

PROGRAMMATIC AGREEMENT COMPLIANCE REPORT

CITY OF RIVERSIDE, CALIFORNIA

**Nineteenth Reporting Period
July 1, 2011 – December 31, 2011**

Prepared for:

**State Historic Preservation Officer
and the
Advisory Council on Historic Preservation**

Submitted by:

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January 31, 2013

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I. Introduction

1.1 Overview

On June 12, 2002, The City of Riverside (City), the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (Advisory Council) entered into a Programmatic Agreement (PA) regarding historic properties affected by the funding and administration of projects and programs (Undertakings) with monies from the U.S. Department of Housing and Urban Development (HUD) programs (Programs). The PA provides stipulations to satisfy the City's Section 106 responsibilities for all individual Undertakings of the Program as the City has determined that implementation of the Program may have an effect upon properties included in or determined eligible for inclusion in the National Register of Historic Places (National Register or NRHP).

In order to correspond with the reporting timeframe outlined in the PA, the City of Riverside considered the PA effective on July 1, 2002 and began taking action on all applicable projects under the PA from that date forward. Under the terms of the PA, the City is required to document in writing all actions pursuant to the PA and to report the activities to the SHPO and the Advisory Council in a Programmatic Agreement Compliance Report (PACR) every six months. This Nineteenth Reporting Period PACR submitted January 31, 2013 reports the activities from July 1, 2011 through December 31, 2011.

1.2 Statement of Purpose

The purposes of this Nineteenth Reporting Period PACR are to:

- Summarize for the SHPO and the Advisory Council the activities carried out under the PA from July 1, 2011 through December 31, 2011;
- List by property address all Undertakings that were reviewed pursuant to the PA;
- Document all decisions made with respect to Identification and Evaluation of Historic Properties, Treatment of Historic Properties, Resolutions of Adverse Effects, and Considerations and Treatment of Archaeological Resources;
- Provide copies of all Standard Mitigation Measures Agreements (SMMA), as applicable; and,
- Present the views of the City regarding the usefulness of this PA in promoting the efficiency and the effectiveness of both the Program and the consideration of historic properties.

II. Methodology

This section summarizes the methodology used by the City to carry out applicable Stipulations of the PA. Copies of the State Historic Resources Inventory Forms (DPR 523 forms) and other documentation prepared under the PA have not been included in this report, but are available upon request.

2.1 Methodology for Identification and Evaluation

2.1.1 Project Tracking Table

For the purposes of tracking Undertakings under the PA and facilitating the PA reporting process, a Project Tracking Table (Table) was created to organize project details and actions. The Table houses all pertinent information, including project address and description, in and out dates, CHR status codes, rehabilitation options and conditions, resolutions of adverse effects, and consideration and treatment of archaeological resources (see Appendix A).

2.1.2 Undertakings Not Requiring Review

Stipulation III of the PA lists specific types of Undertakings that do not require review or determinations of eligibility. They include projects that only affect properties which are less than 50 years old, Undertakings limited exclusively to the interior portions of single family residential properties where the proposed work will not be visible on the exterior, and Undertakings limited exclusively to activities named exempt and listed in Appendix A.

Under the terms of the PA, Undertakings exempt from review were not submitted to the SHPO or the Advisory Council. However, such properties were included in the Table and are documented in this Nineteenth Reporting Period PACR. The City authorized exempt Undertakings to proceed without review in accordance with Stipulation III of the PA.

2.1.3 Undertakings Requiring Review

For each Undertaking requiring review, City staff proceeded with the identification and evaluation of Historic Properties as outlined under Stipulation IV of the PA. This included a site visit and a review of the current listing of the National Register, the State Historic Resources Inventory and the City's Historic Resources Inventory to determine whether a subject property had been previously surveyed and was listed in, or evaluated for eligibility for, the National Register. If the property was not exempt per Stipulation VI (B) and (C), it was evaluated using the National Register Criteria.

If a new survey was required, City staff completed an intensive-level field survey and documented the property with digital photographs. If a potential for inclusion in a historic district existed, staff documented and photographed the entire potential district area.

Site-specific research was then completed on the subject property. Research sources included (as applicable): building permits, Sanborn maps, parcel maps, tract maps, Assessor's map books, Planning Department historic property files, existing DPR forms and associated survey information, historic context statements, City directories, and multiple GIS overlay layers.

2.1.4 Evaluation and Preparation of Inventory Forms

If a property is listed in or officially determined eligible for listing in the National Register per Stipulation VI (B), no DPR 523 forms were prepared.

City staff prepared appropriate DPR 523 forms for properties which had not been previously documented or that had been determined ineligible for the National Register five (5) or more years ago. Properties were evaluated according to national, state, and local criteria and a CHR Status Code was assigned to each property.

During this reporting period one property had been previously identified as listed in or eligible for listing in the National Register:

2060 University Avenue – Cesar Chavez Community Center (1S)

All properties determined ineligible for listing in the National Register, were assigned a status code of 6Y – “determined ineligible for listing by a consensus through Section 106 process” and/or 6L – “determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.”

Properties determined ineligible for listing in the National Register, but eligible for the California Register or for local designation were also assigned the appropriate CHR Status Code for use in the local government review process.

Determinations of eligibility or ineligibility were documented in the Table and reported in this Nineteenth Reporting Period PACR (see Appendix A) in accordance with Stipulation VI (D) of the PA.

2.1.5 Request for SHPO Concurrence

One project was submitted for SHPO concurrence during the Nineteenth reporting period. The City determined that a Phase I archeological report was not necessary for the project at 3995 Jefferson Street because the park area was previously graded and developed as an agricultural use, verified in historic aerial photographs dated 1938 and 1948, and the actual impacts to potential archaeology were limited to the footings for four proposed light standards at 30” in diameter by 12’ deep. SHPO did not respond within the 15-day comment period stipulated in the PA, thereby concurring with the City’s determination.

2.2 Methodology for the Treatment of Historic Properties

This section summarizes the process used by the City in reviewing the effects of Undertakings that required review under the PA.

2.2.1 Rehabilitation – Option 1

In accordance with the PA, rehabilitation Undertakings that have the potential to affect properties listed in or determined eligible for listing in the National Register, and are not exempt from review, shall be evaluated for conformance with the *Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, 1995 (Standards) and to the greatest extent feasible, the State Historical Building Code (SHBC). Although not required by the PA, in accordance with Title 20 of the Riverside Municipal Code (Cultural Resources), designated properties, or properties considered eligible for the California Register or local designation are also evaluated according to the Standards and SHBC. As stated above under Section 2.1.4 one property during this reporting period was previously designated or determined eligible for listing in the National Register.

Under Stipulation VIII of the PA, when the City determines that an Undertaking does not conform to the Standards and when recommended changes that would bring the project into conformance are not adopted, the City is required to enter into consultation with the SHPO to determine if the effects of the Undertaking can be resolved by executing a Standard Mitigation Measures Agreement (SMMA). If an SMMA is determined appropriate by the SHPO, the City and the SHPO would consult to develop an SMMA in compliance with Appendix B of the PA and the SMMA would be implemented by the City and reported in the PACR. During this Nineteenth Reporting Period, no SMMA was needed or developed.

2.2.2 Rehabilitation – Option 2 (Internal Revenue Code (IRC))

No Undertakings during this Nineteenth Reporting Period involved the use of investment tax credits pursuant to the IRC. Therefore, no projects required evaluation under Stipulation VII (C) of the PA.

2.2.3 Rehabilitation – Relocation, Demolition, and New Construction

No Undertakings during this Nineteenth Reporting Period involved the relocation of Historic Properties. Therefore, no Relocation projects required evaluation under Stipulation VII (D) of the PA.

No Undertakings during this Nineteenth Reporting Period involved the demolition of a Historic Property. Therefore, no Demolition projects required evaluation under Stipulation VII (E) of the PA.

No Undertakings during this Nineteenth Reporting Period involved new construction in an historic district or within the APE of historic buildings. Therefore, no New Construction projects required evaluation under Stipulation VII (F) of the PA.

2.2.4 Emergency Undertakings

No Undertakings during this Nineteenth Reporting Period involved a threat to a Historic Property due to the imminent threat to the public health and safety. Therefore, no projects required evaluation under Stipulation IX of the PA.

2.2.5 Archaeological Resources

One Undertaking during this Nineteenth Reporting Period involved a potential affect to archaeological resources, and is described in Section II.2.1.5 above and the Table in Appendix A. Other projects that underwent related ground-disturbance activities, as listed in Stipulation X, were considered exempt from review due to the activities occurring wholly within the legal lot lines of a single-family residence parcel or outside the legal lot lines of such a parcel and confined to areas that have been previously disturbed by such activities. Therefore, one project required evaluation under Stipulation X of the PA.

III. Results of Activities

3.1 Summary of Activities

Activities carried out under the PA between July 1, 2011 and December 31, 2011 are listed by address in the Table along with all the components required by the PA for the PACR as set forth in Stipulation XVIII (B). See Appendix A for a complete listing of all projects by property address and for information regarding project scope.

During this reporting period, no new properties were identified as eligible for listing in the National Register of Historic Places. Only one property had been previously listed in the National Register. One project was forwarded to SHPO for concurrence.

IV. Programmatic Agreement Compliance

4.1 Effectiveness of Programmatic Agreement

In this Nineteenth Reporting Period, the City has found the PA very effective. The PA has enabled the City to efficiently carry out its Section 106 review responsibility while fully considering historic properties. There are several ways in which the PA has worked to empower the City to facilitate the review process of HUD-funded and administered Undertakings. In addition, the project review process has necessitated the use of the Standards and the SHBC, thus enabling a broader understanding of these guidelines by City staff and project applicants.

The PA has been particularly useful in expediting project review. The PA clearly lists properties that do not require review or are exempt from review, facilitating the quick identification of such properties. Under the PA, the City is able to recognize previous determinations of eligibility or ineligibility, thus greatly shortening the identification and evaluation time for subject properties. Because the City is not required to submit determinations of ineligibility or project reviews of eligible properties to the SHPO for concurrence, and because the SHPO has a 15-day response time to concur with a determination of eligibility, project review times are greatly reduced.

Furthermore, the PA has provided an educational opportunity. The review process under the PA introduces a project applicant to the Standards and SHBC and encourages a greater knowledge of historic preservation and the consideration of historic properties.

V. Conclusion

This Nineteenth Reporting Period PACR summarizes the activities carried out under the PA from July 1, 2011 through December 31, 2011. In compliance with Stipulation XVIII of the PA, this report will be forwarded to all signatories of the PA as well as the Los Angeles office of the U.S. Department of Housing and Urban Development. This PACR will also be made available for public inspection and comment, and notification of its availability and the opportunity to comment to the Council, the SHPO, and the City will be posted on the City's website. Furthermore, the signatories to the PA will review the PA and any comments received from the public and determine if an amendment to the PA is necessary.

This Nineteenth Reporting Period PACR documents all decisions and activities regarding the Identification and Evaluation of Historic Properties, Treatment of Historic Properties, Resolution of Adverse Effects, Consideration and Treatment of Archaeological Resources, and Undertakings Not Requiring Review between July 1, 2011 and December 31, 2011. The PACR also documents the City's views regarding the efficiency and effectiveness of the PA in reviewing Undertakings of the Program and the consideration of Historic Properties. The Twentieth Reporting Period PACR, which will document the activities carried out under the PA from January 1, 2012 through June 30, 2012, will be submitted to the SHPO and Advisory Council by January 31, 2013.

**SECTION 106 REVIEWS – ALL PROJECTS
July 1, 2011 – December 31, 2011**

PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
7306 Ysmael Villegas St. / RHDC Minor Rehab	9-6-11 12-15-11	1945 Building Permit	Yes	No / 2001, 2011	6L / 2001, 6Y, 6L 2011	Yes
REHAB OPTION / CONDITIONS		Option 1 / None				
RESOLUTION OF ADVERSE EFFECTS		N/A				
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		The project does not include disturbance of previously undisturbed ground.				
COMMENTS		<p>Proposed work is minor rehabilitation, and includes removal of the chain link fence along the streets and replacement with wrought iron, installation of wood railings on the front porch and steps, replacement of the windows, doors, screens, screen doors, garage door, crawlspace access door, removal of the bars from the bedroom window, removal of framing and insulation at the garage door, repair of the metal siding and replacement of metal corners where missing, replacement of the concrete in front of the garage door, upgrading electrical panel and wiring to include GFCIs, new smoke detectors, a new water heater, removal of the window AC units, a new light fixture in the bathroom, a new sink, faucet, connective plumbing and a garbage disposal with a dedicated circuit in the kitchen, a ceiling fan, lead based paint reduction including preparation of all fascia, rafter tails, and soffits, and repainting the entire exterior, and other minor improvements.</p> <p>The APE is limited to the legal lot lines of the property per Stipulation V (A) of the Programmatic Agreement because the Undertaking consists exclusively of rehabilitating a property's interior or exterior features.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
3995 Jefferson St. / Don Jones Park Improvements	10-3-11 11-7-11	1962 Building Permits	No	N/A	N/A	N/A
REHAB OPTION / CONDITIONS		Option 1 / None				
RESOLUTION OF ADVERSE		N/A				

EFFECTS						
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		<p>Stipulation X states that the proposed undertaking has the potential to affect archeological resources because the footing work occurs more than two feet from any existing footing, and requires the city to contact the Eastern Information Center (EIC) for an Archeological site, Records, and Literature Search (ARLS). The PA also requires the city to forward any EIC request for survey to the SHPO for comment.</p> <p>On October 13, 2011, the City requested SHPO concurrence that a Phase I archeological report is not necessary for this project with such limited impacts. The City cited the facts that the park area was previously graded and developed as an agricultural use, verified in historic aerial photographs dated 1938 and 1948, and the actual impacts to potential archaeology are limited to the footings for four proposed light standards at 30" in diameter by 12' deep. As of November 7, 2011, the SHPO did not respond, thereby concurring in the City's determination.</p> <p>Ordinarily, a 30-day comment period is required when requesting comments from the SHPO; however, the PA specifies a 15-day comment period (from the date of receipt) when requesting comments for archeological surveys.</p>				
COMMENTS		<p>Proposed construction includes removal of the existing ball field lights and replacement with new energy-efficient LED lights on new footings and poles, and installation of an illuminated ADA-compliant path of travel within the park, from the adjacent public street and parking lot to the existing ball field and dugouts.</p> <p>Due to the large park size and confinement of the disturbed area, the City determined that the APE is limited to the public park site.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
ADA Footpath Improvements	10-26-11 11-1-11	1961-64 / Building permits	No	N/A	N/A	N/A
REHAB OPTION / CONDITIONS		Option 1 / None				
RESOLUTION OF ADVERSE EFFECTS		N/A				
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		<p>Archaeologically, the project does not include the disturbance of any previously undisturbed ground. According to the Programmatic Agreement (Section X[B][1][a][ii]), the City is not required to consult with the Eastern Archaeological Information Center for this project.</p>				
COMMENTS		<p>The proposed project is located within the public right-of-way along Argyle and Malvern Ways, Howe, Cornwall, Benedict, and Sheffield Avenues, Wetherly, Camden, and Longmont Streets, Deming and Corvallis Courts, and Roxbury and Ives Place. The project includes construction or reconstruction of wheelchair ramps at 41 locations within the project area.</p>				

		<p>According to Stipulation III(C) of the Programmatic Agreement, the proposed undertaking does not require review by the SHPO or Council and no signatory is required to determine the NRHP eligibility of properties because the proposed project is included among those exempt from review pursuant to Appendix "A" (item #17).</p> <p>Due to the nature of this project, the City determined that the APE is limited to the public right-of-way.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
Ward 1 Street Improvements	10-26-11 11-4-11	1960-1987 Building Permits	No	N/A	N/A	N/A
REHAB OPTION / CONDITIONS		Option 1 / None				
RESOLUTION OF ADVERSE EFFECTS		N/A				
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		<p>Archaeologically, the project does not include the disturbance of any previously undisturbed ground. The proposed project is not included in the types of activities that have the potential to affect archaeological resources, as listed in Section X A of the Programmatic Agreement; therefore, the City is not required to consult with the Eastern Archaeological Information Center.</p>				
COMMENTS		<p>The proposed project is located within the public right-of-way along Massachusetts and Baltic Avenues, and Don Goodwin, Bascomb, Altura, and Newkirk Drives. The project includes reconstructing failed and deteriorated sections of the asphalt pavement and asphalt pavement rehabilitation, along with replacement of 500 linear feet of curbs and gutters, 1,500 square feet of sidewalks, 800 square feet of driveway approaches, and ten wheelchair ramps.</p> <p>According to Stipulation III(C) of the Programmatic Agreement, the proposed undertaking does not require review by the SHPO or Council and no signatory is required to determine the NRHP eligibility of properties because the proposed project is included among those exempt from review pursuant to Appendix "A" (item #17).</p> <p>Due to the nature of this project, the City determined that the APE is limited to the public right-of-way.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
Ward 4 Street Improvements	11-2-11 12-30-11	1952 Building Permits	No	N/A	N/A	N/A
REHAB OPTION / CONDITIONS		Option 1 / None				

RESOLUTION OF ADVERSE EFFECTS		N/A				
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		Archaeologically, the project does not include the disturbance of any previously undisturbed ground. The proposed project is not included in the types of activities that have the potential to affect archaeological resources, as listed in Section X A of the Programmatic Agreement; therefore, the City is not required to consult with the Eastern Archaeological Information Center.				
COMMENTS		<p>The proposed project is located within the public right-of-way along Duke Street, Tangerine Way, Mayfair Lane, Blossom Lane, and Harley Street. According to the proposed plans and Engineer's Estimate, the project includes reconstructing failed and deteriorated sections of the asphalt pavement and asphalt pavement rehabilitation, along with removal and replacement of 600 linear feet of curbs and gutters, and 1,000 square feet of driveway approaches.</p> <p>According to Stipulation III(C) of the Programmatic Agreement, the proposed undertaking does not require review by the SHPO or Council and no signatory is required to determine the NRHP eligibility of properties because the proposed project is included among those exempt from review pursuant to Appendix "A" (item #17).</p> <p>Due to the nature of this project, the City determined that the APE is limited to the public right-of-way.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
2060 University Av./ Cesar Chavez Community Center Improvements	11-16-11 12-21-11	1928 Building Permits	Yes	Yes / 1998	1S / 1998	Yes
REHAB OPTION / CONDITIONS		Option 1 / None				
RESOLUTION OF ADVERSE EFFECTS		None. The undertaking will have no adverse effect on historic property because the proposed work will be completed according to all applicable Secretary of the Interior's Standards.				
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		Archeologically, the project does not include the disturbance of any previously undisturbed ground.				
COMMENTS		<p>The project includes installation of an elevator within the community center for improved ADA access within the building. Based on the submitted plans, all work is limited to the interior only, and will not impact the significance or integrity of the cultural resource in any way.</p> <p>Due to the limited scope of the project, the city determined that the</p>				

		APE is limited to the legal lot lines of the property.				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
Ward 3 Street Improvements	12-28-11 12-30-11		No	N/A	N/A	N/A
	REHAB OPTION / CONDITIONS	Option 1 / None				
	RESOLUTION OF ADVERSE EFFECTS	N/A				
	CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES	Archaeologically, the project does not include the disturbance of any previously undisturbed ground. The proposed project is not included in the types of activities that have the potential to affect archaeological resources, as listed in Section X A of the Programmatic Agreement; therefore, the City is not required to consult with the Eastern Archaeological Information Center.				
	COMMENTS	<p>The proposed project is located within the public right-of-way along Potomac, Mt. Vernon, and Delaware Streets, all between Madison and Cortez Streets. According to the proposed plans, the project includes reconstructing failed and deteriorated sections of the asphalt pavement along with incidental removal and replacement of curbs, gutters, driveway approaches, and wheelchair ramps.</p> <p>According to Stipulation III(C) of the Programmatic Agreement, the proposed undertaking does not require review by the SHPO or Council and no signatory is required to determine the NRHP eligibility of properties because the proposed project is included among those exempt from review pursuant to Appendix "A" (item #17).</p> <p>Due to the nature of this project, the City determined that the APE is limited to the public right-of-way.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
Dales Senior Center Tenant Improvements	12-8-11 12-13-11	2001 Building Permit	Yes	No / 2010	5S1 / 2010	Yes
	REHAB OPTION / CONDITIONS	Option 1 / None				
	RESOLUTION OF ADVERSE EFFECTS	None. The proposed work will be completed according to the applicable Secretary of the Interior's Standards				
	CONSIDERATION AND TREATMENT OF ARCHEO	Archeologically, the project is limited to the interior of the building and does not include the disturbance of any previously undisturbed ground.				

RESOURCES						
COMMENTS		<p>The Dales Senior Center is not currently considered historic, but was constructed within White Park, which is historic and significant. All proposed changes are on the interior of the Dales Senior Center and will not impact the significance of White Park in any way.</p> <p>Due to the limited scope of the project, the City determined that the APE is limited to the subject site.</p>				
PROJECT ADDRESS	DATE IN DATE OUT	DATE OF CONSTRUCTION AND SOURCE	106 REQ'D	NRE / DATE	CHR STATUS CODE / DATE	DPR FORMS
5257 Sierra St./ Janet Goeske Senior Center Kitchen Improvements, Appliances	10-26-11 10-26-11	1982 Building Permits	No	N/A	N/A	N/A
REHAB OPTION / CONDITIONS		Option 1 / None				
RESOLUTION OF ADVERSE EFFECTS		N/A				
CONSIDERATION AND TREATMENT OF ARCHEO RESOURCES		The project is limited to the interior of the building and does not include disturbance of any previously undisturbed ground.				
COMMENTS		<p>Stipulation III A of the PA states that no signatory is required to determine the National Register of Historic Places (NRHP) eligibility of a property that is less than 50 years old.</p> <p>Due to the limited scope of the project, the Area of Potential Effects (APE) is determined to include the subject property only.</p>				