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July 21, 2023

Mr. Tim Hutter, Chair &
City of San Diego, Historical Resources Board (HRB) Members
1222 First Avenue, Fifth Floor
San Diego, CA 92101

*Re: Draft "La Jolla Park Coastal Historic District" National Register Nomination;
La Jolla, California; HRB Agenda For July 27, 2023 (Item-3)*

Dear Chair Hutter & HRB Members:

I represent the Seal Conservancy in opposition to the above-referenced Draft "La Jolla Park Coastal Historic District" National Register Nomination.

As detailed in my attached letter to the Office of Historic Preservation/State Historical Resources Commission, the Draft National Register Nomination contains numerous procedural and substantive errors. Consequently, the flawed Draft Nomination must be rejected.

On behalf of the Seal Conservancy, we respectfully request that you recommend to the California State Office of Historic Preservation denial of listing in the National Register of Historic Places.

Sincerely,



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July 21, 2023

Ms. Julianne Polanco, State Historic Preservation Officer
Office of Historic Preservation (OHP)
State Historical Resources Commission (SHRC)
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100

Re: Draft “La Jolla Park Coastal Historic District” National Register Nomination;
La Jolla, California; SHRC Agenda For August 4, 2023

Dear Ms. Polanco, Chair Srio & State Historical Resources Commissioners:

I represent the Seal Conservancy in opposition to the above-referenced Draft “La Jolla Park Coastal Historic District” National Register Nomination.

Introduction

After a careful review of the above-referenced Draft National Register Nomination (“Draft Nomination”), dated May 8, 2023, it is clear that it contains numerous procedural and substantive flaws. The National Historic Preservation Act (“Act”), Part 60 of Title 36 of the Code of Federal Regulations (“Part 60”), requires all National Register nominations to be “adequately documented” and “technically and professionally correct and sufficient.”¹ However, general and specific errors exist within the Draft Nomination such that it fails to comply with Part 60 and National Register nomination procedures. Specifically, substantive errors have been made in the historical documentation and interpretation pertaining to historical significance; accurate boundary limits; integrity analysis; and proper recordation methods. Based upon all the deficiencies contained within the Draft Nomination, under accepted National Register policy and procedure, it must be rejected by the SHRC.

1. Standards Of Review For National Register Nominations/Nomination Appears Procedurally Defective—Lack of Notice to Property Owner

Part 60 clearly defines the notice and hearing procedures applicable to National Register

¹ 36 CFR §60.3(i).

nominations. Specifically, Section 60.6(c) establishes requirements that affected property owners be notified in writing of the nomination and provided a reasonable opportunity to concur or object to the nomination prior to a hearing by a State Review Board.² In this case, the Nomination identifies thirty-five (35) “contributing” resources and fifteen (15) “non-contributing” resources within “approximately eight areas” of the La Jolla community.³ Most of the properties which contain contributing and/or non-contributing resources appear to be owned by the City of San Diego, however, the Draft Nomination lacks specific information and detail with respect to resources owned by other public and private entities and/or individuals.

While OHP requires that “[p]roperty owner contact information must be included with the nomination cover letter,”⁴ no evidence has been identified which would support a determination that such a cover letter was prepared. This fact was a matter of concern for the City of San Diego. During a review of a prior draft of the Nomination (December 2022), the City cited “deficiencies...identified in the nomination,”⁵ including “the ownership of the various resources within the district boundary [which] is not defined.”⁶ The importance of this was stressed to “ensure that *all* property owners who own property within the district are notified of the nomination and the upcoming Commission meeting.”⁷ This issue is still a matter of concern which needs to be addressed and/or corrected by the applicant.⁸ ***See Attachment #1.***

Examination of the historic district area as set forth in the Draft Nomination indicates that its northeastern boundary appears to overlap with the southwestern boundary of the Matlahuayl (*mot-LA-who-ALL*) State Marine Reserve (“Matlahuayl Reserve”). The location of such overlap occurs approximately between Point La Jolla and Goldfish Point.⁹ ***See Attachment #2.***

The Matlahuayl Reserve is a California marine protected area (or “MPA”) which is a type of managed area primarily set aside to protect or conserve marine life and habitats in marine or estuarine waters. The goal of this MPA is to protect the reefs, kelp forests, surfgrass beds, and sandy sea floor at the head of La Jolla Submarine Canyon’s southern branch. It consists of 1.04 square miles, has a shoreline span of 1.7 miles, and has a depth range of 0-331 feet.¹⁰

² 36 CFR §60.6(c) states, “As part of the nomination process, each State is required to notify in writing the property owner(s)...of the State’s intent to bring the nomination before the State Review Board.”

³ Draft “La Jolla Park Coastal Historic District,” National Register of Historic Places Registration Form, Revised May 8, 2023, Section 5, pp.2-3; Section 7, p.4.

⁴ https://ohp.parks.ca.gov/?page_id=21237.

⁵ Heidi Vonblum, Director, City of San Diego Planning Department, Letter To Julianne Polanco, State Historic Preservation Officer, March 15, 2023, p1.

⁶ Kelley Stanco, Deputy Directory, City of San Diego Planning Department, Environmental Policy & Public Spaces Division, Letter To Jay Correia, Office of Historic Preservation, March 15, 2023, p.1.

⁷ *Ibid.* Note italics added.

⁸ Note that per 36 CFR §60.11(b), it is the responsibility of the applicant, the La Jolla Historical Society, to correct any and all deficiencies which exist within the Draft Nomination (“If the nomination does not appear to be adequately documented, upon receiving notification, it shall be the responsibility of the applicant to provide the necessary additional documentation”).

⁹ See Attachment #1

¹⁰ [file:///C:/Users/smoom/Downloads/142_Matlahuayl%20SMR%20\(1\).pdf](file:///C:/Users/smoom/Downloads/142_Matlahuayl%20SMR%20(1).pdf). The Matlahuayl Reserve is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

Established in January 2012, the Matlahuayl Reserve encompasses an area protected since 1970. It was previously known as the San Diego-La Jolla Underwater Park Ecological Reserve and shares a boundary with San Diego-Scripps Coastal State Marine Conservation Area to the north.¹¹ The Matlahuayl Reserve is owned and managed by the State of California through the California Department of Fish and Wildlife.¹²

The Draft Nomination indicates that the proposed historic district boundaries are “defined by the coastal parkway and trail, extending south from the intersection of Coast Walk and Torrey Pines Road to the end of Coast Boulevard, and *seaward to the mean high tideline.*”¹³ However, the Draft Nomination also states that the “east side of Coast Boulevard/Coast Walk serves as the primary eastern boundary” and the “*western boundary is the Pacific Ocean.*”¹⁴ In addition, the Nomination references the Matlahuayl Reserve several times, and in fact, states that several contributing resources are part of the Reserve, or included within it.¹⁵ However, it fails to acknowledge other contributing resources in close proximity to, or in the Reserve itself. Those locations are illustrated in Nomination Maps, and include, but are not limited to Devil’s Slide Footbridge (Contributing Resource #3), Goldfish Point (Contributing Resource #7), the Cove Stairs & Retaining Wall (Contributing Resource #17), and La Jolla Point (Contributing Resource #20).

Based upon the foregoing, since the proposed historic district boundaries include a portion, or portions, of the Matlahuayl Reserve, an area owned by the State of California, and no evidence has been publicly disseminated to determine whether required public notice was provided to the California Department of Fish and Wildlife, the California State Lands Commission, and/or any other responsible California agency or agencies regarding the Draft Nomination, it is important to address and resolve this procedural issue before the Draft Nomination is considered by the SHRC at its August 4th meeting.

32° 51.964’ N. lat. 117° 15.252’ W. long;
32° 51.964’ N. lat. 117° 16.400’ W. long; and
32° 51.067’ N. lat. 117° 16.400’ W. long.

¹¹ [file:///C:/Users/smoom/Downloads/142_Matlahuayl%20SMR%20\(1\).pdf](file:///C:/Users/smoom/Downloads/142_Matlahuayl%20SMR%20(1).pdf).

¹² For more information see California Code of Regulations Title 14, Section 632. <https://storymaps.arcgis.com/stories/ec34e95df374411b8ad77256fa7f722dch?> (arcgis.com). Note the California Civil Code defines the boundary of tidelands as the ordinary high-water mark. (Civil Code §§670, 830). The State of California owns the three (3) mile band of water immediately offshore, and in addition, also owns all beaches waterward of the mean tide line (i.e. the point on the sand reached by the water when it is surging onto the shore) and most tidelands, submerged lands, and waters in trust for the benefit, use, and enjoyment of the public. Tidelands and submerged lands are managed by the California State Lands Commission.

¹³ Italics added. Draft Nomination, Section 7, Summary Paragraph, p.4; Section 10, Verbal Boundary Description, p.62.

¹⁴ Italics added. Draft Nomination, Section 10, Boundary Justification, p.63. See also discussion below regarding vague historic district boundaries.

¹⁵ The Nomination acknowledges that “[t]he Cove is part of the Matlahuayl State Marine Reserve” (See Section 7, Contributing Resource #16, p.16) as well as Ellen Browning Scripps Park (See Section 7, Contributing Resource #22, p.19) which includes the Matlahuayl Reserve as a “coastal zone element.”

2. The Historic District Boundaries Are Vague & Fails Include Important, Required Information/Documentation

As stated above, the Draft Nomination defines the proposed historic district boundaries as between “the coastal parkway and trail, extending south from the intersection of Coast Walk and Torrey Pines Road to the end of Coast Boulevard, and seaward to the mean high tideline” but also west to include the Pacific Ocean. The Draft Nomination includes a United States Geological Survey (U.S.G.S.) Map of the district boundaries,¹⁶ and four Google Earth Maps which depict the general locations of the contributing and non-contributing resources.¹⁷ In addition, the Latitude/Longitude (Universal Transverse Mercator or UTM) Coordinates for the proposed historic district are cited as “Latitude 32.848457 Longitude: -117.274714.”¹⁸ No latitude or longitude coordinates, nor Assessor’s Parcel Numbers (APNs), are presented for any of the contributing or non-contributing resources.

According to the *National Register Bulletin Defining Boundaries For National Register Properties*, “[g]enerally...UTM coordinates do not define the property boundaries, but provide precise locational information.” Further, “UTM references may be used to define boundaries...lacking appropriate cultural or natural features to define boundaries” and “[w]hen UTM references define boundaries, the references must correspond *exactly with the property’s boundaries.*”¹⁹ In addition, per the *Guidelines For Completing National Register of Historic Places Forms, Part A, How To Complete The National Register Registration Form*, UTM grid references must be entered to “identify the exact location of the property.”²⁰ Finally, in instances where UTMs are inaccurate or incomplete; boundaries are not clearly defined; boundary lines are not fixed at definable permanent features; boundaries include extensive, unjustified acreage; boundaries of resources are not justified; and locations of properties and UTM references are not provided, *National Register Bulletin 19, Policies And Procedures For Processing National Register Nominations*, requires that nominations be returned to applicants for correction/revisions.²¹

In the present instance, the Draft Nomination includes only *vague* descriptions of the proposed historic district boundaries as well as the locations of contributing and non-contributing resources. UTM coordinates are completely lacking for all resources, and the UTM coordinates for the proposed historic district are inaccurate as they do not fully encompass or detail district boundaries. For example, the UTM coordinates for the proposed historic district are listed as

¹⁶ Draft Nomination, Section 9, p.66.

¹⁷ Draft Nomination, Section 9, p.67-70.

¹⁸ Draft Nomination, Section 10, Geographical Data, p.62.

¹⁹ Donna J. Seifert, *National Register Bulletin, Defining Boundaries For National Register Properties*, U.S. Department of the Interior, National Park Service, National Register of Historic Places, 1995, Revised 1997, p.6. Italics added.

²⁰ U.S. Department of the Interior, National Park Service, National Register of Historic Places, *Guidelines For Completing National Register of Historic Places Forms, Part A, How To Complete The National Register Registration Form*, 1977, Revised 1986, 1991 & 1997, p.54.

²¹ U.S. Department of the Interior, National Park Service, *National Register Bulletin 19, Policies And Procedures For Processing National Register Nominations*, July 1986, Revised December 1987, pp.10-12.

“Latitude 32.848457 Longitude: -117.274714.” However, this is inaccurate. Examination of these coordinates indicates that they correspond generally toward the center of the district, and do not encompass the exact location of the district as a whole. *See Attachment #3*. Further, the listed boundaries are not clearly defined or justified, and include unjustified acreage (i.e. the western boundary which includes the Pacific Ocean).

These boundary errors clearly require correction or revisions to the Draft Nomination prior to any action taken by the SHRC.

3. Inaccurate/Misleading Historical Documentation & Interpretation—Narrative Statement Of Significance

The Draft Nomination includes a “Narrative Statement Of Significance.”²² Review of this section indicates that it contains unsupported conclusions regarding the significance of the proposed historic district and its elements, as well as historical inaccuracies resulting in flawed determinations of significance. While an extensive analysis of the flaws contained in the Draft Nomination is well beyond the scope of this letter, the following examples of deficiencies contained within this section include, but are not limited to, the following:

- ***“La Jolla was the location of a large habitation area known to early Kumeyaay inhabitants as Mut kula xuy/Mut lah hoy ya (place of many caves).”²³***

The above statement is accurate, however, the Draft Nomination includes only one (1) scant paragraph dedicated to the presence of Native Americans who occupied the La Jolla area prior to white settlement. There is no explanation or justification as to why the proposed historic district does not include features associated with the Native American community, nor any detailed history, discussion, or analysis regarding the importance of the first indigenous people in the area. This “anglo-centric” approach stands in contrast to recent efforts in historic preservation to fully recognize ethnically and racially marginalized groups. In order to understand the complete historic context of the area, as well as establish an underlying basis for a truly inclusionary “coastal parkway,” this section needs to be revised in detail to address the contributions of La Jolla’s earliest occupants.

- ***“The contiguous coastal parkway shaped the development of the picturesque suburb of La Jolla....”²⁴***

The Draft Nomination does not present any accurate historical evidence to support the contention that “coastal parkway,” including its park, roads, and/or infrastructure, led to the development of the La Jolla community.

²² Draft Nomination, Section 8, pp.38-55.

²³ Draft Nomination, Section 8, p.38. Italics added.

²⁴ Draft Nomination, Section 8, p.38. Italics added.

• *“Along the coast, the blocks [within the La Jolla Park subdivision] were irregular, drawing on principles of picturesque suburban planning popularized by Frederick Law Olmsted. Curved lines, not straight ones, suggested leisure rather than an “eagerness to press forward,” as Olmsted explained when drawing up plans for the suburb of Riverside, Illinois, in 1868. Development was in keeping with the ideology of the American park movement.”*²⁵

This statement in the Draft Nomination is misleading and unsupported by historical evidence. The Draft Nomination fails to provide any historical documentation that block development which occurred in the La Jolla Park subdivision were influenced by the principles of Frederick Law Olmsted, or that the development was associated with the American park movement. Further, the Draft Nomination does not discuss, or otherwise account for the fact that the subdivision was simply conceived and executed in conjunction with the contours of the natural environment and terrain.

• *“The arrival of the railroad [in 1894] spurred the development of La Jolla’s coastal area;”*²⁶ *“Public access to the district furthered the development of cottages, bungalows, and hotels. Approximately one hundred homes were built between 1887 and 1900.”*²⁷

These statements in the Draft Nomination are misleading and historically inaccurate. According to Howard S.F. Randolph, in 1887, La Jolla had “no trees of any description, and little vegetation.”²⁸ Further, there were,

“no roads—only a trail or two. Even after the town was laid out and a few houses built, the streets were nothing but lanes with a few carriage ruts, terribly muddy in the rainy season and unbelievably dusty the rest of the time....There were of course no sidewalks. Paths led from house to house, cutting across property lines in the most convenient way, utterly disregarding street and lot lines. This condition continued almost up to the time when the streets were paved [c.1918-1919].”²⁹

The construction of private homes was sparse and “primitive”³⁰ such that La Jolla “had nearly one hundred homes in 1898.”³¹ While the establishment of the railroad in 1894 was an important event, other events directly contributed to the very slow growth of La Jolla, including the formation of The Woman’s Club (then the “Reading Club”); the establishment of the post office; the first store; and the construction of several cottages at the Cove.³² Nevertheless, by 1904, the community still “had about 100 cottages, inhabited mostly by old maids and widows, with men

²⁵ Draft Nomination, Section 8, p.40. Italics added.

²⁶ Draft Nomination, Section 8, p.42. Italics added.

²⁷ Draft Nomination, Section 8, p.43. Italics added.

²⁸ Howard S.F. Randolph, *La Jolla Year By Year*, 1946, Revised 1955, p.10.

²⁹ Randolph, pp.10-11, 122.

³⁰ Randolph, p.24.

³¹ Randolph, p.47.

³² Randolph, p.28.

very scarce.”³³ A dearth of development between 1887-1905 is supported by historic maps and photographs over this period.³⁴ As documented by Randolph, the real development of La Jolla did not occur in any meaningful way until the First World War, whereupon, La Jolla was deluged by “young men” after Camp Kearney was established in 1917. Subsequent development occurred from 1918-1926, with the year 1924 recognized as “one of the most prosperous that ever came to La Jolla.”³⁵

Inaccurate and misleading historical documentation and interpretation within the Narrative Statement of Significance section, clearly requires correction or revisions to the Draft Nomination prior to any action taken by the SHRC.

4. Inaccurate/Misleading Historical Documentation & Interpretation—Contributing & Non-Contributing Resources

The Draft Nomination includes “District Overview” of contributing and non-contributing district resources.³⁶ Review of this section indicates that it contains unsupported conclusions regarding the significance of the elements/components contained within the proposed historic district, as well as historical inaccuracies resulting in flawed determinations of significance. While an extensive analysis of the flaws contained in the Draft Nomination is well beyond the scope of this letter, the following examples of deficiencies contained within this section include, but are not limited to, the following:

- ***“The subdivision’s main street, Grand Avenue (later Girard), was drawn on the subdivision map to lead visitors directly down to La Jolla Park.”***³⁷ (*Contributing Structure #1—Coast Boulevard*).

The above statement contained in the Draft Nomination that Grand (Girard) Avenue was specifically included as a main street on the La Jolla Park subdivision map in order to entice visitors to the park area is not supported by historical evidence, as the citation/reference is in error.³⁸

- ***“Developers designated Coast Boulevard and Grand Avenue as the widest streets in the subdivision, 80’ and 100’ respectively.”***³⁹ (*Contributing Structure #1—Coast Boulevard*).

The above statement contained in the Draft Nomination is without evidentiary support and does not include any citation/reference for this proposition.

³³ Randolph, p.80.

³⁴ Randolph, pp.15, 17, 30, 49, 54, 56, 81.

³⁵ Randolph, p.138.

³⁶ Draft Nomination, Section 7, pp.5-33.

³⁷ Draft Nomination, Section 7, p.7. Italics added.

³⁸ See Randolph, p.70. This page makes no mention of the La Jolla Park subdivision map or Grand (Girard) Avenue.

³⁹ Draft Nomination, Section 7, p.7. Italics added.

- ***“In 1899, the San Diego, Pacific Beach, and La Jolla Railway Co. built Angel’s Flight as one of the featured attractions of the La Jolla Park subdivision.”⁴⁰ (Contributing Structure #3—Devil’s Slide Footbridge).***

The above statement contained in the Draft Nomination is misleading and historically inaccurate. According to Randolph, “[i]n 1899 the railway built a flight of steps down “Devil’s Slide.” However, Randolph did not state, or indicate, in any manner that construction of the steps was specifically intended to serve, or otherwise served, as a “featured attraction” within the subdivision.⁴¹

- ***“The boom in tourism to La Jolla, encouraged by the rail, bus, and stage lines from San Diego, popularized the extraordinary Mammoth Caves at the north end of Coast Boulevard.”⁴² (Contributing Building #4—Cave Store).***

The above statement contained in the Draft Nomination is without evidentiary support and does not include any citation/reference for this proposition.

- ***“In 1903, The San Diego Union reported that Professor Schulz proclaimed “La Jolla Day” at the tunnel [to the Sunny Jim Cave] and invited visitors to tour the structure, many of whom gathered in the cave to sing songs. A few months later the tunnel was reported to be “a success and paying well.”⁴³ (Contributing Site #6—Sunny Jim Cave).***

The above statement contained in the Draft Nomination is misleading and historically inaccurate. While this event did occur on May 4, 1903, only “one party...sang a number of favorite songs.” This article did not report that the tunnel was thereafter successful and financially lucrative. *See Attachment #4.*

- ***“With the completion of bus and train lines into La Jolla Village and the opening of the Colonial Apartments and Hotel in 1913, there was a steady increase in visitors to La Jolla.”⁴⁴ (Village Stairway to Coast—Contributing Structure #12).***

The above statement contained in the Draft Nomination is without evidentiary support and does not include any citation/reference for this proposition.

- ***“Red Rest and Red Roost are [sic.] a state of serious decay....On October 26, 2020, a fire inside Red Rest caused substantial damage.”⁴⁵ (Red Rest & Red Roost—Previously Listed National Register Buildings #14-15).***

⁴⁰ Draft Nomination, Section 7, p.9. Italics added.

⁴¹ See Randolph, p.42.

⁴² Draft Nomination, Section 7, p.10. Italics added.

⁴³ Draft Nomination, Section 7, p.11. Italics added.

⁴⁴ Draft Nomination, Section 7, p.13. Italics added.

⁴⁵ Draft Nomination, Section 7, p.15. Italics added.

The above statement contained in the Draft Nomination is misleading and inaccurate. The statement understates the grave condition of the structures and misstates the effect of the fire. According to the source/reference material utilized in the Draft Nomination, because of the October 2020 fire, the “Red Rest *burned down*, and [the] Red Roost was damaged.”⁴⁶ Both buildings are not in a “state of serious decay.”

• “*Two-cement staircases installed in 1938 provide access to either end of The Cove. They replaced the wood stairs shown on the 1921 Sanborn Fire Insurance Map and in photographs from the 1920s.*” (Contributing Structure #17).⁴⁷

The above statements contained in the Draft Nomination are misleading and historically inaccurate. Randolph was cited as the authority for this proposition, however, a review of his book, *La Jolla Year By Year*, does not include this material on the page referenced by the applicant.⁴⁸

Inaccurate and misleading historical documentation and interpretation within the District Overview section, clearly requires correction or revisions to the Draft Nomination prior to any action taken by the SHRC.

5. The Integrity Analysis Is Inaccurate & Flawed

In addition to determining the significance of a property under national criteria, a property must also possess integrity. The National Register of Historic Places recognizes seven aspects of integrity—location, design, setting, materials, workmanship, feeling, and association. Integrity is defined as the “ability of a property to convey and maintain its significance.” In order to be listed in the National Register, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. Historic properties either retain integrity (this is, convey their significance) or they do not. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance.⁴⁹

Properties must retain the essential physical features that enable them to convey their historic identity. A property which is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event. For a historic district to retain integrity as a whole, the majority of the components that make up the district’s historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district’s components must be *substantially unchanged* since the period of significance.⁵⁰

⁴⁶ See Ashley Mackin-Solomon, “Fire Destroys La Jolla’s Historic Red Rest Cottage and Damages Red Roost,” *La Jolla Light*, October 26, 2020. Italics added.

⁴⁷ Draft Nomination, Section 7, p.16.

⁴⁸ See Randolph, p.139. This page makes no mention of the staircases.

⁴⁹ National Register Bulletin 15, *How To Apply the National Register Criteria for Evaluation*, United States Department of the Interior, National Park Service, 1990, revised 1991, 1995 and 1997, p.44.

⁵⁰ National Register Bulletin 15, p.46. Italics added.

Review of the Draft Nomination indicates that the integrity analysis for the proposed historic district *and* its contributing resources, is either inaccurate or absent altogether. In particular, a detailed integrity analysis for all contributing resources is completely lacking. In instances where integrity elements are briefly addressed, they are combined in relation to one another, thereby resulting in a confusing and flawed discussion.

Most concerning, however, is the treatment of historic integrity in relation to the Red Roost and Red Rest buildings (Two Previously Listed National Register Buildings #14 & 15). The Draft Nomination fails to address all aspects of their present integrity level and understates their true condition resulting from the 2020 fire. No analysis is presented in order to demonstrate how these structures, whose essential physical features have been substantially and irreparably lost, retain a sufficient level of original integrity to be eligible for district inclusion.

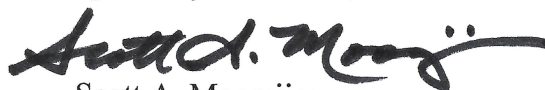
A failure to properly analyze the historic integrity of the proposed historic district, and its contributing and non-contributing resources, clearly precludes the SHRC from taking action on the Draft Nomination.

Conclusion

When applying the procedures and criteria for National Register listing to the La Jolla Park Coastal Historic District, it is clear that the Draft Nomination is deficient in numerous respects. These deficiencies include procedural defects, correct boundary limits, proper recordation methods, errors in historical documentation and interpretation pertaining to historical significance, and a lack of integrity analysis. Because the Draft Nomination is inadequately documented, as well as legally and technically deficient, it must be rejected by the SHRC.

On behalf of the Seal Conservancy, thank you for your impartial consideration of this opposition.

Respectfully Submitted,



Scott A. Moomjian
Attorney at Law

ATTACHMENT 1

Julianne Polanco
State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento CA 95816

March 15, 2023

Subject: Request for Re-docketing of La Jolla Park Coastal Historic District Nomination

Dear Ms. Polanco,

The City of San Diego is reviewing the National Register nomination for the La Jolla Park Coastal Historic District, which is currently set to be heard by the State Historical Resources Commission on April 20th. We are reviewing this nomination as both the owner of property within the historic district boundary and as a Certified Local Government (CLG). As one of the first CLGs in the state, the City has a long history of identifying, preserving, and managing historic resources as well as supporting the listing of resources, including our own, on the State and National registers. We respectfully request that the La Jolla Park Coastal Historic District nomination be removed from the April 20th docket and re-docketed for the August 2023 meeting of the State Historical Resources Commission in order to allow sufficient time to address **deficiencies we have identified in the nomination**, for the City's Historical Resources Board (HRB) to review and provide a recommendation on a complete nomination, and for the City to coordinate internally on the impact the listing will have on operation and maintenance of City parks, streets, and other public facilities.

Although the State does not regulate resources listed on the State or National registers, the City of San Diego does define and regulate designated historical resources as resources not only listed on our own register, but also those listed on or formally determined eligible for listing on the State or National registers. Regardless of our own regulatory requirements, as a public agency most actions that the City takes -- including maintenance of City property and associated public improvements -- are subject to review under the California Environmental Quality Act (CEQA), which requires an analysis of impacts to historical resources, including those listed on or determined eligible for listing on the State or National registers. As a result, we do review State and National register nominations in detail to ensure that we have adequate analysis and information to regulate these resources effectively and preserve the features and characteristics that are critical to conveying their significance.

On March 10th, City staff provided a letter to your office identifying a number of issues with the nomination and its analysis that the City believes must be addressed in order for the nomination to be considered complete. The issues raised relate to private ownership within the district, boundary issues, integrity analysis, inclusion of non-contributing resources outside of the district boundary, significance statements, justification for inclusion of at least one contributing resource, the need for

additional information regarding historic landscape and plant materials, and miscellaneous errors. A copy of that letter is included for your reference. Staff from your office have provided a response indicating that the nomination will be revised to address some of these issues, but we did not receive a response to all issues raised in our letter.

In addition to the issues raised by the City and the resulting revisions to the nomination, we understand that the applicant is providing additional revisions of their own as well. The City's HRB should have the benefit of reviewing and providing a recommendation on a complete nomination. The HRB meets once per month on the fourth Thursday of the month. The only opportunity the HRB has to review the nomination between the date of submittal to the City and the April 20th State Historical Resources Commission hearing is next week's meeting of March 23rd. Materials for that hearing would need to be distributed this week at the latest, which does not allow sufficient time to address all outstanding issues with the nomination.

Re-docketing the La Jolla Park Coastal Historic District nomination for the August Historical Resources Commission meeting should provide sufficient time to revise and complete the nomination and docket it for review by the HRB at the June or July HRB meeting. It will also provide private property owners within the district boundary adequate time to understand and respond to the district nomination, and for the City's own asset-owning and managing departments to understand how the designation of the La Jolla Park Coastal Historic District will impact management and future improvement of City facilities within the district boundary.

We look forward to hearing from you regarding this request, and to working with you and your office on this nomination.



Heidi Vonblum
Director
Planning Department

Enclosures: Letter to Mr. Jay Correia, dated March 10, 2023

March 10, 2023

Subject: La Jolla Park Coastal Historic District Nomination

Mr. Correia,

Thank you for providing a copy of the La Jolla Park Coastal Historic District nomination, which is currently set to be heard by the State Historical Resources Commission on April 20th, and for speaking with me via phone regarding the nomination and answering my questions. As we discussed, although the State does not regulate resources listed on the State or National registers, the City of San Diego does define and regulate designated historical resources as resources not only listed on our own register, but also those listed on or formally determined eligible for listing on the State or National registers. As a result, we do review State and National register nominations in detail to ensure that we have adequate analysis and information to regulate these resources effectively and preserve the features and characteristics that are critical to conveying their significance.

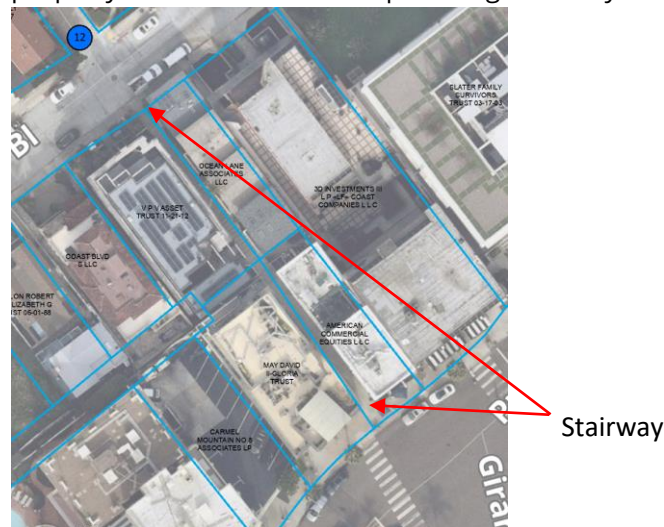
Following up on our phone conversation, I wanted to provide the following comments and concerns regarding the nomination and whether it is ready to proceed to hearing on April 20th:

- **Comments related to ownership and notification of property owners.**
 - One item that stood out in the nomination is that the ownership of the various resources within the district boundary is not defined. A table of all contributing and non-contributing resources, their location (address, parcel number, and/or latitude and longitude coordinates) and their ownership would provide greater clarity regarding the location of the resources and who they are owned by.
 - Although the specific location of some of the resources is not well defined, it appears that the nomination includes parcels owned by up to 9 different private property owners. However, this needs to be confirmed, particularly regarding contributing resource #12 "Ocean View Lane Stairway" which appears to traverse up to 4 different privately owned parcels, all owned by different entities. We want to ensure that all property owners who own property within the district are notified of the nomination and the upcoming Commission meeting. Our review of the nomination and our own parcel data indicates that the following resources are either wholly or partially privately owned:
 - #4 Cave Store: 1 parcel owned by a private property owner.
 - #5 Cave Tunnel: appears to cover multiple parcels, one of which is owned by a private property owner (same owner as #4).

- #10 Village Stairway to Goldfish Point: 1 parcel owned by a private property owner. This is not a public right-of-way.



- #12 Ocean View Lane Stairway: the southern half between Coast S Boulevard and Prospect Street appears to cross 4 different parcels owned by 4 different property owners. This is not a public right-of-way.



- #13 Brockton Villa: 1 parcel owned by a private property owner.
 - #14 Red Rest: 1 parcel owned by a private property owner (same owner as #15).
 - #15 Red Roost: 1 parcel owned by a private property owner (same owner as #14).
 - #31 Casa De Manana and #32 Edgar Ullrich Studio: 1 parcel owned by a private property owner.
- **Comments related to the proposed district boundary.**
 - As noted previously, contributing resource #10 "Village Stairway to Goldfish point crosses one privately owned parcel, and contributing resource #12 "Ocean View Lane Stairway" appears to cross 4 parcels owned by 4 different private property owners along the southern half of the stairway and is not a public right-of-way through this segment. In both instances, the district boundary is drawn to include only the

stairway and does not include the rest of the parcel(s) it crosses. My understanding is that this partial designation of parcels is inconsistent with past designation practices. Therefore, if the walkways are included, the full parcels they are located on should also be included and the other buildings and structures on those parcels should be evaluated to determine whether they are contributing or non-contributing resources.

- It appears based on the historic district boundary that non-contributing sites #39, 40 and 41 are outside of the proposed historic district boundary. If that is the case, there is no need to identify these properties as non-contributing and they should be removed from the nomination.

- **Comments related to resources within the district.**
 - Resource #21, Boomer Beach: This paragraph includes two sentence fragments/incomplete thoughts.
 - Resource #22, Ellen Browning Scripps Park: Additional clarity regarding which plant materials and landscape design features date to the period of significance and are considered part of the historic fabric is needed. A basic landscape plan showing the location of significant plant materials is required for resource management.
 - Resource #30, South Casa Beach: The nomination has not made a case for why the “concrete filled bluff” is significant and should be considered part of the historic fabric.
 - Resource #33, Scripps Cobble Retaining Wall: the contributing resource numbers cited in parenthesis in the first sentence of the second paragraph are not correct.

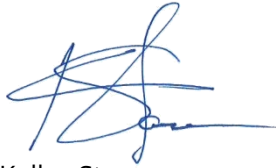
- **Other comments related to the nomination.**
 - The Summary Paragraph on page 4 of section 7 states that “The La Jolla Park Coastal Historic District is located thirteen miles north of the City of San Diego and comprises approximately eight acres of coastal parkland skirting the village of La Jolla.” However, the district comprises more than just coastal parkland, and includes public right-of-way as well as structures and buildings located on public and private property.
 - The District Overview on page 5 of section 7 states that “La Jolla Park Coastal Historic District is the coastal open space located below, and adjacent to, the village of La Jolla.” As noted above, the district comprises more than just coastal parkland, and includes public right-of-way as well as structures and buildings located on public and private property.
 - The discussion of integrity of setting on pages 32-33 in Section 7 does not address the area surrounding the district, how it has changed over time, and the impact the change of setting has had on the district. Rather, the discussion of setting focuses only on landscaping within the district boundary itself. The discussion of setting also includes a discussion of some of the plant materials, which should be located in the discussion of Resource #22 (Ellen Brown Scripps Park) and expanded as discussed above.

March 10, 2023

- Discussion of alterations should be located immediately below each contributing resource. In some instances, discussion of alterations is located below the last of a group of related contributing resources, which is confusing.
- It is recommended that the nomination include the City of San Diego Historical Resource Board Site (HRB Site) numbers for all locally designated historical resources, including:
 - Coast Walk Trail and Devil's Slide Footbridge (HRB Site #288)
 - Cave Store and Cave Store Tunnel (HRB Site #380)
 - Brockton Villa (HRB Site #286)
 - Red Roost and Red Rest (HRB Site #101)
 - La Jolla Adult Recreation Center (HRB Site #915)
 - Casa de Manana (HRB Site #212)
 - Edgar Ullrich's Studio (HRB Site #213)

Due to these comments, in particular comments related to ownership, district boundary, and clarification regarding historically significant landscape materials, City staff suggests that the nomination is not complete and should not proceed to hearing until these issues are further discussed and addressed, which would necessitate an August 2023 hearing at the earliest. I am happy to discuss these comments with you further and look forward to working with you and your office on this nomination.

Thank you once again for your assistance.



Kelley Stanco

Deputy Director

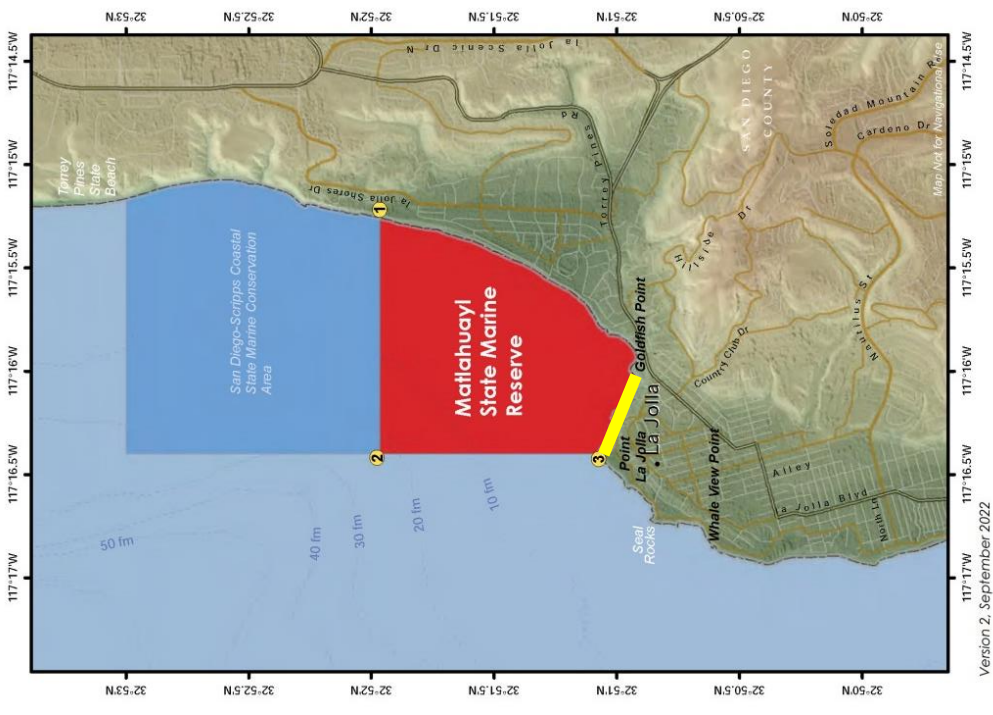
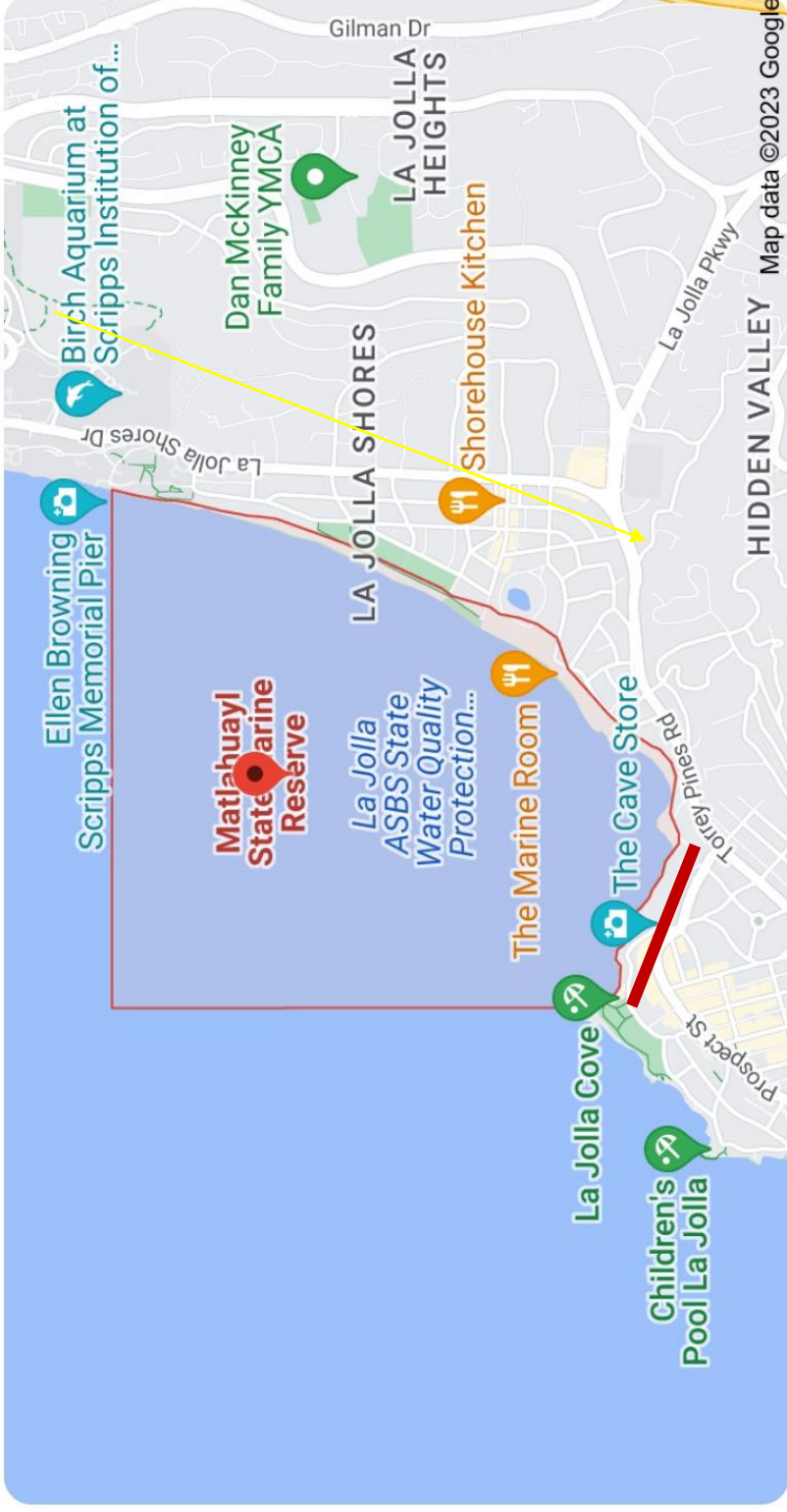
Planning Department

Environmental Policy & Public Spaces Division

ATTACHMENT 2

Attachment #2

Approximate Southwestern Boundary Of The Matlahuayl State Marine Reserve & Proximity/Overlap To Proposed La Jolla Park Coastal Historic District (Map Left, Dark Red; Map Right, Yellow)



Matlahuayl State Marine Reserve

La Jolla, CA 92037

Source: Google Earth

Source: California Fish & Wildlife

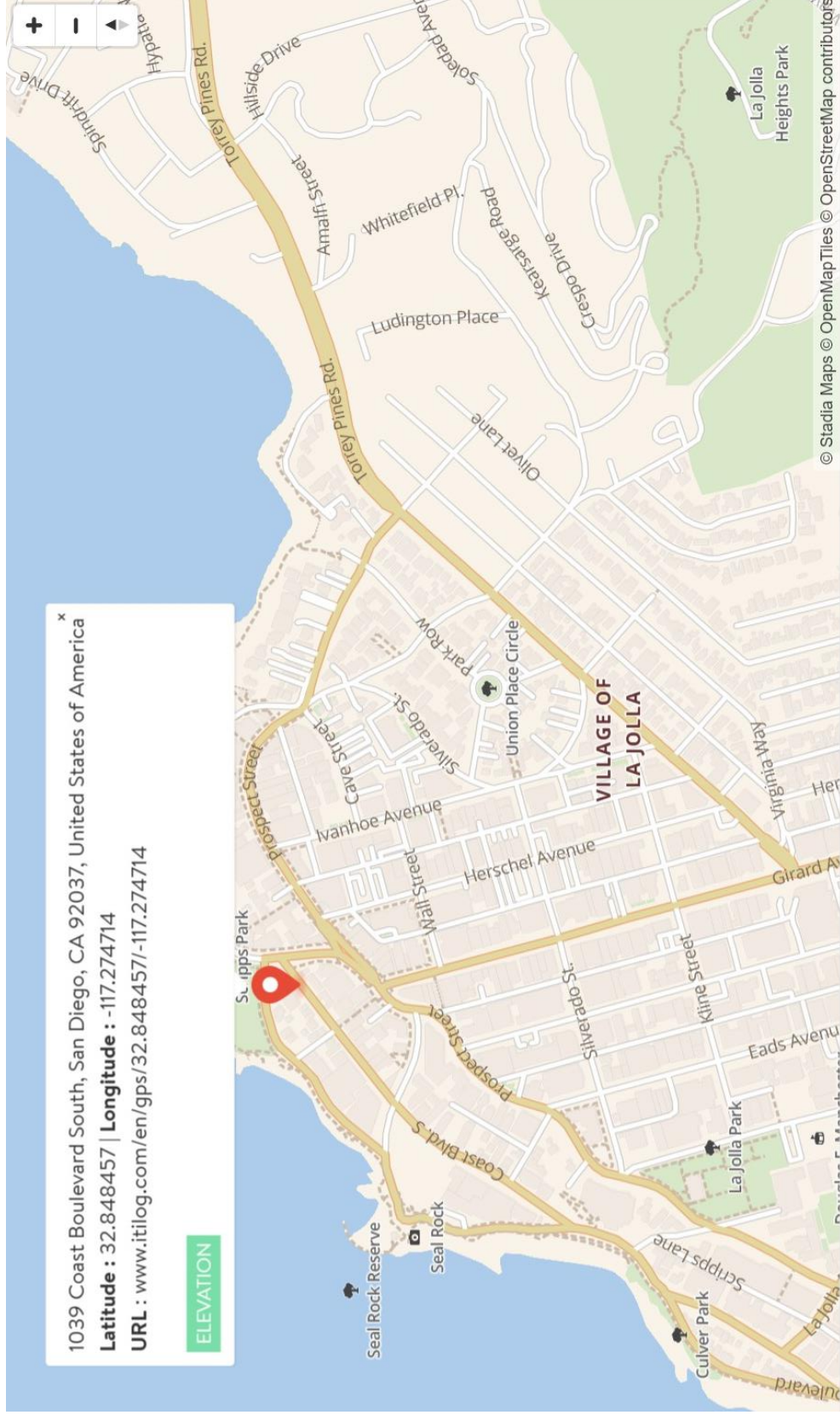
ATTACHMENT 3

Attachment #3

National Register Nomination For The La Jolla Park Coastal Historic District

Lists Incorrect Latitude/Longitude Coordinates As Depicted Below

See NR Registration Nomination Form, Section 9, Page 62, “10. Geographical Data”



ATTACHMENT 4

"MAY DAY"

AT LA JOLLA

Was Celebrated by the Opening
of the New Schultz
Tunnel.

The Professor Gave a Party to Explore
the "Caves" Mysterious Depths—
Saturday's Musical—C. E. Sur-
prise Party—Notes—Personals

La Jolla, May 3.—May day was cele-
brated in La Jolla by the opening of
the new Schultz tunnel. Prof. Schultz
naming the occasion as "La Jolla day,"
and inviting residents and their friends

to explore the mysterious depths. One
party, seated on the mossy rocks in
the big cave, sang a number of favorite
songs and enjoyed the fine effect of the

familiar tones reverberating along the
vaulted roof of this natural auditorium.
On the golf links, a foursome, compris-
ing Mrs. Higley and Miss Murray, and
Messrs. Wilkins and Easton, had a
lively contest, Miss Murray and Mr.
Easton being victorious. After the
game the players took tea with Mrs.
Higley at Bellevue cottage.

San Diego Union
May 4, 1903