

Final Initial Study

**Chalice Unitarian Universalist Congregation
Conditional Use Permit**

**Appendix B
Chalice Unitarian Universalist Congregation
Cultural Resources Memorandum**

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Memorandum

To: Mr. Robert Nelson
Chalice Unitarian Universalist Congregation

From: Susan Underbrink
Senior Archaeologist

Subject: Chalice Church Cultural Survey Memo

Date: February 22, 2017

CC: Kim Howlett

Per the request of Chalice Unitarian Universalist Congregation, TRC has performed a cultural resource pedestrian survey for the Chalice Church (Project). The Project is located in the southwest portion of the City of Escondido in Escondido, San Diego County, California (see Figure 1). Specifically, the Project is located on a 2.34-acre site at 2324 Miller Avenue, which is located at the northeast corner of Miller Avenue and Hamilton Lane. The Project is adjacent to Interstate 15 on its eastern boundary. The Project is located in Township 12 South, Range 2 West in an unsectioned portion of the Escondido United States Geologic Survey (USGS) 7.5-minute quadrangle.

Project Site

The Chalice Unitarian Universalist Congregation is currently operating as a Religious Assembly Use under a County of San Diego Major Use Permit (Application No. P01-024) that was granted on September 4, 2003. The existing facility is located on a 2.34 acre parcel with a 3,300 square foot building that was converted from a two-story residence. There is also a 330 square foot accessory building located on the site. The existing building includes a 1,416 square foot chapel, offices and classrooms. Although the existing chapel can seat 202 occupants, the maximum occupancy allowed by the County MUP is 150 worshipers. Existing on-site parking is provided for 39 vehicles which was deemed sufficient based on an average of one space per four parishioners. The existing required parking would therefore be 38 spaces. The project site consists of two graded pads, with the buildings and parking lot on the larger and lower pad which is situated in the central and southern part of the site, and an unpaved overflow parking area and septic system on the upper pad. Except for the parking areas and buildings, the site is heavily landscaped in ornamental landscaping and contains many mature trees and a cactus garden. The eastern part of the property is adjacent to Interstate 15 (I-15) and is characterized by vegetation and mature trees. A narrow drainage swale runs from I-15 southward along the southeastern property line to a storm drain inlet at Hamilton Lane.

The Chalice Project site was recently annexed to the City of Escondido as part of a larger annexation. This larger annexation was addressed as part of the Oak Creek Project Environmental Impact Report (EIR), which was certified by the City of Escondido in January, 2015. The annexation to the City was approved by the Local Agency Formation Commission (LAFCO) in October, 2015.



Source: Google Maps 2015

Scale: Not to scale



PROJECT VICINITY

Figure 1

Project Description

The project proposes to continue operating the religious facility and expand the facility through the construction of 2,991 sq. ft. of offices, multi/purpose/classrooms, and foyer additions to the existing building. In addition to the expansion of building area, the project also includes an increase in parking capacity through the addition of 10 parking spaces for a total of 49 parking spaces on site. In addition, the project would involve street improvements along Miller Avenue, as well as water supply pipeline improvements. New electric service would also be included in the project.

Site grading for the entire project would consist of 1,972 cubic yards (CY) of cut and 972 CY of fill resulting in 1,000 CY of dirt export off site. The maximum cut slope would be eight feet, while the maximum fill slope would be four feet. Newly created slopes would have a maximum gradient of 2:1.

Cultural Resources

Cultural Resource Record Search

An archaeological records search/literature review was previously conducted for an adjacent parcel and documented in the *Cultural Resources Survey and Evaluation Program for the Oak Creek Project* by Brian F. Smith & Associates, Inc. The record search was conducted at the South Coastal Information Center (SCIC) housed at San Diego State University on March 24, 2013 by Atkins. The purpose of this search and review is to examine any existing cultural resources survey reports, archaeological site records, and historic maps to determine whether documented archaeological sites whether prehistoric or historic are listed on or determined eligible for listing on the National Register of Historic Places or the California Register of Historic Places within the Project area.

The existing records search for the adjacent property covered the Project area, and a one mile radius. A review of the San Diego County Historic Addresses Database indicated that there were no database-listed historic age structures listed within the Project area, and that 13 historic-age buildings were listed within a one mile radius. There are no recorded prehistoric archaeological resources within the Project area. There are a total of 29 recorded resources identified within one mile of the Project area. The record search also indicated that 62 technical reports have been documented within one mile of the Project. None of these reports cover the Project area.

Cultural Resources Survey Methods and Results

An archaeological survey of the approximate 2.34 acre Project parcel was conducted on December 17, 2015 by TRC archaeologist Susan Underbrink, RPA. There are several existing structures on the Project parcel, but none of them are over 50 years of age and do not qualify for the National Register of Historic Places. The archaeologist examined the Project area by walking transects spaced approximately 5 meters apart as appropriate and whenever possible. In some areas meandering transects were utilized to observe as much of the cleared areas as possible. All rodent burrows were examined as well for any evidence of artifacts. Surface visibility was relatively good at about 50 percent. Many of the areas surveyed have been previously disturbed, there are existing sidewalks, and a fountain, a playground, and existing landscaping (see Photograph 1 and Photograph 2). No new cultural resources were located during the cultural resource survey.

A tribal cultural resources survey of the approximate 2.34 acre Project parcel was conducted on December 8, 2016 by TRC Archaeologist Jessica Auck and a representative of the San Luis Rey Band of Mission Indians, PJ Stoneburner. The tribal representative examined the Project area by walking transects spaced approximately 5 meters apart as appropriate and whenever possible. Surface

visibility was good at about 85 percent. Much of the area survey has been previously developed with an existing cut slope. No culturally related items were located during the tribal resource survey.



Photograph 1: Existing Cacti within proposed building footprint (red marking).



Photograph 2: Existing parking area, children's fenced in area, and playground showing disturbance.

Conclusions and Recommendations

The Project area was surveyed for cultural resources on December 17, 2015 and for tribal resources on December 8, 2016. The record search and negative survey results indicate a very low probability for cultural resources for the Project site. However, as the project is underlain by native soils that are currently covered by fill deposits, there is the potential for impacts due to inadvertent discovery of

tribal resources. The following mitigation measures are recommended to avoid and minimize potential impacts to cultural and tribal resources.

CUL-1. The City of Escondido Planning Division (“City”) recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) prior to issuance of a grading permit. The purposes of the agreement are (1) to provide the applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground disturbing activities.

CUL-2. Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

CUL-3. The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

CUL-4. During the initial grubbing, site grading, excavation or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

CUL-5. In the event that previously unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor, shall have the authority to temporarily divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

CUL-6. If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource’s treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

CUL-7. The avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any

significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

CUL-8. As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. The MLD shall complete the inspection of the site within 48 hours of notification. The Native American remains shall be kept in-situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

CUL-9. If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

CUL-10. Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

Chalice Church Cultural Memo

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Please feel free to contact me if you have any further questions or concerns at (949) 727-7385 or by email at sunderbrink@trcsolutions.com

A handwritten signature in blue ink that reads "Susan Underbrink". The signature is written in a cursive, flowing style.

Susan Underbrink, MA, RPA