



Agenda DATE 5/27/15 TIME 12:00

PREPARED BY Lisa Roach

REVIEWED BY Melvin Byers

ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, June 4, 2015 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: May 13, 2015
May 21, 2015**

E. MATTERS FROM THE FLOOR

F. ACTION ITEMS

- 1) Case #AR-08-15. Historic Downtown Archaeological Review District. Revised Archaeological Monitoring Plan for proposed CenturyLink project on Griffin Street and Paseo de Peralta. Ron Winters for CenturyLink. (Lisa Roach)
- 2) Case #AR-17-15. Consideration of William Leon Penner of P3 Planning for approval to conduct archaeological investigations and historical research in the City of Santa Fe's Archaeological Review Districts. (Lisa Roach)
- 3) Case #AR-18-15. Historic Downtown Archaeological Review District. Archaeological Reconnaissance Report for Monsignor Patrick Smith Park. Alysia L. Abbott for the City of Santa Fe. (Lisa Roach)

G. DISCUSSION ITEMS

H. MATTERS FROM THE COMMITTEE

I. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

J. ADJOURNMENT

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

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Thursday June 4, 2015

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**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
City Councilors Conference Room
June 4, 2015**

STENOGRAPHER'S NOTE: *Throughout the meeting there was a knocking sound in the recording as if someone was hitting the table, which made transcription of these minutes extremely difficult.*

A. CALL TO ORDER

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on June 4, 2015, in the Historic Preservation Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

David Eck, Chair
Tess Monahan, Vice-Chair
James Edward Ivey
Derek Pierce
Gary Funkhouser

Others Present

Lisa Roach, Historic Preservation Division
Zachary Shandler, Assistant City Attorney
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 City of Santa Fe Historic Preservation Division.

C. APPROVAL OF AGENDA

MOTION: Jake Ivey moved, seconded by Tess Monahan, to approve the Agenda as presented.

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

D. APPROVAL OF MINUTES.

May 13, 2015

There were no corrections to the minutes of the meeting of May 13, 2015.

May 21, 2015

The following correction was made to the minutes of May 21, 2015:

Page 6, paragraph 5, line 3, correct as follows: "...~~that~~ with what was...."

MOTION: Jake Ivey moved, seconded by Gary Funkhouser, to approve the minutes of May 13, 2015, as presented, and the minutes of May 21, 2015, as amended.

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

E. MATTERS FROM THE FLOOR

There were no matters from the floor.

F. ACTION ITEMS

- 1) **CASE #AR-08-15. HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. REVISED ARCHAEOLOGICAL MONITORING PLAN FOR PROPOSED CENTURY-LINK PROJECT ON GRIFFIN STREET AND PASEO DE PERALTA. RON WINTERS FOR CENTURYLINK. (LISA ROACH)**

BACKGROUND & SUMMARY:

At the request of Rochelle Abeyta of Centurylink, Ron Winters prepared an archaeological monitoring plan for a total of 365 linear feet of trench to be excavated for the purpose of installing new fiber optic facilities. On March 19, 2015, the Archaeological Review Committee voted unanimously to recommend approval to the State Historic Preservation Office, who successively issued final approval of the monitoring plan. Subsequent to ARC approval, the City of Santa Fe Traffic Engineering Division issued a directive that trenching across Paseo de Peralta was not allowed, due to high potential for traffic disruption and safety hazards. As a result, a revised monitoring plan has been prepared, in which the applicant proposes to bore under Paseo de Peralta. The project proposal includes trenching along the westerly portion of the Griffin Street right-of-way for a distance of 105', then boring under Paseo de Peralta for a distance of 100', resume trenching along the north side of Paseo de Peralta for 100', and installing a handhole on private property at 400 Griffin Street.

STAFF RECOMMENDATION:

Staff recommends approval of this monitoring plan, as an alternative method of compliance with Section 14-3.13(C). The plan will require final approval from the State Historic Preservation Office, as the project area falls within the City right-of-way requiring 4.10.17 NMAC Standards for monitoring to be met.

Chair Eck thanked Ms. Roach for the Staff Report and asked if she has additional remarks.

Ms. Roach said this is a request to bore under Paseo de Peralta and set a trench for 100 feet.

Chair Eck noted a correction in the Staff Report on line 6, in the paragraph under Background & Summary, "...Peralta, was not allowed..."

Mr. Winters thanked the Committee for the Historic Preservation Award.

Mr. Winters said this Committee has seen the initial monitoring plan on this project. He got a call from CenturyLink because the City Traffic Engineer asked CenturyLink to submit a revised plan because they don't want to shut down Paseo de Peralta at this intersection noting it is because there is a major potential for individual, commercial and vehicle disruption, as well as the safety hazard. He said there is a big concern about the Fire emergency vehicles that come down Paseo de Peralta.

Mr. Winters said he did research on the restrictions in this area because it is residential and there's a hotel. He said construction can't start until 8:30 a.m., after the morning traffic lightens and has to conclude before 3:30 p.m. when the traffic becomes heavy again. There is a restriction that night work can only be done after the rush hour ends at 6:00 p.m. and you have to conclude by 9:00 p.m. because of noise restrictions.

Mr. Winters said there a precedent was set for the request to bore under a major thoroughfare, commenting that he knows this Committee doesn't like to approve boring. He said the bore is the only change to the originally approved monitoring plan. The bore would start where the trench ends on Griffin and Paseo de Peralta. The bore would go in that trench and come up on the north side of the intersection and they then would trench down west on Paseo along the curbing there. The rest of the trenching is conducted as stated in the monitoring plan.

Tess Monahan

Ms. Monahan had no comment.

Gary Funkhouser

Mr. Funkhouser had no comment.

Derek Pierce

Mr. Pierce said his only comment is that this scenario is exactly the kind of thing where a request to bore is a reasonable accommodation. It avoids trenching through a major thoroughfare, and this is "exactly what we like to entertain in terms of boring," and not in other cases where it was thousands of feet. He said he has no issue with this request.

Mr. Winters said he told them it had to be restricted to that corridor.

Mr. Pierce said he likes that they are keeping it to the minimum necessary.

Jake Ivey

Mr. Ivey had no comment.

Chair Eck

Chair Eck had no comment.

MOTION: Jake Ivey moved, seconded by Gary Funkhouser, with respect to Case #AR-08-15, to approve the Revised Archaeological Monitoring Plan for the proposed CenturyLink project on Griffin Street and Paseo de Peralta, as requested by Ron Winters for CenturyLink, and to forward a copy of the report and notice of this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.7.

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

2) CASE #AR-17-15. CONSIDERATION OF WILLIAM LEON PENNER OF P3 PLANNING FOR APPROVAL TO CONDUCT ARCHAEOLOGICAL INVESTIGATIONS AND HISTORICAL RESEARCH IN THE CITY OF SANTA FE'S ARCHAEOLOGICAL REVIEW DISTRICTS. (LISA ROACH)

BACKGROUND & SUMMARY:

William Leon Penner presents his qualifications for consideration by the ARC to be approved to conduct archaeological and historical research in Santa Fe's Archaeological Review Districts and to be included on the City of Santa Fe List of Approved Archaeologists and Historians. Qualifications for Archaeologists are provided in Section 14-2.7(E)(2) and further specified in External Policy 10.

STAFF RECOMMENDATION:

Staff defers to the Committee as to whether the archaeologists's qualifications satisfy the requirements of Section 14-2.1(E)(2) and External Policy 10, but asserts that consideration be given, as the City's List of Approved Archaeologists and Historians has experienced some attrition in recent years.

Chair Eck thanked Ms. Roach for the Staff Report.

Mr. Ivey noted a correction in the Staff Report on line 1 under Background & Summary, as follows:
“....presents ~~her~~ his qualifications...”

Ms. Roach noted in the Staff Report she indicated Mr. Penner was requesting the Historic Downtown, although she believes he wants to be listed for all districts, and Mr. Penner said yes.

Mr. Penner said he hopes everyone had the opportunity to review the materials he submitted.

Ms. Roach said she didn't make a copy with his *[inaudible]*, but she can pass it around, and Penner noted he has a second copy. He said it just won a Heritage Preservation Award for excellence in historic heritage public version. He feels it speaks to the quality of work that he brings as an historian and archaeologist. He is listed as a P.I. in New Mexico, Colorado, the BLM and listed as an historian on the SHPO Directory.

Tess Monahan

Ms. Monahan said it's rare that we get a list of qualifications that is as many pages as many of the cases that we have.

Gary Funkhouser

Mr. Funkhouser had no comment.

Derek Pierce

Mr. Pierce noted there is a higher standard for the Downtown Historic District than for the other districts. He had a little difficulty separating out what work Mr. Penner has done in the Downtown Historic District versus elsewhere, and asked him to cover that.

Mr. Penner said most of the work he has done was for Cherie back in the “dawning” of his career. He said not far away he did a lot of monitoring when they were redoing the La Posada Hotel. He did the excavations at the Villagra Building when they put in the basement and parking garage, noting he excavated a cistern and an interesting well. He recently had a project with the Corps of Engineers along Arroyo de Chamiso. He said most of his work in Santa Fe was in 1997-1999, and in the intervening years the biggest one was the excavation project.

Mr. Pierce said he understands Mr. Penner doesn't have a Master's Degree and Mr. Penner said that is correct.

Mr. Pierce said then we would be considering this under the equivalent experience.

Chair Eck said that is correct.

Mr. Penner said he has been grandfathered-in similarly in other states.

Jake Ivey

Mr. Ivey complimented the form of Mr. Penner's submission.

Chair Eck

Chair Eck had no comment.

MOTION: Jake Ivey moved, seconded by Tess Monahan, with respect to Case AR-17-15, to approve the request of William Leon Penner to be listed on the City of Santa Fe List of Approved Archaeologists and Historians.

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

3) CASE #AR-18-15. HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. ARCHAEOLOGICAL RECONNAISSANCE REPORT FOR MONSIGNOR PATRICK SMITH PARK, ALYSIA L. ABBOTT FOR THE CITY OF SANTA FE. (LISA ROACH)

Disclosure: Chair Eck recused himself from participation in this case, and left the meeting room. Vice-Chair Tess Monahan assumed the duties of the Chair.

BACKGROUND & SUMMARY:

At the request of the City of Santa Fe Department of Public Works, Alysia Abbott of Abboteck, Inc., conducted archival research, pedestrian survey and 2% archaeological testing at the 4.63 acre Monsignor Patrick Smith Park in advance of planned rehabilitation of the park-wide irrigation system. The park is located in the Historic Downtown ARD and bound on the south by the Acequia Madre and on the north by the CCC constructed Santa Fe River Park, both listed on the State Register of Cultural Properties. According to the reconnaissance report, testing exposed isolated artifacts of historic age (1880-1930) in heavily disturbed contexts. No significant cultural sites were identified during archival research, survey, or testing and no further research is recommended.

STAFF RECOMMENDATION:

Staff recommends approval of the reconnaissance report, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3), the requirements of Archaeological Clearance Permits (14-3.13(B)(2) and the requirements of performing Reconnaissance (14-3.13(C)(14).

Vice-Chair Monahan noted the staff report from Ms. Roach and asked if she has anything to add, and Ms. Roach did not.

Vice Chair Monahan asked Ms. Abbott if she has any remarks.

Ms. Abbott introduced Samuel Ulibarri and Martin Gabaldon from City Public Works. She said it was an interesting project. She said initially she was going to add additional documentation for the Acequia Madre and for the Santa Fe City wall, but ARMS said no, they don't want LA numbers for individual Acequia segments any more, even though she did one across the River a few years ago. And because both the Acequia and the Santa Fe River wall already are written up on the National Register, they're not even asking for historic cultural property inventory documentation. She said if, for some reason, when it goes to Ms. Ensey and she changes her mind, she will give her all of that documentation. Or if for some reason, this Committee would like her to provide that documentation she will so so.

Ms. Abbott said, "Technically, since both of those resources are outside the park, that was the kicker for SHPO, well these forms, with regard to the extra documentation for them."

Gary Funkhouser

Mr. Funkhouser asked if there is a rough approximation of the termini of the Acequia Madre that would be covered by the nomination.

Ms. Abbott said the nomination covers it from where it's drawn out of the River above Canyon Road down to the bridge at Delgado or perhaps DeFouri. She said it is grossly insufficient.

Ms. Roach said in the action letter she sends to Ms. Ensey she can indicate the Committee is concerned about the documentation of the Acequia Madre and related systems.

Mr. Funkhouser said it leaves out 50% of it.

Mr. Pierce said the question is how to attach it to a project. He said the reason he doesn't want to give it an LA number is because national register standards treat acequias as historic structures, and not as sites.

Ms. Roach said this Committee could request new Archeology Funds to secure better documentation of these.

Mr. Ivey said you can get yourself in trouble if you start distinguishing between a historical building and an archaeological site. He said they spent hours and hours over 30 years in the Park Service arguing about this. He asked, how many rocks above the ground does it have to be before it becomes a building as opposed to a site. It's not the way to go, and it's a bad mistake.

Ms. Abbott said everything should get an LA number.

Derek Pierce

Mr. Pierce said he has a grammatical correction on page 29, paragraph 1, line 3, correct as follows: "...~~west~~ east of the villa." He said it was an excellent report.

Jake Ivey

Mr. Ivey had no comment.

Vice-Chair Tess Monahan

Vice-Chair Monahan said she always finds it fascinating to learn more about the Acequia Madre, and she never knew that Patrick Smith was a priest.

Vice-Chair Monahan thanked Ms. Abbott for the report.

MOTION: Derek Pierce moved, seconded by Gary Funkhouser, with respect to Case #AR-18-15, to recommend approval to the New Mexico Historic Preservation Division, of the Reconnaissance Report for Monsignor Patrick Smith Park, as requested by Alysia I. Abbott for the City of Santa Fe, with the aforementioned correction, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3), the requirements of Archaeological Clearance Permits (14-3.13(B)(2) and the requirements of performing Reconnaissance (14-3.13(C)(14), and to forward a copy of the report and notice of this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.7

VOTE: The motion was approved on a voice vote with Tess Monahan, Gary Funkhouser, Jake Ivey and Derrick Pierce voting in favor of the motion, no one voting against and Chair Eck recused.

Responding to Ms. Roach, Ms. Abbott asked if we have to wait for SHPO approval prior to start of work.

Ms. Roach noted SHPO has final approval, and she will speak to Ms. Ensey tomorrow about this recommended approval, commenting she also will write an action letter.

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

G. DISCUSSION ITEMS

Chair Eck returned to the meeting and assumed the duties of the Chair.

There were no discussion items.

H. MATTERS FROM THE COMMITTEE

Mr. Funkhouser said, with regard to the Trails project discussed at the previous meeting, it turns out that construction of the bridges may be problematic in terms of going across the acequia, because they weren't included. He said the DOT wouldn't sign unless the bridges were removed. So the bridges were pulled, and he would like to find out what's happening and there needs to be a resolution so the bridges are built.

Ms. Roach said she will call Leroy Pacheco about this.

Chair Eck said he is mystified because it seems like there is a lot of documentation, and a lot of people have been planning and certain things are on paper and presented on maps that are next to impossible to interpret, and then people go forth and build things. And we're sitting here saying, what's happening.

Mr. Funkhouser said this is a multi-million dollar investment, in both State bond and federal funds. He said they are applying for more money now because it is the end of the fiscal year.

Ms. Roach will follow up with Leroy Pacheco and Gerry Raymond.

I. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

Ms. Roach said the Code Rewrite Subcommittee scheduled its first meeting on June 18th, in the Historic Preservation Conference Room at 3:00 p.m., prior to the next ARC hearing. She said they will be structuring their meetings around topic areas she has identified from the responses to our email requesting input. She said hopefully most everything can be captured at that meeting, but more meetings will be scheduled if needed.

Ms. Roach said the additional funds for the CLG grant for the Archaeological Geodatabase were approved by the City Council last week, and now all that is left to be done is to get the final signatures on the Grant Agreement. She said that project is moving along quite well, commenting it is going to be a great tool.

Ms. Monahan said she won't be here for the next meeting.

Mr. Shandler said we need a City Councilor to sponsor the changes to the Code.


Ms. Monahan said she will talk to Councilor Lindell about sponsoring the legislation.

I. **ADJOURNMENT**

There was no further business to come before the Committee.

MOTION: Jake Ivey moved, seconded by Derek Pierce, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the Committee was adjourned at approximately 5:10 p.m.


David Eck, Chair


Melessia Helberg, Stenographer