



Agenda

ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, October 3, 2019, at 4:30 PM

CITY HALL LAND USE CONFERENCE ROOM

CITY HALL - 200 LINCOLN AVENUE, SANTA FE, NM

AMENDED

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES: September 12, 2019

E. MATTERS FROM THE FLOOR

F. ACTION ITEMS

1. Case #2019-000954-ARC. Office of Archaeological Studies, agent for PNM, requests approval of an Archaeological Monitoring Plan for 825 linear feet of subsurface boring, two bore pits, and a transformer for extension of electrical service along Camino Entrada and Camino Edward Ortiz in the Suburban Archaeological Review District. (Lisa Roach, lxroach@santafenm.gov, 955-6577)
2. Case #2019-000955-ARC. Office of Archaeological Studies, agent for PNM, requests approval of an Archaeological Monitoring Plan for 600 linear feet of trenching and one pull pit for the extension of electrical service for the Vizcaya Apartment Complex in the Suburban Archaeological Review District. (Lisa Roach)
3. Case #2019-000958-ARC (previously AR-31-2019). Ron Winters, agent for Michael Munson, requests approval of an Archaeological Monitoring Report for 220 linear feet of trenching for proposed utility lines at 1310-C Canyon Road in the River and Trails Archaeological Review District. (Lisa Roach)
4. Case #2019-000957-ARC (previously AR-03-1996). Ron Winters, agent for HPR Properties, LLC, requests approval of an Archaeological Treatment Plan for LA110505 in the Estancia del Norte Development off Hyde Park Road in the Suburban Archaeological Review District. (Lisa Roach)
5. Case #2019-000956-ARC (previously AR-02-2017). Ron Winters, agent for R.L. Leeder, requests approval of a Final Archaeological Treatment Report for LA76232 at 2670 and 2690 Kate's Way in the River and Trails Historic Downtown Archaeological Review District. (Lisa Roach)
6. Case #2019-000953-ARC. Office of Archaeological Studies, agent for The City of Santa Fe Water Division, requests approval of an Archaeological Monitoring Plan for the installation of more than 3,200 linear feet of waterline and fiber optic conduit between Nichols Reservoir and the Sangre de Cristo Water Treatment Facility in the River and Trails Archaeological Review District. (Lisa Roach)

G. DISCUSSION ITEMS

1. 2020 Archaeological Review Committee Hearing schedule.

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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RECEIVED AT THE CITY CLERK'S OFFICE

DATE: September 25, 2019

TIME: 1:31 PM

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ARCHAEOLOGICAL REVIEW COMMITTEE
October 3, 2019

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**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
City Hall Land Use Conference Room
October 3, 2019**

A. CALL TO ORDER

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on October 3, 2019, in the City Hall Land Use Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

David Eck, Chair
Derek Pierce
Dale F. Zinn

Members Excused

James Edward Ivey
Cortney Anne Wands

Others Present

Lisa Roach, Manager, Historic Preservation Division – Committee Liaison
Lani McCulley, Historic Preservation Division
Paul Duran, Archaeological Technician, City Water Division
Nicole Ramirez-Thomas, consultant, City Water Division
Don Helberg for 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 *AMENDED*****

MOTION: Dale Zinn moved, seconded by Derek Pierce, to approve the Amended Agenda as presented.

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

D. APPROVAL OF MINUTES: SEPTEMBER 12, 2019

The following corrections were made to the minutes:

Page 27(H) Paragraph 1, line 1, correct as follows: "from ~~inaudible~~ Jake Barrow who is..."

Page 27(H) Paragraph 1, line 4, correct as follows: "Rio Grande ~~inaudible~~ glaze paint pottery..."

MOTION: Dale Zinn moved, seconded by Derek Pierce, to approve the minutes of September 12, 2019, as amended.

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

E. MATTERS FROM THE FLOOR

Nicole Ramirez-Thomas, consultant, City Water Division, said in reviewing the September 2019 ARC minutes she noted a discussion about creating a review process because of emergency issues and such. She said they have discussed doing an MOU with the State to bring to the Committee for the Water Division process. In it, there will be standard monitoring, and such, and at the point someone is hired to do the work, that might serve as a good template.

Chair Eck asked if they are working on that using funding coming from a source other than from the Committee.

Ms. Ramirez-Thomas said she is under contract with the Water Division as Mr. Duran works to get his permit with the State, and doing this is one of the projects the Water Division would like them to execute. She said they talked about doing one for the City, but the Water Division wants it to be very "Water Division Specific," with things such as T&D, repairs and such, which will be addressed in it, but it might serve as a good template for the City.

Mr. Pierce said he likes that idea, because the Water Division always trenches and doesn't bore.

F. ACTION ITEMS

1. **CASE #2019-000954-ARC.** OFFICE OF ARCHAEOLOGICAL STUDIES, AGENT FOR PNM, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL MONITORING PLAN FOR 825 LINEAR FEET OF SUBSURFACE BORING, TWO BORE PITS AND A TRANSFORMER FOR EXTENSION OF ELECTRICAL SERVICE ALONG CAMINO ENTRADA AND CAMINO EDWARD ORTIZ IN THE SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICT. (LISA ROACH, PLANNER MANAGER, lxroach@santafenm.gov. 955-6657)

BACKGROUND & SUMMARY:

PNM proposes to install subsurface conduit by boring for the extension of electrical power lines along Camino Entrada and Edward Ortiz in the Valdez Industrial Park, Suburban Archaeological Review District. Bore runs will total 825 linear feet with a target depth of 54-58 inches. Excavation will be required for two pull pits (55 in. X 55 in. To a depth of 48 in.), and a transformer (6 ft. x 7 ft. to a depth of 4 ft. 8 in.). Pot holes may be required where the proposed bore run crosses existing utilities. If required by the ARC or by the nature of utility crossings, trenching will be substituted for boring. During boring and pull pit excavation, an archaeologist will be on-site to monitor back dirt, examine any exposed stratigraphy. Closer examination will be conducted in areas with artifact content, archaeological features, or in areas of changing sediment composition. Any cultural materials and features encountered will be documented and artifacts and samples collected when appropriate. Upon project completion, collections will be analyzed as needed, and a final report will be presented.

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).

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

Ms. Roach said she had nothing to add.

Responding to the Chair, Archaeologist Karen Wening said she has one correction on page 28 to the caption of Figure 10, which should be corrected as follows: "... ~~Arroyo los Chamisos to the north~~ an unnamed drainage to the north."

Dale Zinn

Mr. Zinn had no comment.

Derek Pierce

Mr. Pierce said on page 17 he would like clarification on the entry for NMCRIS 32375, asking if he is correct that the entire project area was surveyed as far as that project.

Karen Wening, Archaeologist, said yes.

Mr. Pierce said that this has been surveyed once, makes him a lot more comfortable with the boring aspect, and raises his comfort level in approving this request.

Chair Eck

Chair Eck, referring to page 42, said the heading simply said "Appendix," and asked if there is no number affiliated with the Appendix.

Ms. Wening said she didn't number them because she was treating them as a single one, but she can make that change if he would like.

Chair Eck said there is no need to make that change, because he was asking a question for clarification, which is "in the Figure on page 18, referring to Figure 7, and reusing the Arroyo Chamiso, if that should be an unnamed arroyo as well."

Ms. Wening said there actually are 4 ditches that are sourced in Arroyo de los Chamisos and in the main drainage to the north, so they both are fine.

MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2019-000954-ARC, to approve the Archaeological Monitoring Plan for 825 linear feet of subsurface boring, two bore pits and a transformer for extension of electrical service, along Camino Entrada and Camino Edward Ortiz, in the Suburban Archaeological Review District, with the minor correction to the name of the drainage, as requested by the Office of Archaeological Studies, 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).

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

2. **CASE #2019-000955-ARC. OFFICE OF ARCHAEOLOGICAL STUDIES, AGENT FOR PNM, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL MONITORING PLAN FOR 600 LINEAR FEET OF TRENCHING AND ONE PULL PIT FOR THE EXTENSION OF ELECTRICAL SERVICE FOR THE VIZSCAYA APARTMENT COMPLEX IN THE SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICT (LISA ROACH, PLANNER)**

BACKGROUND & SUMMARY:

PNM proposes to install conduit by trenching for the extension of electric power lines for the Vizcaya Apartment Complex on Sawmill Road in the Suburban Archaeological Review District. Trenching will total 600 linear feet and will measure 24 inches wide and 54-58 inches deep.. The proposed installation begins at South St. Francis Drive and Rodeo Road and extends north from Rodeo Road to the Vizcaya Apartment Complex. One pull box (55 inches wide by 55 inches) will be excavated to a depth of 4 feet 8 inches at the project initiation point. No new transformers are required for this project. During excavation, an archaeologist will be on-site to monitor back dirt and examine any exposed stratigraphy. Closer examination will be conducted in areas with artifact content, archaeological features, or in areas of changing sediment composition. Any cultural materials and features encountered will be documented and artifacts and samples collected when appropriate. Upon project completion, collections will be analyzed as needed, and a final report will be presented.

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).

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

Ms. Roach said she had nothing to add.

Responding to the Chair, Ms. Wening offered the following corrections:

1. Some of the Figure references in the report are still in red type and will be changed to black, noting these are on the early pages.
2. Packet Page 20, there is repeat information in paragraph 2 that needs to be deleted as follows on line 1: "~~Prior [to] 1742, the project area was located within the Sebastian de Vargas Grant (Figure 4), and on line 3: "The grant area consisted of 40,000 acres that were bounded on north by Arroyo de los Chamisos, on the east by Cerros Negros, on the south by the road between Gerrillos and Pecos Pueblo."~~
3. Packet Page 27, delete the second period on Figure 9.
4. Packet page 30, under Changing Leading to the Present, delete the sentence fragment at the end as follows: "~~The 1991 Google Earth Image Shows~~"

Derek Pierce

Mr. Pierce, referring to Figure 4 on Packet Page 5, asked if they have been to the project area recently, and Ms. Wening said yes. Mr. Pierce said it is gone, and there is nothing there, noting the developer has stripped and recontoured the entire parcel except for a pedestal about "this" wide, which they left. He said, "So, it makes this monitor kind of stupid and pointless, in my opinion. It is a failing of the Code, because the parcel itself wasn't large enough to trigger review, they went ahead and destroyed any chance of there being a chance for a deposit [inaudible], which unfortunately means that it would be kind of ridiculous to monitor this gas line installation. Do I have it right."

Dr. Blinman said it is an electric line, and he thinks in the area of the trench what PNM intends to install is in that one little section, and so it is the only opportunity they have to record the stratigraphy.

Mr. Pierce asked if there was no chance of finding anything outside the trench.

Dr. Blinman said they were told that it had been surveyed, so they figured to add this referred characterization.

Mr. Pierce said he doesn't quite know what the Committee should do regarding this property. He said no one did anything wrong, it's the way the Code is written.

Unidentified asked the size of the parcel.

Mr. Pierce said it is Suburban, so it's well under 10 acres, or whatever the Code provides. He said at best, you can reconstruct what was destroyed – get some window into what is now gone. That is all that you can accomplish by monitoring this installation. He doesn't know if there is any action to be taken by this Committee on that point or not, but "it seems to be bordering on the ludicrous."

Chair Eck said it is about 2.5 acres.

Responding to Mr. Zinn, Dr. Blinman said, "If you were going to release PNM of the responsibility for monitoring their trenching to provide electricity, and that electricity goes outside the boundaries of the lot...."

Chair Eck said it runs along Zia Road.

Mr. Pierce said that is true, so there is still that part.

Dr. Blinman said, "And it does go into the lot in the area of uncut repositis."

Mr. Pierce said it is barely big enough to hold up the stakes.

Dr. Blinman said, "I think they have cut all that they were going to cut. All right. Sharon, in her email to me to initiate this project, one of the comments she made is that she was frustrated because the developer had not included the PNM utility service in their original development plan, so that PNM was having to bear the sole responsibility for the service, but she's willing to do it. It's not a matter of us getting paid, she'll pay us for what we've done if they're released for it. The question is, do you want stratigraphic observations of the [inaudible]. I mean, we're probably not going to hit any cultural material in here, but we will get observations in the land form, much like what we did with.... Karen just finished the Jaguar Intersection thing, which basically the only gain from that is geomorphic observations."

Chair Eck said, "And that's sort of across the board, and we always get that from these things, and we sometimes learn about cultural things. And so, in the interest of expanding that broad context, if I were the king of the world, I would plead good, go forth and monitor."

Mr. Pierce said he had forgotten there is a part of it that does extend outside of the State lands, and at a minimum thinks that part is going to be monitored, whether or not there is any value in monitoring the moonscape that they have created.

Chair Eck said, "If you're there, ready, willing and able to do it, monitoring a little bit and learning a little bit is still worthwhile. And we'll give them a gold star. *Quid pro quo*. Maybe somebody will nominate them for some award somewhere in the near future. [inaudible here because several people talking at the same time]"

Mr. Pierce said their due diligence and cooperation does lead us toward changes in the Code that need to happen. The situation is directly the result of a mismatch, an incongruity in the Code itself. It doesn't make any sense to monitor the utility trench as the partial that it's going through if it doesn't need to be surveyed or recorded in any way.

Mr. Zinn said that is not unlike what happened at El Castillo, and Ms. Roach agreed.

Mr. Pierce said, "In my opinion, only my opinion, the 10-acre threshold for the Suburban is just way too high. On 10-acres, you're talking a subdivision. It's not one person that family lots are splitting into, it's a subdivision. And these people should have done archaeology in a perfect world. They just aren't required to, because the Code is overly-generous in that particular District."

Ms. Ramirez-Thomas said, "I have one comment about that, just as previous staff. When these situations would come up, I would encourage people to do a survey of the area to clear it, knowing that monitoring was going to have to occur, and that it's a little different because it's PNM. And that's cheaper than doing the monitoring, and so more often than not, people received clearance to do that. And so I would say it's the best thing to do a survey rather than monitoring and complete trenching if you meet that threshold."

Mr. Pierce said, "Since there is open ground, there is no reason that it couldn't have been done, but the difference was, because they weren't required to at all, the developer, since they're only clearing a partial, they were able to push all the responsibility off onto PNM."

Ms. Ramirez-Thomas said that is what happened over "here," and at the point it was realized that had been graded, then the State would have engaged under the Unmarked Burials Act.

Mr. Pierce said he had no further comment, noting otherwise he thinks the report says that the plan is fine.

Dale Zinn

Mr. Zinn said he has no further comment, other than he has to find out if there is an airport down at the original landscape for [inaudible]. He said, "There might be a field down there, and more could be discussed."

Chair Eck

Chair Eck had no further comment.

MOTION: Dale Zinn moved, seconded by Derek Pierce, with respect to Case #2019-000955-ARC, to approve the Archaeological Monitoring Plan for 600 linear feet of trenching and one pull pit for the extension of electrical service for the Vizcaya Apartment Complex, in the Suburban Archaeological Review District, with the corrections suggested by the archaeologist, as requested by the Office of Archaeological Studies, 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).

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

3. **CASE #2019-000958-ARC (FORMERLY AR-31-2019). RON WINTERS, AGENT FOR MICHAEL MUNSON, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL MONITORING REPORT FOR 220 LINEAR FEET OF TRENCHING FOR PROPOSED UTILITY LINES AT 1310-C CANYON ROAD IN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT (LISA ROACH, PLANNER MANAGER)**

BACKGROUND & SUMMARY:

An archaeological monitoring report is presented by Ron Winters for the installation of new utility lines at 1301-C Canyon Road in the River and Trails Archaeological Review District. The project began from an existing residence and involved monitoring of the excavation of a single trench, measuring 220 linear feet by 28 feet wide by 36 inches deep. As the trench was excavated, the fill and trench were examined for evidence of cultural resources, including features and deposits. Exposed features and deposits were documented in the trench, and once documentation and utility installation were complete, the trenches were backfilled. Few cultural resources were encountered during monitoring. Artifacts recovered indicate

historic use of the project area, and a previously unrecorded acequia segment was documented (HCPI 47151). The archaeologist recommends no further archaeological investigation.

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).

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

Ms. Roach said she had nothing to add.

Responding to the Chair, Mr. Winters said he documented the short segment of acequia which showed up only in the west profile of the trench and not in the east. He said, "Apparently, it was destroyed by the road, and then, as you can see it in that area, by the construction to the east. I followed it into the property at 1301-A and that's where you see it documented, and it ends there, too. I was able to identify it, and thought it should be, at least, documented and protected." He said he had no further comment.

Mr. Pierce noted there is a profile drawing of the acequia on the last page of the report.

Dale Zinn

Mr. Zinn said he had no comment.

Derek Pierce

Mr. Pierce said he had no comment.

Chair Eck

Chair Eck said he had no comment.

MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2019-000958-ARC, to approve the Archaeological Monitoring Report for 220 linear feet of trenching for proposed utility lines at 1310-C Canyon Road, in the River and Trails Archaeological Review District, as requested by Ron Winters, agent for Michael Munson, 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).

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

4. **CASE #2019-000957 (PREVIOUSLY AR-03-1996).** RON WINTERS, AGENT FOR HP PROPERTIES, LLC, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL TREATMENT PLAN FOR LA 110505 IN THE ESTANCIA DEL NORTE DEVELOPMENT OFF HYDE PARK ROAD SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICT (LISA ROACH, PLANNER MANAGER)

BACKGROUND & SUMMARY:

An archaeological treatment plan is presented by Ron Winters for data recovery at LA110505 in the Estancias del Norte (Estancia Primera) Subdivision off Hyde Park Road in the Suburban Archaeological Review District. In 1995, the Subdivision was surveyed and reconnaissance performed by Southwest Archaeological Consultants, Inc. (AR-03-1996). At that time, the ARC issued archaeological clearance with the conditions that a protective easement be placed on LA110505 and that data recovery be completed at LA26296. Now, it has been determined that development cannot avoid LA110606, and data recovery is needed. The archaeologist proposes to resurvey the site, identify and map extant surface cultural resources and conduct testing at the site as described in the proposed treatment plan.

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).

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

Ms. Roach said she has nothing to add, but thinks Mr. Winters will talk about some of the idiosyncracies of this particular project.

Chair Eck said he has a question about the Staff Report, the transition from the repeated use of the term data recovery to a use of the word testing, which seems to be two different things.

Ms. Roach said it probably was because she was writing it rapidly and referring to Mr. Winters' report, which referred to everything as testing, rather than treatment or data recovery.

Responding to the Chair, Mr. Winters said, with regard to what happened to the project in Monte Sereno, he wanted to make a site visit before he said too much. He said the UTM's that were provided weren't at all where they said, so he had to do a lot of reconnaissance and found that, based on the

[inaudible] 27 UTM's in close proximity to where it is now, but that the 83 that were in ARMS put it someplace completely different, hundreds of meters away. He was able to match it fairly closely with the site map provided by Southwest when it was recorded in 1995, so he felt confident.

Mr. Winters continued, saying he then found everything fairly consistent with what they said. He didn't agree with their assessment, in terms of listing on the National Register. We will deal with that, once he puts in a couple of test units based on what ARMS provided as a site location.

Ms. Roach said she met with Jim Siebert about this project, because it appeared that on the Plat of development an easement was placed on the wrong site, and asked Mr. Winters if this is correct.

Mr. Winters said they gave him the wrong number.

Ms. Roach asked if they gave it the wrong number, or if it was the wrong site – was the easement placed on the wrong site.

Mr. Winters said the numbers are wrong at ARMS.

Ms. Roach said this is something we need to resolve, because the easement will need to be vacated, commenting she didn't have enough information when she met with Mr. Siebert to make that determination.

[Two people talking at the same time here]

Mr. Winters said it is the right site, but in looking at ARMS, those two sites, 3981 and 3982, he thinks "are switched, ideally with LA110505."

Ms. Roach thinks the Plat has LA110504.

Chair Eck asked if this Plat is in the packet.

Mr. Winters said no, this is what he got, because he wasn't dealing with Mr. Siebert, he was dealing with the engineers at Santa Fe Engineering, and this is what they provided.

Chair Eck said, "Corollary to that, I would become intensely concerned about where the easement is mapped and if it is in the wrong place, or because it is with the right number in the wrong location or the wrong location because it's with the right number in the right place, or whatever confusing subset of answers could be forthcoming. I would love to see the Plat."

Mr. Winters asked Ms. Roach if she has a copy of the plat, because he never got it. He doesn't remember that there was an easement on this one. There possibly could have been one on 110504. He said this was an 18 artifact lithic scatter.

Ms. Roach asked Mr. Winters if what he found was consistent with the site visit.

Mr. Winters said it was, and with the location.

Ms. Roach said the question really is what the Plat says and if there is an easement. She said she will look for a copy of the Plat.

Mr. Winters recalled in doing the background research, and in looking at ARMS, there was a concern because of the numbers switch.

Mr. Pierce said that would be easy enough to fix, but Mr. Winters needs to let the Committee know what he finds.

Mr. Winters said, "Absolutely. But, based on the site description and site map, I found the correct site at that location. So it's at ARMS and maybe they took their information in the Plat off of what...."

Ms. Roach said her notes indicate, "An easement was recorded for the wrong site, LA110504 instead of LA110505 on the Subdivision Plat, but the proposed road is going to impact LA110505, which is the site that the easement should have been placed on in the first place."

Chair Eck said it now sounds as if the easement is sitting on the flat field where it should not have been, and Ms. Roach said, "Right."

Ms. Roach said she will follow-up with Mr. Siebert about this.

Mr. Winters said certainly the locational information can be remedied to get the right number on the right site.

Mr. Pierce said he wants that done as quickly as possible.

Chair Eck said, not having seen the plat, he still is unclear as to whether any of Mr. Winters' findings would have any effect whatsoever on the easement as it exists, if it is put in a different place for a different site. We would have to resolve that.

Mr. Pierce said the easement rules.

Ms. Roach said the easement will need to be vacated, regardless of whether it is on the right site or the wrong site.

Chair Eck agreed, saying we will need some information to do that. He said, "We don't necessarily have the expectation that we will have the information we need to do any of the above, based on the proposed work at this location, without a lot of additional information. I'm starting to be real curious about what the other site is now."

Ms. Roach said she has that information. She said we do know that Mr. Winters was at the site that was identified as needing data recovery or an easement. So the work that Mr. Winters did was valid, it is a question of where the easement was placed and how it gets vacated.

Chair Eck said that should be the crux of the matter, yes.

Ms. Roach asked if the Committee still can review Mr. Winters' report.

Chair Eck said we can, but he would love to go back and read the report which has been referred to, and see the site documentation and learn "what was done, thought about, discussed in the ARC and ruled on and all of the above that's mentioned in Ron's document."

Chair Eck continued, asking Mr. Winters if there is anything else the Committee needs to know.

Mr. Winters said no. He said his site description was taken directly from *[inaudible]*, and "the Site Map that you see is from their report, and it matches with what I saw on the ground."

Dale Zinn

Mr. Zinn said he had no comment.

Derek Pierce

Mr. Pierce said, regarding Figures 1 and 2, he was missing the general project location map, and he is having a problem in placing this in Santa Fe, and there is nothing to "key off of, so it would have been helpful to have something to *[inaudible because two people talking at the same time]*."

Mr. Winters asked if the Martyr's Cross wasn't "a good one."

Mr. Pierce thanked him, saying it helps.

Mr. Pierce said Mr. Winters' plan is between testing and a full-blown data recovery plan. As data recovery, it's full mitigation, and he thinks perhaps the sample size isn't quite adequate. However, he is unsure Mr. Winters needs to do data recovery on this site. He said Mr. Winters makes a pretty compelling argument that this site may not be significant at all, "so my off the cuff recommendation would be to treat it as a testing plan, prove it's not significant and be done with it."

Mr. Winters said he thought he used "testing" throughout. Mr. Winters said, "That's how I view it, is it was testing. It's a small site and I suggested a couple of one-by-ones to see if it had any depth, anything subsurface, to determine eligibility."

Mr. Pierce said if it was a data recover plan, that two one-by-ones isn't going to *[inaudible because*

two people talking at the same time].

Mr. Pierce said if this is a testing plan, if you prove what we all suspect that there's not much there, then that's it, that's the process, done. "But if there is all kinds of subsurface once you get there, you need to come back."

Mr. Winters said in the past those terms got confused, "but that's why I was so very specific on this, that it was going to be testing to determine eligibility, in terms of subsurface features or artifacts."

Mr. Pierce said he thought that was what Mr. Winters meant, noting he got a little lost because of the combination of the memo and a couple of other things.

Chair Eck

Chair Eck said he got "into the weeds" on this one.

1. Chair Eck said in treating it as a testing effort, the general level of effort proposed is appropriate, but he thinks the deployment of that effort is inappropriate. He said to test a site of this size and extent, which is about 50 times larger than the largest interpretation of those test units, "I think you would be a whole lot better off putting in eight 50 x 50 units scattered across the site where it looks like there might be some depositions and test the thing, rather than put in two units that are almost certainly going to miss anything if it's there. That might even still be less than I would like, but if we did that, I think it would be a better design, and we'd have a better chance of learning something about geomorphology, the potential for deposition and/or the presence/absence of anything demonstratively cultural below modern surface by spreading the effort around. That's it."
2. Chair Eck, referring to packet page 4, paragraph 6, line 3, said Mr. Winters uses the word trenches, in saying, "*Any cultural resources that are exposed will be documented within the trenches.*" He said this seems to be a holdover in the monitoring of some sort of trench installation.

Mr. Pierce asked, hypothetically, would a few trenches be an acceptable elaboration on his current plan – treat it like it was in the Downtown Historic District.

Chair Eck responded, "With the interesting complication that this is a known archaeological site, and therefore he would need to have a mechanical excavation permit."

Mr. Pierce said that probably is more trouble than it is worth.

Chair Eck said, "You will learn more with well placed hand excavations anyhow. Yes, eight 50 X 50's is exactly the same total area as two 1 X 1's and will get you at least 8 times the information. So it seems like a really good investment."

Mr. Winters said, "Except for the client."

Chair Eck asked the reason.

Mr. Winters said, "You don't think there is more recording involved."

Chair Eck said that is the difference between \$1.00 and \$1.05.

3. Chair Eck, referring to packet page 20, paragraph 2, said it speaks to information gathered from other investigations elsewhere, demonstrating a number of things and alluding to a certain variability. He said, "I just want to make sure that you had addressed all of that body of data in your proposed research questions, but it seems like you could augment your research questions to some degree, based on the information gleaned by the investigators that are alluded to, and the specific reference to Kennedy's work."
4. Chair Eck continued, saying at the bottom of packet page 20, he notes Mr. Winters' opinion that it does not meet the criteria for inclusion. But as it stands, it has been decided by a previous iteration of this Committee that it does. He said Mr. Winters needs to be very careful and forthright in demonstrating a good argument for the *[inaudible]*.

Mr. Winters said he understands, but that is used too frequently, pointing out that was just an opinion.

Chair Eck said there is a corollary to that on packet page 22, paragraph 1, last line, where Mr. Winters says, "*The site could yield additional information on the relation of small raw material production and reduction sites to the larger sites in the area and provide comparative data for the large chert quarries in the foothills.*" He said that is a very good argument to be considered eligible.

Mr. Winters said he would say then every site would be eligible.

Mr. Pierce said, to embellish on that a little bit, a site can be eligible under D and still its potential is exhausted, which is basically what we are asking Mr. Winters. He said, "It was eligible under D and if he exhausts that potential, then it is no longer eligible, which is what we're trying to get to, and what he's trying to get to in the best interest of his client. However, the proof is in the pudding."

Chair Eck said there is a good possibility of doing that. "And something I would say... is that testing does not exhaust data potential. Testing demonstrates the presence or absence of data potential. Data recovery is what exhausts data potential, if it is agreed to as a plan and a proof and implemented and documented and reported. The testing does not, by definition. It is an establishment of whether or not there is a potential. So, in this case, you are betting that there is no deposition, you will find no subsurface evidence of cultural activity, and therefore say there is no potential... there will be no exhausting of a potential, it just ain't there."

Ms. Roach asked, "Would you like to see the site description," and the Chair said, "Indeed I. You can put that on hold while we look at this."

[NOTE: At this time, Chair Eck asked that the official recording be put on hold while he read the document Ms. Roach provided, but which was not entered for the record]

Mr. Winters said he is wondering if the easement on LA110505 was put on there because there was a push-back by the community that they didn't approve of the report because they said "they wanted oral histories taken." He read most of the transcript of that, Dee Dee Snow, and in the end they didn't gain any information. There were a lot of family histories and such, "but specific to this parcel, this site, they didn't get any new information." He didn't include the whole thing in his report, "and nothing really comes out of it, except the comment that I told you in the report, that Dee Dee didn't find any information that would add to the importance of this site."

Chair Eck said, "And the answer to that, would lie in the minutes of the meeting, because the Committee ruled on this, as I understand the sequence of events, before the protest was lodged and before the additional work took place."

Ms. Roach said the protest was lodged in the form of an appeal to the Planning Commission.

Chair Eck said, "But I think the Committee had already made the rule, but we could verify that by the minutes."

Chair Eck said, "While Lisa keeps looking in hopes of finding a Plat copy, let's go on."

5. Chair Eck, referring to packet page 26, followed by packet page 28, there are two discussions of field methodology which seem to be in conflict with one another. On packet page 26, paragraph 2, line 3, Mr. Winters talks about locating this stuff with "UTM coordinates taken with a Garmin Legend Etrex20 handheld GPS unit." On packet page 28, paragraph 2, line 1, Mr. Winters talks about, "Site maps are produced with tape and compass." He said, "It is a heck of a lot better to make a map with tape and compass than have it be internally cohesive, than to rely on a GPS that has some variation in its accuracy for locations. So why not do it all by tape and compass."

Mr. Winters said, "You mis-read that. What I say is, 'The test units and any feature and stratigraphic profile locations will have UTM's..' I don't say anything about those to the point *[inaudible]* the artifacts on the site map."

Chair Eck said, "Yes. I'm just thinking about the units themselves. If the statement 'On site mapping will document the placement of the test units,' and that is accomplished by tape and compass, I'm happy. If the on site documentation for the placement of test units is done with a GPS unit, I would be unhappy. That's all."

6. Chair Eck, referring to packet page 26, paragraph 3, line 6, which says, "*As the fill is removed from the test unit, it will be visually examined for indications of cultural deposits or features.*" He said, "Screening might be a good thing to mention right here as a prompt for the presence of such depositions, because there is no mention of screening in this paragraph. But there is mention of screening on the following page, with the second presentation of field methodology, which is straightforward. '*We're going to screen it in one-quarter inch mesh.*' But it does say that a '*minimum of one hand excavation will be passed through one-eighth inch mesh.*' And that is good, which would augment the visual examination for indications of cultural deposits.

Chair Eck continued, "So actually if the two field methodologies could be sort of shuffled like a deck of cards and put together, it would read a lot better, which would eliminate this thing in the 5th paragraph on packet page 26, which provides '*If and when in situ prehistoric or historic cultural deposits or features are encountered, the archaeologist will expose the top and horizontal extent of the cultural deposit or feature or excavate through the deposit to expose it in profile.*' This could lead to a boatload of additional excavations above and beyond the eight 50 X 50s that I proposed. So you might want to put in some "if thens," there. If you find it, and document it and report it and then we can talk about what data recovery would be appropriate to pursue the rest of that excavation. Because in testing, one is not supposed to excavate the entirety of features or prevent the opportunity for review and consideration of appropriate methodology to pursue the investigation. But in testing, one wants to learn what's there, report it and then have that as a basis for designing the actual data recovery, rather than to slide right into it. In order to slide right into it, you would need a document that is a lot more comprehensive than this."

7. Chair Eck said, referring to packet page 27, in paragraph 1, "You use the term "trench," please fix that."
8. Chair Eck said on packet page 28, paragraph 4, line 3, Mr. Winters says, "*Profiles of the cross section are recorded by scale diagram and color transparencies.*" He asked Mr. Winters if he still takes Kodachrome slide pictures.

Mr. Winters said no and he will correct that.

9. Chair Eck, referring to packet page 29, paragraph 4, said Mr. Winters says under, Treatment of Project Materials, that everything, included the paperwork will be delivered to the landowner, with site updates delivered to the Laboratory of Anthropology. He said later in the report Mr. Winters says all original paperwork will go to ARMS and the artifacts to the landowner. He said, "Somehow or other, we do need to end up with a complete record of what we've done and what the documentation says, and if a copy of that goes to the landowner, cool."

10. Chair Eck, referring to packet page 36, paragraph 1, line 2, which says, "...archival history chapter..." He asked if this is in anticipation of further neighborhood unhappiness with the fact that they weren't consulted or interviewed.

Mr. Winters said no.

Chair Eck said it would be wonderful to have archival history, but if you get past the recent historic trash you've described, chances are you probably don't have too much to talk about.

11. Chair Eck, referring to packet page 29, paragraph 4, line 2, said it should be "excavating," not "monitoring."

12. **General Discussion among the Committee**

Chair Eck said, "Sorry about that, but it got to the point where when I read one sentence and then read the next sentence, I had to go back and read the preceding sentence and got in the weeds. So, as a testing plan, with the suggested modifications, I think we've got something we can definitely work with, hang our hat on and go forward with."

Mr. Pierce asked, for clarification, "Since we don't know where the easement is, we can't vacate it, and so, even if we approve this plan if the easement is still in place, can we proceed?"

Ms. Roach said she hasn't been able to locate the plat in the former case file for Estancia Primera. She said, from looking at the plat, she is under the impression that an easement was placed on title 4, rather than on title 5. "So the data recovery effort that Ron is undertaking would not require vacation of that easement if there was no easement ever placed on it. But we would still need to vacate an easement that was placed on title 4, or maybe just leave it. There may be no reason to vacate that easement. It's sort of an easement that's really unnecessary unless the property owner just wants to vacate the easement just to clean things up."

Mr. Zinn said it clouds the title of that property for no reason.

Chair Eck said, "The key to resolving that, is knowing what numbers are referred to in the actual easement."

Ms. Roach reiterated she will follow-up with Mr. Siebert.

Chair Eck said we can't necessarily vacate something that we haven't established.

Ms. Roach said the question is, "If I look at the Plat and determine that it is the right number, the wrong place for an easement, is it okay for me to sign-off on vacating that easement, if it's placed on title 4."

Chair Eck said, "If that was just an error in platting, and we are literally sure that we're talking about this site, I think I could support that."

Mr. Zinn said having dealt with *[inaudible]* for many years, they will tell you that there are no errors. Once it is on a plat, it is gospel, regardless of whether it was put there incorrectly or not.

Ms. Roach said, "Certainly an easement that was placed, that's a for real thing. But if it was placed on the wrong site, then it's not a necessary instrument."

Mr. Pierce said, "But just like the monument for the Four-Corners is in the wrong place, it still rules. That is the boundary between the 4 states, regardless of the fact that it wasn't where it was supposed to be."

Ms. Roach thinks in this case, it is more a question of is the easement a necessary tool or not, what is it protecting.

Mr. Pierce said the fact that it exists is the big problem.

Chair Eck said it's real, so we need to figure out how to do something with it. And if vacating it via some sort of second effort to document it gives us enough information that we feel like we could vacate it, then we could support your suggestion. That might be pretty minimal. It will depend upon what you see when you get there."

Ms. Roach said what could happen, is when Ron completes his testing not monitoring, and brings that report back, then we also can bring an update about the easement at the same time.

Chair Eck said, "Well, I would suggest that if he's out there, resurveying this site and doing the work necessary to test it, a stroll through the other location *[inaudible because another person talking at the same time]* to verify what it is, make sure that some big feature hasn't eroded out of the slope, there is no evidence of any subsurface deposition, as alluded to in the original recording, we would have a basis for saying that we can support a vacation of easement."

Ms. Roach said, "When I met with Jim [Siebert], I said that if you are going to have an archaeologist go out there and look and do treatment or testing, whatever it is, for LA110505, then you might as well have that person go and check out LA110504 as well, but I guess that didn't get relayed to you."

Mr. Winters said that, "is because I was dealing with him."

Ms. Roach said, "Right, so now you know."

Chair Eck said, "And maybe if you never deal with him, the explanation won't matter. You just go do your due diligence, make sure that this thing is as described, nothing, and tell us that, and then we'll have a basis for action."

Ms. Roach said then Mr. Winters is going to resurvey LA110504 as well while he's out there doing testing.

Chair Eck said that should be sufficient.

Mr. Pierce said it is, particularly if the easement really is on LA0504, and it matches the description we have, it would be pretty easy.

MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2019-000957, to conditionally approve the Archaeological Treatment Plan for LA 110505, with the suggested minor modifications to the field methodology and other minor corrections, with the understanding that instead of doing two 1X1's, Mr. Winters will do eight 50 cm. X 50 cm. units, in the Estancia del Norte Development, off Hyde Park Road in the Suburban Archaeological Review District, as requested by Ron Winters, agent for HPR Properties, LLC, 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).

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

POST-ACTION DISCUSSION

Ms. Roach said she will be looking into this record more closely. She noted Ms. Ramirez-Thomas did some investigation into this site about 3½ years ago, and asked her to comment.

Ms. Ramirez-Thomas said she thinks the clearance was done, and 1-2 sites were excavated. She said when Ernie Romero and Cody were looking at it, it was the 2nd or 3rd phase of Estancia Primeria. It couldn't be developed for years and years and years because of the neighbors, and finally they got together, and Cody has the west side and Ernie Romero has the east side of the property. The sites that were on Cody's property had CCC check dams and what was thought to be a rock garden or something, and the data recovery was on that site. Two easements were placed on Ernie Romero's property, on LA110504 and LA110505, which were especially close to the road. She said, "There was one easement but two sites near each other. And the descriptions were remarkably similar, but it was somehow in there. When I looked at this, I realized that the numbers were maybe not correct, and so that was one issue."

Ms. Ramirez-Thomas continued, "And there's an easement on another site that we tried to relocate, and it looks like, on Cherie's map, like it was spotted like way down, kind of in a drainage area. I got a flat part of the drainage area. As I recall there were two easements on the property, on near the road and one toward the back of the property near the drainage."

Ms. Ramirez-Thomas continued, "Now they can't develop the area near the drainage. And then they were trying to decide if they could avoid both of these sites somewhere in 05 [LA110505?], because Ernie didn't want to have to redo anything. My suggestion was just to redo a *[inaudible]* and that would be the fastest thing to do and give a good sense of all of the changes that have happened to part of the spot

over the years. But he didn't want to do that, and so he was going to initially, it seems, try to avoid both of these sites, 04 and 05. But the issue or question still was, was the easement placed on the correct site or on the site numbers. And it was indiscernible from the original site maps in the '90s, and then, I don't know if there was a [inaudible] in ARMS or like you know in the data entries... or what happened. So that was never evaluated, because at the time, again, the intention was to just avoid this area."

Chair Eck said, "Ron reproduced the map that shows where the sites are, and I think it matches the map in the Staff Report."

Ms. Roach said that is correct.

Chair Eck said, "So, internally, there is consistency as to which site is which, and the description seems to match the right place at the right time that you have verified already. So I think the only loose end in that whole mess is the [inaudible]."

Ms. Roach said she will get with "Liz, Jim and Ron, and we'll clear it up, and Ron can include an update in the interim report."

5. CASE #2019-000956-ARC (PREVIOUSLY AR-02-2017). RON WINTERS, AGENT FOR R.L. LEEDER, REQUESTS APPROVAL OF A FINAL ARCHAEOLOGICAL TREATMENT PLAN FOR LA 76232 AT 2670 AND 2690 KATE'S WAY RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT (LISA ROACH, PLANNER MANAGER)

A series of 5 aerial colored photographs of the site, entered for the record by Ron Winters, is incorporated herewith, collectively, to these minutes as Exhibit "1."

BACKGROUND & SUMMARY:

At the request of Oralynn Guerrortiz of Design Enginuity, the archaeologist conducted archaeological testing of LA76232 in accordance with the Archaeological Treatment Plan that was accepted by the ARC at their hearing on April 6, 2017 (AR-02-2017). Reconnaissance was conducted in December 2016, during which the site in question was relocated and recommended to meet the criteria for significance for the City of Santa Fe and to be eligible for inclusion in the National Register of Historic Places under Criterion D, thus requiring mitigation prior to development. The current report represents the results of further archival research and treatment in the form of hand excavations conducted by the archaeologist, as recommended by the ARC and the CPRC. La 76232 was relocated by Mr. Winters and redocumented as a 19th century Hispanic homestead site. Archaeological testing was performed on the historic house and its associated out buildings, and data was recovered from artifacts scattered around the site. Mr. Winters recommends that due to diffuse concentration of artifacts and paucity of information yielded in excavations, the site is not recommended to be eligible for the NRHP and that future development should only be subject to conditions of unexpected discovery.

STAFF RECOMMENDATION:

Staff defers to the ARC with regards to whether the archaeological treatment report 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).

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

Ms. Roach said she has nothing to add.

Responding to the Chair, Mr. Winters said this site, he feels, was mis-identified on the 3 previous projects, he thinks, although he didn't mention Dr. Blinman by name, he said another archaeologist. But it was obvious on their first trip out there that it was never a Pueblo field house. They based this on a few sherds that were found on the site in these cobble features, so it didn't really take testing for them to surmise that it was historic and not pre-historic. He said, "It didn't take me collecting and mapping more than 1,400 historic artifacts on the 18 pre-historic he found on the site, 13 from one vessel. The testing absolutely confirmed what we had thought all along. And I brought in a friend of mine, whom some of you may know, Heather Atherton, who is a historical archaeologist, who did her dissertation from Columbia at Las Huertas, so she has a lot of experience in historic archaeology in New Mexico. She actually took vacation time to come out and dig with me on this project. She was quite a resource."

Mr. Winters continued, "I included as much of all of their background research of the previous recordings, as you see was first recorded in 1985... and then Elliot and Oster's map and it felt like to me that a lot of what they did, and this Committee approved that survey report...and unfortunately, I don't know if you remember this, I do, because I was here, that you only got half of the report because it was double-sided when it was printed and all you got was half of the report. You based your approving the report based on, I think, the NIAF form, because you only had half of the report. And again, I think they mainly based it on what had been recorded originally. And when I, thoroughly, surveyed this area and Eric can confirm this, we identified it is a couple.... we didn't do this together, this was independent. I identified a couple of features that neither one of the first two surveys nor the third data recovery plan identified. And those you will see on the colored handouts I gave you guys [Exhibit "1"] if you want to look, you can see them from the air."

Mr. Winters continued, "I had another friend involved, CRF Solutions which has drones they use on big surveys. And so I had them fly this site at 200 ft. so we could get a good aerial view of it, and those features just pop up. The two that were never identified was a small storage shed area, that is Feature 3 and then Feature 5, which I surmised was a corral, and you can see by the vegetation change, and in fact I put a test unit there, but I also found on really close examination a fence post and a button, which I surmise a guy is stringing wire and he pops a button off, and then there it is next to the fence post."

Mr. Winters continued, "So, anyway, I wanted you to see the color views of these different test units. I've also done drawings, because that was the fun part for me when we did these explorations. You

see also in the report, I didn't do color images of those, but you see how, on the surface, this was Feature 3 that was never identified. But you see this line of cobble, and you'll see it identified in the color illustrations. That was not identified in any of the three (3) previous documentations of the site."

Mr. Winters continued, "And I deemed it not eligible, based on the criteria that I address in there, but that's not set in stone. I certainly welcome your input on that. And I guess that's it. I'll just wait and see what you guys have to say."

Dale Zinn

Mr. Zinn asked Mr. Winters to comment about the corral on report page 13, Figure 5.

Mr. Winters said, "Oh yeah, that's an anthill. Trust me.... I want to tell you when I did the test unit in this area of the corral, in laying it, this was after 'these' were all dug and everything, and I was not paying attention, and there was not an anthill right there, because I'm laying it out, there is a fire ant hill. At that point, I'd already laid it out and so I just kept working. There actually are some other anthills around."

Mr. Zinn said Mr. Winters talks about this being non-eligible. Because we've seen it, we know what it is, it's not that unusual for that area, but it seems like it kind of is, having this many artifacts from one small site, but he is unsure.

Mr. Winters said on packet pages 69 and 70, he did try to go through, under each one, to see if in fact it met them. "And they weren't specific like refuse pits or privies, any evidence of that on the site, that scatter, is just that. It isn't a dump. If you look at it, it is scattered across the whole site. And what I was looking for was intact, cohesive.... yes, and I think in the excavation, I addressed the features in terms of what they were, the depth to them. Like I said, it's not set in stone. I just tried to look at it, based on each one of the criteria and whether it met it. And like I said, that's on pages 69 and 70."

Mr. Zinn said he had no further questions.

Derek Pierce

Mr. Pierce said first of all, he agrees with Mr. Winters, but not for the reasons "that I think you are pointing us towards." He said, "I don't think that this site is not eligible, because it's historic and not pre-historic like everybody thought, and because there are lots of these. I think it had information potential. I think it's now non-eligible because you've done enough. You've learned all that we're likely to learn about this site, and that's why."

Mr. Winters said, "Well I thought that was a mistake in Kye Miller's strain, that because it was historic, it wasn't eligible. No. That isn't the tack that I took at all. But, no, I agree with and understand what you're saying."

Mr. Pierce said, "You've exposed the building footprints, you know where everything is, and granted that's probably what you're going to learn about this site, combined with archival research. So, I think we got to the same place, but through slightly different ways."

Mr. Pierce continued, "The only other question I had, this would be on your page 41, packet page 42. So, the way that I read Figure 13, you have this Feature 5, the corral, outside of the site boundary. That can't actually be. You can have two site boundaries, but Feature 5 still needs to be within a site boundary. Right. So it's still within the site boundary. All you have is a future boundary. It's a two-part site, that's... it's got part of it over here, part of it over here, but..."

Mr. Winters said, "I guess my reservation and you understand this, is when you make the dimension change, and it's a whole different thing, in terms of the square anchorage and footage and stuff. But I certainly, yes, can bring that down and encompass the...."

Mr. Pierce said, "Well no, that's... so in the old days, you would have had to loop the boundary all the way around the corral...."

Mr. Winters said then that's not what "you are saying."

Mr. Pierce said no. What he is saying is that he thinks there is a feature boundary around Feature 5, but not a site boundary around it.

Mr. Winters said then change the feature boundary into a site boundary.

Mr. Pierce said that is correct because you cannot have a feature outside of the site, if it's a feature, it is a site. So you would have to call this one site with two parts or two sites.

Chair Eck said the buildings and corral don't exist in a vacuum – in your archival research, what was the property the Montoyas had, what was there. You could perhaps draw a humongous boundary encompassing parts of the adjacent lots with fair argument and say this is the site, and what we have left are these two clusters of feature artifacts.

Mr. Winters said he misunderstood the Chair at first, but he now understands, but he also was referring to what he [Winters] was talking about.

Chair Eck said it is a few artifacts of the same ilk and time fragment, which means Feature 5 and the rest of the site – "do what you think best."

Mr. Pierce said, referring to the LA form on packet page 104, in Section 10, the count and description of the features don't match up with how Mr. Winters plotted them on the map. He said there are 5 total features on the map, and in the description there are 7. He thinks Mr. Winters has double counted some things, such as the charcoal stain. He doesn't remember seeing that in the report.

Mr. Winters said it is a burn episode in the collection unit he did and the rock concentration looked to be a stockpile of cobbles.

Mr. Pierce said if they are features here, they should be features everywhere else in the report, but if they are not, then they shouldn't be here.

Chair Eck agreed, saying the total count of "this and that" should add up.

Mr. Winters said these are things that weren't noticed or documented in any of the earlier reports, so he wanted to document them. He said he will fix this.

Mr. Winters asked Dr. Blinman if he has any remarks.

Dr. Blinman said, at Ms. Ramirez-Thomas' suggestion years ago, he and Chuck went there and walked over the site and they could make so sense at all of the original recording. He said their field observations in walking over the site "exactly correspond to what Ron has now certainly documented."

Chair Eck said, in follow up, Mr. Winters should list in "and others," the names and personal communications.

Mr. Winters said when he wrote this he hadn't spoken with Dr. Blinman.

Chair Eck asked Mr. Winters to whom he was referring when he wrote it.

Mr. Winters said he knew there had been other archaeologists out there, but he didn't know them by name.

Chair Eck said the statement implies that he did know, because he said "this archaeologist and others have visited the site and have reinterpreted the site as representing... so rumor."

Dr. Blinman said Mr. Winters can quote him if he likes.

Chair Eck said Mr. Winters also can mention Mr. Miller, because he said something about the site being historic in his data recovery plan, and that explains the one other, with a sort of prescient knowledge that others were going to agree with you as a follow-up.

Ms. Ramirez-Thomas said she can avail that too, because Elizabeth [Oster] did the survey, and Ron [Winters] went out and mapped the site more thoroughly. She noticed the changes and told Dr. Blinman he might want to check it out because the property owner hasn't chosen an archaeologist. She then told Kye Miller about what Dr. Blinman had seen, and that's probably how the information was obtained.

Mr. Pierce said it's kind of a trap you can fall into while working in Santa Fe. There is so much historic trash everywhere, that you come to overlook it. He said you have 1,600 artifacts on a site and 2 sherds, and what do they go with – the two sherds, because they think of all this historic stuff as backdrop.

Mr. Winters said there also is the proximity of the river and the major sites that are nearby.

Chair Eck

1. Chair Eck said, referring to packet page 36, in paragraph 1, line 1, Mr. Winters says, "*The entire site was remapped with a sub-meter GPS unit...*I take that was a GPS unit brought by Mr. Jeff Brown."

Mr. Winters said that is correct.

Chair Eck said it would be nice for Mr. Winters to say what it was.

Mr. Winters said he asked Emily what is the drone she using, and said, "We're doing cool stuff with expensive toys."

Chair Eck said, "Whatever that thing is, put that in there. I would guess it probably is a Trimble, because I've seen them using a Trimble TSC7 in the field."

Mr. Winters said that is correct.

2. Chair Eck, referring to packet page 36, paragraph 6, said Mr. Winters says, "*Excavated areas will be backfilled,*" and asked if they are sitting there open.

Mr. Winters said yes.

Chair Eck said then they will be backfilled in the future, so it literally is a true statement.

Mr. Winters said yes. He said he did this because he didn't want to backfill them until he knew he was done and the Committee didn't want to make a site visit.

Chair Eck said if there wasn't the restriction about visiting places, "I would go look at it tomorrow before I leave town for 3 days, because I think it's that cool. But, I'm specifically told I'm not supposed to visit any project area."

Ms. Roach thinks the Chair isn't supposed to visit the site before the hearing, but thinks it would be okay if he did so after the hearing.

Chair Eck said, "The literal text makes it pretty darn clear that it ain't supposed to happen."

Ms. Ramirez-Thomas said the big concern is regarding *ex parte* communication, and then making a judgement on that prior to a hearing. She said, "If it happens after the hearing, maybe you're just trespassing."

Mr. Winters said if the Committee would like, they can visit the site next week or the week after.

3. Chair Eck said, as a preface to his final comment, which is, "In looking at 'this' illustration, I am wondering if you can tell me what 'these' things are, and that they are not cultural and the investigations then reveal what they are. Because seeing 'that' right now, if 'that' is the terminal photo of excavation, I'm not convinced you're done."

Mr. Winters said, "I am talking about in the description. We think they're postholes, and I used a trowel. I didn't excavate them completely, but I used my trowel. For the photo, I smoothed it back over. But I did poke a trowel down in there to see if there was anything that might suggest otherwise. But I do in the description."

Chair Eck said he missed that. He asked if that is documented in the excavation forms with plan and profile drawings.

Mr. Winters said, "Not profile, but a plan view, but it's in the drawings. Here... let me see what I say on..." Mr. Winters, quoting from packet page 42, paragraph 4, "*Three possible postholes were uncovered running along the interior wall of the structure. Two of the holes were approximately 5 cm in diameter, while the third was 20 cm in diameter. The postholes may have been structural or used to hang storage items.*" He said I did mention that I did trowel testing, and in the drawing he thinks they are identified as possible postholes on packet page 46.

Mr. Pierce said typically when intermural features go below the ground surface [*inaudible*], it probably would have been incomplete, and Mr. Winters said he still can do that.

Mr. Pierce said, "Well, particularly that big sucker. Maybe it's a posthole, maybe it's something else."

Chair Eck said, "I have a colleague whose world is lit by historic archaeology, who asked that question, and questions about other things visible in other floor photographs and wondered why there wasn't a final excavation photograph that showed all of those things excavated. You've answered that."

Chair Eck continued, "The other question asked was, if this were a pit house, wouldn't we have exposed the entire floor so that we could talk about what the totality of this thing is. And she is an historic archaeologist, six cubicles away from me, very observant, and she wondered why we treat historic sites differently than we treat prehistoric sites, because since she hangs her hat on historic archaeology, she would have suggested that. It would have been a good idea to clear the entirety of the floor of all these structures so you can definitively say, there is nothing else to be learned inside these features as you find them."

Mr. Winters asked if that isn't then in data recovery, not in testing.

Chair Eck said, "When I said earlier, I'm not convinced we're done, I am free to bow to the wishes of my two colleagues, but just to say I'm not convinced we're done. Because I do think there is more information there."

Mr. Pierce said, "So you would argue that this does need to go to full mitigation."

Chair Eck said, "I'm suggesting that should be considered. If the consensus is that the work is sufficient to have documented the nature and extent of the deposits identified, we can move toward ending it here with this testing. But I do want to be sure that everybody is satisfied that we are 100% sure of the nature and extent of the deposits identified. I'm willing to go either way and hear arguments in support of either one. Just telling my druthers."

Mr. Pierce said, "Mr. Winters does suggest that there may be additional features hidden, and that we need to do that during construction.... and just in discovery during construction, I'm wondering if that's adequate. And then given the fact that you are still looking for a privy and for other things that are typically archaeologically rich, I don't know that putting good faith in a backhoe operator is the way to address that concern."

Chair Eck asked, "Would it be in the realm of possibility that the developer would like to prepare his project area by nice and carefully and lightly blading across all this thing and you monitor the darned thing while it's happening, and then you'll have your answer of additional features, and you'll see the totality of the outline of these ruins and would be in a position to make the argument."

Mr. Winters said, "Yes."

Mr. Pierce said, "It makes sense to me, to just use the good old Midwest approach, just scrape the whole thing first."

[Too many people talking at the same time here]

Chair Eck said, "Construction monitoring as opposed to additional archaeological investigation, which would require the State's Mechanical Excavation Permit. Just as a way of covering all bets."

Responding to Mr. Winters, Mr. Pierce said that would be monitoring the removal of the top 50 cm. or whatever is appropriate.

Chair Eck said, "It is good insurance for the client, because in 2 days you could be 100% assured that there are no worries."

Mr. Winters said he thinks that is appropriate.

Chair Eck said he has no further comment.

MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2019-000956-ARC, to conditionally approve the Final Archaeological Treatment Plan for LA76232 at 2670 and 2690 Kate's Way in the River and Trails Archaeological Review District, as requested by Ron Winters, agent for R.L. Leeder, LLC, with the minor recommended corrections, with the strong recommendation that monitoring of the initial drubbing in preparation for development occur as a reasonable and good faith effort to make sure there are no untoward surprises, 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).

DISCUSSION: Mr. Zinn asked Chair Eck if he still feels Mr. Winters should excavate the post holes for further information at the same time.

Chair Eck said, "I would and he already said he could."

Mr. Winters said, "I would go out there and do that."

Mr. Zinn said, "Well, I was just going to make that clarification."

RESTATEMENT OF THE MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2019-000956-ARC, to conditionally approve the Final Archaeological Treatment Plan for LA76232 at 2670 and 2690 Kate's Way in the River and Trails Archaeological Review District, as requested by Ron Winters, agent for R.L. Leeder, LLC, with the minor recommended corrections, with the strong recommendation that monitoring of the initial drubbing in preparation for development occur as a reasonable and good faith effort to make sure there are no untoward surprises, and to excavate the four feet, which are thought to be postholes, for further information, 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).

DISCUSSION: Mr. Pierce said, "Under this scenario when they blade off the initial surface and find a few more postholes and nothing else, then we really have to worry about the privy."

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

6. **CASE #2019-000953-ARC. OFFICE OF ARCHAEOLOGICAL STUDIES, AGENT FOR THE CITY OF SANTA FE WATER DIVISION, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL MONITORING PLAN FOR THE INSTALLATION OF MORE THAN 3,200 LINEAR FEET OF WATERLINE AND FIBER OPTIC CONDUIT BETWEEN NICHOLS RESERVOIR AND THE SANGRE DE CRISTO WATER TREATMENT FACILITY IN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. (LISA ROACH, PLANNER MANAGER)**

BACKGROUND & SUMMARY:

City of Santa Fe Water Division proposes to install approximately 3,200 linear feet of 24 inch waterline and

paired 4 inch fiber optic conduit in the Santa Fe Watershed eastward from the existing water treatment plant (Sangre de Cristo Water Treatment Facility) to the Nichols Reservoir Dam. This monitoring plan was submitted very late and Historic Preservation Division staff have not had an opportunity to review it.

STAFF RECOMMENDATION:

Due to late submittal leaving inadequate time for staff review, staff defers to the ARC as to whether the archaeological monitoring plan 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).

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

Ms. Roach said she had nothing to add.

Responding to the Chair, Dr. Blinman said anything that is deficient in the report has to go on his shoulders. He said, "I would not have taken this on, had I known what I was going to get hit with by my other responsibilities. So I assembled my portion of this in a level of haste that was inappropriate and Paul [Duran] helped bail me out. Karen [Wening] had done the preliminary work on it, and they are guiltless. All I can say in my own defense is that when *[inaudible]* life is hell, and it doesn't help when they then get canceled and all that stress is wasted...so, I just have to accept responsibility for the deficiencies and we'll do everything we can to correct them, quickly and efficiently."

Dale Zinn

Mr. Zinn had no comment.

Derek Pierce

Responding to Mr. Pierce, Ms. Roach said there are no packet page numbers on this report because it was inserted after the packet was printed.

Mr. Pierce, referring to page 21, said there is the description of the nearby sites, and for the first couple, Dr. Blinman said it will not be affected by the waterline project. "For LA180382, LA138429, you stopped doing that, and it doesn't say whether or not it will be affected. Can we take it on faith that means it will not be affected."

[Apparently Dr. Blinman nodded yes, because there was no verbal response]

Mr. Pierce said okay, that's great.

Mr. Pierce said he has no other comments, other than it is a skimpy monitoring plan, but that is understandable given the rush. He said, "I think since this is an open trench, you guys know what you're doing, and there is no reason to ding you for not having the full monitor at this time."

Chair Eck

Chair Eck said he has nothing to add, and Dr. Blinman can "then change whatever needs to be changed to make yourself happy and for propagation into the future report."

Dr. Blinman said, "Sounds good."

MOTION: Dale Zinn moved, seconded by Derek Pierce, with respect to Case #2019-000953-ARC, to approve the Archaeological Monitoring Plan, for the installation of more than 3,200 linear feet of waterline and fiberoptic conduit between Nichols Reservoir and the Sangre de Cristo Water Treatment Facility, in the River and Trails Archaeological Review District, as requested by the Office of Archaeological Studies, agent for the City of Santa Fe Water Division, 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).

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

DISCUSSION FOLLOWING ACTION

Mr. Pierce said he believes this Plan definitely needs to go to SHPO, and Chair Eck agreed.

Dr. Blinman asked if the correct reasoning is that this entire project is outside of the City limits, but it is City land, so they decided it needed to come to this Committee.

Chair Eck said, "I think so, if Lisa thinks so."

Ms. Roach said, "I think so, and I think it's appropriate for the City to follow its own rules."

Mr. Pierce said yes, because it is a City action. However, it doesn't address the question of whether you also need to go to the County.

Ms. Roach said the County just defers to SHPO, commenting that's what the County did when she was with the County.

Chair Eck said he knows of nothing under County Code that says Dr. Blinman needs to talk to the County about this because it is on County land.

Dr. Blinman said it is on City land and private land.

Chair Eck said it is good for us to follow the process, rather than to say for some reason we magically didn't need to see this at this time – better to know than to not know, better to opine rather than to have SHPO go, what does the City think about this, what does the ARC think about this – now, they know.

Mr. Pierce said in this case, it is only because it is a City action. If it was PNM doing it, we would not be seeing this case.

Paul Duran said when Stephen Townsend did the work, he requesting monitoring be done for the cable line, the water line and the removal, and so Ann signed off on it, and requested that all monitoring be taking place during all of the construction. So, we are going to do that.

G. DISCUSSION ITEMS

1. 2020 ARCHAEOLOGICAL REVIEW COMMITTEE HEARING SCHEDULE

Ms. Roach asked for Committee comment on the proposed schedule.

Mr. Pierce noted, for the schedule for the July 2020 meeting, the packet distribution will be on Friday, July 3, 2010, but that will be a holiday for his organization and probably others, because July 4th is a Saturday. So there will be no one to receive the packets, unless they are delivered to the members' homes.

It was the consensus among the Committee in attendance that if people will be elsewhere when the packets are scheduled to be delivered, they can take steps to notify Ms. Roach so there is some place to leave the packet.

Ms. Roach said things can be shifted to the following Monday and Wednesday as we did for the December meeting, to have ample time to deliver packets. She said she will fix the dates appropriately for the hearing on July 9, 2020, so it fits with the printing schedule.

It was the consensus among the members in attendance, to proceed as suggested by Ms. Roach for the January 2020 meeting.

Mr. Zinn said he will be out of the country on January 9, 2020.

H. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

I. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

Ms. Roach said, regarding the Tesuque Runners Sculpture Garden we discussed dealing with in LA1051, she had follow up meeting with the new Arts Committee Director. She also advised the Tourism Director that archaeological testing most likely will be needed. She met with Dr. Blinman because OAS did all of the excavations for the Convention Center. She said there is a scheduling conundrum about funding, the Governing Body needs to adopt a Resolution to allocate more funds to the project, their efforts to get cost estimates for the archaeology associated with it, and to identify available funding from the City.

Ms. Roach continued, saying this is not a request, it's more of a "wondering" if this would be an appropriate project for an expenditure from the Archaeological Fund monies.

Chair Eck said he thinks yes, commenting it needs to be spent for something of City-wide significance.

Mr. Pierce said it also can be spent for a private landowner, if the cost exceeds 1% of the value.

Responding to the Chair, Ms. Roach said the foundation would be 15-18 inches deep, the pedestal base about 3 x 5 feet. She said boulders also will be placed as well as flagstone paving. They are talking about installing a brick ramp rated for vehicular grade concrete about 8-10 inches deep. Testing will be needed for each boulder, and the ramp and paving. She said we don't have the report from the excavation for the prehistoric component because that was sequestered by Tesuque Pueblo. So we do have the feature maps, we just don't have the depth at our disposal.

Chair Eck said there are a number of living individuals who were intimately involved with the excavations who probably can tell us about this.

Ms. Roach said they are exploring the option of putting a contract in place to get OAS to do the work, but there wasn't funding for it, because that wasn't anticipated as part of the project because folks might have assumed that archaeological clearance was already finished and nothing more needed to be done..

Ms. Roach said the funds may be expended as follows: *"Archaeological Fund and Projects. The ARC may recommend expenditure of money from this fund for the following projects: 1. Additional analysis or other treatment of a site of City-wide significance, when the funding limit for treatment of site, as set forth in this section has been reached – 1% of the property cost.* She feels this is the appropriate rationale for expenditure of these funds for the project.

Mr. Pierce said it is based on the property cost, not the sculpture cost.

Ms. Roach said she thinks we have exceeded that threshold. This is additional work inside the same site.

Mr. Pierce said he thinks we want to say yes, but we need more information before doing so.

Ms. Roach said the funds also can be spent for additional analysis or other treatment of a site designated as an unexpected discovery, for analysis of artifacts, and for archaeological surveys or studies of City-wide scope.

Ms. Roach reiterated that it seems like Item #1 is how the funding would qualify for this project.

Mr. Pierce said Ms. Roach needs to come up with the figure for the 1% total cost. He said that is the value of the Convention Center and City Hall, and determine if this cost would exceed 1%. **Ms. Roach** said she will ask the Asset Manager for that information, saying we can find out how much was expended on the archaeology for the Convention Center and subsequent projects. **Chair Eck** said the totality of what has been done is the important number.

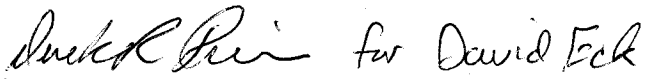
It was the consensus among the Committee to entertain a request for expenditure of Archaeological Funds for the Tesuque Runners Sculpture Garden project, as suggested by Ms. Roach, when the testing plan for project the is presented at the November 7, 2019 hearing.

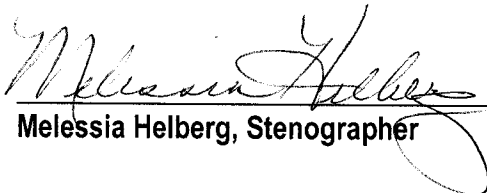
J. ADJOURNMENT

There was no further business to come before the Committee.

MOTION: Dale Zinn moved, seconded by Derek Pierce, to adjourn the meeting.

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


David Eck, Chair


Melessia Helberg, Stenographer

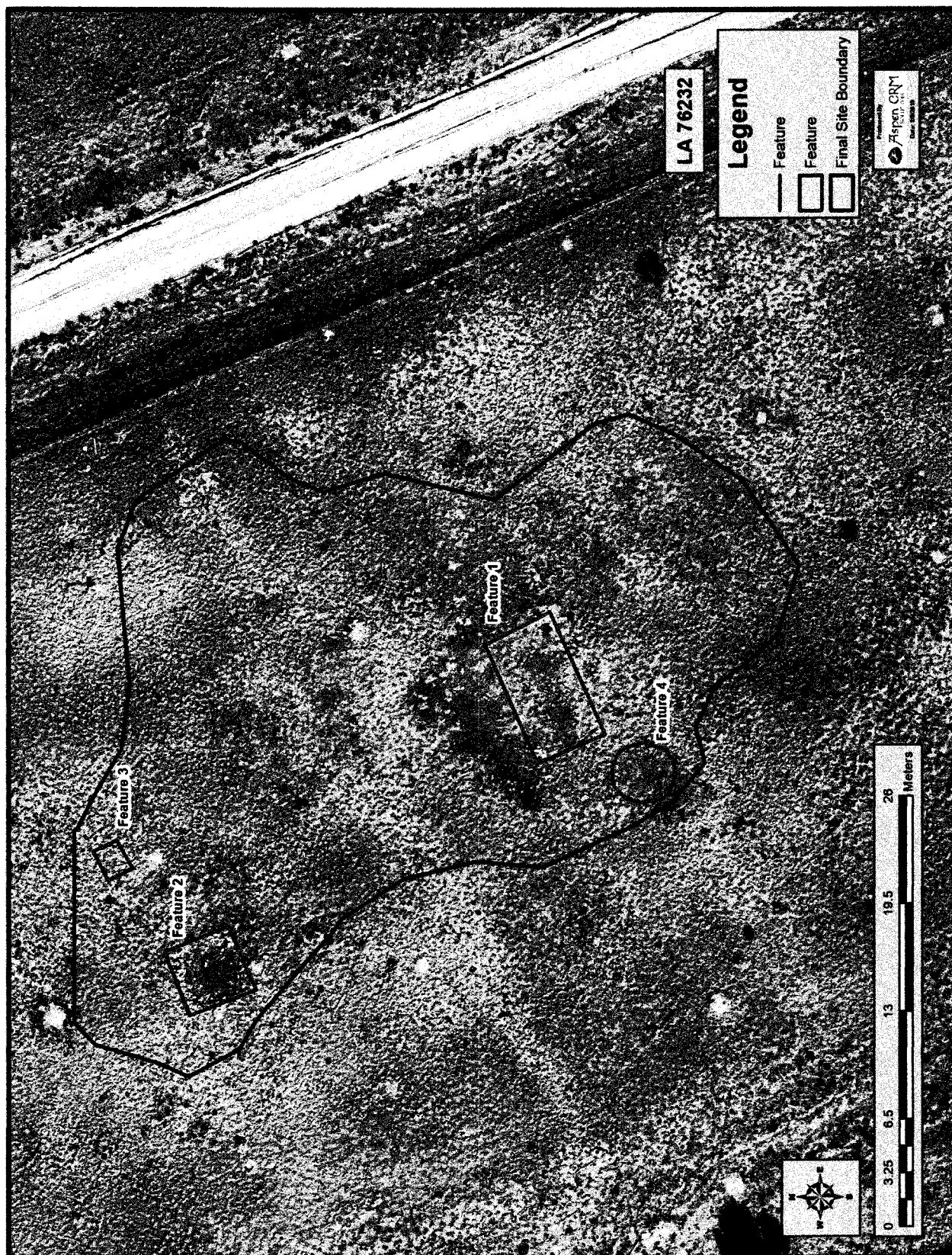


Figure 5: Site Map of LA76232 Showing Features 1-4 (Winters, Brown 2019)

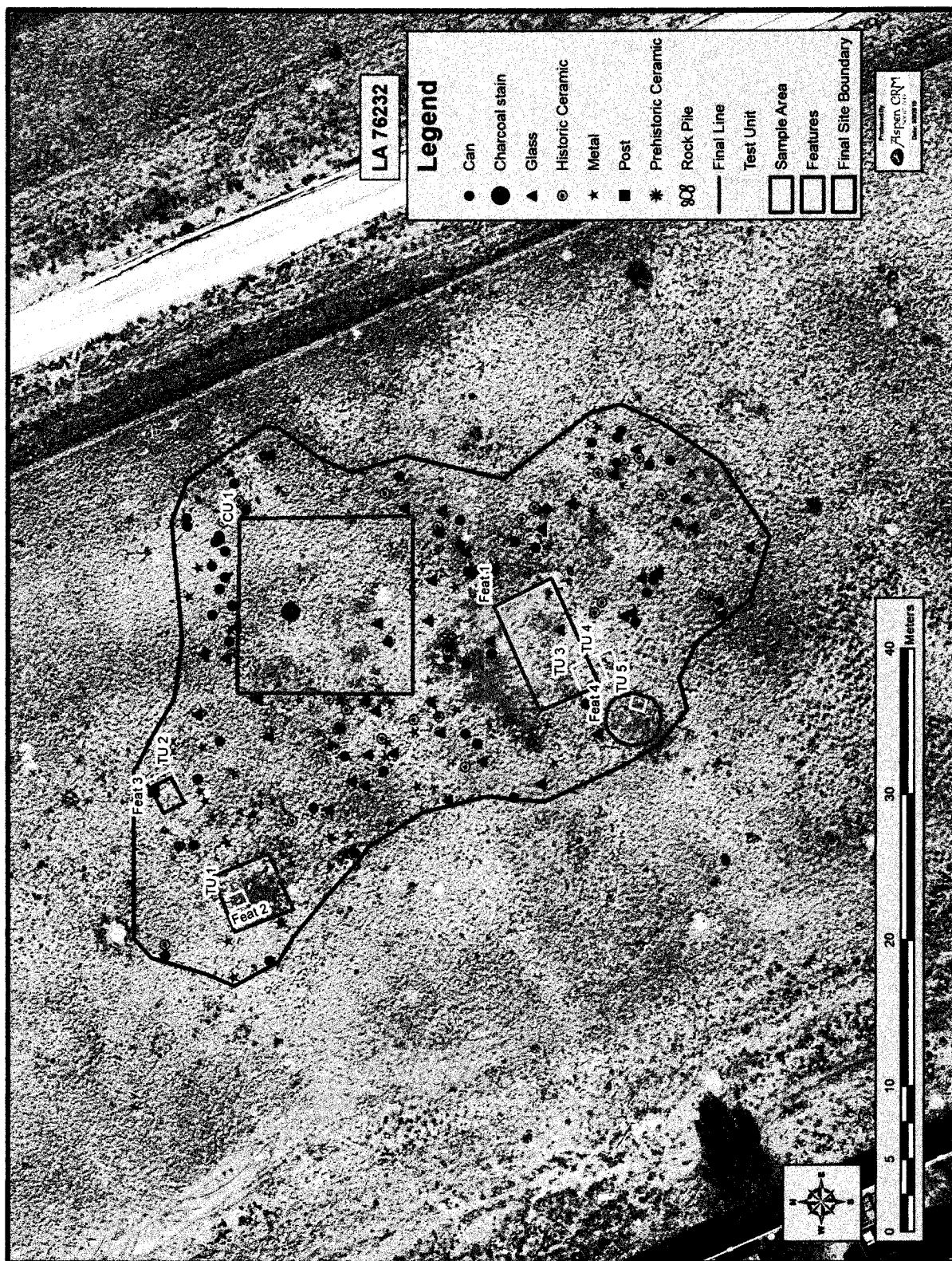


Figure 12: Site Map of LA76232 Showing Features 1-4, Test Units 1-5, Collection Unit and Artifact Scatter (Winters 2019, Aspen CRM Solutions)



Figure 15: North Wall of Feature 2 (Test Unit 1) Looking North, After Excavation



Figure 18: East Half of Feature 3 (Test Unit 2) Looking North, After Excavation

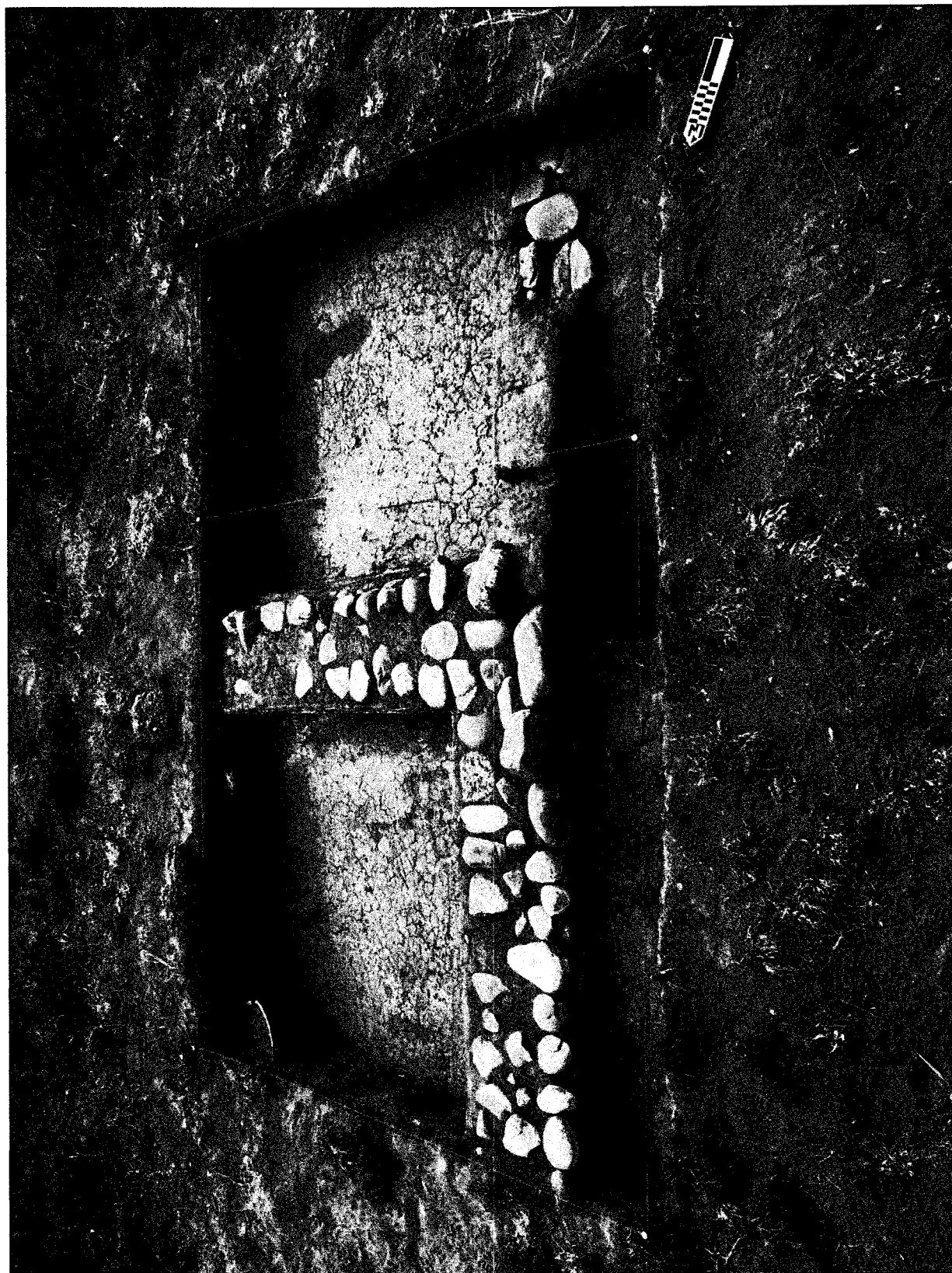


Figure 22: Southwest Corner of Feature 1, After Excavation of Test Units 3 & 4