



Agenda

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ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, February 19, 2015 at 4:30 PM

CITY COUNCILORS' CONFERENCE ROOM

CITY HALL - 200 LINCOLN AVENUE, SANTA FE, NM

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: January 22, 2014
- E. ACTION ITEMS
 - 1) Case #AR-19-14. Historic Downtown Archaeological Review District. Archaeological Monitoring Report for the CenturyLink Project on Paseo de Peralta and Old Taos Highway, as an alternative method of compliance with Section 14-3.13(C) of the Santa Fe Land Development Code. Ron Winters for CenturyLink. (Lisa Roach)
 - 2) Case #AR-05-15. River and Trails Archaeological Review District. Archaeological Reconnaissance Report covering 16.478 acres at 7241 Old Santa Fe Trail, in compliance with Section 14-3.13(C) of the Santa Fe Land Development Code. Ron Winters for the Mountain Cloud Zen Center. (Lisa Roach)
- F. MATTERS FROM THE FLOOR
- G. MATTERS FROM THE COMMITTEE
- H. ADMINISTRATIVE MATTERS AND COMMUNICATIONS
 - 1) Nominations and election of Chair and Vice-Chair of the ARC.
 - 2) ARC Member term expirations and re-appointments.
- I. ADJOURNMENT

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

**SUMMARY INDEX
ARCHAEOLOGICAL REVIEW COMMITTEE
February 19, 2015**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
ROLL CALL AND CALL TO ORDER	Quorum	1
APPROVAL OF AGENDA	Approved	1-2
APPROVAL OF MINUTES – JANUARY 22, 2015	Approved [amended]	2
<u>ACTION ITEMS</u>		
<u>CASE #AR-19-14. HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. ARCHAEOLOGICAL MONITORING REPORT FOR THE CENTURYLINK PROJECT ON PASEO DE PERALTA AND OLD TAOS HIGHWAY, AS AN ALTERNATIVE METHOD OF COMPLIANCE WITH SECTION 14-3.13(C) OF THE SANTA FE LAND DEVELOPMENT CODE</u>	Approved w/corrections	2-6
<u>CASE #AR-05-15. RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. ARCHAEOLOGICAL RECONNAISSANCE REPORT COVERING 16.478 ACRES AT 7241 OLD SANTA FE TRAIL, IN COMPLIANCE WITH SECTION 14-3.13(C) OF THE SANTA FE LAND DEVELOPMENT CODE. RON WINTERS FOR THE MOUNTAIN CLOUD ZEN CENTER</u>	Approved w/corrections	6-9
MATTERS FROM THE FLOOR	None	9
MATTERS FROM THE COMMITTEE	None	9
<u>ADMINISTRATIVE MATTERS AND COMMUNICATIONS</u>		
NOMINATIONS AND ELECTION OF CHAIR AND VICE-CHAIR OF THE ARC	Election done	10
ARC MEMBER TERM EXPIRATIONS AND 0- REAPPOINTMENTS	Information/discussion	10-18
ADJOURNMENT		18

**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
City Councilors Conference Room
February 19, 2015**

A. CALL TO ORDER

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on February 19, 2015, 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
Derek Pierce

Others Present

Lisa Roach, Historic Preservation Division – Committee liaison
Zachary Shandler, Assistant City Attorney
Melessia Helberg, Stenographer

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

C. APPROVAL OF AGENDA

MOTION: Derek Pierce moved, seconded by Gary Funkhouser, to approve the Agenda as presented.

VOTE: The motion was approved on a voice vote with Derek Pierce, Jake Ivey and Gary Funkhouser voting in favor of the motion, no one voting against, and Tess Monahan absent for the vote

Tess Monahan arrived at the meeting

D. APPROVAL OF MINUTES – JANUARY 22, 2015

Page 5, paragraph 12, line 1, correct as follows: "...~~First~~ Earth Analytic..."

Page 5, paragraph 12, line 2, correct as follows: "...~~Parametrics~~ Parametrix..."

MOTION: Gary Funkhouser moved, seconded by Tess Monahan, to approve the minutes of the meeting of January 22, 2015, as amended.

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

E. ACTION ITEMS

- 1) **CASE #AR-19-14. HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. ARCHAEOLOGICAL MONITORING REPORT FOR THE CENTURYLINK PROJECT ON PASEO DE PERALTA AND OLD TAOS HIGHWAY, AS AN ALTERNATIVE METHOD OF COMPLIANCE WITH SECTION 14-3.13(C) OF THE SANTA FE LAND DEVELOPMENT CODE. RON WINTERS FOR CENTURYLINK. (LISA ROACH)**

BACKGROUND & SUMMARY:

At the request of Rochelle Abeyta of CenturyLink, Ron Winters prepared an archaeological monitoring report as an alternative method of compliance with the requirements of performing reconnaissance in the Historic Downtown Archaeological Review District. The project entailed installation of subsurface fiber optic cable, requiring excavation of a 4' x 4' area to intercept existing conduit, trenching a total of 155 linear feet and excavation of a handhold at the end of the project area along Paseo de Peralta and Old Taos Highway. The consultant followed procedures laid out in a monitoring plan for the project, which was approved by the ARC on September 4, 2014. The monitoring report describes the results of archival research and monitoring activities and artifact analysis. Archaeological monitoring revealed a dense lens of historic artifacts (LA 181051), likely associated with the "Tertio-Millennial" celebration in Santa Fe in 1883.

STAFF RECOMMENDATION:

Staff recommends approval of this monitoring report, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and serves as an adequate alternative to the requirements of performing reconnaissance for the purposes of issuance of an Archaeological Clearance Permit (14-3.13(C)(4), with the condition that the report shall be forwarded to the SHPO for final review and approval.

Ms. Roach said she had nothing to add.

Ron Winter said it was a very interesting project and he didn't expect to find as much as he found. He said the project started at the northern edge of Paseo de Peralta and then ran up the western edge of Old Taos Highway, and as soon as he made the turn into the parking lot, the artifacts disappeared. He said he noticed "there's not earlier stuff and there's not later stuff. It's a very defined age range." He said he immediately started thinking about the Tertio-Millennial, and that is the reason there was a lot of information about that. He said it was an interesting project to monitor.

Mr. Winter brought a few of the artifacts so the Committee could see them before they were curated. He said the tall bottle is a Budweiser bottle from 1880, noting they started in 1876, so this is fairly early. He said he thinks they "pulled out all the stops" for this event and brought lots of things. He said the ink bottle is a stoneware English ink bottle, and the other is a soda bottle from a Santa Fe distributor. He found the crucibles interesting in that context, and believes they are directly associated with the event, noting the old photo of the exhibit hall which has booth after booth after booth. He said the crucibles are single asset sample. He included in the appendix an article from 1958 which David Rasch provided. He said there is a photo of the handbill, showing the general location of the site. He said if you look to the east of the site is where Alysia identified the cemetery.

Tess Monahan

Ms. Monahan thanked him for such a thorough historical review and said she is so happy he brought the objects.

Ms. Monahan offered the following correction: on page 52, paragraph 1, line 3, it should "many" instead of "man."

Gary Funkhouser

Mr. Funkhouser said he was glad to see the bottle – cultural continuity.

Derek Pierce

Mr. Pierce said he enjoyed the documentation of the event and the inclusion of the article which was a nice touch.

Mr. Pierce said he enjoyed the quote from the Chief of the San Juan and Mescalero, “I’m sorry all my folks can’t be here. Some of them are fighting the U.S. Army.”

Mr. Pierce had editorial comments as follows:

Page 30, paragraph 7, where he is talking about the walled cemetery at the Scottish Rite Temple, and he notes, “...*outlying graves have been encountered as far west as the Montgomery and Andrews Law Office Building*,” he could have used a reference there.

Page 43, paragraph 4, line 5, which says, “...*To prevent this, the Hutchinson stopper was patented in 1979*,” and he believes he meant 1879.

In NIAF there is no mention of the length of the monitoring project – you didn’t actually mention the 155 feet anywhere in the NIAF.

In the LA form Section 9, under Cultural/Temporal Affiliation, Mr. Winters has under U.S. Territorial 1880-1985, and believes he meant “1880-1885.”

Jake Ivey

Mr. Ivey said he has no comment.

Chair Eck

Chair Eck said to follow up on Mr. Pierce’s comment about specifying the length of the project, an ideal place would be in block 18 on the NIAF, where he indicates it’s a block survey, but it was linear. So if Mr. Winters made that linear and specified the length and width right there “you would done with one entry on one place.”

Chair Eck said in the appendix and on the Site Form, the figure illustrating the east wall profile, he got lost because both ends of both portions of profile are indicated with tick marks which usually means a continuation, and asked if there is one.

Mr. Winters said no, that is the extent of the lens.

Chair Eck said instead of making two hard ends it would be obvious where the match line is, otherwise we need a match line to show where they link up. He intuited that the top was the south end and the bottom was the north end looking east, and Mr. Winters said that is correct.

Mr. Winters said normally he copies it after the fact, and normally he indicates the profile on the drawing, but he just put it in text.

Chair Eck said it should show how the two halves fit together.

Mr. Winters said this was just the area where the artifacts were found.

Chair Eck said then there is more trench than is illustrated.

Mr. Winters said yes, this was to show what the stratigraphy was like, and also the surface.

Chair Eck asked for an additional illustration showing stratigraphy elsewhere, and said, "I take it means that C just disappears and you have A, B and D."

Mr. Winters said, "No. The artifacts disappear. It's that clay soil, it's the same, but you run out of artifacts, and I think that area has been bladed. And I think because of the building and various construction of utility lines, there has been a lot of disturbance. The stratigraphy looks like that. It just looks like it ran out of artifacts."

Chair Eck said, "I am asking because there is someone in the beginning of this project to document downtown things, and eventually knowing where cultural deposits begin and end is something they are going to incorporate into that data. And on the basis of this, I guess I don't know where it begins and ends."

Responding to the Chair, Mr. Winters said, "It's on page 56. The darkened line shows the end of the site and what's drawn on the profile, that 20 meters. The trench is the fine line that runs from the edge of Paseo behind that building, and the darkened line is the end of the site."

Mr. Pierce said, "I think the fact that you theorize and the artifacts peter out, strengthens your argument that this is not a feature, it's just a lens. If it had been a real feature you would see the soil change as well, but you mention that here in the meeting, not in the report. It would have been good to have that included."

MOTION: Tess Monahan moved, seconded by Gary Funkhouser, to approve Case #AR-19-14, archaeological monitoring for the CenturyLink Project on Paseo de Peralta and Old Taos Highway in Santa Fe, New Mexico, as modified by the members of the Committee, and that the report shall be forwarded to the SHPO for final review and approval.

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

2) CASE #AR-05-15. RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. ARCHAEOLOGICAL RECONNAISSANCE REPORT COVERING 16.478 ACRES AT 7241 OLD SANTA FE TRAIL, IN COMPLIANCE WITH SECTION 14-3.13(C) OF THE SANTA FE LAND DEVELOPMENT CODE. RON WINTERS FOR THE MOUNTAIN CLOUD ZEN CENTER. (LISA ROACH)

BACKGROUND & SUMMARY:

At the request of Chris Wuest of the Mountain Cloud Zen Center, Ron Winters conducted archaeological reconnaissance of 16.478 acres at 7241 Old Santa Fe Trail, in compliance with the requirements of performing reconnaissance in the River and Trails Archaeological Review District. The project involved archival research and visual survey of the parcel and resulted in the identification of twenty-one isolated occurrences, a sanitary can, a sardine can lid, and nineteen Civilian Conservation Corps check dams. All artifacts and features were field recorded, exhausting their data potential. No further archaeological work is recommended.

STAFF RECOMMENDATION:

Staff recommends approval of this archaeological reconnaissance report, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of performing reconnaissance for the purposes of issuance of an Archaeological Clearance Permit (15-3.13(C)(5)).

Ms. Roach said she has nothing to add to the report.

Mr. Winters introduced Chris West, of the Zen Center which is his client.

Mr. Winters said on page 52 he included a picture of a beautiful sculpture that sits at the Zen Center.

Mr. Winters said Steve Townsend had surveyed another part of the Zen Center property to the West and “found pretty much what I found – I found what he found actually. It was interesting to see those in that area.”

Tess Monahan

Ms. Monahan said it is interesting to learn that the check dams are the work of the CCC, and mainly that they are still there and still functioning all these years later. She said it is a fine report and said, “Thank you very much.”

Gary Funkhouser

Mr. Funkhouser had no comment.

Derek Pierce

Derek Pierce asked Mr. Winters about his decision to IO each check dam individually, rather than call it a site. He said, “I will stipulate that I agree with you that photographing and doing a brief description exhausts its potential. But there was still the alternative of making it a site and then calling it not eligible. So why did you choose to do IO’s rather than...”

Mr. Winters said, ‘I think there was a precedent set there, if you look on the north side all of the ones I found and Post found. In fact, initially some of them were identified as pre-historic, until somebody realized they didn’t function in that way, they were erosion control and built by the CCC. I briefly considered it, but I think you are creating a big problem if you call the check dams as one site. I don’t have a problem with dating the dams like we found in southeastern Santa Fe, but these small erosion features, I would hesitate to name as a site. You are welcome to comment on it.”

Chair Eck asked what Mr. Townsend did.

Mr. Winters said, “They were IO’s.”

Chair Eck said then the pattern of recordation is similar across the landscape.

Mr. Winters said yes.

Mr. Pierce said, "And Ron has past practice in his favor, and I think that's kind of been the standard around here. But it always bothered me that these clearly aren't just isolated, these are a system of check dams."

Responding to Mr. Funkhouser, Mr. Pierce said there's no clear guidance in the Ordinance.

Mr. Ivey said, "The first question that pops to mind is what would be the limits of the site."

Mr. Ivey said, "A question about the Map on page 2, does this map actually date from 2002."

Mr. Winters said, "Yes. It's a revised map."

Mr. Ivey asked, "What happens in 'this' stretch right 'here' then. That's Old Santa Fe Trail connected with Old Santa Fe Trail."

Mr. Winters said, "I don't know. It's revised in 2002,"

Mr. Ivey said, "And El Gancho Lane does this weird fork of something."

Mr. Winters said, "The original map was in 1998 and revised in 2002, but obviously they didn't completely revise it."

Mr. Ivey said he is just curious more than anything else.

Mr. Winters said it's a good question, commenting he hasn't found anything more recent.

Chair Eck said there's a digital version which is virtually useless, but it is new and different.

Mr. Ivey asked where does the City own it, "they don't seem to indicate that at all."

Mr. Winters asked Mr. Pierce about doing something for the Santa Fe area based on that report he has used as an appendix before in the CCC report, like some kind of historic history or something. That way it could cover a large area and wouldn't be restrictive schematically. He said he has plenty of information from the north side and in southeastern Santa Fe. It would be interesting to tie it together with what is happening south of the City.

Chair Eck said you could get all of the locations of the IO's that are check dams and keep them on the map.

Mr. Pierce said, "I think his underlying point was that he could do the Historic District in the context that goes with it, it sort of mitigates having to record it every time."

Mr. Winters said he doesn't know how many people know about the report that he includes as an appendix that shows the very specific gabion dams. He said, "I would love to assign those dams based on the photos, of course they've very changed now. I always look when I find those, do they compare to any of these photos, but I know they're in that area. It would be fun to photograph those now and compare from that report."

Chair Eck

Chair Eck said he has no comment.

MOTION: Gary Funkhouser moved, seconded by Tess Monahan, to approve AR-05-15, An Archaeological Inventory of 16,478 acres for the proposed Cloud Zen Center improvements at 7241 Old Santa Fe Trail, as requested by Ron Winters.

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

Too many people speaking at the same time to transcribe

F. MATTERS FROM THE FLOOR

There were no matters from the floor.

G. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

H. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

1) NOMINATIONS AND ELECTION OF CHAIR AND VICE-CHAIR OF THE ARC.

MOTION: Derek Pierce moved, seconded by Gary Funkhouser, to reelect David Eck as Chair and Tess Monahan as Vice-Chair of the Archaeological Review Committee for the ensuing year.

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

2) ARC MEMBER TERM EXPIRATIONS AND REAPPOINTMENTS.

Ms. Roach said she spoke with the City Clerk, and only two members were reappointed last year, Chair Eck and Gary Funkhouser and their terms will expire in June 2015. The terms for the other 3 have expired but will continue to serve until they are reappointed or someone else is appointed.

Ms. Monahan asked if the Mayor wants to make other appointments.

Ms. Roach said she will find out, but she hasn't heard anything in this regard. She said members will need to submit a letter and resume to be reappointed, but she isn't clear on the process of getting reappointed.

Zachary Shandler arrived at the meeting

Zachary Shandler, Assistant City Attorney said, "The show must go on." He said members can submit a letter and resume now to the Mayor for reappointment, and he will work with the City Clerk to keep track of the terms. He said some of the members have expired terms, but will continue to serve. He said it is time for the Government Body to get up to date on appointments.

Ms. Monahan said she is concerned that any actions taken by the Committee might not be legal.

Mr. Shandler said there is no legal problem there. He said the best practice probably is to do all 5 reappointments right now and provide for staggered terms.

Responding to Ms. Monahan, Ms. Roach said members can send the letters and resumes to her and she will see that those get into the right hands.

Mr. Pierce said he has been reviewing the materials Ms. Roach provided and asked, "Under what scenario can this Board make conditional approvals."

Ms. Roach said an example is when an easement is required to be placed on a property. The conditional approval is that the easement shall be recorded, and once recorded, then the approval is official.

Mr. Funkhouser asked if the City has contracted with Earth Analytics.

Ms. Roach said it is stalled in Finance, but they're working on it, and hopefully it will be released next week and we can move forward.

Ms. Roach said she received an orange barrel alert about utility projects today. There is a sewer line on Rufina that extends beyond the 550 linear feet threshold. She emailed the Project Manager in the Wastewater Division. He said, "We're using trenchless technology, how exciting. It is cool technology, you should drop by and see how it's done." She commented he was implying that archaeological review is not required. Responding to a question from the Board, Ms. Roach said trenchless technology is horizontal boring.

Ms. Roach said we are being challenged in numerous instances by various staff. She doesn't know what official action needs to be taken. She said some statement about trenchless technology should be included in the Code rewrite and employing trenchless technology requires archaeological review to determine the appropriateness of that technology for a particular location where it's being employed. She hasn't had the chance to speak with Mr. Shandler about this issue.

Responding to Mr. Funkhouser, Chair Eck said, "Just because Turnbow called somebody and somebody told him it's okay, doesn't mean it's okay."

Mr. Pierce said any Code rewrite isn't going to be done this month or even this year. He asked what we can do about this in the interim.

Ms. Monahan said what has happened before is projects would get stopped, but she is unsure that we can do that here.

Mr. Pierce said his point is that the Code actually mentions trenching, it doesn't say ground disturbing activity which would cover this, it calls it a trench. He said they are getting off by using semantics and asked if there is any way we can patch that hole until the Code is rewritten.

Ms. Roach said it may say installation of utility mains, including A,B,C & D, but it doesn't say anything about utilizing trenches. not trenching. She said, "In fact, there is an assumption if the City isn't digging a trench, we won't have to worry about archaeology. I wonder if department head to department head communication from Lisa Martinez might be appropriate."

Mr. Pierce said, "This has happened at least 3 times this year, and the odds are we'll have a couple more projects executed without being reviewed if we don't get something on paper that boring, trenching, regardless, it is still ground disturbing activity that needs to be reviewed."

Ms. Roach said it's not as if all horizontal boring will be disallowed, it's just that it should be reviewed.

Chair Eck said, "That's correct. Now, the first thing I'm thinking is what does the ARMS map look like, are there 3 overlapping site boundaries in that area so that we're very likely to plow into something. We don't know. Without review, one cannot know."

Chair Eck asked Ms. Roach, "Would your Department Director see fit to express an opinion to another department head."

Ms. Roach said, "Potentially, I think...She and I had a conversation about this very issue on Tuesday, I think it was, not this particular project, but it's an issue that's not going to go away, and I think there seems to be some difference of opinion even among Legal staff, at least in the Telecommunications Ordinance about the use of trenchless technology, and the feasibility thereof. The Telecommunications Ordinance states that trenchless technology shall be used where feasible. The definition of what is feasible is not provided, and so that's up to interpretation. To me, feasibility has to take into account cultural resources as well as geophysical type barriers, but I don't think that's the general consensus. I think that staff will need to follow up about what the best course of action is. I just wanted to bring it to this Committee and find out what your feelings are on it before I go any further."

Mr. Ivey asked, "Didn't we have a conversation with Ron Winters and the fiber cable people about the things he needed to do to allow them to do boring."

Ms. Roach said, "Yes, but then they jerked it from him."

Chair Eck said they then gave it to another person.

Mr. Ivey said, "What I meant was, do you think that we should look at that as constituting what our core basic opinion is about what is required."

Chair Eck said, "To the extent that our opinions are documented, we should be familiar with those in proceeding in any direction."

Mr. Pierce said, "Personally, I think that boring is fine when you are talking about not trenching across Cerrillos. That's a no brainer – to shut down a major artery just to monitor a trench. But when you're talk about 600 feet of basically open dirt, I don't see that as a viable option, because it's destruction without any monitoring of any kind. There's no way to monitor what you're doing underground."

Mr. Funkhouser's remarks here are completely inaudible

Ms. Roach said she thinks this Committee will have the opportunity to discuss this matter openly, with regard to the telecommunications project that came before this Committee, and they will be coming back very soon, if not on the next agenda.

Mr. Funkhouser said in the late 1980's there was street agreement between the DOT and the City, about who has responsibility, so the City is operating on that. Even though the DOT retained St. Francis, it had given the City the authority to permit during the project, but it doesn't say anything about environmental cultural resources. But the State guidelines have to be followed, and somebody has to do it clearly. He asked Ms. Roach if she has ever seen the document.

Ms. Roach said no.

Mr. Funkhouser said it breaks up little sections of every street and there is an amendment that undoes everything, but didn't change the *[inaudible]*. He said it's really confusing because no one actually has responsibility, because we had given the permitting to the utility project, but we never give up the right to make sure the requirements for resources are followed."

Chair Eck said he can testify that the DOT's utility requirements are quite clear and very strong. He said that's the only thing he has to make certain people do what they are supposed to do. "They're already required to do it because there is Highway Department involvement and I have a leg to stand on."

Mr. Roach asked what is the NM DOT's approach to the boring versus trenching question.

Mr. Funkhouser said it is the same thing, and we have the resources to evaluate it. He said if they are crossing a highway then we'll try to do it without causing a problem.

Chair Eck said, "But most of the disturbance associated with the highway crossing typically is outside the Highway right-of-way fence, so the part the Highway Department is permitting is just the bore, but you have a 200 x 200 foot area on each side and they probably will dig a ginormous hole to get the boring equipment in."

Mr. Funkhouser said it's not trenchless actually.

Ms. Roach said it might be worth pursuing a resolution to what was done several years ago for the Historic District that the City departments will adhere to if it is an ordinance related to the historic districts.

Ms. Roach said she has been selectively handing out the brochure, thinking we're about to rewrite the ordinance and she doesn't want to get people really up to speed on an Ordinance that's about to change, that was her concern.

Ms. Monahan said, "I don't think this is going to happen anytime soon. I think it's going to be next year. Did we decide whether or not we have rulemaking authority."

Mr. Shandler said they probably are going to put it in the Ordinance rewrite. He asked Ms. Roach if she has received the letter for the Chairman's signature that starts the public comment process.

Ms. Roach said she has been away from her computer a lot the last two days, but she did see it and she meant to print it and bring it tonight. She can go and do that now so the Committee can act on that letter.

Mr. Shandler said, "I think the Committee has already give the authority for the Chairman to sign *[inaudible because of noise overlay]*."

Chair Eck said we can do it now or after everybody leaves.

Ms. Roach said she will go up and print it after the meeting adjourns.

Chair Eck said, "Before we leave the document you gave us, I have been told by former members of this Committee in no uncertain terms that this Section 14-2.8 Additional Procedures and Landlords, where it says, "*A member shall not inspect the site of any subject property except pursuant to a public noticed site order that affords all parties the opportunity to attend.*" I took that to have meaning, and have told contractors and applicants that I will not do that. But other members in past times have apparently not seen the world that way and have routinely visited locations and are mystified as to why they would not be allowed to do so. It was in fact a point of

discussion with the Mayor at the time that I acquiesced to his invitation to serve, because I think there are times when this Committee as a body has an obligation to visit some of these areas to see what actually is going on. So I'm glad to see it in there, and I believe that it applies to us, because there's nothing in here that says it doesn't apply to us. Is that a good reading."

Mr. Shandler said this provision has been controversial under a lot of Land Use Directors, and they have gone back and forth over time. Some people think it's a great idea to have a field trip for observing a site, other think that affects your *quasi judicial* approach because you have information that doesn't come out in a public meeting. That's probably why you hear conflicting stories from your predecessors.

Chair Eck said, "Just as a matter of record, I would never acquiesce to an invitation from anybody to do so. And in reading more of this it seems somehow or other I need to be omniscient and tell them not only no, but you can't communicate with me about such things. Because it says '*shall not communicate with any interested party.*' When folks call, short of just hanging up on them, how do I not communicate with them and fit within this."

Mr. Pierce said, "The way I read the end of that section, I think the obligation is that you have to report to the Committee, on the record, that such communication took place. Basically telling them they requested a field visit and I told them no, and that will suffice."

Chair Eck said, "That obviously was not something that I was doing."

Ms. Roach said, "You can direct them to me if that would help to alleviate the situation and give them somewhere else to ask a question."

Mr. Ivey said, "It is clearly in conflict with the fact that you are all professionals working in areas that cross over this. It's basically saying that, if you, during the course of you work day sit down and have a conference with people, including people involved in something before the ARC, you've violated something, God knows what."

Chair Eck said you just have to control your subject matter.

Ms. Roach said, "Or you can come to the Committee and disclose it and recuse yourself."

Responding to Ms. Monahan, Chair Eck said we have a subcommittee consisting of member Pierce and myself.

Ms. Roach said, "And then a decision was made to send a letter requesting input from other interested, qualified professionals, to receive that by a certain date, and the proceeding with discussion and making amendments. That's the letter that Zach drafted that I need to transfer to the Chair."

Mr. Ivey said he will not be in attendance at the next meeting on March 5, 2015.

Ms. Roach said in the event the Santa Fe Fiber Project comes back on that date, one of the members had decided to recuse himself, so we may not have a quorum for that particular case.

Mr. Funkhouser said he has to recuse himself because he works for the DOT.

Ms. Roach said we can hold the meeting with a quorum of 3 members.

The Board discussed its authority in terms of rules, regulations and external policy.

Too many people talking at the same time to transcribe here

Chair Eck said, "The closest analogy I can come up with is the Northwest Sector, an ill defined area of Santa Fe where we finally decreed some way or other that certain things would happen following a certain protocol. We can do that, but we did that in a specific context and didn't just decide, hey we need a policy about something."

Ms. Monahan said, "But we all agree that the issue has come up and it will continue to come up, and people are using that as a way not to conform with this requirement. At least it would give us something to work with until we get the rewrite done, because it's going to take a long time."

Too many people talking at the same time to transcribe

Ms. Roach said it would still require some official communication from the Land Use Department on behalf of this Committee, at least everyone else in the City, saying the threshold requiring archaeological review is...."

Mr. Funkhouser's remarks here are completely inaudible.

Chair Eck said we agreed that trenching across the Acequia Madre might not be a grand idea.

Mr. Pierce agreed, but they would have to come in and present a plan that says from here to here, and why.

Ms. Roach said, "Then you know, those big holes that have to be dug would have to be monitored I would think."

Chair Eck said it all depends on the scale of the project. Some trenching can be done with a pit that is hardly any bigger than 1/4 of this table, but most of it is at least as big as this table, and when you get down in the Southeast oil patch, it's humongous.

Ms. Roach said, "I would imagine boring for a new sewer line would be a rather substantial hole, as opposed to boring for a two inch hole for 4 fibers is a much smaller hole"

Mr. Funkhouser asked Ms. Roach if she found about the orange cable that we talked about last time, some exposed telecommunication lines.

Ms. Roach said no.

Chair Eck said he hasn't happened to walk by there, so he's not noticed. He said if he sees something orange as he drives by he might notice.

Mr. Ivey said, "Up by the Outlet Mall where the new VA Clinic is, just to the north side of the I-25 corridor, they're doing a bunch of roads and clearing off in preparation for building things. Everywhere out there are coils of the orange things either sticking out of the ground or about 3 curves out of the ground. So whatever it is, they're using it, but that's way outside the City limits of course, but it's an example of stuff going into the ground. The thing is, I never see any actual human beings there, so there's nobody I can stop and ask what is that."

Chair Eck said that's a new subdivision and isn't it in the City limits now, which goes to the question of has there been an archaeological survey of said subdivision, because it's pretty big. And it would seem to me it falls under the criteria.

Ms. Roach asked the name of the subdivision.

Mr. Ivey said it's across Cerrillos from where the big, huge Walmart went in.

Chair Eck said in looking at the map, he doesn't see a large block of survey space.

Mr. Pierce said if you look at our map, you might not, because Santa Fe County doesn't always play ball.

Mr. Ivey said, "I have one question. A person I know asked me to ask any of you that might have knowledge, about the thing called the Pinon Pipeline. They wanted to know were there public meetings."

Chair Eck said, "There were two public meetings. It is kind of on hold, but I also have heard it's been abandoned like another pipeline recently, the Kinder-Morgan Lobos CO2 Pipeline Project from Arizona to Central New Mexico, which is a very big deal. They pulled the plug the day before the meeting providing the programmatic agreement to get it facilitated."

Mr. Ivey asked where the record of the public meetings would be filed.

Chair Eck said the BLM and they're good about getting them on their web page.

Mr. Funkhouser said someone is doing a video of the whole thing with it.

Chair Eck suggested starting with the BLM Farmington web page and see how you can track it.

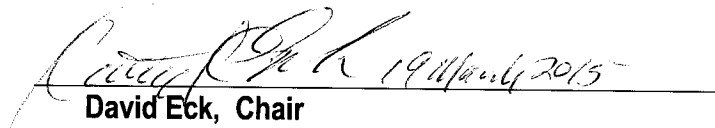
Responding to Mr. Funkhouser, Chair Eck said a lot of their pipefitters are Navajos, so it's important to them.

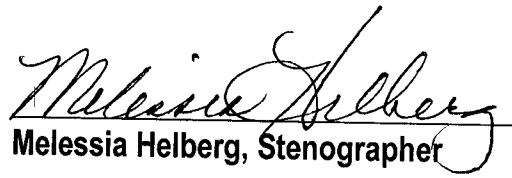
I. ADJOURNMENT

There was no further business to come before the Committee.

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

VOTE: The motion was approved unanimously on a voice vote, and the Committee was adjourned at approximately 5:45 p.m.


David Eck, Chair


Melessia Helberg, Stenographer