers and family members are found in oral histories discussed earlier and found at the Bancroft Library at the University of California, Berkeley. The interviews are presented in three volumes, with Volume 1 being that of the farmworkers. It is described in its Introduction by saying the following:

Chronicles the transition of the Patterson Ranch from a family farm in the 19th century to a large-scale agricultural enterprise operated by the L. S. Williams Company during the 1950s. The several interviews of tenant farmers and Patterson Ranch workers covering the period from approximately 1900-1950 constitute an excellent social history of farm life in Fremont’s northern plain. Interviewees are: Frank Borghi, Elvamae Rose Borghi, Ruel Brown, Donald Furtado, Tillie Logan Goold, William McKeown, Gene Williams, Mel Alameda.

The Brown House (also known as the Patterson Ranch House) tells the story of a missing piece of the history of the ranch and the Township and would add another dimension to the exhibits at Ardenwood and the public interpretation and education of visitors.

This alternative would be consistent with the District’s Mission to:

- Acquire and preserve significant biologic, geologic, scenic and historic resources within Alameda and Contra Costa counties.
- Manage, maintain and restore the parklands so that they retain their important scenic, natural and cultural values.
- Interpret the parklands by focusing educational programs on the visitor's relationship to nature, natural processes, ecology, the value of natural conditions and the history of the parklands.

**Conclusion:** Choosing this alternative would remove one of the significant effects of the project, through retaining the one historic building related to the history of Ardenwood. As described in CEQA Guidelines Section 15126.6(f)(1), economic viability is one of the factors that may be taken into account when analyzing the feasibility of alternatives. The purpose of the proposed project is the demolition or removal of the three buildings because of the escalating costs of restoration and lack of funding for the buildings. It is expected that relocating the Brown House
near to the other historical buildings on the site would allow for it to be protected from vandals and trespassers. It is also expected that if the building’s exterior were rehabilitated, but not its interior and the public not allowed inside, the costs would be reduced considerably. This could potentially make this alternative economically feasible. This alternative would meet most of the project objectives, depending on its economic feasibility. However, this alternative has been previously considered by Park District staff, who concluded that preserving only the exterior of the Brown House would not display the architectural structure itself (box construction) which is one of its significant qualities, and would not provide the interpretive value, compared to other resources already preserved at Ardenwood, to justify the expenditure of public funds. The alternative is therefore not considered to be economically feasible.

**ALTERNATIVES CONSIDERED, BUT REJECTED**

**Restoration/Rehabilitation and Relocation On-Site of Historic Buildings**

An alternative to the demolition of the historic buildings would be for the District and City of Newark to obtain funding to restore or rehabilitate the structures. If the buildings were restored and moved to a location nearer to the other historic buildings on the site, clandestine access to the buildings for the purpose of vandalism would be less probable. The buildings are located on the edge of the park property within large trees, obscuring views from other areas of the park. The buildings can be seen through a chain-link fence from the nearby street and residences, however. This is a factor which may contribute to the public safety issue of break-ins of the buildings.

**Conclusion:** Choosing this alternative would remove the significant effects of the project. As described in CEQA Guidelines Section 15126.6(f)(1), economic viability is one of the factors that may be taken into account when analyzing the feasibility of alternatives. In addition, this alternative does not meet the project objective related to implementing the recommendations of the Historic Structures Management Plan contained within the Ardenwood Business Plan and to the overall management priorities for the Ardenwood Historic Farm and the wise use of public funds. The purpose of the proposed project is the demolition or removal of the three buildings because of the escalating costs of restoration and lack of funding for the buildings. Therefore, barring unforeseen circumstances, such as the donation of a large amount of money for the restoration of the buildings, this alternative is not considered to be reasonable or feasible.

**Reduced Project - Demolishing Bettencourt and Brown House, Moving Mowry Schoolhouse to a Location in Newark.**

An alternative to demolishing all the buildings would be to demolish the Bettencourt and Brown Houses and move the Mowry Schoolhouse to be stored in an undetermined location in
Newark. The building could be stored at a later date when funding was secured and then moved to another location where it could be viewed by the public. This would achieve the objective of removing the attractive nuisance and improving public safety in Ardenwood but would not meet the objective of removing the overall public safety issue. The alternative would shift that issue from one location to another, but not eliminate it.

Choosing this would remove one of the significant effects of the project, by retaining one of the three buildings and would also remove all public safety issues from Ardenwood and the City of Fremont. As this building is owned by the City of Newark, it would then take responsibility for its relocation, maintenance, and future restoration, and a second relocation after restoration. This alternative would transfer costs and potential public safety issues from one government agency to another, but potentially would not eliminate the actual issues. A location for the temporary storage of the building has not been identified and it may not be possible to guarantee the security of the building at the new storage location. This would lead to the same public safety and perhaps vandalism issues that currently exist. The cost of restoration of the Mowry Schoolhouse has been estimated to be as much as $850,000.

**Conclusion:** As described in CEQA Guidelines Section 15126.6(f)(1), and discussed earlier, economic viability is one of the factors that may be taken into account when analyzing the feasibility of alternatives. The purpose of the proposed project is the demolition or removal of the three buildings because of the escalating costs of restoration and lack of funding for the buildings. The City of Newark does not have funds for the restoration of the building and no party has expressed an interest in the advertised offer of buying the building for $1.00 and relocating it to another site. Therefore, barring unforeseen circumstances, such as the donation of a large amount of money for the restoration of the building, this alternative is potentially not considered to be reasonable or feasible. This alternative would not meet the project objectives.

**Reduced Project – Demolishing Mowry Schoolhouse and Brown House, Moving Bettencourt House to a Location in Fremont.**

Another alternative to demolishing all the buildings would be to demolish the Mowry Schoolhouse and Brown Houses and move the Bettencourt House to be stored in an undetermined location in Fremont. The building could be stored at a later date when funding was secured and then moved to another location where it could be viewed by the public. This would achieve the objective of removing the attractive nuisance and improving public safety in Ardenwood.

**Conclusion:** Choosing this would remove one of the significant effects of the project, by retaining one of the three buildings and would also remove all public safety issues from Ardenwood. This alternative would entail transferring ownership of the Bettencourt House to
the City of Fremont. The City of Fremont would then take responsibility for its relocation, maintenance, and future restoration, and a second relocation after restoration.

As discussed above, economic viability is one of the factors that may be taken into account when analyzing the feasibility of alternatives. The purpose of the proposed project is the demolition or removal of the three buildings because of the escalating costs of restoration and lack of funding for the buildings. The City of Fremont does not have funds for the restoration of the building and no party has expressed an interest in the advertised offer of buying the building for $1.00 and relocating it to another site. Therefore, barring unforeseen circumstances, such as the donation of a large amount of money for the restoration of the building, this alternative is potentially not considered to be reasonable or feasible. This alternative would not meet the project objectives, as the alternative would shift the issue of public safety from one location to another, but not eliminate it.

ENVIRONMENTAL SUPERIOR ALTERNATIVE

An EIR is required to identify the Environmentally Superior Alternative from a range of reasonable alternatives evaluated in the EIR. If the Environmentally Superior Alternative is the “No Project” Alternative, the EIR shall also identify an Environmentally Superior Alternative among the other alternatives. CEQA Guidelines Section 15126(e)(2) states that the Environmentally Superior Alternative would be the one that results in the fewer environmental impacts. Table 5-1 below provides a comparison of impacts. As shown in the table, Alternative 3: Reduced Project – Demolition of Bettencourt House and Mowry Schoolhouse, and Retaining Exterior of Brown House would be the Environmentally Superior Alternative.

CUMULATIVE IMPACTS

CEQA Guidelines Section 15130 requires that an EIR analyze cumulative impacts of the proposed project when the project’s incremental effect on that resource is cumulatively considerable. CEQA Guidelines Section 15065 states that “cumulatively considerable” means that “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” The only environmental issue area in which the project would cause a significant and “cumulative considerable” impact would be historical resources.

Project implementation would result in the demolition of three historic resources. Mitigation measures would not reduce this impact to a less-than-significant level. Even if the “Demolition of Bettencourt House and Mowry Schoolhouse, Retaining Exterior of Brown House” alternative were chosen, lessening the impact to historic resources, the impact would
remain significant and unavoidable, due to the demolition of the other two buildings. Other historic buildings located within Alameda County and the entire Bay Area region have been demolished and demolition will continue to be proposed in various parts of the region. Therefore, the project’s contribution to cumulative impacts in the area of historic resources exists and would be cumulatively considerable, a significant cumulative impact, due to the continued loss over the years of such resources.
<table>
<thead>
<tr>
<th>Proposed Project</th>
<th>No Project Alternative– No Restoration</th>
<th>Restoration, Relocation on-site</th>
<th>Demolition of Bettencourt House and Mowry Schoolhouse, Retaining Exterior of Brown House</th>
<th>Demolishing Bettencourt and Brown House, Moving Mowry Schoolhouse to a Location in Newark</th>
<th>Reduced Project – Demolishing Mowry Schoolhouse and Brown House, Moving Bettencourt House to a Location in Fremont</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meets Project Objective?</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Is Alternative Feasible?</td>
<td>Yes</td>
<td>No</td>
<td>This alternative is not currently feasible, due to the lack of funding for the exterior restoration. It may be considered potentially feasible in the future; however, that conclusion is speculative due to the economic viability of this alternative.</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Historical Resources Impacts, Compared to Project*</td>
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<td>&lt;</td>
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<tr>
<td>Historical Resources Impacts, Compared to Other Alternatives</td>
<td>Not feasible.</td>
<td>Environmentally Superior Alternative, as one building is retained. The Brown House is the only building historically significant to Ardenwood. No other alternatives have the potential to be feasible and there are, therefore, no reasonable alternatives to the project.</td>
<td>Not feasible.</td>
<td>Not feasible.</td>
<td></td>
</tr>
</tbody>
</table>

*All other impacts would be demolition-related only and mitigated to a less-than-significant level. If one or more buildings were not demolished, there would be fewer impacts associated with air quality, biology, cultural resources (archaeology), hazards and hazardous materials, noise, and utilities and service systems - solid waste. However, since all of these impacts were short-term and/or mitigable, they were not considered to be pertinent in the comparison of alternatives.

“<” Fewer Impacts than Proposed Project
6.0 OTHER CEQA TOPICS

SIGNIFICANT UNAVOIDABLE IMPACTS

Sections 2 and 5 summarizes all potentially significant impacts of the project. All of these impacts, except one, would be reduced to a less-than-significant level by implementation of mitigation measures described in the Initial Study (Appendix A) and listed in Table 1-1 in Chapter 2 of this EIR. The project would result in the demolition of three historically-significant buildings, a significant impact. Implementation of Mitigation Measures His-1 – His-3 would not reduce this impact to a less-than-significant level and therefore, this impact would remain significant and unavoidable. In addition, the project’s contribution to cumulative impacts on significant historic resources would be considerable and would remain a significant cumulative and unavoidable impact of the proposed project.

SIGNIFICANT IRREVERSIBLE IMPACTS

CEQA Guidelines Section 15126.2(c) requires that an EIR identify significant irreversible changes that would result from implementation of the proposed project. Such changes include the use of nonrenewable resources during the initial and continued phases of the project and irreversible damage resulting from environmental accidents associated with the project. Demolition of the buildings would result in the short-term use of nonrenewable resources such as gasoline and oil for the operation of the demolition equipment. This would be short-term in nature, however. No irreversible damage resulting in environmental accidents would be expected from such demolition activities.

GROWTH-INDUCING IMPACTS

CEQA Guidelines Section 15126.2(d) requires an EIR to “discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” The project would not be growth-inducing, since no new infrastructure, such as roads or utilities would be extended to any contiguous areas. No new construction is proposed for the site. The project would not result in employment growth.
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8.0 REFERENCES


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Hill, Ward, Historic Architecture Assessment Three Houses at Ardenwood Historic Farm, Fremont, California, December 20, 2011.


Newark City Council, Council Meeting Agenda, Item F.3, May 9, 2013.


http://archive.org/stream/pattersonfamily01lagerich#page/n95/mode/2up/search/+Brown, accessed October 18, 2013.