



Agenda

CITY CLERK'S OFFICE

DATE 5/31/12 TIME 9:45
FILED BY [Signature]
FILED BY [Signature]

ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, JUNE 7, 2012 – 4:30 P.M.

CITY COUNCILORS' CONFERENCE ROOM

CITY HALL, 200 LINCOLN AVENUE, SANTA FE

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES:

May 17, 2012

E. ACTIONS ITEMS

1. Case#AR-14-12. Consideration of alternative language for City of Santa Fe Cultural Properties Preservation Easement for 125 North Guadalupe Street (LA 132712), located within the Historic Downtown Archaeological Review District. The request is made by the property owner, Los Alamos National Bank.
2. Case#AR-16-12. Approval of monitoring plan for project to install an approximately 290'-long fiber optic telecommunications line along the west side of Don Gaspar Avenue, north of its intersection with West Alameda, located within the Historic Downtown Archaeological Review District. The request is made by Robert Dello-Russo, Office of Archaeological Studies, for CenturyLink Corporation.
3. Case#AR-17-12. Approval of monitoring plan for project to install two approximately 5,512'-long parallel electrical feeder lines, beginning roughly at 798 Calle Mejia and moving in a northwesterly direction, and located within the River and Trails Archaeological Review District. The request is made by Robert Dello-Russo, Office of Archaeological Studies, for the Public Service Company of New Mexico.
4. Case#AR-18-12. Consideration of Jeff L. Boyer to be included on the City of Santa Fe list of approved archaeologists for the Historic Downtown, River and Trails and Suburban Archaeological Review Districts.
5. Case#AR-19-12. Consideration of Derek R. Pierce to serve on the City of Santa Fe Archaeological Review Committee.

F. ADMINISTRATIVE MATTERS

G. COMMUNICATIONS

H. MATTERS FROM THE COMMITTEE

I. BUSINESS FROM THE FLOOR

J. ADJOURNMENT

For more information regarding cases on this agenda, please call the Historic Preservation Division at 955-6605. Interpreters for the hearing impaired are available through the City Clerk's office at 966-6520, upon five (5) days notice.

SUMMARY INDEX
ARCHAEOLOGICAL REVIEW COMMITTEE
June 7, 2012

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER & ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	1-2
APPROVAL OF MINUTES	Approved [amended]	2
<u>ACTION ITEMS</u>		
<u>CASE #AR-14-12.</u> CONSIDERATION OF ALTERNATIVE LANGUAGE FOR CITY OF SANTA FE CULTURAL PROPERTIES PRESERVATION EASEMENT FOR 125 NORTH GUADALUPE STREET (LA 132712), LOCATED WITHIN THE HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY THE PROPERTY OWNER, LOS ALAMOS NATIONAL BANK	Approved w/alternative language	2-6
<u>CASE #AR-16-12.</u> APPROVAL OF MONITORING PLAN FOR PROJECT TO INSTALL AN APPROXIMATELY 290 FT. LONG FIBER OPTIC TELECOMMUNICATION LINE ALONG THE WEST SIDE OF DON GASPAR AVENUE, NORTH OF ITS INTERSECTION WITH WEST ALAMEDA, LOCATED WITHIN THE HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY ROBERT DELLO RUSSO, OFFICE FOR ARCHAEOLOGICAL STUDIES FOR CENTURY LINK CORPORATION	Approved w/new pages	6-8
<u>CASE #AR-27-12.</u> APPROVAL MONITORING PLAN FOR PROJECT TO INSTALL TWO <u>PARALLEL ELECTRICAL FEEDER LINES</u> <u>TOTALING APPROXIMATELY 5,512 FEET</u> LONG PARALLEL ELECTRICAL FEEDER LINES, BEGINNING ROUGHLY AT 798 CALLE MEJIA AND MOVING IN A NORTHWESTERLY DIRECTION, AND LOCATED WITHIN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY ROBERT DELLO-RUSSO, OFFICE OF ARCHAEOLOGICAL STUDIES, FOR THE PUBLIC SERVICE COMPANY OF NEW MEXICO	Approved w/caption amendments	8-9

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
<u>CASE #AR-18-12. CONSIDERATION OF JEFF L. BOYER TO BE INCLUDED ON THE CITY OF SANTA FE LIST OF APPROVED ARCHAEOLOGISTS FOR THE HISTORIC DOWNTOWN, RIVER AND TRAILS AND SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICTS</u>	Postponed to 07/05/12	9-11
<u>CASE #AR-19-12. CONSIDERATION OF DEREK R. PIERCE TO SERVE ON THE CITY OF SANTA FE ARCHAEOLOGICAL REVIEW COMMITTEE</u>	Postponed to 0705/12	11-13
ADMINISTRATIVE MATTERS	Information	13
COMMUNICATIONS	None	13
MATTERS FROM THE COMMITTEE	Information/discussion	13-15
BUSINESS FROM THE FLOOR	Information/discussion	15
ADJOURNMENT		15

**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE
City Councilors Conference Room
June 7, 2012**

A. CALL TO ORDER

A meeting of the Archaeological Review Committee was called to order by David Eck, Chair, at approximately 4:30 p.m., on June 7, 2012, in the City Councilors Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

David Eck, Chair
Tess Monahan, Vice-Chair
Gary Funkhouser
James Edward Ivey
[Vacancy]

Members Excused

Others Present

John Murphey, Land Use Department
Melessia Helberg, Stenographer

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

C. APPROVAL OF AGENDA

Correct Item #E as follows: It should be "Action" Items, not "Actions" Items.

Chair Eck asked how the Committee handles things which have been postponed from a previous meeting to this specific meeting which are not on the agenda.

Ms. Helberg said the items have to be placed on the published agenda to be voted upon.

MOTION: Gary Funkhouser moved, seconded by Tess Monahan, to approve the Agenda, as amended.

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

D. APPROVAL OF MINUTES: May 17, 2012

The following corrections were made to the minutes of May 17, 2012:

Page 4, line 1, correct as follows: "...Wayne Lloyd, Architect, the Cooking School, ..."

Page 9, paragraph 3, line 2, correct as follows: "...Universal ~~Transfer Mercator~~ Transverse Mercator

Page 10, paragraph 1, line 2, correct as follows: "...[inaudible] plan; and..."

Page 10, paragraph 10, line 1, correct as follows: "... place plate..."

Page 12, paragraph 12, correct to show that "Mr. Eck said" and not Mr. Ivey.

Page 15, paragraph 2, correct to show that "Mr. Funkhouser asked," and not Mr. Rasch.

MOTION: Tess Monahan moved, seconded by Gary Funkhouser, to approve the minutes of the meeting of May 17, 2012, as amended.

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

E. ACTION ITEMS

1. **CASE #AR-14-12. CONSIDERATION OF ALTERNATIVE LANGUAGE FOR CITY OF SANTA FE CULTURAL PROPERTIES PRESERVATION EASEMENT FOR 125 NORTH GUADALUPE STREET (LA 132712), LOCATED WITHIN THE HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY THE PROPERTY OWNER, LOS ALAMOS NATIONAL BANK.**

A copy of an email dated June 7, 2012, to John W. Murphey from Joaquin J. Sanchez, LANB, regarding proposed language to revise the last sentence of the plat note in this case, is incorporated herewith to these minutes as Exhibit "1."

BACKGROUND AND SUMMARY: At the request of Los Alamos National Bank, is a proposal for alternative wording for the City of Santa Fe Cultural Properties Preservation Easement covering the above address, 125 North Guadalupe Street, and LA 132712.

ARC first heard a case for this address on June 21, 2001 (AR-01-08), at which time the Committee approved a report for the site but stipulated a Cultural Properties Preservation Easement, "enclosing the entire property, will be put into place when the property moves out of current ownership." To date, an easement has not been filed or approved by the ARC.

As per External Policy 11, a property with easement should be labeled with the following titling on the plat: "No Activity Which Disturbs Ground Surface Shall Occur Within the Boundaries of the Cultural Properties Easement Reflected on this Plat."

STAFF RECOMMENDATION: Staff defers to the Committee as to whether the proposed alternative language meets the intent of City of Santa Fe Archaeological Review District Ordinance and satisfies External Policy 11, "Treatment of Archaeological Resources with Protective Open Space."

The staff report was presented by John Murphey. Mr. Murphey said staff provided a Memorandum, but this morning alternative language was suggested, noting the final language has been given to the Committee as an email [Exhibit "1"]. He said the applicant is asking to use language which typically has not been used, noting the language which has been used is presented in External Policy #11, which is included in the Committee packets. Mr. Murphy said Kelley Brennan, Assistant City Attorney, said this language, which reverses the responsibility, is the same in terms of the condition for preservation of the easement.

Nancy Long, Attorney, said she has been assisting The Cooking School and the Bank with some of the issues around closing and the plat language, noting she has worked with Kelley Brennan on the plat language. She said the thinking was to recite what is happening on the property. She said since it will be on a survey which will be recorded, they wanted to be sure it was clear and would help with the property value going forward. She said they think it does create the same protections the City wants in the standard language, but is more reflective of the situation on the site. She said they are expecting, based upon the final report from the archaeologist, that the entire property may not be subject to the preservation easement. She said the intent in adding the last sentence to this language was to alert that a future, amended survey may be coming forward which would further define the parameters of the preservation boundary. She said it basically says the same thing and gets the City to the place it wants to be, as well as being more palatable for the purchasers of this property.

Chair Eck said then we would expect to see a delineation of the easement and the language to appear on a plat after your archaeologist submits the report.

Ms. Long said at this time, the plan is to record the plat of survey next week, and the proposed language will be on the plat, which will be signed by the City as well as all of the other signatories which are required, which will cover the entire property at this point, until you receive the final report from the archaeologist. She said they anticipate further refining that based on the clearance that takes place, and an amended survey will be done at that time just to change the parameters of the easement, and it will indicate on the survey that it is being for those purposes so it won't be confusing to anyone.

Tess Monahan

Ms. Monahan said she has no objection to the language, and feels it helps to facilitate the use of the property and the portions of the property which may not be affected by an archaeological treasure buried in it.

Jake Ivey

Mr. Ivey said "It looks good to me."

Gary Funkhouser

Mr. Funkhouser said, "It is acceptable to me."

Chair Eck

Chair Eck said he too believes he can "live with it." However, in the context of the ongoing Ordinance revision, it seems that an incorporation of what is now merely guidance and external policy should be elevated to higher status in the text of the Ordinance. He said this would allow us to nail down language we all can live with in perpetuity.

MOTION: Tess Monahan moved, seconded by Funkhouser, with respect to Case #AR-14-12, to approve the alternative language, as set out in the email sent Thursday, June 7, 2012, at 1:11 p.m., to Susan Curtis, Kelley Brennan, Wayne Lloyd and Joaquin J. Sanchez, from Nancy Long, Esq. [Exhibit "1"] as follows:

"Any activity which disturbs ground surface within the boundaries of the City of Santa Fe Cultural Properties Preservation Easement (LA 132710) reflected on this Plat (Easement) shall require the submittal of designated areas of excavation, and a monitoring plan, prepared by a qualified archaeologist to be submitted to the City's Archaeological Review Committee for its review and approval. The subject property or portions thereof may be removed from restrictions contained in the easement if supported by archaeological findings."

for the City of Santa Fe Cultural Properties Preservation Easement, for 125 North Guadalupe Street (LA 132712), located within the Historic Downtown Archaeological Review District, requested by the property owner, Los Alamos National Bank.

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

Wayne Lloyd, Architect, for The Cooking School, said he spoke with John Murphey. He said it was suspected that the archaeologist might find some significant items. He said, "Her verbal statement to me is they found little other than some pot shards, and that there was nothing of significance."

Mr. Lloyd said, "We've got the trenches open and they'll remain open until we are allowed to close them, but I guess I'm wondering if there's some way that we can short circuit waiting a couple of weeks for the final report, then submitting that and getting the agenda which will take another couple of weeks, which might easily be a month before we get approval of that report. And, knowing that they didn't find anything significant. In fact, the spot footings that we talk about in the drawing, that were only going 12 inches, they were all on fill."

Mr. Lloyd said, "It will significantly hold up the owners of this School of Cooking, if we have to wait a full month before we can pour concrete into those and put columns down. So, is there a way that she could give a preliminary written report that might be heard on the next agenda, to say there isn't anything there. And, the footings were only 12 inches deep, they were on fill. The trench was deeper than that and they didn't find anything there. So we could keep those open and hopefully lay the pipe that we need to have in there, cover it up with plywood, keep the trench open, so everyone could continue to see that. But, otherwise, these folks are going to be shut down for more than a month longer than they expected to be. So, I guess I pose that as a question, as opposed to, gee why can't we do X, Y and Z. And we were trying to get something in writing from Cherie, but was in the field today and we couldn't get that done, to state. I mean, I won't expect you to take my word for it, she should speak for herself, and that couldn't happen."

Mr. Murphy said, "As I've communicated to Wayne and the Applicant, this is sidestepping the process. The Archaeological Review Committee approved the excavation plan at the last meeting. Cherie has done most of the excavation. I did talk to her this afternoon, and I can't articulate everything she said, but what I remember is that the midden is mixed at one end and totally churned over at the other end. In between, she didn't mention potsherd, but she mention some human bone fragments. She said it was not of great concern, but she was wanting to follow the process."

Mr. Murphey continued, "There is a discretion of the Committee to give alternative procedures. I'm not advocating one way or the other, but that is your discretion. There is the potential to... I know that she is in line to turn in a preliminary report within the next 2 or 3 weeks. There could be potentially a process of an interim report, stating what Wayne has said, and giving your guidance and permission for potentially to lay this so-called pipe."

Mr. Lloyd said they would lay the pipe in the trenches, but they can keep the trenches open and lay the plywood over it and keep working. He said they found nothing in the spot footings, and they would want to go ahead and pour concrete to set the columns.

Mr. Murphey said the concern is that until the report is complete and there is a synthesis of findings, what she is telling us verbally is just her impression after doing the work. He reiterated that "I'm not going either way with this, but that's just a concern and following process."

Chair Eck said he is unfamiliar with the deadline for the next meeting. He asked if there is a way a document can be submitted so it can appear on an agenda.

Mr. Murphey said the deadline for the next meeting agenda has passed, but he said Land Use Management is willing to work with the applicant. He said because of the way things work, we only need a document, so this could happen.

Mr. Funkhouser said he would like to see a document, but under these conditions, he would be willing to make a determination based on Cherie's findings.

Mr. Ivey said he agrees with Mr. Funkhouser.

Ms. Monahan said, "As long as we're able to comply with the Open Meetings Act, and have the clarity of the forum open to the public for examination, I don't see any reason why we couldn't go forward."

Chair Eck said, "So, it appears we have a consensus view that there is a way to go forward. In which case, if someone can craft a motion that captures all of this."

Mr. Murphey said we can't make a motion today because it isn't published for action.

Chair Eck asked if we can encapsulate some statement of consensus with which we all can agree.

Mr. Murphey asked what you would want to see in the interim report. He asked, "Are you expecting the full preliminary report or something else."

Ms. Monahan said, "It seems to me that if they articulate what you're going to cover up, the cement, and that's the principal thing that would be affected, then I don't think we need to anything more until we have the report."

Mr. Funkhouser would like to see some statement from Ms. Scheick with her interpretation of what she has seen with regard to ground disturbance.

Ms. Monahan said then it would be all right with them to proceed with the pour.

Mr. Lloyd said, "And we actually dug, if you remember, we said here's where we want to go with the sewer line. If the sewer line isn't low enough, we have to go this way. We had to go that way, so we dug the maximum area that we were originally proposing."

It was the consensus among the Committee that if the Committee sees an interim report, as Mr. Murphey has described it, that articulates the archaeological excavations that have been completed, a very general statement of the findings, their recommendations for any appropriate protections or other stipulations, and if we can have that submitted before publication of the agenda to meet the minimum standard of the Open Meetings Act, and that is only for the specific area which is being discussed here, and nothing else.

2. CASE #AR-16-12. APPROVAL OF MONITORING PLAN FOR PROJECT TO INSTALL AN APPROXIMATELY 290 FT. LONG FIBER OPTIC TELECOMMUNICATION LINE ALONG THE WEST SIDE OF DON GASPAR AVENUE, NORTH OF ITS INTERSECTION WITH WEST ALAMEDA, LOCATED WITHIN THE HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY ROBERT DELLO RUSSO, OFFICE FOR ARCHAEOLOGICAL STUDIES FOR CENTURY LINK CORPORATION.

A letter dated May 17, 2012, with attachments, to John Murphey, Archaeological Review Committee Liaison, from Robert Dello-Russo, Deputy Director, Principal Investigator, with regard to this

case, which was submitted as a replacement for the earlier submission, is incorporated herewith to these minutes as Exhibit "2."

BACKGROUND AND SUMMARY: At the request of CenturyLink, OAS proposes to conduct archaeological monitoring for the installation of a telecommunications line. The proposed project will extend approximately 290 feet along the west side of Don Gaspar Avenue, starting from its intersection with West Alameda. The proposed trench will be approximately 18 inches wide and 4 feet deep, and run along mostly the west side of the street. The proposed trench will be proximate to LA 1838, LA 1876, LA 47695 and LA 54312 – sites dating from the Coalition/Classic Prehistoric to the Recent Historic periods.

OAS anticipates 50-60 feet of trench will be monitored by one archaeologist per 8-hour day, totaling approximately five or six days of field work. Previous findings, monitoring procedures, personnel and post-field reporting methods are described in the accompanying letter. As a project subject to Archaeological Clearance Permits, OAS is requesting approval of the monitoring plan.

STAFF RECOMMENDATION: Staff recommends approval of the proposed monitoring plan, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and Archaeological Clearance Permits (14-3.13(B)(4)(a)), and further recommends forwarding this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.17.

The staff report was presented by John Murphey. He asked if there is other ground disturbance created with the trench or is it strictly a trench. He said pending the answer to that question, staff recommends approval proposing that the monitoring plan meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and Archaeological Clearance Permits (14-3.13(B)(4)(a)), and further recommends forwarding this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.17

Mr. Dello-Russo said this just a trench. He said they received approval from the Historic Preservation Division for the project, contingent on the review by this Committee. He said in the course of Michelle Ensey's review she asked for a better map, noting on Figure 3 of the Report it is a NMCRIS printout, and it is almost impossible to discern individual archaeological sites. He said he created a fourth map which shows the streets in the background with project area trench and the four closest sites to the project area, noting he redid the text of the report to reflect those four site numbers because he noticed the text had two different site numbers. He said everything is now in conformance, and he would like to submit that as a replacement for the one he submitted earlier. [Exhibit "2."]. Mr. Dello-Russo said it shows there are two sites which are in the proximity of the trench which probably would require close attention to the trenching with either end of the proposed project area.

Jake Ivey

Mr. Ivey said the report looks fine to him.

Tess Monahan

Ms. Monahan said the report is good.

Gary Funkhouser

Mr. Funkhouser said he agrees with Mr. Ivey and Ms. Monahan.

MOTION: Jake Ivey moved, seconded by Tess Monahan, with respect to Case No. AR-16-12, to approve Monitoring Plan for a project to install an approximately 290 foot long fiber optic telecommunications line along the west side of Don Gaspar Avenue, north of its intersection with West Alameda, located within the Historic Downtown Archaeological Review District, requested by Robert Dello-Russo, of the Office of Archaeological Studies for CenturyLink Corporation with the new pages as submitted [Exhibit "2"].

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

Chair Eck said we will communicate appropriately with the State Historic Preservation Division to be sure they have heard our findings.

3. **CASE #AR-27-12. APPROVAL MONITORING PLAN FOR PROJECT TO INSTALL TWO PARALLEL ELECTRICAL FEEDER LINES TOTALING APPROXIMATELY 5,512 FEET LONG PARALLEL ELECTRICAL FEEDER LINES, BEGINNING ROUGHLY AT 798 CALLE MEJIA AND MOVING IN A NORTHWESTERLY DIRECTION, AND LOCATED WITHIN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY ROBERT DELLO-RUSSO, OFFICE OF ARCHAEOLOGICAL STUDIES, FOR THE PUBLIC SERVICE COMPANY OF NEW MEXICO.**

John Murphey presented the staff report.

BACKGROUND AND SUMMARY: At the request of PNM, OAS proposes to conduct archaeological monitoring for the installation of two parallel electrical feeder lines. The proposed project will replace two feeder lines along existing 1,706 ft. long parallel trenches and reroute a section along new parallel trenches for approximately 1,050 feet. The total length of combined disturbance is 5,512 feet. The proposed work is proximate to LA 140421, LA 153865, LA 153866 and LA 153824. The last site, designated eligible for the NRHP, is located approximately 52 feet from the project area. OAS anticipates 400-500 feet of trench will be monitored by one archaeologist per 8-hour day, totaling approximately 11 to 14 days of field work. Previous findings, monitoring procedures, personnel and post-field reporting methods are described in the accompanying letter. As a project subject to Archaeological Clearance Permits, OAS is requesting approval of the monitoring plan.

STAFF RECOMMENDATION: Staff recommends approval of the proposed monitoring plan, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and Archaeological

Clearance Permits (14-3.13(B)(4)(a), and further recommends forwarding this approval to the New Mexico Historic Preservation Division, as per NMAC 4.10.17.

Mr. Della-Russo noted a change to the caption of this case. [STENOGRAPHER'S NOTE: The change to the caption is reflected above.]

Jake Ivey

Mr. Ivey said it looks swell.

Gary Funkhouser

Mr. Funkhouser said he has no comment.

Tess Monahan

Ms. Monahan said the report indicates the trenches will be mechanically backfilled as soon as practical, and asked if he is installing the pipe as he goes.

Mr. Ethan Giedraitis said they will be installing conduit systems, so they are excavating approximately 250 ft. a day, and they will install as much conduit as possible, and then they will backfill on top of that.

Ms. Monahan said, " Then they aren't going to dig it up twice."

Mr. Giedraitis said, "Right."

MOTION: Gary Funkhouser moved, seconded by Tess Monahan, with respect to Case #AR-17-12, to approve the monitoring plan for a project to install two parallel electrical feeder lines totaling approximately 5,512 feet, beginning roughly at 798 Calle Mejia and moving in a northwesterly direction and located within the River and Trails Archaeological Review District requested by Robert Dello-Russo, Office of Archaeological Studies, for the Public Service Company of New Mexico, with the proposed amendment to the caption.

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

4 CASE #AR-18-12. CONSIDERATION OF JEFF L. BOYER TO BE INCLUDED ON THE CITY OF SANTA FE LIST OF APPROVED ARCHAEOLOGISTS FOR THE HISTORIC DOWNTOWN, RIVER AND TRAILS AND SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICTS.

Chair Eck noted Mr. Boyer is not present today.

APPLICANT: Jeff L. Boyer, New Mexico Office of Archaeological Studies.

STAFF RECOMMENDATION: Staff defers to the Committee as to whether the applicant meets the criteria of External Policies 12 and 15, to be approved to work in the Historic Downtown Archaeological Review District and associated districts.

Mr. Murphey said the Committee may act on this case without Mr. Boyer being present if the Committee has no questions about his qualifications. However, if the Committee has questions about his qualifications, this matter must be postponed.

Tess Monahan

Ms. Monahan said he believes Mr. Boyer is eminently qualified for this position, and she has no questions.

Gary Funkhouser

Mr. Funkhouser said he believes Mr. Boyer is qualified. He said it is hard for him to sort out his experience in relation to the Archaeological Districts in Santa Fe. He said overall he has no problem with what Mr. Boyer is doing, reiterating that it is not clear to him where that is within specific Historic Districts in Santa Fe. He said since we do have rules about these kinds of things, it "should be clear where they are."

Ms. Monahan said there is a chart at the end of the report, page 32, which identifies the places and positions which he has held, and asked if this answers Mr. Funkhouser's questions, or does the experience have to be fulfilled within the City Limits.

Mr. Funkhouser said the question for him are the Districts and the work within those Districts. He said he has no complaint against this professional whatsoever.

Chair Eck said the Executive Office Building Project and the Drury Inn project are both within the Downtown Review District.

Mr. Funkhouser asked if the Pojoaque land crosses the River and Trails District.

Chair Eck said he has no clue.

Jake Ivey

Mr. Ivey said he had no questions until Mr. Funkhouser "started confusing me."

Mr. Funkhouser said he wants to be fair to every applicant who comes before this Committee.

Mr. Ivey said the application quite clearly indicates a huge amount of experience, but it sounds to him as if the Committee has one meaningful question about the nature of Mr. Boyer's experience, and therefore we should postpone this request until Mr. Boyer is present and can answer any questions.

Ms. Monahan asked if Mr. Boyer is available by telephone.

Mr. Murphey said no, noting his wife is ill.

Mr. Funkhouser said he doesn't need to hear from Mr. Boyer directly, and he could send us some kind of statement. He said he isn't going to hold a hard line about this, but he just wants clear definition.

Mr. Ivey said what we're talking about is clarifying the actual categories of experience, just so we're on record that we have indeed followed the procedure like we usually insist on doing. He sees no reason it would be a hardship to delay approval, and it seems to be a reasonable step, until we actually have a chance to discuss this with Mr. Boyer.

Ms. Monahan asked if the Committee could give preliminary approval pending Mr. Murphy's receipt of a written clarification from Mr. Boyer on that point.

Mr. Murphey said his hesitation would be that he would be making a decision which is supposed to be made by the Committee.

Chair Eck said Mr. Murphey advised prior to this discussion that if we have questions, we are not supposed to consider the request.

Mr. Murphey said it can be postponed and he can communicate the Committee's concern to Mr. Boyer, and he can revise the documentation and attend the next meeting.

MOTION: Tess Monahan moved, seconded by Gary Funkhouser, to postpone approval of this application to the July 5, 2012 meeting of this Committee, with direction to staff to communicate the Committee's concern to Mr. Boyer.

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

5. CASE #AR-19-12. CONSIDERATION OF DEREK R. PIERCE TO SERVE ON THE CITY OF SANTA FE ARCHAEOLOGICAL REVIEW COMMITTEE.

APPLICANT: Derek R. Pierce

STAFF RECOMMENDATION: Staff defers to the Committee as to whether the applicant meets the qualifications for Archaeological Review Committee membership, as per 14-2.7(E)(1) and (E)(5):

- E. Qualifications for ARC Members; Qualifications for Archaeologists, Historical Archaeologists and Historians.

- (1) ARC Members
All archaeologists, historical archaeologists and historians appointed as ARC members shall meet the qualifications set forth in this section.
- (2) Archaeologists
All archaeologists in actual direct charge of archaeological reconnaissance or treatment required for an archaeological permit shall meet the following minimum qualifications, as provided in a resume or by other means:
 - (a) hold a master's degree in archaeology, anthropology or a closely related field with a specialization in archaeology or have equivalent training or field experience, the sufficiency of which is determined by the ARC;
 - (b) have at least two year's experience in directing archaeology projects, including at least six months of field experience in the southwestern United States; and
 - (c) be listed in the state historic preservation division directory of archaeologists as a principal investigator or supervisory archaeologist. This requirement shall not apply to archaeologists who are currently on the city's list of approved archaeologists as of the effective date of Ordinance Nol 2007-9 (April 23, 2007) or to archaeologists appointed as members of the ARC.
- [....]
- (5) Waiver of Qualifications
Qualifications for archaeologists and historical archaeologists may be waived by the ARC in its discretion for good cause show.

Mr. Murphey said his advice would be the same for this case as for the previous case, commenting he doesn't know why Mr. Pierce isn't at the meeting this evening. He said the Committee needs to bear in mind that Mr. Pierce technically is asking for a consideration because he doesn't have the requisite Master's Degree.

MOTION: Tess Monahan moved, seconded by Gary Funkhouser, to postpone consideration of this request to the July 5, 2012 meeting of this Committee, until Mr. Pierce is able to qualify his application with the experience that would over-ride the requirement for a Masters Degree.

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

Mr. Murphey said since we are giving a grace period to the applicant at 125 North Guadalupe, are we doing the same for these two gentlemen because they have passed the submission deadline to submit any revised documentations.

Ms. Monahan pointed out that they are not here to make that request of the Committee.

Chair Eck said the timing makes it impossible for these two requests from Mr. Boyer and Mr. Pierce, to be heard at the next meeting of the Committee on June 21, 2012.

Mr. Murphey said then these will be heard on July 5, 2012.

F. ADMINISTRATIVE MATTERS

Mr. Murphy said the Preservation Awards Ceremony went well, noting Jeremy Kulisheck gave a nice speech for Matthew Barbour. He said the Archaeological Ordinance itself received a 25th Anniversary Award on the Preservation Ordinance, and Mayor Coss gave a speech complimenting the Ordinance.

G. COMMUNICATIONS

Mr. Murphey said he will not be in attendance for the Committee meeting of June 21, 2012, and David Rasch will be attending on his behalf. He said he believes we will have something from The Cooking School.

H. MATTERS FROM THE COMMITTEE

Mr. Funkhouser said he has an overall process question. He said in the process of doing a survey outside of town, Class 1, there were several reports which came through this Committee which never "ended up at ARMS" – reports back to 2007. He said there needs to be some communications about getting copies of those reports to "their storage with their proper location." He said Mr. Kulisheck spoke about this previously, as well as Chair Eck. He said, "Wherever it's not going, it would just be convenient to have. It's not catastrophic, but it will be eventually, when the development starts."

Mr. Murphey said the problem is he doesn't understand what has been sent to ARMS. He said he will work with Mr. Funkhouser, noting he has an intern who can do things like this. However, he has no tracking of what was sent to ARMS. He said what this Committee approves needs to be archived.

Mr. Murphey said this arose last week when Steve Post was looking for a report on Armijo Park in 2007, and they didn't have it at ARMS. We said don't even have the final report, we just had the draft.

Mr. Funkhouser said we could ensure this is done going forward.

Mr. Murphey understood that OAS is submitting simultaneously, so he thinks OAS is covered.

Mr. Funkhouser said it is the private client's responsibility.

Mr. Funkhouser said with all the linear projects in town and the work Cherie is doing, it would be nice to keep a GIS data base for what is being found in these slivers of stuff through downtown,

commenting he doesn't know how it would be funded. He said it is a tough physical segment to deal with just because of its size. He said, "There is information there, but individually information get lost, and at least if we could have agreement to share one GIS location of artifacts. And we're talking about a massive geographic area. There aren't a massive amount of contractors working down there, and I think they're all going to do that and I don't know where resources could come from or whatever." He said when we get an opportunity he thinks it would be good to create a data base of subsurface Santa Fe which doesn't exist currently and probably is going to be lost if we just keeping doing slivers.

Chair Eck said NMCRIS really is just an index to the paper.

Mr. Funkhouser said it is frustrating to deal with because "it's your view of what's there is extremely narrow." He said he isn't saying patching them together is perfect, but believes some effort is worth it. He said we know there are complex subsurface deposits there which eventually would help somebody somewhere.

Mr. Monahan asked if we know where the hole is, or if we're guessing it is either the client, the consultant or we just don't know.

Mr. Funkhouser said we have a process for us to send our final copies, although we don't always have the final copies.

Mr. Murphey said this is correct. He said when he does background research in the files, he finds that often there is nothing but a draft copy.

Mr. Funkhouser reiterated that "there are holes all over the place."

Ms. Monahan said we can't possibly ask Mr. Murphey to go back and try to reconstruct all of this, but we need to tighten up moving forward.

Mr. Murphey said it would be useful to have a reporting of what has come in as final copy.

Chair Eck said you can search on line in the NMCRIS system and find multiple activities which are in the status of, for example, "Awaiting Validation." He said this means they have it and know they have it, but it hasn't been entered fully into the system.

Mr. Funkhouser said it is up to the consultant to change the categories.

Chair Eck said, "The system now is supposed to accommodate real time digitizing of the project area by the consulting archaeologist so that in theory, the area gets labeled and highlighted and attached to a number and you know who it is. So, even if hasn't appeared, you still quickly can figure out who it is."

Mr. Murphey asked if it would be useful to the Committee to have a reporting by meeting, or quarterly, of what has come in as final copy.

Mr. Funkhouser said it would be good for staff to have that record.

Mr. Murphey said he has an access data base with which he is working to try to do that, but it's "not ready for show time."

Chair Eck said, "If it helps you, especially, it would be nice for us to see it, but we don't want to make more work for you. If you are already trying to tweak the access data base to do something for you and it can also do that..."

Mr. Funkhouser said in the long run it would be more work for staff, because people would be calling Mr. Murphey for information on reports.

Mr. Murphey said this is correct, and then he will advise them that they have to make a public records request and pay twenty-five cents per page, and so forth.

I. BUSINESS FROM THE FLOOR

Ethan Giedraitis, PNM, said at the last meeting, the Committee indicated that the Archaeological Review Ordinance is in the process of being revised. He said PNM is interested in having the opportunity to review the Ordinance and comment on it prior to it being published. He asked if this is a possibility, and if so, how they would proceed to do that.

Mr. Murphey said at this time there is no set public hearing. He said the revision of the ARC Ordinance will follow the revision of the H-Board, meaning the H-Board is still in the process. He said there is no calendar for ARC. He said there was an optimistic assumption that it would be approved by the end of the year. He said, "Until H is approved, ARC's not moving anywhere." He recommended that Mr. Giedraitis write a letter to Matthew O'Reilly, Director, Land Use Department, and say that PNM would like a public comment meeting or hearing on the Ordinance revision which will involve members from the archaeological and consulting communities.

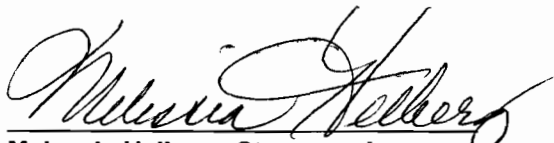
J. ADJOURNMENT

There was no further business to come before the Committee.

MOTION: Jake Ivey moved, seconded by Tess Monahan, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 5:30 p.m.

David Eck, Chair



Melessia Helberg, Stenographer

MURPHEY, JOHN W.

From: Joaquin J. Sanchez [joaquins@lanb.com]
Sent: Thursday, June 07, 2012 2:47 PM
To: MURPHEY, JOHN W.
Cc: nancy@longpoundkomer.com
Subject: 125 N. Guadalupe ARCH Easement Revised Wording

John,

As the property owner representative I am requesting the wording for the ARCH Easement for the above referenced property be amended per the e mail below. I am not sure if Nancy Long has already sent this to you so I am just making double sure you get this for today's meeting. I do not plan to have a plat for you to sign tonight.

Joaquin J. Sanchez
 Los Alamos National Bank

From: Nancy Long [mailto:nancy@longpoundkomer.com]
Sent: Thursday, June 07, 2012 1:11 PM
To: Susan Curtis; Kelley Brennan; wayne@lloyd-architects.com; Joaquin J. Sanchez
Subject: Plat Note; further revisions

Dear All:

We have had a suggestion to revise the last sentence of the plat note to: "The subject Property or portions thereof may be removed from restrictions contained in the Easement if supported by archeological findings."

So the entire note would read as follows:

"Any Activity Which Disturbs Ground Surface Within the Boundaries of the City of Santa Fe Cultural Properties Preservation Easement (LA 132710) Reflected on this Plat (Easement) shall require the submittal of designated areas of excavation, and a monitoring plan, prepared by a qualified Archeologist to be submitted to the City's Archeological Review Committee for its review and approval. The subject Property or portions thereof may be removed from restrictions contained in the Easement if supported by archeological findings."

Thanks,
 Nancy

Nancy R. Long
 Long, Pound & Komer, P.A.
 2200 Brothers Road
 P. O. Box 5098
 Santa Fe, NM 87502-5098

505-982-8405
 505-982-8513 (fax)

The information contained in this Email is considered privileged communication, protected by attorney-client and/or attorney work product. It is intended only for the use of the individual(s) named above and the privileges are not waived by virtue of having been sent by electronic mail. If the person actually receiving this Email or any other reader of this Email is NOT the named recipient, or the employee or agent responsible for delivering it to the named recipient, use, distribution and copying of the communication are strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.

6/7/2012

Exhibit "1"



Office of Archaeological Studies

Museum of New Mexico ~ Preserving Our Heritage Since 1909

P.O. Box 2047
Santa Fe, New Mexico 87504-2047
www.nmarchaeology.org

Bataan Memorial Building
407 Galisteo Street, B-100
Santa Fe, New Mexico 87501

Joseph C. Harpin Building
404 Montezuma Street
Santa Fe, New Mexico 87501

Mr. John Murphey
Archaeological Review Committee Liaison
City of Santa Fe
Historic Preservation Division
200 Lincoln Avenue
Santa Fe, NM 87504

May 17, 2012

RE: Archaeological monitoring of Proposed Century Link Corporation Burial of Telecommunications Line along Don Gaspar, North of the West Alameda Intersection, in the Historic Santa Fe Downtown Archaeological District (Century Link Project No. E-282190).

Dear Mr. Murphey,

For the purpose of installing a new fiber optic telecommunications line (Century Link Project No. E-282190), the Century Link Corporation is proposing to mechanically excavate a utility corridor (trench) along the west side of Don Gaspar, north of the West Alameda intersection within the Historic Downtown Archeological Review District of Santa Fe, New Mexico (see Figure 1). As stipulated in the City of Santa Fe Ordinance 14-75.11 Section D, archaeological clearance is required for new construction of utility mains greater than 60 feet in length. As the length of the proposed trench is approximately 290 ft, Century Link has requested that the Office of Archaeological Studies (OAS) monitor their activities. Since the City of Santa Fe is a subdivision of the State of New Mexico NMAC 4.10.17 Standards for Monitoring apply to the project. Therefore, OAS has also requested that the monitoring provision of New Mexico General Archaeological Investigation Permit NM-12-027-M be activated once the monitoring plan provided below has been approved by the New Mexico Historic Preservation Division.

General Project Information

The project entails archaeological monitoring of a trench 290 ft in length. The trench will be approximately 18 inches wide and 4 ft deep in general. The trench is to be placed along the west side of Don Gaspar just north of its intersection with West Alameda (see Figure 2). The proposed trench will run in a north-south direction.

OAS expects that approximately 50-60 ft of trench will be excavated and monitored by one archaeologist each 8-hour work day, which translates into approximately 5 or 6 days of field time for the project. If small-scale archaeological features are encountered, a second archaeologist will be assigned to the

Exhibit "2"

project to assist with mapping and recording and to monitor so that interruptions to work flow are minimized. The projected work schedule is based on uninterrupted trenching and documentation. If the client interrupts the work schedule, field time may increase accordingly. If major unexpected discoveries are made during the mechanical excavation which expands the scope of work (e.g., burials, architecture, or extensive refuse deposits), then additional field, analysis, and report writing time may be required. Thus, the actual duration of the project will be determined by the density of existing underground utilities and/or the presence of significant or sensitive discoveries which may require more time, in which case OAS will notify Century Link, State of New Mexico Historic Preservation Division (HPD) and the City of Santa Fe Archaeological Review Committee (ARC) concerning those manifestations. As the project field work is completed OAS will provide Century Link, HPD and the ARC with e-mail summaries of results.

Previous Archaeological Findings in Vicinity of Project Area

The trench location is in proximity of previously recorded sites LA 1876, LA 47695, LA 114245 and LA 154742 (see Figures 3 and 4). For those sites with information available in the NMCRIS database, they represent the remains of activities during the Coalition / Classic Prehistoric Period and during the Post-Pueblo Revolt, US Territorial, and Recent Historic Period periods (18th to 20th century deposits). Manifestations include the unmarked human burials, artifact scatters, and the remains of residential and industrial structures, such as a trash dump, a building foundation, power plant foundations, a reservoir, a tank, and a well. These are associated with glass, metal, prehistoric and historic ceramics, flaked stone and faunal artifact assemblages. Based on these previous archaeological findings, similar cultural resources are anticipated in the proposed project area.

Field Methods and Personnel

Monitoring mechanically exposed areas includes hand scraping sections of excavated trench walls to examine and document stratigraphy and subsurface deposits. Ideally intact cultural deposits would be absent or limited to a narrow range of manifestations. In these instances detailed recording and mapping will occur which may include limited hand excavation, screening of cultural deposits, and the recovery of artifacts. Conversely, if mechanical excavation exposes human remains, a more robust archeological excavation strategy will be implemented in consultation with Century Link, the HPD and the ARC. The level of documentation, archival research, and reporting will be scaled to the types of discoveries and laboratory analysis of recovered artifacts and samples would immediately follow the completion.

Functionally or temporally diagnostic artifacts will be opportunistically collected from trench back dirt as they are observed or from feature cross-sections exposed in the trench wall. After excavation, loose and smeared soil will be cleaned off of the trench walls with hand tools, and all trenches will be closely examined for exposed cultural deposits or features. The stratigraphic character and cultural content of each backhoe trench will be documented on a standardized excavation form. Artifacts found *in situ* in trench walls may be point-provenienced with a Global Position System (GPS) unit. Trenches are to be mechanically backfilled as soon as practical after documentation is complete.

Information to be recorded for the walls of the backhoe trench are sediment descriptions using a Munsell Color Chart and standard geomorphological descriptors, notes on artifact variety and frequency, evidence of disturbance, horizontal and vertical locations and associations, excavation technique, and temporal associations. Written descriptions will be recorded on standardized forms. All profile or elevation drawings will include a scale, north arrow, and key to abbreviations and symbols. Trench locations will be plotted using GPS coordinates and shown on an aerial photograph, topographic map, and other graphics related to the project. Excavation records will include photographs of the trenches and exposed cross-sections of cultural features and deposits. Photographs will include a metric scale, north arrow, and label board with the project name and feature number and date.

A crew of one (or two if required), supervised by OAS Project Director Stephen Lentz, will monitor the mechanical excavation of all trenches. The enhanced crew size (2 archaeologists) is optimally suited for observing the operation of one backhoe while simultaneously shovel scraping side walls, documenting sediments, and mapping trench locations relative to the previously established horizontal and vertical provenience system.

Post-Field Reporting

Once field work is complete, OAS will produce one final report on the results of the monitoring. This report will include a cultural historical and interpretive context, a description of the subsurface stratigraphy consisting of natural and cultural layers, descriptions of any features or archaeological sites that are defined as a result of the monitoring, a report on any artifact analysis that is required, conclusions and interpretations, and significance determinations and recommendations for any cultural resources that are encountered. The final report will be professionally edited and illustrated and will fulfill the requirements of NMAC 4.10.17 Standards for Monitoring. All artifacts recovered during the investigation will be catalogued, processed, and submitted for permanent curation at the Archaeological Research Collections Unit of the Museum of Indian Arts and Culture in Santa Fe. A draft copy of the report will be submitted for review and comment to Century Link, the HPD and the ARC. Once all review comments are in hand, sufficient copies of the final report will be produced to fulfill agency distribution needs and statutory requirements.

Please contact me at 827-6472 or at Robert.Dello-Russo1@state.nm.us if you have any questions or concerns. Thank you for your attention to this matter.

Best Regards,



Robert Dello-Russo
Deputy Director, Principal Investigator

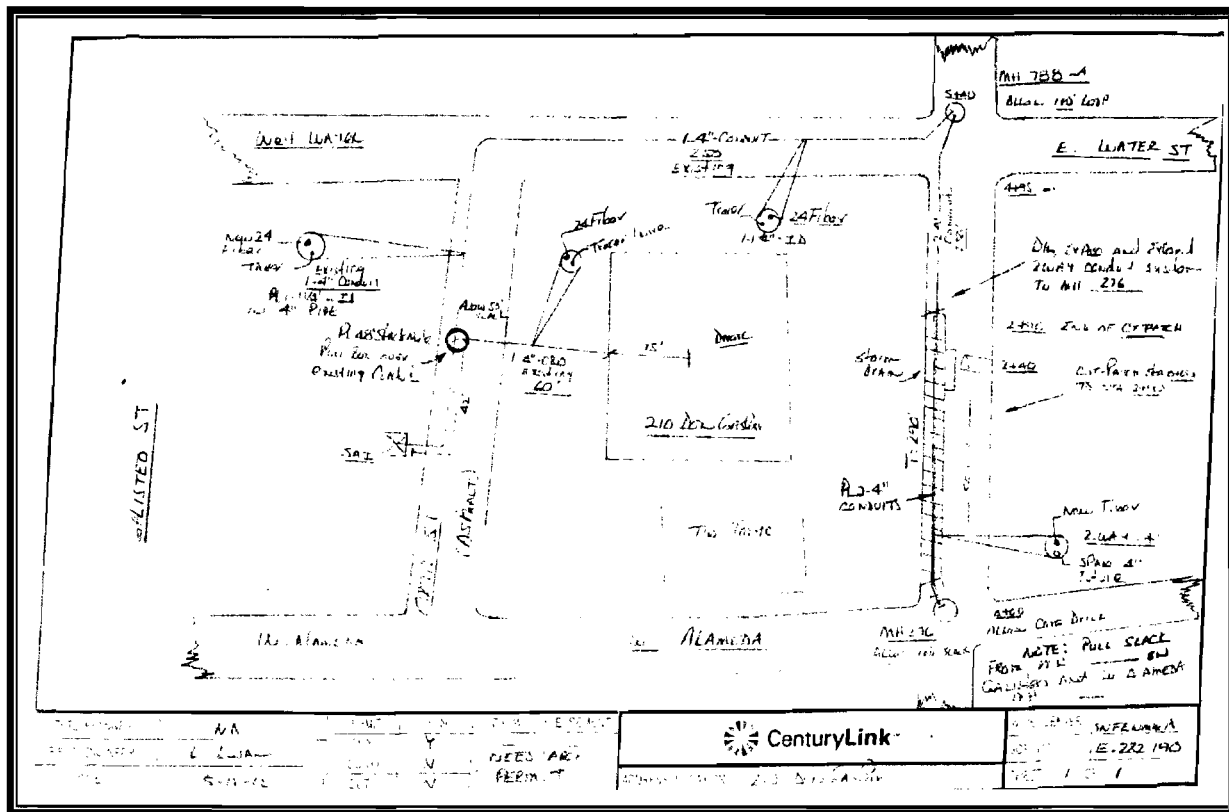


Figure 2. Detailed Illustration of Century Link Project Area on Don Gaspar.

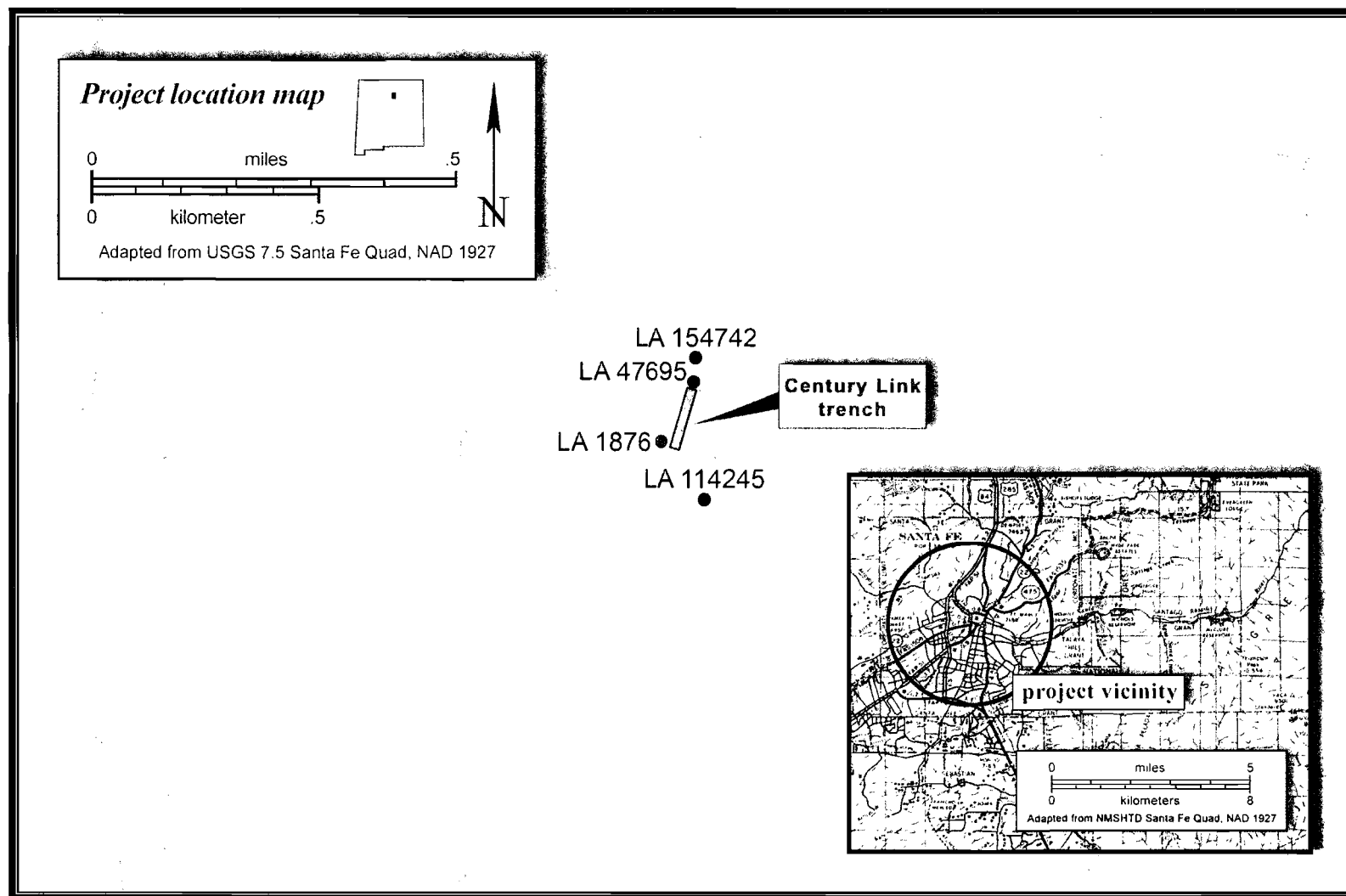


Figure 4. Location of Known Archaeological Sites in Vicinity of Proposed Project Area.

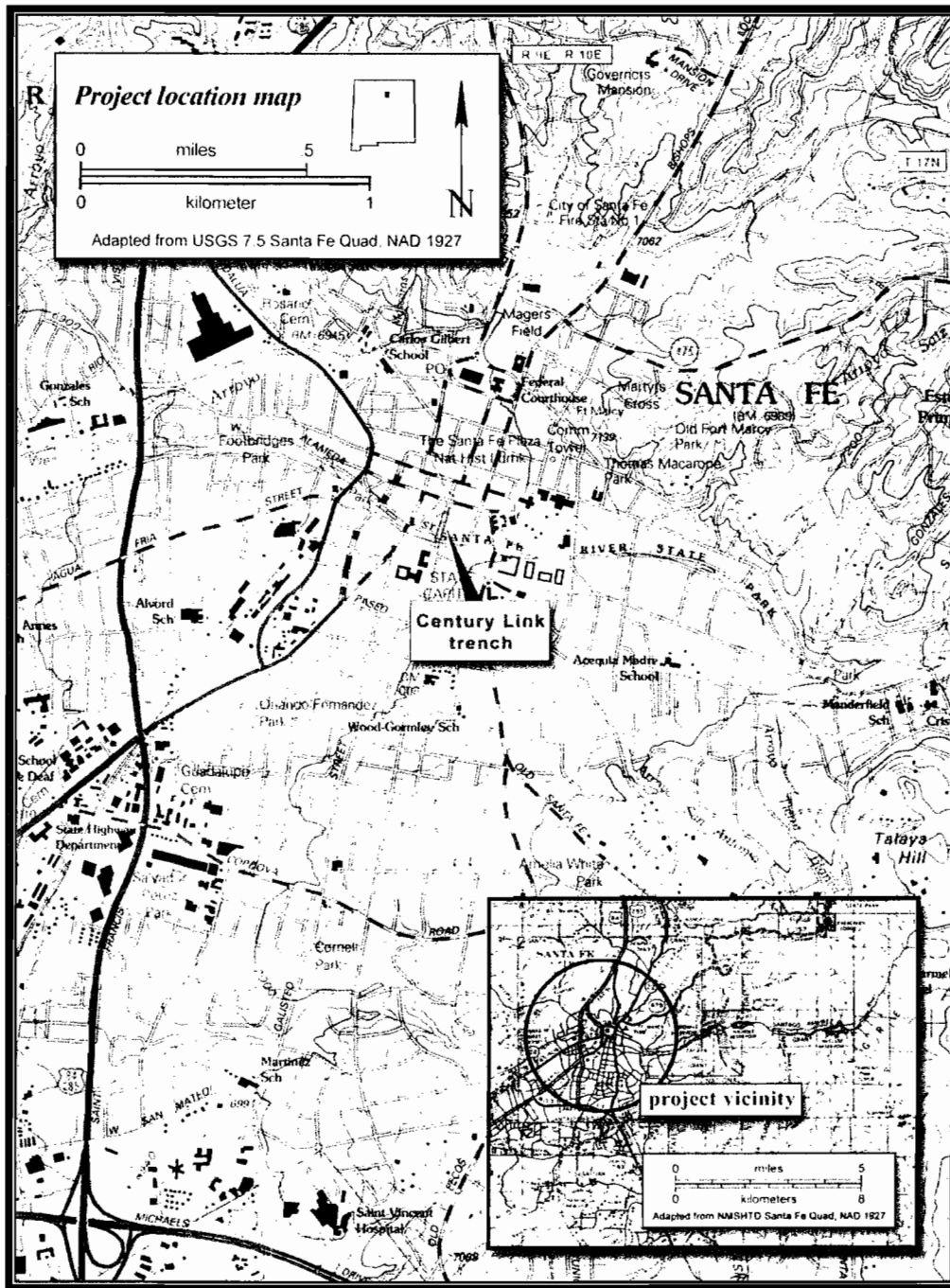


Figure 1. Location of Proposed Century Link Telecommunications Trench on Don Gaspar North of Intersection with West Alameda.