City of Santa Fe

Agenda

CITY CLERK'S OFFICE
DATE 8/25/14 TIME 4:07 pm
SERVED BY Lisa Roach
RECEIVED BY M Ortega

ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
THURSDAY, September 4, 2014 at 4:30 PM
CITY COUNCILORS' CONFERENCE ROOM
CITY HALL - 200 LINCOLN AVENUE, SANTA FE, NM

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES: August 7, 2014
August 21, 2014

E. ACTION ITEMS

1) Case #AR-18-14. Stephen Post, agent for City of Santa Fe, requests approval for an archaeological monitoring report for the Sheridan Avenue Message Board and Bus Shelter Lighting Project as an alternative method of compliance with 14-3.13(C). (Lisa Roach)

2) Case #AR-19-14. Ron Winters, agent for City of Santa Fe, requests approval for an archaeological monitoring plan for the proposed CenturyLink project on Old Taos Highway and Paseo de Peralta as an alternative method of compliance with 14-3.13(C). (Lisa Roach)

F. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

G. MATTERS FROM THE COMMITTEE

H. ADJOURNMENT

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to date.

SUMMARY INDEX
ARCHAEOLOGICAL REVIEW COMMITTEE
September 4, 2014

MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
City Councilors Conference Room
September 4, 2014

A. CALL TO ORDER

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on September 4, 2014, in the City Councilors Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present
David Eck, Chair
Gary Funkhouser
James Edward Ivey

Members Absent
Tess Monahan, Vice-Chair
Derek Pierce

Others Present
Lisa Roach, Senior Planner, Historic Preservation Division
Lisa Cooley, representing Ron Winters
Zachary Shandler, Assistant City Attorney
Elizabeth Martin for Melessia Helberg, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith to these minutes by reference; and the original Committee packet is on file in, and may be obtained from, the Historic Preservation Division.

C. APPROVAL OF AGENDA

MOTION: Jake Ivey moved, seconded by Gary Funkhouser, to approve the Agenda as presented.

VOTE: The motion was approved unanimously on a voice vote.

D. APPROVAL OF MINUTES – AUGUST 7, 2014 AND AUGUST 21, 2014

The following corrections were made to the minutes of August 7:

Page 6, Item F(1), paragraph 2, welcomes should be welcomed.
Page 7, Correct Roach to Rasch
Page 7, Correct Ives to Ivey

MOTION: Gary Funkhouser moved, seconded by Jake Ivey, to approve the minutes of the meeting of August 21, 2014, as amended

VOTE: The motion was approved unanimously on a voice vote.

The following corrections were made to the minutes of August 21:

Page 2, Item E, paragraph 4, correct to Ms. Roach.
Page 3, Paragraph 2 under Jake Ivey, correct as follows: ..." not in ~~on~~ the..."
Page 5, Paragraph 4, correct to Ms. Roach.
Page 8, Item F, Paragraph 5, correct as follows: "...be ~~absent~~ present on..."
Page 10, Paragraph 3, line 6, correct as follows: "...at least 5 years..."
Page 10, Paragraph 6, line 1, correct as follows: "...would ~~this~~ fall..."

MOTION: Gary Funkhouser moved, seconded by Jake Ivey, to approve the minutes of the meeting of August 21 , as amended

VOTE: The motion was approved unanimously on a voice vote.

E. ACTION ITEMS

1. CASE #AR-18-14. STEPHEN POST, AGENT FOR CITY OF SANTA FE, REQUESTS APPROVAL FOR AN ARCHAEOLOGICAL MONITORING REPORT FOR THE SHERIDAN AVENUE MESSAGE BOARD AND BUS SHELTER LIGHTING PROJECT AS AN ALTERNATIVE METHOD OF COMPLIANCE WITH 14-3.13(C). (LISA ROACH)

BACKGROUND AND SUMMARY:

At the request of the Facilities Division of the City of Santa Fe Public Works Department, the consultant conducted archaeological monitoring for trenching associated with the installation of subsurface electric lines from an existing transformer to a message board and bus shelter on Sheridan Avenue in the Historic Downtown Archaeological District. The archaeological monitoring plan was previously approved by the Archaeological Review Committee on January 16, 2014. The project included monitoring of a 31.3 m linear trench along Sheridan Avenue, a 3.5 m linear trench in the adjacent alleyway, and a hand-dug 75

cm x 50 cm message board foundation. Trench dimensions were 60 cm wide and 60 cm deep, except for a section of the alleyway trench which extended to a depth of 80 cm, and the message board foundation was excavated to a depth of 100 cm. Monitoring of these excavations revealed low artifact frequency, mixed context, and compromised integrity of the majority of the cultural deposits encountered, suggesting that they are not significant. No further investigation is recommended.

STAFF RECOMMENDATION

Staff recommends approval of the archaeological monitoring report, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of Archaeological Clearance Permits (14-3.13(B)(4)(a) and serves as a sufficient alternative to complying with the requirements of Reconnaissance (14-3.13(C)(4)(a) & (b), as determined by decision of the Archaeological Review Committee on January 16, 2014 (Case No. AR-1-14).

Chair Eck noted the Staff report in packet. He asked Ms. Roach is she has anything to add.

Ms. Roach said she has nothing to add.

Mr. Post said the report speaks for itself. He said the results were less than expected. He said the trench excavation was narrower and shallower than expected, which probably is a good thing, because the excavations were just clipping the top of what is probably a fairly deep, potentially mixed to moderately intact cultural deposit that might date to the early 19th Century and before that. He thinks any work in the Sheridan Avenue area in the future needs to take in account that somewhere between about 30 and 50 centimeters we are going to run into these kinds of loamy deposits that are kind of typical of the open space west of the Palace of the Governors, former presidio lands and the land between the officers' houses from the 1870's. He said, "I think most of what I was looking at was probably smear and spread from demolition and urbanization activities related to creation of sidewalks and streets and utilities *[inaudible]*."

Chair Eck asked Ms. MacDonald if she needs to add anything, and Ms. MacDonald said no, saying she thought the report was fairly clear.

Gary Funkhouser

Mr. Funkhouser said, "Now that you have done it, it is a small sample, and there will be a number of trench and buried cable utilities coming through the Historic District. What do you think we could do in order to find the best common denominator for the projects going forth, because we're going to have two sets." He said he thought the descriptions were great, and he would like something comparable as we trench our way back and forth across town, so we actually learn something about the subsurface that's there. He said there is a fair amount of information from the soils that we do, noting that everyone couldn't do that quite the same. It's not just a matter of disturbed soil, but there was some context there. There is some history too.

Mr. Funkhouser said, "I guess what I'm really asking is for you to continue to contribute your free time to helping us to figure out what to do with the downtown. It came up that there are a number of these projects."

Mr. Post said he is aware there may be some fairy big projects of this nature. He asked if there is a question about that,

Too many people talking here at the same time to transcribe

Mr. Funkhouser said, "No, I was just hoping that you would think about it in that context."

Mr. Post said one of the things he tried to do with this monitoring plan was to provide context for future study, as well as what he thought might be a guide for other archaeologists working in the downtown area. And, how to approach stratigraphy and possible disturbances, as well as the expectations for what you might find and where in the downtown area, given *[inaudible]* mapping, former flood plain and what that means as you get closer to the edge of that flood plain, and the quality and integrity of deposits. He said he thinks all of the projects just require a fairly straightforward, but careful consideration of context.

Mr. Funkhouser said he appreciated the archival research of understanding the context surrounding the project area. *[Inaudible here].*

Mr. Post said he tried to provide background that he could work within and also give the Committee as well as others some sense of what we might expect.

Mr. Funkhouser said, "If you can reasonably predict within the margins you were talking about of what is to come, that would certainly help us tell the utility folks who draw up the plan where to go."

Mr. Post said, for example, working on Palace Avenue and Washington Avenue, he thinks it depends on how close the future utility excavations are going to be to pre-existing, if they're going to be right inside the edge. If they're right at the edge and cutting a little bit into previously undisturbed, then the stratigraphic information that comes from that is going to be important. For example, working around Washington Avenue, it is important to confirm the presence of some of the features that were identified in the 1980's from some of the early monitoring that was done for that long stretch of street that was installed. He said regarding the work between the Plaza and the Palace will depend on the depth. He said we know if you work 60 cm. or shallower in the media downtown core you are going to be working pretty much in disturbed areas. He said the stratigraphic information we can get as well as the light artifact distribution may give us a little more information on layout and changing use through time. However, as we know and you stated, the trenches are fairly limited to the record. He said as we move forward we need to work with some of the OAS folks to start to get a handle on how to frame their works in the downtown area so they can derive more information and more benefit."

Mr. Funkhouser said, "More comparable information too."

[Too many people talking here at the same time to transcribe]

Jake Ivey

Mr. Ivey said on Packet page 23, paragraph 1, line 9, add quotation marks after pueblo complex.

Mr. Post said that quotation mark needs to go away, and end the paragraph with closing quotes after 'many of four.'

Mr. Ivey said on Packet page 19, paragraphs 2-3, Mr. Post talksabout Paleoindian or Archaic period, but doesn't say what those periods are.

Mr. Post said he left that out because there was really nothing to comment on. He said he is happy to add two ranges for Paleoindian and Archaic.

Mr. Ivey said he has no further comment. He said the report was extremely interesting reading and he very much enjoyed it.

Chair Eck

Chair Eck said, "On the first page of your investigation abstract, I realize it is a very simple project, but Mr. Pierce would no doubt say that in Item 7, Description of Undertaking, monitoring is irrelevant. What is needed here is a description of the undertaking. It is a message board and lighting, and if it can be embellished in any way, that is what is supposed to be in that box. The description offered refers to the activity of the archaeologist and what he's looking at. And what the ARMS folks would like for the record here is a description of the project. The fact that we're digging a trench to enable the project is part of the project. But what is the project. It is the installation of a message board and lighting. One might be able to define that a little better."

Mr. Funkhouser said part of the reason ARMS wants that specific information is that is how they help determine how they bill things, "because on some of the big contracts they get stuff for free up to certain amounts, so that allows them to make that call, so there is a reason for it."

Chair Eck said the other reason they want the description of the project in this box is that many things are sorted in the database by the information in this box, and no one will look at the report, and understand how to categorize what is being searched up and so the data base is not populated with your report, and the data base is populated with what's in this box. So to most completely convey a description of the project in this particular location gets it into the data base in a searchable way."

Mr. Post said it is no problem and he will add a paragraph to the report in this regard.

Chair Eck on the next page, in Section 17, where we have legal descriptions, normally ARMS would like the box for unplatted to be checked.

Mr. Post said he will do so.

Chair Eck said in box 21 they usually ask that there be some sort of a synopsis of the findings, which can be only one sentence, but again, it's a searchable item and if there's nothing there, it can't be searched.

Chair Eck said, in Section 22, the list of all the attachments which are potentially there and some of which are required, none of those are checked, so Mr. Post needs to revisit that, just for bookkeeping purposes.

Chair Eck said on packet page 9, Paragraph 4, line 7, remove the comma after "currently" and place it after "remains."

Mr. Post said he will make that change.

Chair Eck said on packet page 45, Paragraph 1, Mr. Post talks about artifacts and on line 5 says, "..unpatinated clear glass indicating a post-1930 date..." He said he will take Mr. Post's word for it, but he thinks there needs to be a reference to report that.

Mr. Post said, "I can add that."

Chair Eck noted that this Committee has been asking for references from everyone.

Chair Eck said on Packet page 38, Paragraph 4, line 1, Mr. Post says, "A cast iron conduit containing a lead-encased copper wire...." He said you gives us a time frame for when this was available, and a reference would be very good there. He said sometimes references are given elsewhere when you are discussing it someplace else, but in this case he doesn't think Mr. Post did that.

Mr. Post said there is no artifact table to which references were added, and in this case it was all narrative.

Chair Eck said on packet page 52, Figure 19, there is something depicted at the top of the figure that suspiciously "looks you borrowed my appendices."

Mr. Post that is a lead encased cable.

Chair Eck said perhaps there is a figure reference that would help that.

Mr. Post said that was probably the most important thing he learned on the project, which is to be aware of lead encased conduit, high tension wires.

Mr. Ivey said, "If you have a copper cable, with lead encasing in a cast iron conduit, how is it insulated from anything. Is there any insulation in there anywhere."

Mr. Post said, "No, it's just the lead around the wire."

Too many people talking here at the same time to transcribe.

Mr. Post said it's something he can look at.

Chair Eck said, "Your discussion of artifacts immediately follows my request for a reference on the cable, and there's no mention I can see in the discussion of the artifact, so throw it in there. Make a figure reference to show that object is indeed that cable. It might be clear in a color photo, but we have a muddy gray and gray photo and it doesn't look like a cable."

Mr. Post said photo reproduction is an issue. He said, "The reason I did not refer to it, is because in the photo it is so clearly obvious as to what it is."

Chair Eck said it could be a lead handled horse flogger.

Mr. Post said it is a segment of cable, but "I will refer to it as the top of the photo in Figure 19."

MOTION: Jake Ivey moved, seconded by Gary Funkhouser, with respect to Case #AR-18-14, to approve the request for approval of an archaeological monitoring report for the Sheridan Avenue Message Board and Bus Shelter Lighting Project as an alternative method of compliance with 14-3.13(C), requested by Stephen Post, Agent for the City of Santa Fe, with the aforementioned editorial corrections, and to forward a copy of the report and notice of this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.17.

VOTE: The motion was approved unanimously on a voice vote

2. **CASE #AR-19-14. RON WINTERS, AGENT FOR CITY OF SANTA FE, REQUESTS APPROVAL FOR AN ARCHAEOLOGICAL MONITORING PLAN FOR THE PROPOSED CENTURYLINK PROJECT ON OLD TAOS HIGHWAY AND PASEO DE PERALTA AS AN ALTERNATIVE METHOD OF COMPLIANCE WITH 14-3.13(C). (LISA ROACH)**

BACKGROUND AND SUMMARY:

At the request of the CenturyLink, the consultant has prepared an archaeological monitoring plan for the proposed installation of a subsurface fiber optic cable located partially on City of Santa Fe property in the Historic Downtown Archaeological District. The project proposes to excavate a 4 ft. x 4 ft. area beneath asphalt on the northwest corner of Old Taos Highway and Paseo de Peralta, to remove a 4 ft. x 75 ft. section of sidewalk along Paseo de Peralta and excavate a 75 ft. linear trench beneath, and to excavate an 80 ft. linear trench and manhole north from this point. As the trenches are excavated, the consultant proposes to examine the fill and trench walls for evidence of cultural resources, including features and cultural deposits and to document any cultural resources encountered. Once the trench excavations and documentation are complete, the cable will be laid, the trench backfilled and the project area repaved.

STAFF RECOMMENDATION:

Staff recommends approval of the archaeological monitoring plan, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of Archaeological Clearance Permits (14-3.13(B)(4)(a) and serves as a sufficient alternative method of compliance with the requirements of Reconnaissance (14-3.13(C)(4)(a)&(b).

Chair Eck noted the Staff Report is in the packet. He asked Ms. Roach if she has anything to add.

Ms. Roach said she has nothing to add.

Chair Eck asked Lisa Cooley, representing Ron Winters, if there is anything Mr. Winters wanted her to say about the project.

Ms. Cooley said no.

Gary Funkhouser

Mr. Funkhouser said he has nothing to add.

Jake Ivey

Mr. Ivey said he looked hard to see if he could find Site 2 and Site 2, and Mr. Post actually changed it so it says Site 1 and Site 2. He has no further comment.

Chair Eck

Chair Eck said, on packet page 2, "The reference to the New Mexico Prime Meridian, which are the initials NMPM, comes after the Township, Range and Section, not before it. It is a pet peeve of mine since I speak Township/Range/Section every day, all day. The typical order is Subdivision, if there is one, in this case there need not be, the Section number, then Township, then Range and then NMPM to establish where it is in the geographic universe."

Ms. Cooley said, "Got it."

Chair Eck said, "Fixing that would be wonderful."

Chair Eck said on packet page 15, "Third paragraph, second to the last sentence, Mr. Winters indicates that 'once a section of the trench is completely excavated, a 3 meter long stratigraphic profile of a representative section of one wall will be drawn.' That's a great thing to do, but it seems to be in conflict or

maybe redundant with what is on packet page 15, next to the last paragraph, where he says, 'Following the completion of the excavation the archaeologist will draw a stratigraphic profile of the excavated trench,' meaning in its entirety, I think. So 3 meters in one place, everything in the other and the sequence of events is muddy. I'm sure he's going to document it correctly, it's just that I had to tease it out of there."

Ms. Cooley said, "Okay."

Chair Eck said on packet page 17, "Mr. Winters mentions, 'If human remains are found... human remains will be excavated by a permitted archaeologist...' without specifying who that person might be. And that's okay, but elsewhere, he took pains to mention which other persons might be involved in analysis, so it seems reasonable to expect maybe he could identify the person that might take care of the human remains."

Ms. Cooley said okay.

Chair Eck said, "It's not critical, but it just seems like it would clean it up."

Mr. Funkhouser said, "In terms of, if human remains are recovered, is the City of Santa Fe the same as everywhere else where the authorities need to be notified as well."

Chair Eck said, "Oh yes. The succession should be, Ron [Winters] should call Lisa [Roach] and Lisa should call the authorities. And then they pass judgment and then, at some point, somebody finally talks to the State Historic Preservation Office, HPD, and they take care of whatever needs to be taken care of regards travel prompting. And actually only after all of that should anybody contemplate excavating those remains, because there could be discoveries of preference and disposition and methodology and all kinds of things that could impinge on actually doing that."

Ms. Roach said, "Just to clarify, if I may. I call the authorities and the HPD, and HPD handles the Tribal consultation. They initiate it."

Chair Eck said, "They at least start the ball rolling. If they're not in a position to do that, they will let you know and then you can start some sort of consultation on your own. But it works very well if it goes to HPD and they talk to their sister agency and collectively they make the notifications of Tribes that might need to be notified."

Ms. Roach said okay.

Ms. Cooley said, "So clarify that chain of command."

Chair Eck said, "Yes. It's nice to have a statement in there of this is what will happen and in what order."

Ms. Cooley said okay.

Chair Eck said, "And then it can then be sort of looked at as the beginnings of a plan to handle such things."

MOTION: Gary Funkhouser moved, seconded by Jake Ivey, with respect to Case #AR-19-14, to approve the request for approval for an archaeological monitoring plan for the proposed CenturyLink project on Old Taos Highway and Paseo de Peralta as an alternative method of compliance with 14-3.13(C), requested by Ron Winters, Agent for City of Santa Fe, with the aforementioned editorial comment corrections, and to forward a copy of the report and notice of this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.17.

VOTE: The motion was approved unanimously on a voice vote.

F. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

Chair Eck said, "There is an undefined footnote thereto, Matters from the Floor, which we discussed a few meetings ago and was theoretically going to be added to the Agenda and has not."

Ms. Roach said, "Okay, that's my fault, I apologize. I will add it to our next agenda and keep it on the template."

Chair Eck noted there is no one in attendance to bring an item from the floor anyway.

Ms. Roach said, "I just have one sort of informal question. As I'm learning this process, I am wondering are there specific instances where I need to communicate with HPD or do I communicate everything with HPD. How much do they want to know. I do need to sit down and meet with Michelle [Ensey]."

Mr. Ivey said he is glad she asked this question, because "it confused me every time."

Chair Eck said, "If a project is not entirely under the purview of the City Ordinances and this Committee, it has a hook to HPD. So if, like these utilities that are being laid in City right-of-way, we are allowed to review the thing and pass on our commentary, so that we can say yes, we believe it meets City Code in effect by approval. And we forward that approval to HPD, because as an action by the City in a City right-of-way, it's a State undertaking and it's not totally our purview, it involves the Historic Preservation Division."

Ms. Roach said, "It is a State undertaking a City action in a City right-of-way, it's a State undertaking."

Chair Eck said, "The City is permitting somebody to put an utility in a City right-of-way, it's the undertaking. Because the City, being a political subdivision of the state, the land that it holds, in and of itself, is State property, and subject to State Statute and Rule."

Ms. Roach said, "Okay."

Chair Eck said, "Ten feet away on the private land, we can quibble about the sidewalk public easement. When you get on private land, it is purely a city ordinance thing. Somebody who wants to put a front porch on, needs to comply with various ordinances. And in order to get their permits to do so, one of the things is to consider archaeology. And, we are hoping to make at least clear tea out of the muddy coffee that we now have in City Ordinance – what you have to do, when and under what conditions, and who needs to be involved. So as we embark on this, and they are rewriting City ordinance, you can help clarify, because a lot of it is going to dictate what your day is like."

Ms. Roach said, "Yes, actually which has been a little bit muddy so far."

Chair Eck said, "We do not want to put so many straws on the proverbial camel that the back breaks."

Chair Eck said, "In terms of undertakings and who's involved, I think that kind of covers the bases. The human remains question. That is State law, how do you handle human remains, and we all try to play by the rules and it's sometimes difficult, and sometimes very frustrating, but quite literally, you find somebody, halt and start calling."

Mr. Funkhouser said, "There are actually City rules that all work stops. They have to move 100 feet, or whatever, away from that location. There can be no construction activity there until the authorities have inquired."

Chair Eck said, "And they have to protect the place, maintain..."

Ms. Roach said, "I am familiar with all of the regulations, but I just didn't know how, specifically, on City undertakings..... I did not know that City undertakings on City land were under State jurisdiction."

Chair Eck said, "And where it gets funky, is that if PNM wants to put cables someplace, it is a private utility, it is a private company, but it's working in the City right-of-way, and they can't do that without a permit from the City, and by definition, it's a State undertaking."

Ms. Roach said, "Gotcha."

Mr. Funkhouser said, "And it remains a source of confusion when the State highways come into the City limits, and the State actually takes responsibility for that. Frequently, no one does."

Ms. Roach said, "Well, I believe we will have a case coming up where all of these things will come into play."

Chair Eck said, "The last one where it all came into play was on the old horse *[inaudible]*, that is know as Federal Place et al."

Mr. Shandler said he has no administrative matters.

G. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

H. ADJOURNMENT

There was no further business to come before the Committee.

MOTION: Jake Ivey moved, seconded by Gary Funkhouser, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the Committee was adjourned at approximately 5:40 p.m.

02 October 2014

David Eck, Chair

Melessia Helberg, Stenographer