



Agenda

ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, March 5, 2020, at 4:30 PM

CITY HALL COUNCILOR'S 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 9, 2020 and February 6, 2020

E. MATTERS FROM THE FLOOR

F. ACTION ITEMS

1. Case #2020-001775-ARC. Ron Winters, agent for Greg Gonzales, requests approval of an Archaeological Reconnaissance Report for the development of Lot 3 at Governor Miles Road and Richards Avenue in the Suburban Archaeological Review District. (Lisa Gavioli Roach lxroach@santafenm.gov, 955-6577)
2. Case #2020-001779-ARC. Office of Archaeological Studies, agent for High 5 Networks LLC, requests approval of an Archaeological Monitoring Plan for subsurface conduit installation along Water Street in the Historic Downtown Archaeological Review District. (Lisa Gavioli Roach)

G. DISCUSSION ITEMS

1. Alysia Abbott, agent for Jenkins Gavin, requests discussion of treatment options for the unexpected discovery of human remains at 401 Old Taos Highway during construction of La Secoya de El Castillo Senior Living Retirement Community in the Suburban Archaeological Review District.

H. MATTERS FROM THE COMMITTEE

I. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

1. Case 2020-001741-ADMIN (Addendum to Case #AR-16-2019). Tierra Right of Way, agent for the City of Santa Fe, owner, requested and was granted administrative approval of an addendum to the approved Archaeological Reconnaissance Report for the construction of Santa Fe Fire Station No. 2 in the River and Trails Archaeological Review District. (Lisa Gavioli Roach)

J. ADJOURNMENT

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

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: February 26, 2020

TIME: 8:03 AM

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March 5, 2020

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**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING
City Councilor's Conference Room
March 5, 2020**

A. CALL TO ORDER

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on March 5, 2020, in the City Councilor's Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

David Eck, Chair

Derek Pierce

James Edward Ivey

Cortney Anne Wands

Dale F. Zinn

Others Present

Lisa Roach, Manager, Historic Preservation Division – Committee Liaison

Paul Duran, Archaeological Technician, City Water Division

Don Helberg for Melessia Helberg, Stenographer

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

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

C. APPROVAL OF AGENDA

MOTION: Derek Pierce, seconded by Jake Ivey, to approve the Agenda, as presented.

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

D. APPROVAL OF MINUTES: JANUARY 9, 2020 AND FEBRUARY 6, 2020

The following corrections were made to the minutes of January 9, 2020:

Page 8, paragraph 8, correct as follows: "~~Ms. Wands remarks here are inaudible~~. Ms. Wands asked Mr. Boggess what he did with the possible human remains, and if he would tell her where they were located, she would go to the site the following day and identify them, as to whether they were human or not."

Page 9, paragraph 13, correct as follows: "....an ~~inaudible~~ bioarchaeologist or a ~~inaudible~~ trained faunal analyst."

Page 5, paragraph 3, line 5, correct as follows: "...The ~~clear~~ sherds seem..."

Page 6, paragraph 2, line 1, under Cortney Anne Wands, correct as follows: "...were filing farming right up..."

The following corrections were made to the minutes of February 6, 2020:

Page 9, paragraph 1 under Cortney Wands: Correct as follows: "~~Ms. Wands remark here was inaudible~~ Ms. Wands told Ms. Ramirez-Thomas that the NIAF was missing. Ms. Ramirez-Thomas said she did the ~~map~~ NIAF but..."

Page 16, paragraph 3, correct as follows: ~~Unidentified~~ Mr. Zinn said ~~she~~ he is..."

Page 16, paragraph 1 under Cortney Anne Wands, correct as follows: "... is ~~inaudible~~ waiting..."

Mr. Ivey said he is always surprised how much more rational he sounds in the notes.

Mr. Pierce said he agreed that he sounds much "smarter than I am, particularly the meeting of January 9th when I was the Acting Chair, it reads like I knew what I was doing..."

MOTION: Dale Zinn moved, seconded by Derek Pierce, to approve the Minutes of the Meetings of January 9, 2020, as amended, and February 5, 2020, as amended.

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

E. MATTERS FROM THE FLOOR

Ron Winters said he is unsure of his duties on the El Castillo project, noting he was the original archaeologist on that project. He was given direction by SHPO that they want the southeastern corner to be bladed rather than trenched, partly because there is a sewer line there. There were no human remains except in the trench on the south side. However, his relations with JenkinsGavin ended, unbeknown to him, and he was not paid on that project for 1½ years. He said JenkinsGavin was paid months before that. He wants the Committee to know that it wasn't his fault that he wasn't notified and he didn't deal with that project. He is happy for Dr. Abbott to have the project, noting he has worked with her many times and said she is more than competent. He said his last communication "with them was Colleen telling me that it wasn't your fault that I wasn't getting paid." He said it was a sad ending to a good relationship, but he fully intended to honor his obligation, but he was not able to do so. He will pass "whatever information I can on to Alysia and hopefully this will be handled in a competent and professional manner, and I'm sure it will be with you at the helm."

Colleen Gavin, JenkinsGavin, said, "I will say for the record, any business dealing with Ron [inaudible] his services has nothing to do with this project. He was engaged directly with El Castillo for the plan and its [inaudible] to SHPO, and then subsequently to the City. I feel it is inappropriate for that statement to be made here at this time. It has nothing to do with the parties that are here. Once again, archaeological services are conducted directly with the client and not with JenkinsGavin. So any issues you may have with a client of ours, is between you and the client. Again, it is inappropriate, and I believe it is [inaudible]. We did do it, but it was brought up in this hearing. So, I will just state that for the fact [record]."

Ms. Gavin continued, "As far as moving forward, I will state for the record, that Ron Winters did enter our job site without authorization, came in and has photographed the remains. I was notified by the Superintendent and the Project Manager. He was not engaged at El Castillo at that time, and he had no authorization to go on site and we notified the proper authorities and followed the proper protocol once the remains were discovered, and Alysia was engaged because she was the most appropriate person to handle the situation."

Dr. Alysia L. Abbott said she will be talking in detail about what has happened up to this point. She said, as someone who has been an archaeologist who has had a permit with the State for 25 years, as well as a Burial Permit to work human remains, as well as also being on the list of Approved Archaeologists for the City of Santa Fe, she said she "has been engaged for this project to engage our Burial Permit." She said everything that was done, in terms of engaging Abbottek and herself was done in accordance with State and City of Santa Fe guidelines. She said, "This isn't a competition about which archaeologist should be involved in this project, and/or anyone else's opinion about whether or not I am qualified to handle this project." She believes her permits should speak for themselves. She said, "I will go forward and let the Committee do their.... and then I'll be glad to talk to you about what we actually know about this project, not what just happened in the past, and how we intend to go forward."

Mr. Winters said, "I would also like to say that when I did the project, I was to be notified if there were human remains. That was part of the condition. And I was not..... and not that JenkinsGavin [inaudible], but I wanted the Committee to know that I, having done the project, that was part of my approval, was the notification if human remains, unexpected human remains were found. And, I was not."

Mr. Zinn said what is critical here is who was the archaeologist of record at the time when this happened, and the notification process. He said, "Because I can say, if no burial was found, it probably would be just water under the bridge, but this kind of brought it up front. And I would think, the notification part, that this Committee has to be assured that when something happens, something of note, out there in the field, that the proper notification takes place. And so, it seems like that ball [inaudible]."

Dr. Abbott said she is very sure that every single notification that is required by law was followed in this case. There was no dropping of the ball. There are no gaps. There was nothing that was done untoward. The SHPO officer immediately was informed, so was CLMI. They immediately were informed by an archaeologist with a burial permit, Dr. Alysia Abbott, not Ron Winters... and we went out there, and evaluated the situation, SHPO had already been out there. There was no dropping of the ball, there were no gaps.

Dr. Abbott continued, "There is an attempt, I will say right now, and I will say it for the record, for the reporter that is here, is there has been an attempt all along to suggest that something was not done correctly for this notification. That for some reason, something was out of whack. And my experience in this project so far is that everything has been followed by the book by the professionals that were involved. A lot of people who were not involved in the project and were not necessarily professionals were involved in this project, not the people who were actually in the know, permitted professional hired people involved in this project, were not initially the ones who were talked to, or consulted. There were other people that were consulted first and unfortunately, that has resulted in this information going forward, that for some reason, the appropriate procedures were not followed by a huge number of professional, experienced, hired people from the Deputy of SHPO on down, who were involved from the very beginning, and I don't want to hear again, for the record, that any of this procedure has not been followed."

Mr. Winters asked, "So you notified the City at the same time."

Ms. Roach said, "I was notified by Michelle and shortly after she was notified by JenkinsGavin and shortly after Alysia Abbott was engaged. I don't see that there was any issue with protocol in that regard. I think that SHPO was engaged, the City was engaged, around the same time. I'm comfortable with how that happened. I wasn't aware that there was a controversy brewing."

Unidentified said, "[inaudible] was aware that there was a controversy."

Dr. Abbott said, "I don't think there is a controversy. As soon as I was notified by the Superintendent, we contacted law enforcement. That's the first thing you do. I called out the medical examiner. It was in their jurisdiction. Once they determined that SHPO needed to be notified, we notified SHPO. That's what we did. We did whatever the law was. Period."

Ms. Roach said, "If we could just put that conversation to rest for now. We can have more discussion about the actual specifics of the project further down on the agenda. I think it's probably appropriate for us to move on to the docketed items."

There were no further Matters from the Floor.

F. ACTION ITEMS

1. **CASE #2020-001775-ARC. RON WINTERS, AGENT FOR GREG GONZALES, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL RECONNAISSANCE REPORT FOR THE DEVELOPMENT OF LOT 3 AT GOVERNOR MILES AND RICHARDS AVENUE, IN THE SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICT. (LISA GAVIOLI ROACH, lxroach@santafenm.gov. 955-6657)**

BACKGROUND & SUMMARY:

An archaeological reconnaissance report is presented by Ron Winters for the cultural resources survey of approximately 4.08 acres that was not previously surveyed for the proposed development of Lot 3 (96.73 acres) at Governor Miles and Richards Avenue in the Suburban Archaeological Review District. The archaeological survey revealed no archaeological sites or isolated occurrences. Based on the results of the survey, the archaeologist recommends that there is no cultural significance and that no further investigation is needed.

STAFF RECOMMENDATION:

Staff recommends approval of the report, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of Archaeological Clearance Permits (14-3.13).

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

Ms. Roach said she had nothing to add.

Responding to the Chair, Mr. Winters said he hopes he made clear in the report the reason it was just a 4.08 acre survey, given the whole 97 acres to be developed. He included Matthew Schmader's report, noting he has respect for his work and with his personal communications. He said he had hoped to get the Committee the Clearance Form. Unfortunately, Lisa [Roach] looked for a couple of weeks, and she thinks that what happened was when there was flooding in the basement here, those records were part of that, because she couldn't find all of 1993. Therefore, he had to rely on Mr. Schmader's memory about the meeting at that time. He said he found there were conditions about the site, noting Mr. Schmader's was a 275 acre survey, while his project area is 97 acres, noting that 4.08 acres of that had not been surveyed.

He said Mr. Schmader found 3 sites in his larger survey, all of them outside our project area. Unfortunately, there were not maps of the I.O.'s in the Report. He thinks there were 30 I.O.'s in the 275 acre survey, so there wasn't a lot. And you can see in the end, in the back of the report, what it is that they found. "Again just to let you know why it was done that way. Surveying the part that I hadn't surveyed and that he didn't find anything of note within the larger survey area..." He said he hopes he made that clear in the Report, but he just wanted to state it to the Committee as well.

Jake Ivey

Mr. Ivey had no comment.

Derek Pierce

Mr. Pierce, referring to packet page 7 where Mr. Winters discusses the previous survey, said in Paragraph 2, line 5, Mr. Winters says, "*It was recommended that a construction permit be issued for this project pending the results of further site evaluations.*" He asked if those further site evaluations were done.

Mr. Winters said no, noting Matthew [Schmader] searched for his original records for a few days. He said, "What he did say was, that they got with Site #2 and #3, when the construction was planned."

Mr. Pierce said then Sites #2 and #3 were the ones potentially eligible, and asked if either of those are in the project area.

Mr. Winters said none of the 3 are in the project area. He said you can look on the NIAF form, 100953, 100054 and 100955. There were 3 of them, but none of them are in my project area. He said he tried to do due diligence to come up with that form, but it sounds like it may not exist. He said Mr. Schmader said that he [Winters] was challenging his memory. Mr. Winters also went through his records and did not find it.

Mr. Pierce said he is satisfied, as long as the undetermined sites are not within the current project area.

Ms. Roach asked if those sites within Lot 3, generally, are what is proposed for development.

Mr. Winters said they are outside Lot 3. He said 'this' is what I surveyed. He said, "It was unsurveyed, and I relied on his... had been approved by that." He said, as you will see in his report, he has AR-1993, no number was assigned to it at that point before it went to the Committee. So, he did take it to the Committee.

Ms. Roach said she wants to be clear, so when she is asked to sign-off on whatever development plan is coming....

Mr. Pierce said it looks like the sites we are talking about lie in Lot 1 and Lot 2, and asked if those are developed already.

Ms. Roach said she doesn't know.

Chair Eck said, "Lot 1 is the northern area, north of Governor Miles Road. It's certainly developed. It's covered with houses. And having personally shoved dirt around on that spot, under the guidance of Dr. Abbott, I'm pretty sure it is not. And it was the one that was not eligible."

Ms. Roach said the big issue here is that the City records have been incomplete, and some records were lost in the flood that happened in the last two years. She said she doesn't know if we can piece together what really happened specifically. She will see if she can do further research "to nail that down."

Mr. Winters reiterated that none of those 3 sites are in this project area, and were part of a much larger [inaudible].

Dale Zinn

Mr. Zinn had no questions.

Cortney Wands

Ms. Wands said Mr. Pierce asked her question.

Chair Eck

Chair Eck had no further questions.

MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2020-001775-ARC, to approve the Archaeological Reconnaissance Report for the development of Lot 3 at Governor Miles Road and Richards Avenue, in the Suburban Archaeological Review District, as requested by Ron Winters for Greg Gonzales, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of Archaeological Clearance Permits (14-3.13).

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

2. **CASE #2020-0011779-ARC. OFFICE OF ARCHAEOLOGICAL STUDIES, AGENT FOR HIGH 5 NETWORKS LLC, REQUESTS APPROVAL OF AN ARCHAEOLOGICAL MONITORING PLAN FOR SUBSURFACE CONDUIT INSTALLATION ALONG WATER STREET IN THE HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT (LISA GAVIOLI ROACH, PLANNER)**

BACKGROUND & SUMMARY:

High 5 Networks, LLC, plans to install conduit by trenching for the placement of fiber optic lines along the south side of Water Street from Sandoval Street east to 202 Galisteo Street. The conduit will connect to the west side of 202 Galisteo Street, which houses the Collected Works Bookstore and Otra Vez vacation rentals. A total of 320 linear feet of trenching will be required, measuring 2 ft. deep by 2 ft. wide. One new vault will be excavated near the midpoint of the route, and an existing vault will be accessed at the west end of the route. During excavation, an archaeologist will be onsite to monitor back-dirt, examine any exposed stratigraphy. Closer examination will be conducted in areas with artifact content, archaeological features, or in areas of changing sediment composition. Any cultural materials and features encountered will be documented, and artifacts and samples collected when appropriate. Upon project completion, collections will be analyzed as needed, and a final report will be presented.

STAFF RECOMMENDATION:

Staff recommends approval of the archaeological monitoring plan, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of Archaeological Clearance Permits (14-3.13).

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

Ms. Roach said she has nothing to add.

Responding to the Chair, Karen Wening, Office of Archaeological Studies, Archaeologist for the project, said there are several corrections, as follows:

Page 20, paragraph 3, line 4, correct as follows: "...rock-lined acequia..."

Page 20, paragraph 5, line 1, correct as follows: "...Services ~~acres~~ surveyed..."

Page 30, under Figure 8, correct as follows: ~~The municipal jail as identified by Pace, Hordes and Davis (1990) is marked by the blue circle.~~

Page 39, Paragraph 1, line 9, correct as follows: "...building ~~remains~~ remain. The..."

Page 46, Paragraph 1, line 2, correct as follows: "...this ~~natural watercourse~~ possible acequia..."

Page 49, Paragraph 2, line 4, correct as follows: "...either side ~~were~~ demolished..."

Page 49, Paragraph 3, line 7, correct as follows: "...features ~~that~~ may...."

Ms. Wening said she had no further comment.

Cortney Anne Wands

Ms. Wands said had no comment.

Dale Zinn

Mr. Zinn said he is thankful for the Sanborn maps that are so well done, and the overlays.

Mr. Zinn said on page 47, line 2, they talked about the El Fidel Hotel as if it had been demolished and rebuilt, which didn't happen, "... *many of the structures between Sandoval Street and the Hotel el Fidel...*"

Ms. Wands pointed out that the report said "many" of the structures were demolished.

Ms. Wening said that didn't include the hotel.

Jake Ivey

Mr. Ivey said there were "very nice illustrations," and other than that, he had no comment.

Derek Pierce

Mr. Pierce had no comment.

Chair Eck

Chair Eck said he had nothing to add.

MOTION: Derek Pierce moved, seconded by Dale Zinn, with respect to Case #2020-001779-ARC, to approve the Archaeological Monitoring Plan, for the subsurface conduit installation along Water Street in the Historic Archaeological Review District, as requested by the Office of Archaeological Studies, agent for High 5 Networks LLC, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the requirements of Archaeological Clearance Permits (14-3.13).

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

G. DISCUSSION ITEMS

1. **ALYSIA ABBOTT, AGENT FOR JENKINS-GAVIN, REQUESTS DISCUSSION OF TREATMENT OPTIONS FOR THE UNEXPECTED RECOVERY OF HUMAN REMAINS AT 401 OLD TAOS HIGHWAY, DURING CONSTRUCTION OF LA SECOYA DE EL CASTILLO SENIOR LIVING RETIREMENT COMMUNITY IN THE SUBURBAN ARCHAEOLOGICAL REVIEW DISTRICT.**

Ms. Roach noted this is in the Suburban Archaeological Review District, and asked if anyone knows the reason this site isn't in the Downtown Archaeological Review District.

Ms. Wands said she too is surprised that is in the Suburban Archaeological Review District.

Ms. Roach said it seems like something that potentially could be corrected at some point, perhaps as part of the long range planning process.

Chair Eck said, "A wild theory might have some credence, is that the owner at the time the Historic District was defined, may have 'pitched a hissy,' and therefore it was not included, depending on who they were and what their ammunition was."

Dr. Abbott said her thought is that when it was included, there were nothing but modern buildings left on the property. The school on the property already had been demolished, and they built the Presbyterian Retreat Building, "so there was nothing ostensibly historic about it at all, so maybe that is why they just took a little jog. I don't know."

Ms. Roach said this is something that can be researched.

STENOGRAPHER'S NOTE: Dr. Alysia Abbott distributed copies of handouts, but did not provide a copy to the Stenographer in attendance for the record, although a copy(s) was requested. Dr. Abbott explained that the handouts contained specific location of the remains, information to which the public is not entitled.

Dr. Abbott said they knew there might be a cemetery here, but no one knows exactly where the boundaries are or were, which is part of the reason testing was done, noting testing doesn't always find what you are looking for – in this case it did not. There is a map in Mr. Winters' Report, generated by her company, showing where she thought perhaps the cemetery might extend into the parcel. "And, indeed where human remains were encountered, ends up being exactly within the boundary of that area. And it was just a raw guess, but there you go."

Dr. Abbott said what is happened since then is that they began construction on the assumption there were no remains within the boundary of the property where that frequently happens. She said, "During construction, they encountered human remains and the operator immediately stopped when he recognized what he was looking at as being people. Work was stopped in the area in accordance with the *Unexpected Discovery Clause* of State Statutes. The remains were reported to the State Historic

Preservation Officer. OMI came out and took a look, so did SHPO, and they determined it was probably archaeological. At which point, we finally also informed the City, and then they engaged me and my burial permit, to go out and evaluate the remains, which we did almost immediately. And so what we did is we went out...it's your first picture here...and looked at where the remains were recovered. There were human remains in the backdirt 'here,' let me show you where 'this' is on the property."

Dr. Abbott continued, "So 'here's' the La Secoya property, 'here's' the adjacent parking lot. So the cemetery was believed to have been roughly like 'this,' okay. Here's the La Secoya property, and this is just looking at all these maps and photographs...this is just something I did in my spare time, because I've been studying historic cemeteries, all of the historic cemeteries in Santa Fe now for about a decade. So I already had some information about this cemetery. So the remains that were encountered first, were encountered about right 'here.' So, we went out and 'that's' where this arrow is pointing to on the property 'there,' and you can see we're looking south. 'This' photograph is looking southward."

Dr. Abbott continued, "So what they've done, they've gone with the big Cat within the area of what project that it actually... they're utility easements. And, as Ron mentioned, there is already a sanitary sewer line, and I'll give you a map that shows that. And so the remains were found next to an existing manhole. So the thought.... the manhole is 'here,' you can sort of see it in the photograph, the top of the concrete manhole. So what happened was, was we started sifting the fill from the loose remains around the manhole and sort of just essentially following the bone trail, and we went to the east and we found what was clearly in the cut, a human grave. And then we found the one that was next to it... we found one that was probably next to it, with the human remains still in context... partially still in context, in the wall as well as in the trench that you are seeing excavated for the utility easement."

Dr. Abbott continued, "So we sifted all of the loose fill, recovered all of the loose remains, and did not go any further, than to just examine the profile, examine the trench, to establish indeed that we had intact human remains. So before we could really think anymore about what was going on over 'here,' the next day they continued their trenching in 'this' direction. They had blocked 'this' off. We had set the established day, but the next day before we even asked to get up, they hit more remains over 'here.'"

Dr. Abbott continued, "So 'this' photograph shows you where we saw the loose remains, and then where we traced the bones to. So your next picture shows where we ended up covering the remains, after we had gone in and taken a look. And went back the next day and the light was very different....take a look at 'this' picture....so that's what we found in the trench. And if you look down this row, you can see it's dark-light, dark-light, dark-light. Can you see 'that.' Those are all graves. Okay, yes, okay."

Dr. Abbott continued, "So what we have 'here' is a burial, a burial, a burial...." So, and for the initial grave, the one that was found next to the manhole, between 4-5 feet below grade, which is more or less what was expected. 'These guys' further north, are considerably deeper, because they brought in all this fill for this parking lot, so the scraping that was done wasn't far enough down to identify the graves [inaudible]. So when they did start doing the trenching, you can actually now see where all of the graves were. And we just did a cursory count of the graves from 'here' to 'here,' there could be as many as 30. Everybody is lain with their head to the west and their feet to the east, as is traditional. All of these graves are oriented the same way, very traditional in a Protestant cemetery – for people wind up that way and be

boosted up [inaudible]... I wanted to make sure you're facing the right way. So that is why those are so casually lain out that way. The remains we've seen so far seem to be, as far as we can tell, adult males, which is what you might expect for a cemetery that was Masons. It is the old Masons and Oddfellows cemetery. We didn't talk that much about the history and background, but it was incorporated by the Territorial Legislature, by act of the Territorial Legislature in the State, I think 1854. Okay, what was then called the Masons and Oddfellows Cemetery, incorporated by the Act of the Territorial Legislature, on April 23, 1853. So the earliest burial could be in 1853. And I suspect that there might have been people buried before that."

Dr. Abbott continued, "So, we have no obvious evidence of Masonic symbols or anything like that at this point, because we really just are in a basic recovery situation and [inaudible]. But, I'm very confident and have spoken to the representative of the Masonic Lodge who is here today, that it is our belief that these graves are indeed associated with the historic cemetery. Some of them are coffins, but not all of them appear to be, but we definitely have remains of coffins, which is not always the case for Santa Fe burials."

Dr. Abbott continued, "So, you can see in 'this' next photo here, 'these' are the two locations of the finds. No known graves were hit, and one was a very interesting thing that I'd never seen before, the coffin was burned. The coffin was burned. The person was buried in their coffin, and then *in situ* the coffin was set on fire and burned in the hole. Then it collapsed. [Inaudible here because Dr. Abbott appeared to be away from the microphone somewhat]. My first thought was how did [inaudible]. In fact, it is a historic burial. So they burned this person and that is what you are seeing 'here.' 'This' is the coffin that has collapsed, but it was fired *in situ*. Why that was done, I don't know for certain. My first thought was infectious disease, and all the coffins are burned, but I've also been able to research it to a Masonic background, and there was a Masonic tenet. Some Masonic members were dedicated to cremation, even as early as that, because they were denied their bodies to use of another religion or another philosophy and they were interested in cremation, specifically to deny anyone's use of their body, even symbolically being buried. So, I have no idea. I was amazed at this discovery."

Mr. Pierce asked if she means rebaptism after death, that kind of thing.

Dr. Abbott said, "Exactly. So I have no idea. They are not all cremated in place."

Mr. Pierce said, "You've said that twice, 'Not all cremated in place'."

Dr. Abbott said not all the coffins are burned, only one so far. She said she wonders if there might not be another row of coffins. 'This' is the one that is very obvious. She said, "The other thing you can see in this photograph, I printed it out black and white, but you can see how obvious the burial shaft is."

Dr. Abbott continued, "So, we have potentially 30 graves in 'this' area right 'here.' We have no reason to believe that there is anybody left further north, because they already excavated in there. Also, one of the Presbyterian Retreat Center Building footprints came very close to the edge of the property. We

have reason to believe, fortunately, hopefully, that the southeast property is where we have to deal with. I'm not presenting a testing plan, but what I've done is given you some indication of what we want to do now to try to establish where the remaining graves are, if there are remaining graves."

Dr. Abbott continued, "The existing sanitary sewer line is 'here,' I've got it outlined in orange, and it actually goes 'this' way on that map. I've got it outlined in orange. So the initial plan is... they were ripping this up and abandoned that particular easement, but we've already got a disturbance, we've already gotten 3 easements there. So, my initial thought for what will be a formal plan, is just giving you the general idea of how we want to proceed which is to go ahead and re-excavate that trench, already disturbed, plenty wide, it's plenty deep, and it will tell us whether or not 'this' went through a row of graves. It may very well have. We have bone in the backdirt on the west side of the blading, which suggests that there might be intact. So that is the first step, find out whether or not we have partially intact graves one row to the west. And then what we will do, because it is already disturbed, it is a great way to get profiles examined and see what's going on. So, that's one plan to initially to take out the [inaudible] to our easements. Potentially, finding out what's going on with regard to the graves that might be to the west, and where that is disturbed, and also, potentially to give them in their utility easement, an alignment that they can use. They want to put in sanitary sewer as well as storm drains. We're not very [inaudible], but we're working on that."

Dr. Abbott continued, "So then the next thing to do is we hypothesize that we really don't know far the graves go to the west, so we've got to find out. So the plan is to trench to the west along where they want to put their storm drain, which are the blue lines, tracing like every 3 feet, I mean us, like every 3 meters, or so. And then cross cutting with this existing line 'here,' and then the new line 'there,' and a line 'here.' It's a lot of trenching, but I think that's the only way we're going to be able to find out where we are to the west. The SHPO originally recommended that this was part of the treatment plan, to do some [inaudible] which is a great idea. We'd like to do that, rather than the trenching. But the trenching is what told us there were graves here. Now we know, that being the approximate depth, and we know how they're spaced, and how they are oriented, more or less, that judicious trenching with very careful monitoring is probably going to be the plan that will come forward."

Ms. Wands asked if anyone has talked about using GPR.

Dr. Abbott said yes, GPR is an option, but her personal experience is that it doesn't work. If we strip this down 5 feet and started we might be able to find something. But then we probably would still have to dig – she still has to dig to find out if there are graves. In this situation, they would have to strip down, because these graves were 9 feet down, so yes, GPR is a possibility. However, her experience has been for this kind of situation there is not a lot of avoid action left in any of these graves, which are completely collapsed, and in some of these areas, it is incredibly sandy and would have been really scary digging an actual [inaudible] for interment. She said she couldn't get a profile because it's falling.....

[Mr. Zinn's remarks here are inaudible]

Dr. Abbott said in some situations it could be very problematic. She said, "I recommend putting that money in the actual archaeology rather the GPR, that's just my personal opinion, particularly since we know how expensive it is."

Dr. Abbott continued, "So the plan is to formalize the testing plan that your body will review and also that SHPO will review, that goes forward, and that this test will not include the removal of anything at this point. You're not talking about... we don't have a disposition plan, we don't have a location, we're not there yet. We're not talking about moving anybody. Right now, we're just trying to find where everything is. So that will be the next stage. And in 'this' area, 'this' red outline is a temporary archaeological easement that Colleen and the owners of the property and SHPO and the City and myself have all put together as the temporary set aside until the archaeological work can be performed. There can be no construction bladed activity in that area."

Mr. Ivey asked Dr. Abbott how closely does the red outline approximate her original estimate of the probable entrance.

Dr. Abbott said because we don't know, we're sort of expanding on into that area. She said she thinks, her gut reaction "in the middle of the night," is that we probably have one more row and we're going to slam through it, and that's it. However, because we don't have a good boundary and because of the *[audible]* in this historic cemetery, a warning is nothing. You've got people buried well aside of any.... 'this' is just a mythical boundary. It's just a suggestion. This easement actually goes a little farther west than where we had anticipated now, but, my suggestion is just to go west. And over 'here,' if we start testing, if we encounter some of the objects that were associated with the Mary E. James School, the foundation of which is right 'there'."

Mr. Pierce said, "Is it your intention, I feel like maybe a dozen trenches here, is it your intention to do all of them, even if that they are positive, that they recover remains..."

Dr. Abbott said, "What I want is to go east and west and trench, we don't hit anything, if we trench 10 meters and we haven't hit anybody else, we're going to start guessing that maybe we have it. And at that point, I might suggest doing some massive stripping, as well as doing some trenching. Just drop that big cat and make sure that we don't have an errant somebody, particularly within the boundaries of the building footprints that are being put forward in the design plan."

Mr. Pierce said the reason he asks, perhaps it is the scale or perspective on this figure, but it seems like it is a fairly destructive process that she is suggesting. He asked, "Again, at the western boundary, and if that one's negative, you go one east, if that one's negative you go one more east. But then if you get a positive, then you're done."

Dr. Abbott said, "That's absolutely a good idea. I would like to start from where I know I've got...and go out."

Mr. Pierce said, "But that means that you will be destroying everything,,,,,"

Dr. Abbott said, "That is very possible, the idea being to, what I'm hoping, is with the trenching, we won't even reach the graves. We will be able to see the burial tip in advance. I am hoping not to go far enough down to even know that there's a...."

Mr. Pierce said, "You will see the outline of an empty floor or...."

Dr. Abbott said, "Exactly. Exactly. So that's what I'm hoping to do. And because stripping... I don't think if we would have stripped the.... I'm not sure we would have seen them from the surface. But, you are correct, no destructive... We will be... I hope to not hit anybody. I hope to be able only to find grave outlines, and then, if I don't, to try to keep going. And if we hit the top very carefully, if we hit the top of somebody, we just stop. And then we would be able to say, we hit somebody's ear 'here,' 'here,' 'here.' And the other thing that I think would be good..... The sanitary sewer trench 'here' is north and south, but then it sort of cuts to the southwest, and we would be cutting sort of cross-ways, but we might actually be able to see in profile if we've got somebody. So, I start with the disturbed trench already in the east, and then do something that would be easing in to find the area."

Mr. Pierce asked if it would be at all reasonable to assume, and assumptions are always a bad thing, but the ones in the next row would align with the ones in the row that you can see.

Dr. Abbott said, "We are only supposing at this time that they would be in an orderly row and the others would be as well, but we have no... we're marching along in a very regular manner, but things could just come apart, particularly if we get outside the cemetery wall. Then you've got surreptitious graves that you have to worry about. Somebody comes in and buries their baby at night, which happens all the time. This particular cemetery, who knows, and we don't know, we're only just finding out now about how folks were laid out. These are in an incredibly orderly row. And there's a little bit of elevation difference, but they seem to be within, the ones that have been exposed, the bodies seem to be, I don't know, within a foot. There doesn't seem to be a lot of burial *[inaudible]*."

Mr. Zinn said, "And that cemetery was never really mapped by the Scottish Rite guys."

Dr. Abbott said no.

Don Helberg, Secretary, Masonic Lodge, said the Scottish Rite is not involved in that. It is the Montezuma Lodge.

Dr. Abbott said nobody was buried there again until the last decade of the 19th Century. She said, "It was completely decommissioned by 1900, and the people who had relatives, or knew where they were, were told to go get them. And the Genealogical Society said there was as many as 80 people that were moved, some of them went to Fairview, some of them went to another cemetery that I've been studying intensively, the new Oddfellows Cemetery, the IOOF Cemetery. I've been studying their cemetery and working with them for about 5-6 years. Some of these graves went to the new Oddfellows Cemetery. I know where some of them are, because of their monuments. But there has to be hundreds of graves... there are hundreds of graves still...."

Mr. Helberg said in 1911, when they did the Scottish Rite Building, that's when they moved a lot of the graves. But the ones they knew that were military went to the National Cemetery.

Dr. Abbott said that is correct. She said, "And there were some... 'this' is sort of the edge of the footprint of the Scottish Rite Temple. And we've hypothesized that when they build that, that anybody that wasn't moved at that point [inaudible]. And north, too, you get.. when they built the Masonic Lodge.."

Mr. Helberg said, "The driveway that goes right up the side of the Temple, we were talking about doing boring there, but the Scottish Rite Temple has a basement there. So that whole driveway would have been a hole, because that would have been deeper for that basement, to build that wall.... the whole driveway would have been excavated and then backfilled afterward. There is a sewer line that goes right down the middle of the road."

Dr. Abbott believes that was an acequia originally. She said, "The whole area was the cemetery and then it also was an orchard – where that drain was... there is an old drainage from all of that."

Dr. Abbott continued, "So there are still hundreds of bodies under 'here,' but that's not our problem. We're dealing with the eastern, I think the southeastern quadrant of 'this' part of it. And I do not believe that there are any other danger zones, because everything else has been torn-up. Everything else has been excavated down below, except for 'this' area sort of going west."

Dr. Abbott continued, "The other thing that I'm not sure exactly how I'm going to deal with is the sanitary sewer line that goes 'this' way. If there is a need, you could just run through a row of graves, and there might yet be graves there. That's another place I would want to test, because that would tell us fairly quickly whether or not if there was a road there, if the graves continue. I'm just going to assume in 'this' area when they get very close to the wall, where they hit all of the graves, that the graves just keep going. There is no reason to do testing there, so I'm just going to assume that they go all the way to the street. And because the parcels, the property, the surface is shallow, they're probably closer to the surface and they may be even 3 feet, but we don't know. But all of 'this' will be examined in terms of possibility of graves. And again, the testing plan will not include the removal of these. We just want to go in and see if we can find grave locations. It won't be trying to target for getting information, other than where people probably are, with the idea being to find a grave pit and not hit the actual graves themselves if we can avoid it. And then if we have graves in the sanitary sewer trench, we're going to profile that, detail that. We're going to do some really serious documentation of that. And there you go."

Mr. Pierce said if Tess Monahan were still a member of this Committee, he imagines she probably would ask at some point who is going to pay for all of this. So, even the trenching proposed will be expensive, and that doesn't cover the removal afterward, after you have identified the limits of the cemetery. He is sure we already are approaching the cap. He noted we have a fund of \$150,000 which "isn't going to do it in this case."

Dr. Abbott said they aren't in the Downtown Historic District, this is in the Suburban, which is part of the reason we are here. If this was in the Downtown Historic District, there would have been a 2% test requirement. We would have gone in there and tested, we would have known exactly, or at least had an idea. However, that didn't kick-in because it's not in "the right District." She said, "When we win the lottery, I am going to generate a burial overlay that's going to show the City exactly where the hypothetical boundaries are..."

Dr. Abbott said, "Let me say again, for the record, this has been a completely professional process from the very beginning. There has been no dropping of balls. There has been no hiding of anything. This process is a bit arcane, but if you know the process as the professionals who are involved do, there are no novices here in this process. This is a Deputy of SHPO of the past 20 years, it is experienced professional archaeologists and cultural resources people. This process worked exactly the way it is supposed to work. There is nothing salacious here, and I would like very much to emphasize that this is a fascinating story about the history of Santa Fe. It is also a fascinating story about the 19th century burials and the fact that we are a city where this is just one example. This happens every day. I do this for a living, so it is awesome and it's really scary or whatever. The process is in place. This has happened to me, a particularly exceptional example and the fact that, except for PERA, I don't know a situation for us – the Kearney Road burials is another example.... where we've encountered.... But that's what happens in this cemetery."

Dr. Abbott continued, "So we will move forward, completely in alignment with historic preservation requirements and with extremely professional experienced calm people."

Mr. Pierce said Ron Winters did the original testing report and he didn't find anything, but it was still known that there was a high possibility of burials. He asked if this Committee required monitoring during construction as part of the permit.

Ms. Roach said she can't answer that question "off the top of my head," but she can pull that record and tell him.

Ms. Wands said she has that record and wants to ask some questions about that as well. She referred to Case #AR-35-2019.

Mr. Pierce said Dr. Abbott is suggesting that nobody dropped the ball on this, but "I think maybe somebody did."

Ms. Wands said, "We stipulated that there needed to be further *[inaudible]* of investigation for this report to be accepted. We also stipulated corrections which, I have the report that was reviewed by the SHPO, as not a single thing being requested was done. Nothing. So...."

Mr. Pierce asked Ms. Roach to go back to the original permit and find out if, in fact, this Committee required monitoring during construction.

Ms. Wands said, "We did not."

Mr. Pierce said that does seem like an oversight on our part, because we knew the history.

Ms. Wands said, "The way that... how we wound up with this. We *[inaudible]* the testing after the fact. We didn't have a testing plan to review before hand. It was given to SHPO, at least this is what we were told, it was given to SHPO to review, and at the last second it was decided that we actually had a say."

Chair Eck said the first three pages of those minutes were about collaborating about jurisdiction.

Ms. Wands said, "The pages which I have here, are all discussing why we didn't have a plan ahead of time and everything, which is why I think we were so hard on...."

Ms. Roach said she recalls there was some question as to why that didn't take place prior to demolition.

Ms. Wands said, "Yes. And my understanding, and I was not there, is that people went to the SHPO because it seemed like it was outside the jurisdiction of the area."

Ms. Roach said it was because it was in the Suburban District, and it was within the threshold.

Ms. Wands said, "Right. And the only way to actually, because it wasn't recorded as a site previously, the only way to actually get any archaeology laws to kick in, was to notify the SHPO that there was a good potential for unmarked burials to be there. And then you kick-in the unmarked burial law."

Dr. Abbott said, "I was asked by the SHPO, who knew that I had been researching this, to give them any information that I had, and I did. And that information was used and credited, but it was essentially my musings about what we thought we were going to find there. So, there is nothing to kick-in the burial clause, there was nothing to kick-in 2% testing. As I said if it was not gerrymandered, it would have been in the Downtown Historical District, and it would have been a 2% testing immediately."

Mr. Zinn asked if we can find something in the language about demolition which does kick this into the City's jurisdiction.

Dr. Abbott said it kicks-in only for structures that are 75 years old.

Ms. Wands said it kicks-in for burials, since there is a potential for burials, which "is how, I think, it actually wound up coming to us. I'm sure that sort of short notice is how we had any [involvement]." She said she doesn't know if "at the time we felt like we had the right, or to stipulate beyond accepting the report, because it was a SHPO thing, and doesn't know that any of us may have even felt like we had the right to say there has to be monitoring or anything."

Mr. Pierce asked if we reviewed and voted on this project, or did we just accept the courtesy copy of something we didn't have jurisdiction over.

Ms. Roach doesn't know, but she will look into this to see if it was an action item.

Mr. Pierce said then the actual discovery of this was reported by a heavy equipment operator.

Dr. Abbott said yes – "excellent, and twice."

Ms. Roach said, "This might be stretching here, but I think part of the reason that the Committee didn't feel the need to require further monitoring is because unexpected discovery of human remains automatically stops the project and then reroutes through different review processes.

Mr. Pierce said, given that we all pretty much knew the high probability of a cemetery thing, that we should have required monitoring, because while the heavy equipment operator did a great job of reporting it himself, a trained archaeologist on site probably would have seen it a little sooner."

Ms. Roach agreed, and said in looking for graves they probably would have seen that sooner.

Mr. Pierce would like to know exactly why we are avoiding that.

Ms. Roach said when the Testing Plan comes back to this Committee, she will bring those records.

Dr. Abbott said, "This probably will happen over and over again, because we have all these cemeteries with LA numbers, if I had added an LA number.... but I didn't, because the project got where I *[too many people talking at the same time to transcribe the last of her remarks here].*"

Ms. Wands said it was private property and you cannot.... *[inaudible because Dr. Abbott talking while Ms. Wands was talking].*

Dr. Abbott said, "I've got 20 of these locations to add an LA number to.... I'm going to use the same LA number and it will now be attached to this historic cemetery and it will tell you the recommendations for the eligibility..."

Ms. Roach said, in a bigger picture way, she did have a conversation about how to provide better projection for known historic cemeteries – some sort of overlay. There are ways to protect that information, and regulate it.

Dr. Abbott said it would be great if people are reviewing, in some situations, projects that will fall outside of the Downtown Historic Review District.

Ms. Wands said as all of this is coming in, over her *[inaudible]* she enters it into NMCRIS. She said this is "back here where the ARC accepts this report on the stipulation with corrections, and sometimes they are actually very significant corrections, requiring a lot of additional information, for it to be considered acceptable. Those aren't getting done, and I don't even know what our option is for doing that."

Ms. Roach said, "There's no real formal process, unfortunately."

Ms. Wands asked, "If it goes to SHPO after we review something and we're accepting it contingent on this, this, this, this being added and corrected and everything else, does SHPO know that it was accepted with a contingency(s) and what those contingencies are."

Ms. Roach said, "Not necessarily."

Chair Eck said, "One way to correct it is to never, ever, ever accept any report that requires any corrections."

Ms. Wands said, "I know where I'm leaning towards."

Chair Eck said he is trying to open the discussion in this matter.

Ms. Roach said, "There is another option. There's always lots of options. I'm not sure that I would recommend that option. I think we could formalize a process where if the Committee requires exceptions, and they're submitted, they have to be reviewed and signed-off-on before they get transmitted to SHPO, or something like that."

Chair Eck said, in practice, what we've done essentially, is to say our piece, and take it on faith that the corrections will be made, they would be reviewed by City staff, accepted, then "it would find its way to wherever it needed to find its way to."

Ms. Wands said in this case, they actually questioned the finding of "not eligible," and wanted additional information on the foundation part and things like that.

Mr. Zinn asked if she is speaking about a public committee kind of thing to take a look at stuff [inaudible].

Chair Eck said or it could come back for final consideration.

Ms. Roach said, "If there are that many consequences, then I think that the Committee should review again, but if they're minor corrections, then that easily can be checked by staff before it gets transmitted to SHPO. She thinks it's more a procedural issue that, "to be perfectly honest, one of the biggest barriers to ensuring that that takes place is the ARC level of staffing. Because I'm not sure I can even fit much more into a given day. But I am getting an additional Senior Planner starting in two weeks, so that will help tremendously, to be able to devote the proper attention to Archaeological Review, because that really hasn't been done in a long time."

Ms. Roach continued, saying this isn't a new issue, with which Ms. Wands agreed. Ms. Roach said we need to think about and strategize about this as part of the planning process. We can give some attention to it, make some recommendations for it, and perhaps that could lead to changes in the Code, or development of procedural policy.

Chair Eck asked Dr. Abbott to say something about the additional features which were discovered, which also will be included in this site update.

Dr. Abbott said in the far northeast corner of the property, there is the remnant of one of the buildings which will be included as additional information. She doesn't think there was a very good historic background with regard to the Mary E. James School, which will be included in the report in historic properties. She said the foundation is gone, but there may be a farm, grading and drainage permit. When they do some additional testing, they actually may encounter some artifacts associated with the school. There might be some *[inaudible]* which would be associated to the school property. There will be no additional testing regarding the foundation. If they encounter anything else in this area it may not be disturbed, and it might be associated with the school and she will do the historic background about that. She said it was a big building – a 3-story brick building 'this' shape, and since it was demolished, there is no need to have different background for this report.

Ms. Wands said she thinks it was part of one of the trenches when she was testing.

Chair Eck said, "There was, near what would be approximately the west end of the school building, there was a remnant of foundation that was not associated with any historic structure that was identified, and we asked about it, and it may prove to be part of the school."

Dr. Abbott said she will look and see what there was in that trench.

Mr. Pierce asked the current status of the trench – has it been re-covered.

Dr. Abbott said the trench is open, but they have covered the remains – just put tarps [tarpaulins] and a little bit of backdirt on it and that's it. She is unsure where they are going with it, but there may be a little more backfilling to maintain the tarps and backdirt. They want to get a better idea of what "those guys look like when they go out there to do the testing. And we may put remains back in the trench."

Dr. Abbott said right now, unfortunately everybody on the planet knows where the graves are, and they want to keep the public out of the information. When they were out there, there were people standing on the steps and they're looking down hoping to see burials excavated. One of the things they will be doing is shielding from the open public.

Ms. Gavin said the owner is going to be putting screening attached to the construction pen. She just got the numbers today, so hopefully it will be installed on Monday or Tuesday, because they want to respect the remains, respect the work that Lisa and her crew are doing, and they don't want to have the "lookey-loos" that unfortunately Lisa has to deal with. She said people are fascinated and she understands that, but it's a dignity issue with regard to human remains.

[Too many people talking at the same time]

Dr. Abbott said there was a situation in which remains were exposed, photographed and given to the press. There will be no salacious photographs of people here, because even if they are dead 150 years, you don't want to have the bones displayed over the front page of anywhere. Part of her

responsibility under her permit is to assure the dignity of the people. She said they take custody of the remains, and that is a responsibility that she takes very seriously, and the reason excavation of human remains in New Mexico requires a considerable amount of permitting and credentials to get a permit approved.

Ms. Roach said, "Regarding the temporary archaeological easement, for the record, and for the Committee, that was in part a decision that was made so that construction at the rest of the rather large site and substantial projects could continue, knowing that there was a low probability of anything additional on the rest of the site. So, we stopped work only on a small portion of that."

Mr. Pierce said he is glad she said that, because on the Engineer's Drawing there isn't a scale or perspective. He asked what is the percentage of this area to the overall parcel.

Dr. Abbott said it is about 20 meters by 40 meters.

Chair Eck said then it is less than 5%, and Dr. Abbott said yes.

Dr. Abbott said she will be working on the testing plan and remitting it formally. The process she has used and followed in the past is, "it will come here, the testing plan will come to the City, and you will review and change and correct it, and when that is approved, it will go to SHPO, it will not be concurrent, but they will be aware of everything that is going on – they have been, they will be. I will continue to talk to the Deputy at SHPO, a 20 year veteran."

Ms. Roach asked Dr. Abbott if the testing plan will be ready for the April hearing.

Dr. Abbott said yes. It's not going to have a burial removal plan, or anything involved with that, it essentially will just be a testing plan and a recommendation for further surface search. It will be a lot of photographs, profiling, and trenching and then perhaps after trenching and stripping [inaudible].

Ms. Roach said then we have two weeks to that deadline.

Dr. Abbott reiterated if it had been in the Historic Downtown Review District there would have been a 2% test requirement. She said there are locked gates at the property and she hopes there won't be an extreme interest in going in there. She said even if you pull up the tarps, there is no obvious evidence right now, but we don't want to [inaudible] with a shovel. Hopefully people now know where the graves are and they will respect private property.

Ms. Gavin said they have also have security on site, but unfortunately people from the public have just wandered on site, people who are not enthusiastic about the development. They wandered on site, so they have increased the security at the gates. There is additional signage, people monitoring it, and workers are coming and going, so that has helped. She commented that the security is going to be really cheap.

Dr. Abbott said, for the record, the construction people have been great, everyone's been great in a difficult situation.

Chair Eck agreed, saying they challenged us when we showed up at the site, which is exactly as it should be.

H. MATTERS FROM THE COMMITTEE

Ms. Wands said her matter was addressed previously, regarding things not being done as promised when reports are approved, and "it is a consistent on-going thing, and this is not finger-pointing."

Mr. Pierce asked about the project from the January 9, 2010 meeting where we required monitoring during construction, and asked if that had been done.

Ms. Roach asked if he is speaking about the construction project on Guadalupe and Mr. Pierce said yes.

Ms. Roach said she doesn't believe they have a permit yet, but she spoke with her inspector asking him to stop by periodically and make sure that was happening. She explained the situation to him, and he has a personal interest in making sure that happens.

Mr. Pierce said that is a perfect example of a project where we gave provisional approval, pending things they were supposed to do, and it would be nice to know they followed through.

Ms. Roach will check to see if they have received their permit, noting she doesn't always know when permits go out. If the permit has been issued, she will remind her inspector about it. She said he went by the project once, and red-tagged them for something. She said the project is at 314 North Guadalupe. She said the builder had to make some revisions to meet the conditions of the Historic District and it took a little bit longer and there was a little bit of delay. She reiterated she believes they haven't started construction, but she will check to make sure what is happening.

Mr. Zinn said he will not be present for the April 2020 meeting.

Ms. Wands said she will not be present for the August 2020 meeting, and Ms. Roach asked her to remind her as we get closer to that meeting.

Chair Eck said he has been called for jury duty, but he intends to attend the April 2020 meeting, but he will keep Ms. Roach informed in the event he won't be able to attend.

I. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

1. **CASE #2020-001741-ADMIN. (ADDENDUM TO CASE #AR-16-2019). TIERRA RIGHT OF WAY, AGENT FOR THE CITY OF SANTA FE, OWNER, REQUESTED AND WAS GRANTED ADMINISTRATIVE APPROVAL OF AN ADDENDUM TO THE APPROVED ARCHAEOLOGICAL RECONNAISSANCE REPORT FOR THE CONSTRUCTION OF SANTA FE FIRE STATION NO. 2 IN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. (LISA GAVIOLI ROACH)**

Ms. Roach said this an informational item. She administratively approved an expansion of the survey that was conducted for Santa Fe Fire Station No. 2. They had to increase the survey area to accommodate where there is no parking and sediment ponds, and it was a negative outcome.

Chair Eck said the information is included in this packet for "your reading pleasure."

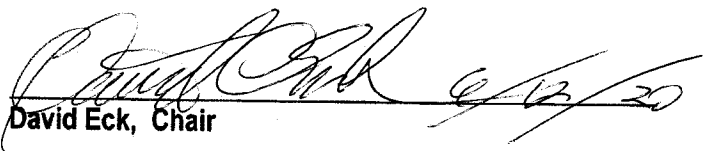
Ms. Roach said, "The Tesuque Runners built their garden project, and we expect to have a testing plan from OAS for the April meeting. She will be talking with Eric about getting the testing plan on the agenda for the April hearing. The hope of the Arts and Cultural people is for that project to begin in April 2020.

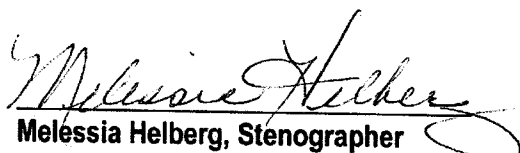
J. ADJOURNMENT

There was no further business to come before the Committee.

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

VOTE: The motion was approved unanimously on a voice vote, and the Committee Hearing was adjourned at approximately 6:15 p.m.


David Eck, Chair


Melessia Helberg, Stenographer