

November 4, 2019

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Penington Industrial LLC  
by: TOLD Corporation, Manager  
Rod Gilbert, President  
621 Via Alondra, Suite 602  
Camarillo, CA 93012

***Subject: Cultural Resources Inventory for the Penington Project, Lake Elsinore, California***

Dear Mr. Gilbert:

This letter documents the Phase I cultural resources inventory conducted by Dudek for the Penington Project, located in the City Lake Elsinore, Riverside County, California. Penington Industrial is proposing a development on a 5-acre parcel. The City of Lake Elsinore (City) is the lead agency for planning purposes under the California Environmental Quality Act (CEQA). An Eastern Information Center (EIC) records search indicates that no cultural resources have been recorded in the proposed project site. Dudek conducted an intensive pedestrian survey for cultural resources of the project site in accordance with the standards and guidelines defined by CEQA and the Office of Historic Preservation (OHP). No cultural resources were identified within the project site as a result of the survey. No further cultural resource considerations are recommended for this resource.

## **PROJECT DESCRIPTION AND LOCATION**

Penington Industrial, LLC is proposing a development located in the City Lake Elsinore (Figure 1). The project site is located on a 5-acre parcel bound on the northeast side by W. Minthorn St., on the south by Keith McCarthy Academy, on the northwest by Chaney St., and on the southeast by the Department of Public Social Services office. The project site falls in an unsectioned area to the southwest of Section 31, Township 5 South, Range 4 West of the *Elsinore, CA* U.S. Geological Service (USGS) 7.5-minute series topographic Quadrangle map.

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## **REGULATORY FRAMEWORK**

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

#### **The California Register of Historic Resources (Public Resources Code section 5020 et seq.)**

In California, the term “historical resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code section 5020.1(j)). In 1992, the California legislature established CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (California Public Resources Code section 5024.1(a)). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following National Register of Historic Places (NRHP) criteria:

1. Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Associated with the lives of persons important in our past.
3. 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.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

(California Public Resources Code section 5024.1(c).) Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR, section 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes

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properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer (SHPO) maintains the CRHR.

### **Native American Historic Cultural Sites (California Public Resources Code section 5097 et seq.)**

The Native American Historic Resources Protection Act (Public Resources Code section 5097, et seq.) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NRHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

### **California Native American Graves Protection and Repatriation Act**

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

### **California Environmental Quality Act Statutes and Guidelines**

As described further below, the following CEQA statutes and CEQA Guidelines are relevant to the analysis of archaeological and historic resources:

1. California Public Resources Code section 21083.2(g): Defines “unique archaeological resource.”
2. California Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5(a): Defines historical resources. In addition, CEQA Guidelines section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource. It also defines the circumstances when a project would materially impair the significance of a historical resource.
3. California Public Resources Code section 5097.98 and CEQA Guidelines section 15064.5(e): These statutes set forth standards and steps to be employed

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following the accidental discovery of human remains in any location other than a dedicated ceremony.

4. California Public Resources Code sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4: These statutes and regulations provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; identifies preservation-in-place as the preferred manner of mitigating impacts to significant archaeological sites.

Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(b)). An “historical resource” is any site listed or eligible for listing in the CRHR. The CRHR listing criteria are intended to examine whether the resource in question: (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 pre-history or history.

The term “historical resource” also includes any site described in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code section 5024.1(q)).

CEQA also applies to “unique archaeological resources”. Public Resources Code section 21083.2(g) defines a “unique archaeological resource” as any archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

In 2014, CEQA was amended to apply to “tribal culture resources” as well, but the amendment did not provide a definition for such resources or identify how they were to be evaluated or

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mitigated. (Pub.Res.Code §§ 21084.2 and 21084.3.) Instead, Public Resources Code section 21083.09 required that the Office of Planning and Resource develop and adopt guidelines for analyzing “tribal cultural resources” by July 1, 2016. As of the effective date of this Draft EIR, however, those guidelines have not been finalized or adopted. Consequently, this EIR addresses only historic resources and unique archaeological resources.

All historical resources and unique archaeological resources – as defined by statute – are presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)). A site or resource that does not meet the definition of “historical resource” or “unique archaeological resource” is not considered significant under CEQA and need not be analyzed further. (Public Resources Code section 21083.2(a); CEQA Guidelines section 15064.5(c)(4)).

Under CEQA and significant cultural impact results from a “substantial adverse change in the significance of an historical resource [including a unique archaeological resource]” due to the “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines section 15064.5(b)(1); California Public Resources Code section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
2. Demolishes or materially alters in an adverse manner those physical 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
3. 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 as determined by a lead agency for purposes of CEQA.

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**CEQA Guidelines section 15064.5(b)(2).**

Pursuant to these sections, the CEQA first evaluates evaluating whether a project site contains any “historical resources,” then assesses whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource’s historical significance is materially impaired.

When a project significantly affects a unique archeological resources, CEQA imposes special mitigation requirements. Specifically, “[i]f it can be demonstrated that a project will cause damage to a unique archeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following:”

1. “Planning construction to avoid archeological sites.”
2. “Deeding archeological sites into permanent conservation easements.”
3. “Capping or covering archeological sites with a layer of soil before building on the sites.”
4. “Planning parks, greenspace, or other open space to incorporate archeological sites.”

**Public Resources Code section 21083.2(b)(1)-(4).**

If these “preservation in place” options are not feasible, mitigation may be accomplished through data recovery. (Pub.Res. Code § 21083.2(d); CEQA Guidelines § 15126.4(b)(3)(C).) Public Resources Code section 21083.2(d) states that “[e]xcavation as mitigation shall be restricted to those parts of the unique archeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.”

These same requirements are set forth in slightly greater detail in CEQA Guidelines section 15126.4(b)(3), as follows:

- (A) Preservation in place is the preferred manner of mitigating impacts to archeological sites. Preservation in place maintains the relationship between

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artifacts and the archeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

(B) Preservation in place may be accomplished by, but is not limited to, the following:

1. Planning construction to avoid archeological sites;
2. Incorporation of sites within parks, greenspace, or other open space;
3. Covering the archeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site[; and]
4. Deeding the site into a permanent conservation easement.

(C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken.

Note that, when conducting data recovery, “[i]f an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.” (Ibid.) However, “[d]ata recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archeological or historic resource, provided that determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.” (CEQA Guidelines section 15126.4(b)(3)(D).)

### **SENATE BILL 18 (SB 18)**

Senate Bill 18 (SB 18) which went into effect on January 1, 2005 requires local governments to consult with Native American tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government. The consultation requirements of SB 18 apply to general plan or specific plan processes proposed on or after March 1, 2005. The following list briefly identifies the contact and notification responsibilities of local governments, in sequential order of their occurrence.

- Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the

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NAHC) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code §65352.3).

- Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county's jurisdiction. The referral must allow a 45 day comment period (Government Code §65352). Notice must be sent regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process.
- Local governments must send notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code §65092) Pursuant to the requirements of SB 18, a letter was sent to the Native American Heritage Association (NAHA) requesting consultation with interested stakeholders. Through the consultation process, the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians provided comments and policy recommendations regarding the protection of cultural resources of interest to the tribes.

## **California Health and Safety Code**

CEQA Guidelines section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in PRC section 5097.98.

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (section 7050.5b). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the Native American Heritage Commission (NAHC) within 24 hours (section 7050.5c). The NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 48 hours of notification of



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the MLD by the NAHC. The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

## **LOCAL**

### **Riverside County Historical Commission – County Historic Landmark Program**

The power to identify and advise the County Board of Supervisors of Riverside County (Board) concerning historical matters is assigned to the Riverside County Historical Commission (Commission) by Resolution No. 2005-345. The Commission was established by Board Resolution on May 6, 1968. The resolution of 1968 was amended on March 15, 1971, May 4, 1982 (Resolution 82-131), and September 13, 2005 (Resolution 2005-345). The Commission operates under established Bylaws approved by the Board on September 13, 2005. Pursuant to the County resolution establishing the County Historical Commission, its purpose is to “advise the Board of Supervisors in historic matters of the County of Riverside . . . ; to discover and identify persons, events and places of historical importance within Riverside County; to make recommendation relating to the preservation of historic sites and structures . . . .” Pursuant to this charge, the Commission established criteria and procedures to identify and recognize Historic Landmarks in Riverside County. Such identification and recognition does not convey any regulatory authority to the Commission over properties assigned landmark status. The Commission has adopted Riverside County Historic Landmark criteria and procedures (2008) which outline the criteria for historic landmark designation and the procedures for application and review.

### **Lake Elsinore Municipal Code – Title 17, Chapter 17.40**

Title 17, Chapter 17.40 of the Lake Elsinore Municipal Code establishes a Historic Downtown Elsinore Overlay District, which is comprised of the majority of the historic core of the City of Lake Elsinore. The district encompasses approximately 486 acres and is generally bounded to the north by Interstate 15 and Collier Avenue, to the south by Lakeshore Drive, the east by Conklin Avenue and Rupard Street and to the west by Chaney Street. The purpose of the Historic Downtown Elsinore Overlay District is to establish standards to ensure that future development in the historic core of the City is compatible with the character of the existing historic downtown and to provide a framework for new construction and the renovation of buildings that already exist.

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## **City of Lake Elsinore General Plan Cultural Resources Goals, Policies and Implementation Programs**

The City of Lake Elsinore General Plan (2011) contains three topical chapters and 16 District Plans that were drafted to provide greater focus to each of the individual communities that make up the city. Chapter 4 of the general plan covers the resource protection and preservation of cultural and paleontological resources. The goals and policies are as follows:

- Goal 6- Preserve, protect, and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historical and archaeological knowledge
  - Policy 6.1 Encourage the preservation of significant archeological, historical, and other cultural resources located within the City.
  - Policy 6.2 The City shall consult with the appropriate Native American tribes for projects identified under SB 18 (Traditional Tribal Cultural Places).
  - Policy 6.3 When significant cultural/archeological sites or artifacts are discovered on a site, coordination with professional archeologists, relevant state and, if applicable, federal agencies, and concerned the appropriate Native American tribes regarding preservation of sites or professional retrieval and preservation of artifacts or by other means of protection, prior to development of the site shall be required. Because ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices, developers should shall waive any and all claims to ownership and agree to return all Native American ceremonial items and items of cultural patrimony that may be found on a project site to the appropriate tribe for treatment. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act.
  - Policy 6.4 If archeological excavations are recommended on a project site, the City shall require that all such investigations include Native American consultation, which shall occur prior to project approval.
  - Implementation Program The City shall encourage owners of local sites to apply for recognition in the State Historic Resources Inventory as Riverside County

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Landmarks, State Points of Historic Interest, State Landmarks, and as sites on the National Register of Historic Places.

- Goal 7 Support state-of-the-art research designs and analytical approaches to archeological and cultural resource investigations while also acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.
  - Policy 7.1 Consult with California Native American tribes prior to decision-making processes for the purpose of preserving cultural places located on land within the City's jurisdiction that may be affected by the proposed plan, in accordance with State or Federal requirements.
  - Policy 7.2 Continue to identify, document, evaluate, designate, and preserve the cultural resources in the City.
  - Policy 7.3 Continue to update a citywide inventory of cultural resources in conformance with state standards and procedures while maintaining the confidentiality of information as required by law.
  - Policy 7.4 Support the permanent curation of archaeological artifact collections by universities or museums or other appropriate tribal facilities.
  - Policy 7.5 Increase opportunities for cultural heritage tourism by promoting the history of Lake Elsinore to attract cultural heritage travelers while maintaining the confidentiality of Native American sites, places and other information as required by law.
  - Implementation Program through the CEQA process the City shall request state-of-the-art and best-available research designs and approaches be utilized in archaeological and cultural resource investigations.
- Goal 9 - Assure the recognition of the City's heritage through preservation of the City's significant historical sites and structures.
  - Policy 9.1 - Require the developer to obtain a professional, qualified historian to conduct a literature search and/or survey for any project that entails demolition or modification of an existing structure that may be of historical value in relation to the City's cultural heritage.

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- Policy 9.2 Apply the General Plan “Historic Elsinore Design Standards” to the Lake Elsinore historic district, as defined in the City zoning ordinance.
- Policy 9.3 Work with the Lake Elsinore Historical Society to create and periodically update a historic register of structures and other landmarks valuable to the cultural heritage to the City.
- Policy 9.4 Where historic structures that do not possess a meaningful association with the immediate surroundings are identified within the City, the City shall consider allowing relocation of the structure to an appropriate site.
- Implementation Program The City shall recognize, support and encourage the maintenance of a historic register of structures and other landmarks that are valuable to the cultural heritage of the City.
- Goal 10 Encourage the preservation, protection, and restoration of historical and cultural resources.
  - Policy 10.1 Continue to implement the Historic Preservation Guidelines that guide historic preservation efforts as set forth in the Historic Elsinore Design Guidelines and the Downtown Master Plan.
  - Policy 10.2 Integrate historic and cultural resources in land use planning processes where feasible to avoid conflict between the preservation of historic resources and alternative land uses.
  - Policy 10.3 All City-owned sites designated as historical resources should be maintained in a manner that is consistent with the U.S. Secretary of the Interior’s Standards for the Treatment of Historic Properties.
  - Policy 10.4 Encourage owners of historic resources to utilize federal incentives including Federal Rehabilitation Tax Credits, façade and conservation easements, and to coordinate with the State Historic Preservation Office.
  - Implementation Program The City shall support programs for the preservation, enhancement or maintenance of key historic or cultural sites in the City.

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### **Business District**

The project area falls within the geographical area of The Business District. The district is known to contain important historic cultural resources (District Plan 2011). These resources include: an historic ranching/homesteading site; and the old Atchison, Topeka, & Santa Fe Railroad line. The Alberhill and Historic Districts are adjacent to the Business District and contain many important historical sites. Future development could impact these resources (2011). The Business District's Historic Preservation goals and policies are as follows:

- Goal 3 Encourage programs that promote educational awareness of the Business District's cultural heritage in relation to neighboring districts
  - Policy BD 3.1 Through the project and CEQA processes recognize the historic ranching and homesteading site as future development occurs, and encourage the location of information in a public space onsite.
  - Policy BD 3.2 Encourage the location of pedestrian signs within the Channel Walk describing the historical importance of the Atchison, Topeka, & Santa Fe Railroad, the historic ranching and homesteading site in the area, and other historical sites in nearby districts.
  - Implementation Program None

### **EIC RECORDS SEARCH**

Dudek staff at the Eastern Information Center (EIC) conducted a California Historical Resources Information System (CHRIS) records search on October 18, 2019 for the proposed project site and surrounding one mile radius (Confidential Appendix A). This search included their collection of mapped prehistoric, historical, and built-environment resources, Department of Parks and Recreation (DPR) Site Records, technical reports, archival resources, and ethnographic references. Additional consulted sources included the NRHP, California Inventory of Historical Resources/CRHR and listed OHP Archaeological Determinations of Eligibility, California Points of Historical Interest, California Historical Landmarks, and Caltrans Bridge Survey information.

EIC records indicate that 43 previous cultural resource investigations have been performed within one mile of the project area, of which only one addressed the project site (RI-3725), with two adjacent (RI-5820 and RI-6728)(Table 1). The RI-3725 is the only study within the project area, and addressed both archaeological and historic built environment resources as part of a Phase 1 study prior to the Chaney Business center development. The two adjacent reports were

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focused on the property immediately adjacent to the southwest, and constituted a Phase I survey and evaluation of a single historic property. The property was found ineligible for the CRHP and has since been demolished. The report are provided in Confidential Appendix A.

**Table 1**  
**Previous Studies Conducted Within/Adjacent the Project Site**

Author	Year	Report	Intersets	Title
LSA Associates	2007	RI-03725	Yes	Chaney Business Center Initial Study: Cultural Resource Records Search/Archival Review City of Lake Elsinore, Riverside County
LSA Associates	2007	RI-5820	No	Cultural Resources Assessment Minthorn Street Project, City of Lake Elsinore, Riverside County, California
LSA Associates	2006	RI-6728	No	Cultural Resources Assessment Minthorn Street Project, City of Lake Elsinore, Riverside County, California

The EIC records identified one hundred fifty-four cultural resources were within a one mile radius of the project site, although none are within the project site. One historic district (P-33-007143) is located within the one mile radius The Lake Elsinore Historic Downtown district is located approximately ¼ mile to the south from the project area. This district contained 122 resources within one mile of the project, however, none are within the project area and will not be impacted by the project. Outside of the historic district the remaining resources include 22 historic structures, three historic sites (two trash scatters, and one privy with a trash scatter), two historic isolates (glass bottles), and four prehistoric isolates (three handstones and one millingstone) (Table 2). Over 100 historic addresses have been recorded within the City of Lake Elsinore; however, none are located within or adjacent to the project area.

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**Table 2**  
**Cultural Resources Located Within 1 Mile of the Project Site**

Primary Number	Period	Type	Description
P-33-004043	Historic	Structure	Foundation remains and wall/fence remnants
P-33-007143	Historic	District	Historic downtown area with mixed residential and commercial structures dating to the late 1800s. Contains the following properties within the 1-mile buffer: P-33-006985; P-33-006988; P-33-006989; P-33-006990; P-33-006991; P-33-006992; P-33-006993; P-33-006994; P-33-006995; P-33-006996; P-33-006997; P-33-006998; P-33-006999; P-33-007000; P-33-007001; P-33-007002; P-33-007003; P-33-007004; P-33-007005; P-33-007006; P-33-007007; P-33-007008; P-33-007009; P-33-007010; P-33-007011; P-33-007012; P-33-007013; P-33-007014; P-33-007015; P-33-007016; P-33-007017; P-33-007018; P-33-007019; P-33-007020; P-33-007021; P-33-007022; P-33-007023; P-33-007024; P-33-007025; P-33-007026; P-33-007027; P-33-007028; P-33-007029; P-33-007030; P-33-007031; P-33-007032; P-33-007033; P-33-007034; P-33-007035; P-33-007036; P-33-007037; P-33-007038; P-33-007039; P-33-007040; P-33-007041; P-33-007042; P-33-007043; P-33-007044; P-33-007045; P-33-007046; P-33-007047; P-33-007048; P-33-007051; P-33-007052; P-33-007053; P-33-007054; P-33-007055; P-33-007056; P-33-007057; P-33-007058; P-33-007059; P-33-007060; P-33-007061; P-33-007062; P-33-007063; P-33-007064; P-33-007065; P-33-007066; P-33-007067; P-33-007068; P-33-007069; P-33-007070; P-33-007071; P-33-007072; P-33-007073; P-33-007074; P-33-007075; P-33-007076; P-33-007077; P-33-007078; P-33-007079; P-33-007080; P-33-007081; P-33-007082; P-33-007083; P-33-007084; P-33-007085; P-33-007086; P-33-007087; P-33-007088; P-33-007110; P-33-007114; P-33-007118; P-33-007119; P-33-007120; P-33-007121; P-33-007122; P-33-007123; P-33-007124; P-33-007125; P-33-007126; P-33-007127; P-33-007128; P-33-007129; P-33-007130; P-33-007131; P-33-007132; P-33-007133; P-33-007134; P-33-007135; P-33-007136; P-33-012291
P-33-007144	Historic	Structure	Ranch house build in 1908
P-33-007145	Historic	Structure	Duplex from 1924
P-33-007146	Historic	Structure	House from 1920
P-33-007158	Historic	Structure	House from 1928
P-33-007170	Historic	Structure	House from 1930
P-33-007172	Historic	Structure	House from 1895 approximately
P-33-007179	Historic	Structure	House from 1926
P-33-007183	Historic	Structure	House from 1938
P-33-007184	Historic	Structure	House from 1925
P-33-007188	Historic	Structure	House from 1921
P-33-007192	Historic	Structure	House from 1922
P-33-007193	Historic	Structure	House from 1925
P-33-007196	Historic	Structure	House from 1942
P-33-007200	Historic	Structure	House from 1918

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Primary Number	Period	Type	Description
P-33-007228	Historic	Structure	House from 1928
P-33-007240	Historic	Structure	House from 1922
P-33-007242	Historic	Structure	House from 1934
P-33-007419	Historic	Structure	Jr High School from 1925
P-33-013802	Prehistoric	Isolate	Unifacial handstone
P-33-013803	Prehistoric	Isolate	Unifacial handstone
P-33-015437	Historic	Structure	House from 1916
P-33-015793	Prehistoric	Isolate	Bifacial handstone
P-33-016218	Historic	Site	Trash scatter; HP39
P-33-017019	Historic	Structure	House from 1959
P-33-017020	Historic	Site	Trash/can scatter
P-33-017576	Prehistoric	Isolate	Millingstone
P-33-020339	Historic	Site	One privy and two trash scatter features
P-33-024666	Historic	Isolate	Gin bottle dating between 1902 and 1914
P-33-024667	Historic	Isolate	Amber glass bottle finish dating between 1885 and 1920
P-33-028017	Historic	Structure	House from 1943

## **ARCHIVAL RESEARCH**

A review of historic maps and aerials going back to 1938. Both the maps and aerials indicate that the project site has only been occupied by two developments from 1938 to 2016 (NETR 2019). In the 1938 aerial the project area lot and the adjacent lots are in windrows for farming. By the subsequent 1967 aerial, the field has been allowed to go fallow and shows only light hints at previous tilling. A ranch on the adjacent property to the southeast shows one house with at least two outbuildings. Other historic aerials dating to the intervening years show occasional clearing of vegetation in the land. The 1980 aerial reveals a dirt path and laydown yard within the southwestern corner of the project site. Between 1994 and 2002 the lot immediately to the southwest was developed from an open field into a school. No historic structures are present within the project area. The aerials indicate that the property has been in its current state since 2002.

## **NATIVE AMERICAN COORDINATION**

The City is responsible for government-to-government consultation with Native American Tribes under California Assembly Bill AB 52. To that end, Dudek contacted the Native American Heritage Commission (NAHC) on 25 October 2019 to perform a Sacred Lands File (SLF) search to identify recorded sacred lands within the project area and interested parties (Appendix A). The NAHC responded on October 28, 2019 with a positive finding. Dudek sent outreach letters with a request for information to the Native American groups or individuals identified on November



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4, 2019. Responses to the tribal outreach letters will be forwarded to the city and included in an update to this letter report.

## **CULTURAL RESOURCES SURVEY**

### **Methods**

Dudek archaeologist Patrick Hadel conducted an intensive pedestrian survey on October 23, 2019 using standard archaeological procedures and techniques. All field practices met the Secretary of Interior's standards and guidelines for a cultural resources inventory. The survey methods consisted of a pedestrian survey conducted in parallel transects spaced no more than 10 meters apart over the entire project site. Within each transect, the ground surface was examined for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions, features indicative of the current or former presence of structures or buildings (e.g., standing exterior walls, post holes, foundations), and historic artifacts (e.g., metal, glass, ceramics, building materials). Ground disturbances such as burrows and cut banks were also visually inspected for exposed subsurface materials. No newly identified artifacts or archaeological features were identified within the project site.

All fieldwork was documented using field notes, digital photography, a Global Positioning System (GPS) receiver with sub-meter accuracy, iPad technology with close-scale field maps, and aerial photographs. All field notes, photographs, and records related to the current study are on file at Dudek's Encinitas, California office.

### **Results**

No cultural resources were identified during the pedestrian survey. The entire project site has been disturbed through previous development. A school complex currently occupies the area to the southwest of the site, with the associated modern debris and trash on the surface of the project area. No undisturbed, native sediments were observed. Inspection of rodent burrows and spoils in the vegetation planters identified only fill sediments comprised primarily of decomposed granite. Overall visibility was good (>70%) with patches of grasses and small shrubs obscuring small sections of the ground surface.

## **SUMMARY OF FINDINGS**

Dudek's Phase I cultural resources inventory of the project site suggests that there is very low potential for the inadvertent discovery of cultural resources during ground breaking activities. The

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EIC records indicate that no cultural resources have been recorded within the project site, and no resources were identified during the pedestrian survey. Given the level of disturbance at the site, it is very unlikely that intact archaeological resources are still present subsurface.

## **MANAGEMENT RECOMMENDATIONS**

Dudek's Phase I cultural resources inventory of the project indicates that there is very low sensitivity for intact subsurface archaeological deposits. No archaeological resources are present within the project site; therefore, no further management recommendations are necessary beyond standard measures to address unanticipated discoveries of cultural resources and human remains (see section below).

### **Unanticipated Discovery of Cultural Resources**

In the unlikely event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

### **Unanticipated Discovery of Human Remains**

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the remains are determined to be Native American, the Coroner shall notify the NAHC within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify the person it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then recommend, in consultation with the property owner, the final disposition of the human remains.

Should you have any questions relating to this report and its findings please contact me.

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California

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Respectfully Submitted,



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**DUDEK**

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Att: *Figure 1. Location Map*

*Appendix A: Confidential EIC Records Search Information and NAHC Correspondence*

cc: *Micah Hale, Dudek*

## REFERENCES CITED

NETR (National Environmental Title Research). 2019. Address search 1400 Minthorn, Lake Elsinore, California. Accessed August 21, 2019. <http://www.historicaerials.com/>.

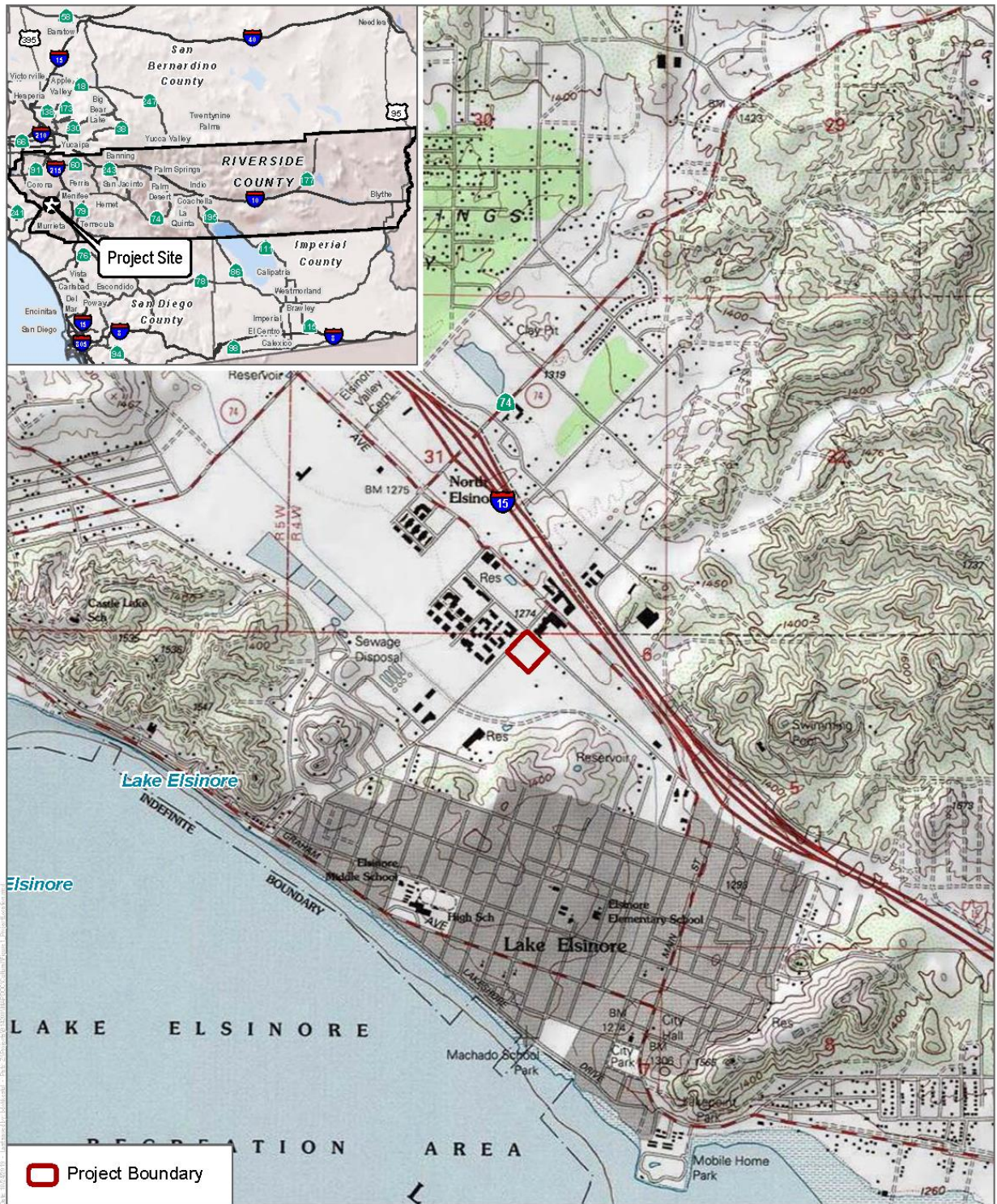
City of Lake Elsinore. 2011. City of Lake Elsinore General Plan Update. <http://www.lake-elsinore.org/city-hall/city-departments/community-development/planning/lake-elsinore-general-plan>.

Business District Plan. 2011. City of Lake Elsinore Business District General Plan. Accessed October 23, 2019. <http://www.lake-elsinore.org/home/showdocument?id=7291>



Mr. Greg Waite

Subject: Cultural Resources Inventory for the Escondido Gateway Project, City of Escondido, California



SOURCE: USGS 7.5-Minute Series Escondido Quadrangle



**FIGURE 1**  
Project Location  
Penington Industrial Project

# **APPENDIX A (CONFIDENTIAL)**

*EIC Records Search Results and  
NAHC Correspondence*