

March 17, 2020

11525 Mother Lode Circle
Gold River, CA 95670

Senator Toni Atkins, President pro Tempore
California State Senate
State Capitol, room 205
Sacramento, Ca 95814-4900

Dear Senator Atkins:

With regret, I hereby resign as a Commissioner of the Historic State Capitol Commission. I have taken my oath and duties as a Commissioner very seriously. But with regards to the East Annex project, I am being prevented from carrying out the Commission's statutory duties (Gov Code 9149):

"To review and advise the Legislature on any development, improvement, or other physical change in any aspect of the historic State Capitol. "Historic State Capitol" means the building housing the state legislative offices and chambers, situated in the area bounded by 10th, L, 15th, and N Streets in the City of Sacramento, including the portions of the State Capitol Building Annex that contain historic fabric,...."

The creators of the Commission, particularly Senator Jim Mills, acting after restoration of the West Wing, foresaw that the Commission's preservation perspective might be unpopular and inconvenient, so he armed it with specific authority:

"The Commission may request and shall receive assistance and data, relevant to the commission's duties and responsibilities, from every agency of state government,"

But we have been denied critical documents given to many others. Legislative and executive branch employees have been directed to not respond to our questions and to not discuss the viable options we see to preserve California's history, irreplaceable Capitol Park trees, and its West side "front yard" gathering place. The closed-door secrecy culture of this project is very unusual.

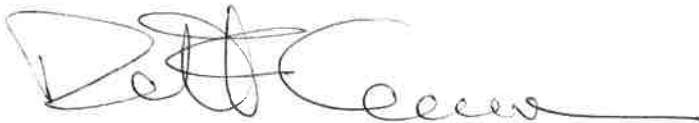
We have offered our best advice by written correspondence only to Joint Rules Committee members and not to the public or press. An important letter we wrote after our last meeting has not been seen by Committee members as it is currently being blocked by

legislative staff. But I attach a draft here and request that you see that it is timely delivered ahead of a Joint Rules Committee hearing on the East Annex set for March 24, 2020.

In addition to the recommendations contained in the Commission's letter, I urge you and the Speaker to task the Joint Rules Committee with the creation of a Capitol Park Master Plan including clear governance of the Park and with the formation of a Capitol Monuments District where monuments of Statewide significance can be placed throughout Sacramento and not crowd Capitol Park. Multiple agencies take care of daily needs of the Park, but no agency accepts responsibility for its long-term planning. The park is losing its irreplaceable historic tree variety, and too many monuments or additions to monuments are crowding its open vistas. Responsible long-range planning could prevent this. The Legislature had funded the Master Plan effort on more than one occasion, but the last effort was halted by the East Annex project team, just at the time when a Plan could have beneficially supported that project.

The Assembly has chosen to not fill a Commission vacancy for over a year, even though viable candidates stepped forward and offered to serve. Two other vacancies have been recently created, one by an out-of-state family move. As of April 10th, there will not be enough Commissioners for a quorum, so the Commission's voice is stilled. I hope the public and press will take up seeking better East Annex alternatives for preservation of the Capitol building, the Park, and our California "front yard".

Sincerely,

A handwritten signature in black ink, appearing to read "Richard F. Cowan". The signature is fluid and cursive, with a long horizontal line extending to the right.

Richard F. Cowan

Copy to:

Hand delivery

Speaker Anthony Rendon

Assembly Member Ken Cooley

Senator Robert Hertzberg

Senator Jim Nielsen

Email delivery

Koren Benoit, Executive Director, Historic State Capitol Commission

Members, Historic State Capitol Commission

Editor Sacramento Bee

Editor Sacramento News and Review

American Institute of Architects, Central Valley Chapter

City of Sacramento Preservation Commission

California Capitol Historic Preservation Society

SacMod

Trees for Sacramento

Preservation Sacramento

Sacramento City of Trees

Historic State Capitol Commission

Subcommittee Cowan and Peper

Draft Letter to JRC Members

Dear Joint Rules Committee Members:

On February 21st, 2020 the Commission held a properly noticed Special Meeting to develop its response to the East Annex Project Recirculated Draft Environmental Impact Report (RDEIR)

The meeting had a surprising number of visitors who offered their comments on several issues described below. It is apparent that the Environmental Impact Report process is not reaching the public at large. We recommend the Joint Rules Committee begin a series of well-advertised public forums to describe the project and gather public input before the project proceeds so far it cannot accommodate the public's thoughts.

CAPITOL PARK TREES

The greatest Public surprise seemed to be the extent of Capitol Park tree removal. Commissioner Paula Peper had prepared an overlay of the RDEIR project areas for the Visitor center, East Wing, and Parking garage using the aerial map from the 2014 tree inventory. The count of within the three construction area footprints is 106 trees. The RDEIR indicates 20-30 trees will be permanently removed, leaving 70 or more to be spaded, moved and relocated. This number does not include trees in the 50-ft zone surrounding the construction boundaries that will be monitored. There appears to be major public concern over both the removal and relocation of trees and landscape elements.

She also offered more specific professional guidelines for tree protection and restoration (American National Standard Institute A300 Guidelines used in urban areas) than the RDEIR had relied upon. Commissioner Deering pointed out that the project appears to reach to the street but that the RDEIR had not addressed either protection or removal of the City-owned palm trees at the south of the parking garage or west of the Visitor Center. It appears planning for Tree protection and restoration, although admittedly very difficult, is not progressing as quickly as other project planning.

To preserve the truly world-class tree collection in Capitol Park we recommend the development by a qualified Historical Landscape Architect and certified arborists, adoption by Joint Rules, and open publication of a Project Tree plan early in the project.

WEST SIDE AND VIEW PROTECTION

The JRC project team and the DREIR have committed to returning the "landscaping back to original" after project excavation and construction are complete. But some questions were raised by meeting

attendees. Huell Howser called the area between the Capitol and 10th Street “California’s front porch.” It is the place where political voices are heard, celebrations of events and history occur. After the creation of the visitor’s center, where will the front porch be, they ask? It appears the RDEIR does not address this question. Some voiced the need to maintain the terracing which afford the current excellent view from the West. Landscape restoration with historically used plants and trees should take priority over the current fashion of “drought tolerant” plants even if they originate from out of state.

We recommend the creation, adoption, and publication now of an early “schematic” landscape design for the visitor center and equipment vault area of the West side. Instead of advancing the architectural plan until it is so developed it would be difficult to change, and THEN starting the landscape design after the fact. Why not reverse that sequence to allay public concerns?

PARKING GARAGE

Speakers found that the idea of trading historic Capitol Park trees for automobile parking was particularly Ironic—destroying CO₂-removing trees in favor of car parking. Is it worth it, they asked? Cars seem to be on the way out in favor of public transit, bicycles, and pedestrians. One pointed out that actually increasing parking spaces from the current two spaces per member and constitutional officers was especially offensive. Some positive suggestions were to consider the current asphalt parking lots within a block or two of the Capitol on which a legislative garage could be built. Or perhaps the parking solution which will be used as the Legislature occupies its Swing Space building could be kept in operation after the Capitol project is complete.

Commissioners and meeting attendees with expertise in tree restoration noted that it is highly unlikely that mature, large trees can be relocated “in kind” above the planned parking garage, so the commitment to restoring landscape to the current will unlikely be kept.

We recommend the Joint rules Committee adopt a different solution than trading Capitol Park for parking.

DEMOLISH THE EAST ANNEX?

The RDEIR does not yet analyze the significant new information and a substantial modification of the project component which has been briefed by the East Annex team of aligning the new East Annex floors with the current West Wing floors. This change from 6 to 4 floors in the new East Wing, while maintaining the commitment to not expand in height above the barrel of the dome, not expand in width any wider than the west wing portico, and not expand in length past 12th street and the Civil War Grove, means that the only place for the planned East Wing space is a “super basement.”

The expanded basement was the Commission’s suggestion to preserve the historic East Wing and use a super basement to add the needed square footage. The Commission also suggested moving the current Annex to the East and inserting a transition space between the two existing structures.

A historian attending our Meeting noted that the Capitol basement was under water in 1980’s, so waterproofing and pumping capacity should be well planned in the new project.

The Commission had suggested to the DGS staff performing the Environmental impact Report some alternatives to East Annex demolition which have not yet been analyzed. Preserving the East Annex, a property listed on the National Register of Historic Places, a fine example of Mid-Century Architecture, according to the local American institute of Architects, and the newest remaining State building designed in-house by State employees, should be a project goal.

We again recommend a thorough analysis of East Annex options which both preserve the historic current Annex and satisfy the Legislature's space needs.

Sincerely

Richard Cowan, Chair