

THE CITY OF RANCHO CUCAMONGA

Mayor
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L. DENNIS MICHAEL
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City Manager
JACK LAM, AICP

RANCHO
CUCAMONGA

October 4, 2007

Mr. Roger E. Johnson, Manager
California Energy Commission
Energy Facilities Siting and Compliance Office
1516 Ninth Street
Sacramento, CA 95814-5512

DOCKET 07-AFC-2
DATE OCT 04 2007
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SAN GABRIEL GENERATING STATION (07-AFC-2) AT 8996 ETIWANDA AVE.
CITY FILE NO.: DRC2007-00357

Dear Mr. Johnson:

The Planning Division appreciates the opportunity to review the proposed San Gabriel Generating Station in the City of Rancho Cucamonga and provide comments and responses to your letter dated August 28, 2007. Following are the City's responses regarding the requested items in your letter:

Local Agency Jurisdiction

The subject project site is located in the Heavy Industrial District (Subarea 15) as denoted by the Rancho Cucamonga Development Code. In Subarea 15, heavy utility uses/facilities may be permitted subject to a Conditional Use Permit (CUP). Given that the existing facility was constructed prior to City incorporation no CUP is available. Whenever a preexisting use that would normally require a use permit is expanded and/or significantly modified, the City requires a new use permit and compliance with City development standards to the greatest extent feasible. This would be the case for the proposed 696-megawatt (MW) power plant project at the subject site, provided the City of Rancho Cucamonga is the permitting agency.

In addition to a new CUP, a variance to exceed the height limit of the district would also be required. The addition of 2 boiler stacks (up to 150.5 feet in height) requires a variance. Approval of a variance would be based on the ability of the City to make the requisite findings.

Completeness of the Application for Certification (AFC) listing of local laws, regulations, and ordinances

In addition the abovementioned land use entitlements, the proposed project under City review would also require approval by the Engineering, Building & Safety, and Fire Departments. Each Department has their respective development review criteria/process/requirements and as such seeks to incorporate specific modifications to plans and operational conditions as appropriate and address concerns from their respective disciplines. Since the Rancho Cucamonga Fire

Department will be the first responder to fire and life safety incidents, we highly recommend consultation with the Fire Construction Services Unit to identify and mitigate any potential risks/concerns, such as compliance with water supply/fire protection, access, storage and/or use of hazardous materials, and possible confined space rescue operations.

City Design Requirements

While the location of the power plant and its ultimate approval is not within our scope of authority to control, it is nonetheless within our community and should be constructed to the highest standard achievable, as we ask of all our residential and corporate residents. Projects under the jurisdiction of the City of Rancho Cucamonga are required to comply with the following design standards to ensure the proper integration of project within the surrounding context and to upgrade the appearance of the existing facility to greatest extent possible. Given the prominence and scope of the proposed utility facility within the City, the incorporation of the following design standards is highly recommended:

- Construct decorative perimeter wall(s) and add substantive landscaping (trees, shrubs groundcovers) along Etiwanda Avenue and 6th Street to provide visual relief along the street and screen views directly into the heart of the facility.
- Construct 30 parking stalls and parking lot illumination and landscaping to City parking lot standards.
- Remove any chain link fencing and replace with tubular steel fence and landscaping for screening purposes.
- Add landscaping (5-10 percent) around the interior of the site where possible to mitigate large expanses of hardscape and structures.
- Upgrade the architecture of the control building to meet City Design Standards for Industrial District projects.
- Provide Etiwanda Avenue and 6th Street frontage right-of-way improvements to the satisfaction of the City Engineer.

Analysis of compliance with substantive requirements

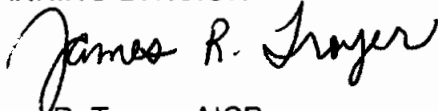
Based on a review of the plans contained in our files we cannot determine if the project comes close to meeting City standards as outlined above. There is a conceptual aerial view of the proposed facility which does not provided sufficient information for an adequate analysis. The few plans we have are technical drawings which do not provide us with the ability to determine if any of our aesthetic concerns may have been addressed. Moreover, we did not find any detailed site plans or architectural plans to assess building/structure design. At a minimum, the City should be provided with additional plans that seek to confirm or address our abovementioned concerns. The City requests a meeting with the client and representatives of your staff to more fully discuss the details of the project.

We look forward to the opportunity to work with the California Energy Commission and the Reliant Energy Corporation to achieve a mutually desirable outcome for all parties involved. Should you have any questions or if we can be of further assistance, please feel free to contact me at (909) 477-2750, Monday through Thursday from 7 a.m. to 6 p.m.

ROGER G. JOHNSON
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Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



James R. Troyer, AICP
Planning Director

JT:MD/DG/lis

Attachments

C: Jack Lam, AICP, City Manager
Mahdi Aluzri, Deputy City Manager
Corky Nicholson, Assistant Planning Director
Jon Gillespie, Traffic Engineer
Robert Ball, Fire Marshall

Section 17.04.030 - Conditional Use Permits

- A. **Purpose and Intent.** The purpose of these regulations is to create flexibility necessary to achieve the objectives of the Development Code and General Plan. Selected uses in each district are allowed only subject to the granting of a Conditional Use Permit, because of their unique site development requirements and operating characteristics, which require special consideration in order to operate in a manner compatible with surrounding uses. The Conditional Use Permit process is intended to afford an opportunity for broad public review and evaluation of these requirements and characteristics, to provide adequate mitigation of any potentially adverse impacts, and to ensure that all site development regulations and performance standards are provided in accordance with the Development Code.
- B. **Authority.** The Planning Commission is authorized to grant Conditional Use Permits to achieve these purposes as prescribed in accordance with the procedure in this Section and impose reasonable conditions. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; requirements for periodical review by the Planning Commission; and such other conditions as the Commission may deem necessary to ensure compatibility with surrounding uses; to preserve the public health, safety, and welfare; and to enable the Commission to make the findings required by Section 17.04.030-E.
- C. **Application.**
1. An application for a Conditional Use Permit shall be filed with the Planning Division in a manner prescribed by the City Planner.
 2. Conditional Use Permit applications involving new construction require the review of development plans as provided for in Chapter 17.06 of this title.
- D. **Public Hearing.** The Planning Commission shall hold a Public Hearing on each application for a Conditional Use Permit. The hearing shall be set and notice given as prescribed in Section 17.02.110 Public Hearings.
- E. **Findings.** Before approving a Conditional Use Permit, the Planning Commission shall make certain findings that the circumstances prescribed below do apply:
1. That the proposed use is in accord with the General Plan, the objectives of the Development Code, and the purposes of the district in which the site is located.
 2. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
 3. That the proposed use complies with each of the applicable provisions of the Development Code.
- F. **Pre-Existing Conditional Uses/Permits.**
1. A use legally established prior to the effective date of this Code or prior to the effective date of subsequent amendments to the regulations or district boundaries, which did not previously receive a CUP, shall be deemed a pre-existing conditional use. Such uses may continue in accordance with Section 17.02.130 (Non-Conforming Uses), provided that the use is operated and maintained in compliance with the conditions prescribed at the time of its establishment, if any.

2. Alteration, expansion, or reconstruction of a building housing a pre-existing conditional use shall comply with Section 17.02.130 regulating non-conforming uses, until such time that a Conditional Use Permit is granted as provided in this Section.
- G. **Revisions/Modifications.** Revisions or modifications of Conditional Use Permits can be requested by the applicant. Further, the Planning Commission may periodically review, modify, or revoke a Conditional Use Permit.
1. **Revisions/Modifications by Applicant.** A revision or modification to an approved Conditional Use Permit such as, but not limited to, change in conditions, expansions, intensification, location, hours of operation, or change of ownership, may be requested by an applicant. Such request shall be processed as described in Sections 17.04.030-C through F. The applicant shall supply necessary information, as determined by the City, to indicate reasons for the requested change.
 2. **Periodic Review.** The Planning Commission may periodically review any Conditional Use Permit to ensure that it is being operated in a manner consistent with conditions of approval or in a manner, which is not detrimental to the public health, safety, or welfare or materially injurious to properties in the vicinity. If, after review, the Commission deems that there is sufficient evidence to warrant a full examination, then a public hearing date shall be set.
 3. **Modification or Revocation.** After setting a date for public hearing as described in Subsection 2 above, the City Planner shall notify the applicant and owners of the CUP in question. Such notice shall be sent by certified mail and shall state that the Commission will be reviewing the CUP for possible modification or revocation. It shall also state the date, time, and place of hearing. The public hearing shall be conducted and notice given in accordance with Section 17.02.110.

The City Planner shall fully investigate the evidence and prepare a report for the Commission's consideration. Upon conclusion of the public hearing, the Commission shall render a decision to do one of the following measures:

- a. Find that the CUP is being conducted in an appropriate matter and that no action to modify or revoke is necessary; or,
- b. Find that the CUP is not being conducted in an appropriate manner and that modifications to conditions are necessary; or,
- c. Find that the CUP is not being conducted in an appropriate manner and that modifications are not available to mitigate the impacts and therefore revoke the permit, which requires the operation to cease and desist in the time allotted by the Commission.

If the Planning Commission either modifies or revokes a CUP, then they shall state reasons for such action within the resolution.

- H. **New Applications Following Denial or Revocation.** Following the denial or revocation of a Conditional Use Permit application, no application for a Conditional Use Permit for the same or substantially the same use on the same or substantially the same site shall be filed within one year from the date of denial or revocation.

Section 17.04.035 - Non-Construction Conditional Use Permits

- A. **Authority.** Where there is no exterior construction involved, the City Planner is authorized to grant or deny Conditional Use Permits in accordance with the procedure in Section 17.04.030 and impose reasonable conditions. If in the opinion of the City Planner the application involves unusual requirements or raises questions of land use policy substantially more significant than generally pertain to such application, the City Planner may refer the application to the Planning Commission for consideration.

- B. Public Hearing. The City Planner shall hold a public hearing on each application for a Non-Construction Conditional Use Permit. The hearing and notice shall be set and notice shall be given as prescribed in Section 17.02.110 Public Hearings.
- C. Revisions/Modifications. Revisions or modifications of Non-Construction Conditional Use Permits can be requested by the applicant and approved or denied by the City Planner. Further, the City Planner may periodically review, modify, or revoke a Non-Construction Conditional Use Permit in accordance with the procedures of Sections 17.04.030.G.

Section 17.04.040 - Variances

- A. Purpose and Intent. The purpose of this Section is to provide flexibility from the strict application of development standards when special circumstances pertaining to the property such as size, shape, topography, or location deprives such property of privileges enjoyed by other property in the vicinity and in the same district, (consistent with the objectives of the Development Code). Any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and district in which such property is situated.
- B. Authority.
 - 1. The Planning Commission is authorized to grant Variances to achieve these purposes as prescribed in accordance with the procedure in this Section, with respect to development standards such as but not limited to fences, walls, hedges, screening, and landscaping; site area, width, and depth; front, rear, and side yards; coverage; height of structures; landscaping; usable open space; performance standards; and on-street and off-street parking and loading facilities and impose reasonable conditions. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; requirements for periodical review by the Planning Commission; and such other conditions as the Commission may deem necessary to ensure compatibility with surrounding uses; to preserve the public health, safety, and welfare; and to enable the Commission to make the findings required by Section 17.04.040-E.
 - 2. The power to grant Variances does not extend to use regulations. Flexibility to the use regulations is provided pursuant to Section 17.04.030 (Conditional Use Permit) and Section 17.02.040 (Use Determination).
- C. Application. An application for a Variance shall be filed with the Planning Division in a form prescribed by the City Planner.
- D. Public Hearing. The Planning Commission shall hold a public hearing on each application for a Variance. The hearing shall be set and notice given as prescribed in Section 17.02.110 (Public Hearings).
- E. Findings.
 - 1. Before granting a Variance, the Planning Commission shall make the following findings that the circumstances prescribed below do apply:
 - a. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Code.

- b. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same zone.
 - c. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.
 - d. That the granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.
 - e. That the granting of the Variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
2. Parking. The Planning Commission may grant a variance in order that some or all of the required parking spaces be located off-site, including locations in other local jurisdictions, or that in-lieu fees or facilities be provided instead of the required parking spaces, if both the following conditions are met:
 - a. The Variance will be an incentive to, and a benefit for, the nonresidential development.
 - b. The Variance will facilitate access to nonresidential development by patrons of public transit facilities, particularly guideway facilities.
- F. New Applications Following Denial. Following the denial or revocation of a Variance application, no application for the same or substantially the same Variance on the same or substantially the same site shall be filed within one year of the date of denial or revocation.

Section 17.04.050 - Minor Exception

- A. Purpose and Intent. In order to provide flexibility necessary to achieve the objectives of the Development Code, selected site development regulations and applicable off-street parking requirements are subject to Administrative review and adjustment in those circumstances where such adjustment will be compatible with adjoining uses and consistent with the goals and objectives of the General Plan and intent of this Code.
- B. Authority.
 1. To achieve these purposes, the City Planner is authorized to grant a Minor Exception for the following reasons in accordance with the procedures in this Section and to impose reasonable conditions. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; requirements for periodical review by the City Planner; and such other conditions as the City Planner may deem necessary to ensure compatibility with surrounding uses, to preserve the public health, safety, and welfare and to enable the City Planner to make the findings required by Section 17.04.050-E.
 - a. Fence Height. In any district, the maximum height of any fence, wall, hedge or equivalent screening may be increased by a maximum 2 feet, where the topography of sloping sites or a difference in grade between adjoining sites warrants such increase in height to maintain a level of privacy, or to maintain effectiveness of screening, as generally provided by such fence, wall, hedge, or screening in similar circumstances.

Industrial Area Specific Plan



City of Rancho Cucamonga

The excellent freeway and railroad networks that surround Rancho Cucamonga have been major drawing factors. In addition, the Ontario International Airport is currently upgrading and expanding its facilities. The growth projections for the airport can be expected to reflect the growth of the area as a major employment and industrial center. In 1985, the airport handled over 3.65 million passengers and 176,000 tons of air cargo freight.

II. COMMUNITY SETTING

The Industrial Area of the City of Rancho Cucamonga is located in the southern portion of the City, encompassing nearly 5,000 acres. The Industrial Area has been divided into three zones (see Figure I-2).

Generally, Zone A is bounded on the north by Arrow Route and the North Town area, on the east by Haven Avenue, on the south by 4th Street and on the west by Cucamonga Creek and the City of Ontario. As of 1979, Zone A contained 370 acres of industrial uses, nearly 40 percent of the City's total existing currently developed acreage. There are additional 630 acres of vacant land currently zoned for industrial activities.

Zone B is bounded on the north by Foothill Boulevard, on the east by Devore Freeway (I-15), on the south by 4th Street and the City of Ontario, and on the west by Haven Avenue. Zone B is largely undeveloped--nearly 90 percent of this 2,300 acre area is vacant or abandoned vineyards. Much of the existing 220 acres of industrial activity is focused in an area bounded by the railroad and Arrow Route. Because of the availability of land and the area's excellent transportation access, this zone is experiencing the greatest development pressure of the three industrial zones.

Zone C is bounded on the north by Foothill Boulevard, on the east by Etiwanda and East Avenues, on the south by 4th Street and the City of Ontario, and on the west by Devore Freeway. Zone C is characterized by heavy industrial uses such as the Southern California Edison Power plant and rail-related activities. Within Zone C, there are over 340 acres of existing industrial uses, and an additional 360 acres of land zoned for industrial activities.

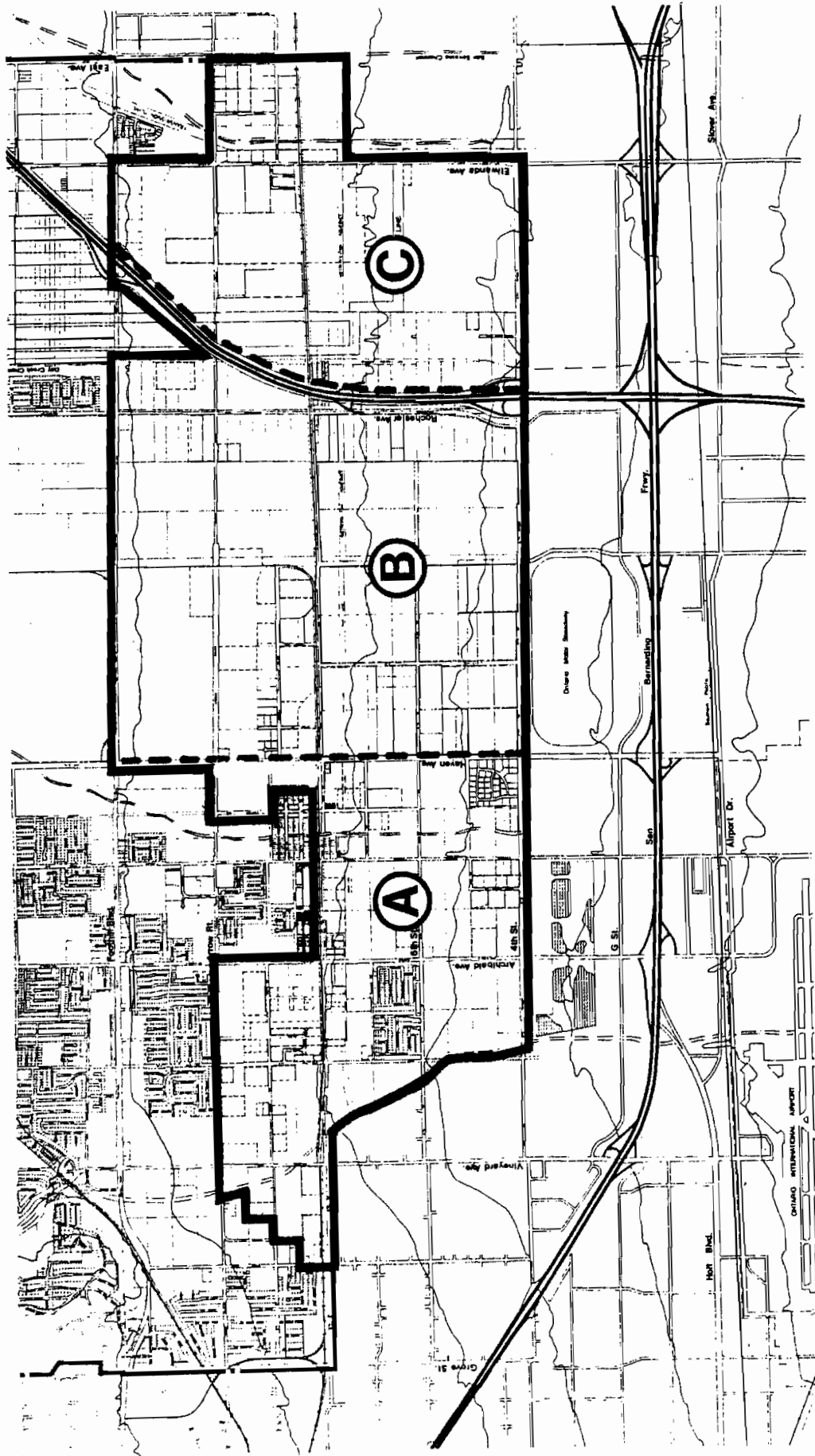


FIG. I-2 INDUSTRIAL AREAS



City-wide, the potential for industrial development is clearly manifested by the 1200 acres of vacant industrially zoned land. In addition, more than 2,500 acres, predominantly abandoned vineyards, lie within the industrial area that can be converted to industrial lands. The table below summarizes the existing and potential industrial development in each of the three zones.

INDUSTRIAL LAND USE SUMMARY FOR RANCHO CUCAMONGA				
INDUSTRIAL AREA - 1979				
Zone	Existing	Developed	Vacant	Total
A	505 Acres		735	1240
B	240 Acres		1940	2180
C	393 Acres		922	1315
Total Acreage 1138			3537	4735

Aside from land availability and convenient access, industrial developers look for locations where their employees can be housed nearby. The undeveloped area north of Zone B, north of Foothill Boulevard, between Haven Avenue and Etiwanda Avenue is planned for two major planned community proposed for up to 18,000 housing units, and to include a major regional shopping center of more than one million square feet of gross leasable floor space. These projects, along with the development of the regional transportation system, are transforming the area's "bedroom communities" to economically viable cities.

III. ISSUES, CONSTRAINTS AND OPPORTUNITIES

The combination of regional and community factors, land availability, excellent transportation, and adequate supply, contribute to the growing attractiveness of the Rancho Cucamonga area. In fact, market studies prepared for local developers project the West Valley's share of regional industrial growth will climb to nearly 25 percent by 1990 and to 30 percent by the year 2000. Much of this growth will be concentrated around the Ontario International Airport.

The City has initiated the preparation of this Industrial Area Plan in order to ensure the development of a high-quality industrial district that is well integrated with the residential and commercial sectors of the City to the north. In order for the Plan to be successful, it must capitalize on the area's locational advantages as well as confront the local issues and constraints which can hinder implementation of the Plan. This section provides a general overview of the issues and opportunities.

Land Use Compatibility

The location of industrial activities within the Industrial Area should respect and, to the extent possible, enhance the character of the land uses along the periphery of the Industrial Area. The compatibility of land uses in zone A is of particular concern because the area is 50 percent developed with a mix of residential, commercial and industrial activities. The northern boundary of Zone B fronts onto proposed residential/commercial developments which will influence the type of industrial development that can locate in these areas. Zone C is characterized by rail-related and heavy manufacturing operations that could impact residential or commercial activities. The type of uses appropriate for Zone C are restricted to similar heavier industrial activities, although some transition toward medium and light uses is necessary to the northeast where residential tracts already exist.

Circulation

Improvements to major streets through the Industrial Area will be necessary to accommodate traffic flows generated by planned residential communities, commercial, as well as by local industrial development. The north/south streets, are expected to receive increased usage as the Industrial Area develops. Consequently, the potential for increased automobile/railroad conflicts increase. Alternatives to avoiding these conflicts involve grade separation of the facilities. Careful design of the road system is necessary to allow the railroads the flexibility of providing spurs, and vice versa, and to minimize potential conflicts. As previous studies noted, there will also be a need for a new interchange on Devore Freeway near 7th Street.



2.3.6 Cultural Resources

2.3.6.1 We shall take appropriate measures to investigate and preserve paleontological and archaeological resources as development occurs throughout our City.

Discussion: Although the potential for such resources to occur within our planning area is thought to be limited, we will investigate specific sites where determined appropriate based upon analysis required under the California Environmental Quality Act, and take measures that are necessary to provide for the preservation of any significant resources that may be located.

3. IMPLEMENTATION

The City of Rancho Cucamonga has been implementing many of the policies cited in this chapter for years. In most cases, our policies will be accomplished through the City's comprehensive development project review process and through the evaluation of publicly proposed projects in our City. In other words, we will continue to do largely what we have already been doing.

However, because of changed conditions, new opportunities, and some enhancement of policies in this chapter, certain specific actions are called for in implementation. These cases are noted in Appendix 6, Initial Implementation Program, in Chapter VII, Appendices. Appendix 6 contains a policy-by-policy statement of implementation commitments, including new actions/programs occasioned by the updated General Plan.

Appendix 6 is called an initial implementation program because it is our intent to update and maintain the list of actions and programs on an annual basis as input to the City budget process. Consequently, it will gradually change from year to year until the next General Plan review and update. At that time a new, comprehensive assessment of implementation needs will be conducted. However, if diligence is used in revising the initial implementation program as

measures set forth in a mitigated negative declaration, the initial study shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable.

- (3) A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g. water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project.

- (4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

[Amended effective September 7, 2004]

15064.5. Determining the Significance of Impacts on Historical and Unique Archeological Resources.

- (a) For purposes of this section, the term "historical resources" shall 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 (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).
- (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 an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall 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 an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4852) 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 an 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 sections 5020.1(j) or 5024.1.
- (b) A project with an effect 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.
 - (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of the resource would be materially impaired.
 - (2) The significance of an historical resource is materially impaired if:
 - (A) Demolishes or materially alters in an adverse manner those characteristics of an historical resource that convey its significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources
 - (B) Demolishes or materially alters in an adverse manner those characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
 - (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.
 - (3) Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the