



Agenda

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ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, November 2, 2017 at 4:30 PM

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: September 14, 2017, October 5, 2017

E. MATTERS FROM THE FLOOR

F. ACTION ITEMS

1. Case #AR-34-2017. 100 South Federal Place. Historic Downtown Archaeological Review District. Ron Winters, agent for Century Bank, owner, requests approval of an Archaeological Monitoring Report for 133 linear feet of trenching for utility lines.
2. Case #AR-33-2017. Sara Cullen requests to be listed on the City of Santa Fe list of approved archaeologists in the River and Trails and Suburban Archaeological Review Districts.
3. Case #AR-35-2017. John Cater requests to be listed on the City of Santa Fe list of approved archaeologists in the River and Trails and Suburban Archaeological Review Districts.

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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November 2, 2017

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**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
City Councilors Conference Room
November 2, 2017**

A. CALL TO ORDER

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on November 2, 2017, in the City Councilors Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

David Eck, Chair
James Edward Ivey
Cortney Anne Wands

Members Excused

Tess Monahan, Vice-Chair
Derek Pierce

Others Present

Nicole Ramirez-Thomas, Historic Preservation Division – Committee liaison
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance for the conducting of official business.

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

Ms. Ramirez-Thomas said on Item D, Approval of Minutes, the minutes of September 14, 2017 were approved at the previous meeting and need to be removed from the Agenda.

MOTION: Jake Ivey moved, seconded by Cortney Wands, to approve the Agenda as amended.

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

D. APPROVAL OF MINUTES – SEPTEMBER 14, 2017, OCTOBER 5, 2017

The following correction was made to the minutes:

Ms. Helberg noted a mistake in the October 5, 2017, minutes in the caption of Item #2 as follows:
RON WINTERS, AGENT FOR ~~SCOTTISH RITE TEMPLE~~, OWNER CENTURYLINK, noting that Ron Winters is the agent for CenturyLink.

MOTION: Jake Ivey moved, seconded by Cortney Wands, to approve the minutes of the meeting of October 5, 2017, as amended.

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

E. MATTERS FROM THE FLOOR

Gerry Raymond thanked Ms. Ramirez-Thomas for her help on his fiberoptic projects. He said Ms. Ramirez-Thomas has answered questions and has resolved issues through a pre-application meeting. He said there is still the question of boring. He asked if the Committee would agree that when he sees special areas of subsurface, or whenever the boring is done, it will be monitored, or can they allow him that leeway, and if he will have to come back to the Committee in each instance.

Ms. Ramirez-Thomas said she had suggested that Mr. Raymond have a pre-application meeting before submitting a monitoring Plan. She also suggested that Mr. Raymond create an engineer's map with the detail of where there will be boring, and where there will be trenching. She said this will give the Committee sufficient information and the Committee can make it's decision. This way the Committee will be more informed about what is proposed to be done.

Chair Eck said the map will help the Committee to decide how to proceed.

Jake Ivey

Mr. Ivey said the Committee needs some indication of where boring starts, and what lines, but it doesn't have to be precise down to the inch, which implies leeway within a reasonable amount. He said that falls into an area where the Committee is making the final decision for specific detail. That means at some point, to go outside appropriate range of variation, you will have leeway. If it is outside that range, you will have to come back to the Committee.

Ms. Ramirez-Thomas said once the preliminary engineering plans are done, she can bring them to this Committee for discussion prior to finalizing anything with the company.

Mr. Ivey said if we have the working plans up front, the thing to do would be to say these spots, places, are firmly fixed, but if there are some places where we are unsure and there could be problems, Mr. Raymond could make that choice in the field or come back and ask the Committee for direction.

Mr. Raymond asked if the Committee wants a testing plan for large projects.

Chair Eck said we need a monitoring plan on how you are to behave when you find something.

Mr. Ivey said this is the whole purpose.

Mr. Raymond said the State requires a testing plan.

Cortney Anne Wands

[Ms. Wands' remarks here are inaudible]

Mr. Raymond said when they actually find lines underground, they have to move the pit 50 feet to avoid it. He asked if he should stop if there is a 50 foot contingency because they think there is something underground – come back and say where the hole will be, but they will monitor either way. He asked if this is enough variation to cause you to question our intentions.

Ms. Ramirez-Thomas said it depends on the area of town. If it is in the Historic Downtown, 50 feet is huge.

Mr. Raymond said he sees this as doing a better Class I portion of the plan so we all know where we are going to be.

Chair Eck

Chair Eck said he is happy with the flexibility as long as it is context-specific. If human remains were found nearby, he would be worried. He said once the Committee sees the plan and drawings, at that point we are done. And Ms. Ramirez-Thomas can give permission for little things. However, if things happen that are too far afield, then you will need to come back to this Committee.

Mr. Raymond said there are issues about a new client coming into compliance because the proper cultural resources weren't taken into consideration, and a lot are legacy issues.

Chair Eck reiterated that once the Committee sees the drawings and what Mr. Raymond plans to do, that should be sufficient for the Committee to make its decision.

Mr. Raymond said he will proceed as discussed, and bring this information to the Committee as a case in the near future.

F. ACTION ITEMS

1. **CASE #AR-34-2017. 100 SOUTH FEDERAL PLACE. HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. RON WINTERS, AGENT FOR CENTURY BANK, OWNER, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL MONITORING REPORT FOR 133 LINEAR FEET OF TRENCHING FOR UTILITY LINES.**

BACKGROUND & SUMMARY:

In late August 2017, Century Bank, located at 100 South Federal Place, contacted City of Santa Fe Historic Preservation Division staff, regarding an emergency gas line replacement. Tom Shea of Century Bank contracted Mr. Winters to conduct the archaeological monitoring during the trenching activities for installation of the gas main. The trenching activities took place on private property at the northeast corner of the Century Bank building and the trench was 133 feet long. An archaeological site consisting of prehistoric and historic artifacts was recorded. The archaeologist recommends the site as not eligible to the National Register of Historic Places due to the disturbed context of the site. No recommendation was made in regard to City significance.

STAFF RECOMMENDATION:

Staff recommends the site as not significant to the City and recommends approval of the report as it complies with 14-3.13(C)(d) Procedures for the Historic Downtown District, Treatment.

Chair Eck noted the Staff Report in the packet. He thanked Ms. Ramirez-Thomas and asked if she has anything to add.

Ms. Ramirez-Thomas said the Plan is being brought before Committee because it was an emergency.

Mr. Winters said this is a straightforward case. He thanked Ms. Ramirez-Thomas for her help. He said they were there the next day after he was contacted.

Jake Ivey

Mr. Ivey had no comment.

Cortney Anne Wands

Ms. Wands said she had no comment, other than the reproductions aren't good.

Chair Eck said that is the fault of the City.

Chair Eck

Chair Eck said on packet page 41: Under Artifact Analysis, beginning on line 1, Mr. Winters said, "...consists of a lens of 21 historic artifacts and 30 faunal bones totaling 51 artifacts..." He said that needs to be further broken down.

Mr. Winters asked, "Broken down how."

Chair Eck said he needs say what the items are, what time frame they belong to, and so forth.

Chair Eck said on packet page 44, in the table he needs to indicate, for example if it is a ring of bone and the thickness.

MOTION: Jake Ivey moved, seconded by Cortney Wands, with respect to Case #AR-34-20127, to approve the Archaeological Monitoring Report for 133 linear feet of trenching for utility lines at 100 South Federal Place in the Historic Downtown Archaeological Review District, requested by Ron Winters, agent for Century Bank, with the aforementioned minor corrections, finding it complies with 14-3.13(C)(d) Procedures for the Historic Downtown District, Treatment.

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

2. CASE #AR-33-2017. SARAH CULLEN REQUESTS TO BE LISTED ON THE CITY OF SANTA FE LIST OF APPROVED ARCHAEOLOGISTS IN THE RIVER AND TRAILS SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICTS.

BACKGROUND & SUMMARY:

Sara Cullen requests to be listed on the City of Santa Fe list of approved archaeologists in the River and Trails and Suburban Districts.

STAFF RECOMMENDATION:

Staff defers to the Archaeological Review Committee for approval of the application for listing.

Chair Eck noted the Staff Report in the packet. He thanked Ms. Ramirez-Thomas and asked if she has anything to add, noting this is a carry over from last meeting.

Ms. Ramirez-Thomas said all of the requested information has been submitted.

Jake Ivey

Mr. Ivey said he had no comment.

Cortney Anne Wands

Ms. Wands asked Ms. Cullen about her years of experience, and some specific field experience.

Ms. Cullen said this was during her time at Highlands teaching.

Ms. Wands asked about *[inaudible]*.

Ms. Cullen said this was on-call stuff and there were no charts.

Ms. Wands said she is still trying to understand how Ms. Cullen added up her work experience, saying it appears to her to be an exaggeration of work experience. She is not clear under Publications as for what Ms. Cullen was an author, and whether she was the lead author or 2nd or 3rd author.

Chair Eck

Chair Eck, referring to page 5, asked Ms. Cullen if she was the lead author for the 2017 Cultural Resource Inventory, for the City of Alamogordo.

Ms. Cullen said she was the lead author yes.

Chair Eck said then Ms. Cullen is the primary author of the other publications listed for 2017, and Ms. Cullen said yes.

Chair Eck asked Ms. Cullen where she worked with Steve Townsend.

Ms. Cullen said it was in Northeastern New Mexico, on power lines near Raton.

Chair Eck noted that Ms. Cullen has a wide range of experience. He said this Committee looks for the applicant to justify our expectation of relevant experience. He said Ms. Cullen has been listed on SHPO as a supervising archaeologist, and she is expected to perform all required activities.

MOTION: Jake Ivey moved, seconded by Cortney Wands, add Sara Cullen to the City of Santa Fe list of approved archaeologists in the River and Trails and Suburban Districts.

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

3. **CASE #AR-35-2016. JOHN CATER REQUESTS TO BE LISTED ON THE CITY OF SANTA FE LIST OF APPROVED ARCHAEOLOGISTS IN THE RIVER AND TRAILS AND SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICTS.**

BACKGROUND & SUMMARY:

John Cater requests to be listed on the City of Santa Fe list of approved archaeologists in the River and Trails and Suburban Districts.

STAFF RECOMMENDATION:

Staff defers to the Archaeological Review Committee for approval of the application for listing.

Chair Eck noted the Staff Report in the packet. He thanked Ms. Ramirez-Thomas and asked if she has anything to add.

Ms. Ramirez-Thomas said she has no additional remarks.

Dr. Cater said he had no additional remarks.

Jake Ivey

Mr. Ivey said it has been a long-standing policy of the Archaeological Review Committee to require that a table of experience, with supporting documents, be submitted at the time of these kinds of requests.

Mr. Cater said it should have been attached to the request.

Ms. Ramirez-Thomas checked her email to see if it was attached and not printed, but it had not been attached to the email she received.

Cortney Anne Wands

Ms. Wands said she agrees with Mr. Ivey.

Chair Eck

Chair Eck said the reason for postponing the previous request was for submittal of the required information, which he doesn't see included here. He said we would need this information before we can pass final judgment on the application.

Mr. Ivey agreed, saying this is the way we have been doing things, and it is included in the Ordinance rewrite.

Chair Eck said he has known Mr. Cater for years, and he has no worry about his experience and qualifications. He said once we have the required and requested information, the Committee will approve the application immediately, and asked if the other members concur.

Mr. Ivey and Mr. Wands said they concur.

MOTION: Jake Ivey moved, seconded by Cortney Wants, with respect to Case #AR-35-2017, to postpone the final decision to the Archaeological Review Committee meeting of December 7, 2017.

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

4. **CASE #AR-36-2017. AGUA FRIA AND COTTONWOOD. RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. JENKINS GAVIN, AGENT, REQUEST APPROVAL OF AN ARCHAEOLOGICAL SURVEY OF 9.6 ACRES PREVIOUSLY APPROVED BY SANTA FE COUNTY WHICH HAS BEEN ANNEXED INTO THE CITY OF SANTA FE.**

BACKGROUND & SUMMARY:

Tamara Stewart conducted an archaeological survey of 9.6 acres of land within Santa Fe County. Since that time the parcel has been annexed into the City of Santa Fe. The current applicant requests that the Archaeological Review Committee review the report to determine if the report meets the expectations outlined in 14-3.13(C)(5)(a) and (b).

STAFF RECOMMENDATION:

Staff deters to the Archaeological Review Committee for approval of the report.

Chair Eck noted the Staff Report in the packet. He thanked Ms. Ramirez-Thomas and asked if she has anything to add.

Ms. Ramirez-Thomas said this is another case involving newly annexed land, and we will be getting more of these. She said staff has been discussing how to handle it, in terms of the cut-off date for

Land Use rules. She said staff thinks 2010 is a good year for cut-off. Ms. Ramirez-Thomas said overall, this case complies with State standards, and there is nothing else to discuss.

Chair Eck asked if there is anything in ARMS and SHPO. He said it is unfortunate that staff has not provided information regarding the SHPO approvals of the report, and there is no statement regarding the eligibility of the site in Ramirez-Thomas's staff report.

Chair Eck asked Ms. Wells if she has remarks.

Hillary Wells, JenkinsGavin, said when she brought in the Memorandum, Ms. Ramirez-Thomas asked for the methods and she got those for her. She said in speaking with Ms. Ramirez-Thomas, it was her impression that the methods jive with what the City uses at this time. She said she guesses one of the main concerns was that the methods would be similar, and is unsure what the City's exact criteria are, but it seemed that Ms. Ramirez-Thomas was leaning toward this being an acceptable archaeological survey.

Ms. Ramirez-Thomas said the survey transects exceeded the requirements by 7.6 meters.

Chair Eck said that is above and beyond what is expected under the State.

Ms. Wells asked what is required by the State.

Chair Eck said currently it is 15 meters, no further apart than 50 feet, each transect across the property. He said Mr. Winters usually does a tighter transect, noting 5 meters is common, but it depends on the size of the lot, and what his obstacles are. In certain small places, it is entirely appropriate for it to come down to transects that are no wider than "this," because they're actually finding something that needs to be documented. He said, "So it's a sliding scale, at which the upper limit is 15 meters, which is 50 feet *mas o menos*. So, offering an opinion, I too think this is probably perfectly acceptable under the City's general expectations, and under its Ordinance. What it doesn't have is some of the more detailed Land Use history that we have come to love and expect. But there is some general land use history discussion in here, and I can personally say that I have never felt that Ms. Stewart was anything less than pearl."

Mr. Winters asked the reason they chose 2010.

Ms. Ramirez-Thomas said a lot of what has happened with development in the City and County is that in 2008 during the economic downturn, a lot of projects were abandoned, and now you're seeing those projects start up again. She said a lot of the projects were at the point where they were kind of going through these compliance motions and didn't get to complete the project. So 2010 was the date "we felt that was really when work was stopping." She said, for example, Cielo Azul was in a project in-stride and was halted when its money ran out. She said the State was seeing a similar pattern at that time.

Mr. Winters asked if the City would hold to that date ten years from now.

Chair Eck said yes. He said once we pick a date we're stuck with it, and the reason it always is a matter of discussion. He said it has been 13 years since the new State Regulations came out, and we've been trying to apply a judgmental filter. He said what it says is if it has been done to modern standards it's acceptable. He said it can be 30 years old, but we are using hard dates as cues to think about things and double check. He said he applies the date that the new regulations hit as his threshold for major concerns. He said there is a 10 year specification mentioned somewhere in the Regulations.

Mr. Winters said that is the reason he asked, because that is what he recalls about the 10 years.

Chair Eck said at 10 years, he thinks about it, at 13 years, he really starts to wonder, and if it's very old he is depending on which performing entity is responsible, but he can't exercise a great deal of trust. He said often, for example, the transect widths aren't even specified. So if someone went out, wandered around, and said they didn't find anything, "that doesn't hold any water." So, he can live with 2010 as the City's threshold for this concern, but that is his opinion. He said others people are involved and two members aren't in attendance. So a consensus opinion is lacking at this point. We have an action item before this Committee today specific to this report at this time, and that's what we'll talk about.

Jake Ivey

Mr. Ivey asked if the upshot is that 2006 is probably okay with us, so long as it meets the requirements we have.

Chair Eck said yes.

Mr. Ivey said, "Then I have no comment, and don't see anything wrong with it."

Cortney Anne Wands

Ms. Wands had no comment.

Chair Eck

Chair Eck said he has no further comment.

MOTION: Jake Ivey moved, seconded by Cortney Wands, with respect to Case #AR-36-2017, to approve the Archaeological Survey of 9.6 acres of land at Agua Fria and Cottonwood, in the River and Archaeological Review District, within Santa Fe County, as requested by JenkinsGavin, Agent, finding that the report meets the expectations outlined in 14-3.13(C)(5)(a) and (b).

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

G. DISCUSSION ITEMS

Ms. Ramirez-Thomas said she has been given permission to work from home on the proposed Ordinance rewrite, so she can start digging-in on that without distraction. She has significant notes, and we did a good job in discussing it, and she hopes that she can bring it back to the Committee in January 2018 for Committee review. We will then proceed with the process of approval. Responding to the Chair, she said the public comment will happen before it goes to the Council for approval.

Ms. Ramirez-Thomas said the Ordinance will come to the ARC for discussion and comment, noting the Committee discussed about putting it out to the Archaeologists on the City list for comment. She also will talk with Michelle and Andrew at SHPO to get their comments. It will then go through the City committee process, which she believes will be Finance, Public Works and Planning Commission, and perhaps Public Utilities. She said she needs to talk with the City Attorney about the at-large public comment and the timing of that. She noted that Theresa Gheen is now our assigned Assistant City Attorney.

Chair Eck said once it goes to the City Council it should be in final form.

Ms. Ramirez-Thomas said before we do the final draft it needs to go to City Legislative where the Ordinance will be put into the proper format.

Chair Eck said he would be willing to sit and talk with the Assistant City Attorney, and a couple of archaeologists to answer any general questions she might have about the proposed Ordinance.

Ms. Ramirez-Thomas said they are in the process of digitizing the existing records and getting them to ARMS.

Ms. Ramirez-Thomas said they are still moving toward the new software, and said once she gets a better handle on that, she will bring it here for discussion so we can discuss what we want to offer in terms of the system, probably in February 2018. She said it probably is just clearing forms.

H. MATTERS FROM THE COMMITTEE

Ms. Wands said archaeologist Steve Townsend will be presenting case(s) in the coming months, and Mr. Pierce said he will be recusing himself, and given that she is a coworker, he thinks she should recuse herself as well. She said Mr. Pierce was concerned that there wouldn't be a quorum if both of them are recused.

Chair Eck said knowing in advance that this situation exists, we need to find out from Mr. Townsend when he will be presenting, and then ensure that we will have a quorum of the membership for that meeting.

Mr. Ivey said he won't be attending the January meeting.

Ms. Ramirez-Thomas said they moved the meeting to January 11, 2017, in anticipation of people being absent for the previously scheduled date. She said she has a new meeting calendar, and will present that in December.

Chair Eck said he assumes we will have a quorum for the meeting of December 7, 2017, and the members in attendance said they will attend that meeting, so there will be a quorum. He asked Ms. Ramirez-Thomas to contact Ms. Monahan and Mr. Pierce to find out if they will be in attendance as well.

I. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

There were no administrative matters and communications.

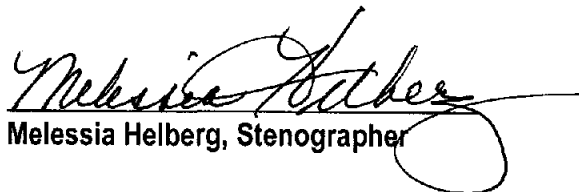
J. ADJOURNMENT

There was no further business to come before the Committee.

MOTION: Jake Ivey moved, seconded by Cortney Wands, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the Committee was adjourned at approximately 5:35 p.m.

 07 December 2017
David Eck, Chair


Melessia Helberg, Stenographer