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ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, NOVEMBER 15, 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

November 1, 2012

E. ACTION ITEMS

- 1) Case#AR-14-12B. Consideration of final report covering limited excavation performed within an easement for LA 132712 at 125 North Guadalupe Street, located in the Historic Downtown Archaeological Review District. The request is made by Cherie L. Scheick, Southwest Archaeological Consultants. This case was tabled at the November 1, 2012 hearing.
- 2) Case#AR-26-12A. Approval of proposed monitoring plan covering approximately 1,500 sq. ft. of anticipated ground disturbance associated with Phase 2 of the Santa Fe River Park Renovations and Improvements project. Situated between St. Francis Drive and El Alamo Street, this phase encompasses three separate work areas, all within the Historic Downtown Archaeological Review District. The request is made by Robert Dello-Russo, Office of Archaeological Studies, for the City of Santa Fe.

F. ADMINISTRATIVE MATTERS

G. COMMUNICATIONS

H. MATTERS FROM THE COMMITTEE

I. BUSINESS FROM THE FLOOR

J. ADJOURNMENT

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five (5) working days prior to meeting date

**Index Summary of Minutes
Archaeological Review Committee Hearing
November 15, 2012**

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
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Call to Order	Mr. Eck called the meeting of the Archaeological Review Committee to order at 4:30 pm.	2
Roll Call	A quorum was declared by verbal roll call.	2
Review and Approval of Agenda	No changes from Staff. <i>Mr. Ivey moved to approve the agenda as presented, second by Mr. Pierce, motion carried by unanimous voice vote.</i>	2
Approval of Minutes November 1, 2012 Corrections: Name Corrcction: Dedie Snow	<i>Mr. Pierce moved to approve the minutes of November 1, 2012 as amended, second by Mr. Ivey, motion carried by unanimous voice vote.</i>	2
Action Items Case #AR-14-12B. Consideration of final report covering limited excavation performed within an easement for LA 132712 at 125 North Guadalupe Street, located in the Historic Downtown Archaeological Review District. The request is made by Cherie L. Scheick, Southwest Archaeological Consultants. This case was tabled at the November 1, 2012 meeting.	<i>Mr. Funkhouser moved to approve Case #AR-14-12B, Consideration of the final report covering limited excavation performed within an easement for LA 132712 at 125 North Guadalupe Street, located in the Historic Downtown Archaeological Review District, with the corrections that have been made, second by Mr. Pierce, motion carried by unanimous voice vote.</i>	3-7

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Administrative Matters	<i>Informational</i>	7
Communications	<i>None</i>	7
Matters from the Committee	<i>None</i>	7
Matters from the Floor	<i>None</i>	7
Adjournment	<i>There being no further business to come before the Archaeological Review Committee, Mr. Pierce moved and Mr. Funkhouser second to adjourn at 5:30 pm, motion carried by unanimous voice vote.</i>	7
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**ARCHAEOLOGICAL REVIEW COMMITTEE MEETING
MINUTES
THURSDAY, NOVEMBER 15, 2012
CITY COUNCILORS' CONFERENCE ROOM
CITY HALL, SANTA FE, NEW MEXICO
4:30 PM - 5:30 PM**

A. Call to order

Mr. Eck called the meeting of the Archaeological Review Committee to order at 4:30 pm on November 15, 2012.

B. Roll Call

Members Present:

David Eck, Chair
Derek R. Pierce
Gary Funkhouser
James Edward Ivey

Not Present

Tess Monahan, Vice-Chair, Excused

Staff Present:

John Murphy, Land Use Department
Bryan Drypolcher
David Rasch, Supervisor Planner, Historic Preservation Division

Others Present:

Glenda Deyloff, Project Manager
Cherie Scheick, Southwest Archaeological Consultants Inc., for Los Alamos National Bank/Santa Fe School of Cooking
Anna Serrano for Fran Lucero, Stenographer

C. Approval of Agenda

Mr. Ivey moved to approve the agenda as presented, second by Mr. Pierce, motion carried by unanimous voice vote.

D. Approval of Minutes

November 1, 2012

Name Corrections: Dedie Snow

Mr. Pierce moved to approve the minutes of November 1, 2012 as amended, second by Mr. Ivey, motion carried by unanimous voice vote.

E. Action Items

Case #AR-14-12B. Consideration of final report covering limited excavation performed within an easement for LA 132712 at 125 North Guadalupe Street, located in the Historic Downtown Archaeological Review District. The request is made by Cherie L. Scheick, Southwest Archaeological Consultants. This case was tabled at the November 1, 2012 meeting.

Mr. Pierce moved to un-table Case #AR-14-12B, second by Mr. Funkhouser, motion carried by unanimous voice vote.

Case is open for consideration.

The Chair asked Member Ivey if he had anything to offer on this particular case. No

Member Pierce: Questions on the Stratum designations in a few places.

Glenda Deyloff: We know there was some confusion of what we meant in some places, but with John's help we think we have addressed all of the issues. Ms. Deyloff referred to the comment in the November 1, 2012 minutes as stated; "*the Roman Numerals refer back throughout the document, it would be useful to have a table of contents.*" I sort of assume that meant the strat table? Mr. Pierce confirmed that is what it referenced. Ms. Deyloff said they had a strat table for what they did in this project and I think the confusion was that we were talking about things that we did in 2001-2002 so what we did was all the strats in that strat table and just referred to that strat table.

Chairperson Eck: I have nothing in addition; in fact Member Pierce had covered all of our collective questions about stratigraphic references.

Cherie: There was a question amongst the members about easements. Is this a comment for us to respond to? John clarified that the question was whether ARC was going to act upon their recommendations. Ms. Deyloff stated that they are not removing they requested that it be contracted.

Glenda: There was a question about three areas, one of them we said we would be fine in moving the easement because it is all mechanical fill. There is one that still has intact midden in it that we would like to keep the easement on and then there is that area in the middle where everything we put in the ground that wasn't in the impact midden, there is still that upper seven that we talk about. We are just afraid that just because they have taken the midden away at that point that that doesn't mean there isn't that possibility of burials in there. It is kind of like you take an easement off and contracted easement on that part and assume when they do new construction they tell you they are finding burials. One of our biggest problems is, if they bring in big equipment you could see them taking out burials without even knowing. Or you leave it on and make them do full mitigation when they do something in that area knowing that actual strats that are there don't mean anything.

Cherie explained Figure 19. When we first did this the previous owners did not want to do investigation of the whole property so that is why we didn't cover the whole property. This time when we went back we have been able to refine that so what Glenda is saying is that there is one area (the green area) that absolutely has no potential for human remains.

Glenda: We did a lot of testing and it is all mechanical fill up there. So taking the easement off that portion, I feel comfortable with. The blue area that you see to the south, we did in tact midden and everything was put in the ground there so we would like to leave the easement on there. It is the yellow part that is the problem that we are not quite sure about. Because at the level of the burials showed up, there still is a possibility that they could be there even though the midden is not intact.

Cherie: In discussing it for our burial permit with Michelle; she was not comfortable leaving them and having to deal with excavation over an area that she did not know what the full potential was. Her point was; if they do full construction there they would need to treat it as a full disturbance but she also then felt that the bigger question was the burial permit in terms of what the ARC wants to do about the existing easement. That was her opinion for us when we were closing out for the burial. It is really up to you, members of the Archeological Review Committee; and that is what the question was, what are you comfortable with. I actually told Glenda that I am really ambiguous about it because I think it really has a high potential but we can't demonstrate that potential in that area. Every place we put in it would either be disturbed, moved around, new fill had been brought in but then we weren't down at the lowest portion where the burial could show up, so that is our problem.

Member Pierce: Am I correct in summing up that you suspect that the midden impact cultural layer may have been disturbed but features that were excavated below that could still be there.

Glenda/Cherie: Yes, exactly, they could still be there.

Glenda: A lot of the burials started at the bottom of the midden.

Member Funkhouser: How deep is this?

Glenda: It totally depends on where you are. There are some places under the wing that they have taken everything away and then there are portions where you have 15 or 20 centimeters intact midden. It really depends on where you are and we didn't find any in the yellow area as indicated on Exhibit A.

Member Funkhouser: It isn't part of the green, right?

Glenda/Cherie: Correct, this is a complete difference, these are things they have done historically just moving things around, getting rid of things. This is; I believe if I

remember correctly, this is the original portion of the building and this they added on at a later time. Everything under here is basically clinical fills.

Cherie: It has been totally removed, so we weren't comfortable making the recommendation on how to handle this.

Chairperson Eck: Please refresh my memory as our minutes mention that we were asked about this, Ms. Monahan asked, "Are we being asked to remove the easement?" Staff response was, "procedurally you do not."

John: What I am saying is that this is a quasi legal action and we would need to have some type of affidavit or have the owner show up saying that she wants this. You can make a motion on the recommendation but to actually have this translated in to an adjusted easement is a legal issue. That is what I am trying to explain.

Cherie: Didn't Lloyd and Susan in one of the earlier meetings that we had when we turned in the prelim bring out the point that they wanted to address the easement based on the results and I think they did.

Glenda: I think they have brought that to the attention of the committee.

John: What the committee saw was essentially your original recommendation for an easement boundary and that is what was signed and filed at the County Court House. There has been nothing adjusted to this point.

Cherie: They wanted to contract it then and we said that we would not make that recommendation at that time because we hadn't finished the report and we did not know what the results were going to be. I know that they are interested in doing that and so we are just giving you our recommendations as a heads up that they are probably going to ask to have it contracted. That is how we feel about those three areas.

The Chair asked for any added comments from the members. The Chair suggested that their responses were duly noted, thank you, there is no reason to make any motions, discuss or agonize until such time that they actually approach the committee.

Mr. Pierce: I get the impression from what staff says that we are not directly responsible for removing or replacing the easement.

John: Not at this time.

Mr. Pierce: In that case, what are we being asked to do?

Glenda: I believe we are just giving you the information. When they do come back to you, you will know what they request.

Cherie: I don't remember exactly how the City easement works but I know that in the County if the Archaeology failed to bring anything up, if they adjust an easement or release an easement, I don't know what the city does.

Mr. Pierce: Mr. Chair I would like to ask something in the line of clarification. Glenda, on page 59, you discuss three alternatives; the first being; do nothing leave the easement as it is. Glenda: Right. Mr. Pierce: The second alternative is to require monitoring on Area C and then the third alternative is to remove the easement all together from that area. Are you asking us to render an opinion on which one of those that you recommend? Glenda: No. Mr. Pierce: Mr. Chair I agree with you, I don't think there is any formal action for us to do here today.

Mr. Pierce: I did check over the mistakes on the clarifications on the draft designations and it all looks good. I have no issues, they have all been addressed.

The Chair asked if the word perspective became the word. Glenda commented that it was probably something in spell check because it has happened before.

Mr. Funkhouser moved to approve Case #AR-14-12B, Consideration of the final report covering limited excavation performed within an easement for LA 132712 at 125 North Guadalupe Street, located in the Historic Downtown Archaeological Review District, with the corrections that have been made, second by Mr. Pierce, motion carried by unanimous voice vote.

Case #AR-26-12A. Approval of proposed monitoring plan covering approximately 1,500 sq. ft. of anticipated ground disturbance associated with Phase 2 of the Santa Fe River Park Renovations and Improvement project. Situated between St. Francis Drive and El Alamo Street, this phase encompasses three separate work areas, all within the Historic Downtown Archaeological Review District. The request is made by Robert Dello-Russo, Office of Archeological Studies, for the City of Santa Fe.

John clarified that this is titled as Phase II although the committee did not see the first project title as Phase I. The first project was the skate park improvement.

Bryan Drypolcher commented that there was nothing further to add to this request.

Mr. Funkhouser: In the staff report where it refers to "so called site area", is that a technical term?

John: That is a term we came up with, site areas.

The Chair said that there is no intent for it to imply anything archaeologically. John confirmed, no.

Mr. Funkhouser asked as a follow up, are all of the subsequent things that we look at over the next few months going to be AR-26-12 and some letter.

John: Yes, they will be.

Mr. Pierce: If we can refer to Table 1, Previously Recorded Archaeological Sites, the last site, LA153435, Loan Mountain did make a recommendation of eligibility when they recorded the site and they recommended it eligible under all four of them, A, B, C and D, they must have really liked it.

John: Thank you for the clarification.

Mr. Pierce moved to approve Case #AR-26-12A, Approval of proposed monitoring plan covering approximately 1,500 sq. ft. of anticipated ground disturbance associated with Phase 2 of the Santa Fe River Park Renovations and Improvement project. Situated between St. Francis Drive and El Alamo Street, this phase encompasses three separate work areas, all within the Historic Downtown Archaeological Review District, as amended, second by Mr. Funkhouser, motion carried by unanimous voice vote.

John: Amendment noted, thank you.

F. Administrative Matters

John: The hypothetical has become a reality we did get a request this week for a project along Marcy that includes 200 ft. of boring. We have talked about this in the past and we conclude that boring is not the route to use in downtown Santa Fe. Now that we have a proposal I would like to have a definitive word to give to the applicant. This is not a case it is just information that we have received.

The members conveyed that they don't like boring. Blasting blind holes through what we don't know is there is not a good analogy.

John stated that the last time this was discussed it was tied back to the ordinance in the fact that that the term boring did not apply. I will up on that.

G. Communications

None

H. Matters from the Committee

None

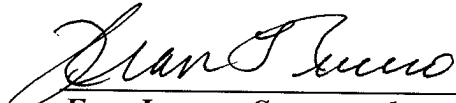
I. Business from the Floor

None

J. *There being no further business to come before the Archaeological Review Committee, Mr. Pierce moved and Mr. Funkhouser second to adjourn at 5:30 pm, motion carried by unanimous voice vote.*

Signature Page:

David Eck, Chair



Fran Lucero, Stenographer