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 **Environmental Lawsuit Challenges “Voluntary”**

**Laguna Beach Historic Preservation Program**

**Laguna Beach, January 12, 2021.** The Laguna Beach Historic Preservation Coalition, Preserve Orange County and Village Laguna filed a public interest lawsuit on January 11. The case alleges that Laguna Beach violated the California Environmental Quality Act (CEQA), a citizen-enforced statute, when amending its Historic Preservation Program.

 The new Laguna Beach preservation program implements “owner consent” as a requirement for a property to be considered a local historic resource. No other environmental resource is treated in this way. “It would be unthinkable for the City to require owner consent to review biological habitat or wetlands during the approval process,” observed Krista Nicholds, President of Preserve Orange County. “State law recognizes that historic resources have comparable public benefit. Owner consent has nothing to do with objective standards of historic merit.”

 The changes to the preservation program mean that the City cannot in future find properties to be locally significant, no matter how worthy, if the owner objects. They also remove existing protections for the hundreds of city-identified historic resources in the 1981 Inventory of Historic Resources, prepared in compliance with the procedures of the State Office of Historic Preservation. According to Laguna Beach Historic Preservation Coalition member Cathy Jurca, “these properties, which are essential to the remarkable charm of Laguna, are now at risk of substantial alteration or demolition without any environmental review. Some owners of Inventory properties spoke at public hearings about wanting to demolish or radically alter them. The City’s position that removing environmental protections could not impact these historic resources defies common sense.“

 “The program will cause needless, irreversible damage to the city’s charming beach-town character,” said Anne Caenn, President of Village Laguna. Ann Christoph was one of several residents who successfully nominated the entire city and its greenbelt for National Park Service recognition as a “Historic American Landscape”: “We discussed the historic built environment at length in our application. Laguna has an extraordinary architectural legacy as well as an artistic one. We do not want to see that legacy destroyed.”

 Residents and historic preservation experts stated in public hearings that the City’s process for changing the historic preservation program was flawed. Removing current protections for hundreds of properties by fiat requires a public environmental impact report process to consider feasible alternatives and mitigation. That is the basis of the newly-filed suit. “We simply ask the Court to enforce clear requirements of CEQA that protect historic resources,” said Jurca.