



Agenda

CITY CLERK'S OFFICE

DATE 4-10-12 TIME 4:10

PREPARED BY John W. Moore

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ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, April 19, 2012 – 4:30 P.M.

CITY COUNCILORS' CONFERENCE ROOM

CITY HALL, 200 LINCOLN AVENUE, SANTA FE

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES:

April 5, 2012

E. ACTIONS ITEMS

1. Case#AR-10-12. Approval of monitoring plan for project to install an approximately 120'-long fiber optic telecommunications line along Paseo de Peralta east of its intersection with Cerrillos Road, located within the Historic Downtown Archaeological Review District. The request is made by Robert Dello-Russo, Office for Archaeological Studies, for CenturyLink Corporation.
2. Case#AR-11-12. Approval of reconnaissance report for approximately 2.8 acres for proposed improvements at 9 Camino Pequeno, located with the River and Trails Archaeological Review District. The request is made by Ron Winters, for B.C. Rimbeaux, property owner.
3. Case#AR-12-12. Approval of reconnaissance report for approximately 8.4 acres for proposed construction at 704 Camino Lejo, located within the River and Trails Archaeological Review District. The request is made by Alysia L. Abbott, Abboteck, Inc., for the Wheelwright Museum of the American Indian, property owner.

F. ADMINISTRATIVE MATTERS

2012 Archaeology Award

G. COMMUNICATIONS

H. MATTERS FROM THE COMMITTEE

I. BUSINESS FROM THE FLOOR

J. ADJOURNMENT

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

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**MINUTES OF THE
CITY OF SANTA FE
ARCHAEOLOGICAL REVIEW COMMITTEE
City Councilors Conference Room
April 19, 2012**

A. CALL TO ORDER

A meeting of the Archaeological Review Committee was called to order by Jeremy Kulisheck, Chair, at approximately 4:30 p.m., on April 19, 2012, in the City Councilors Conference Room, City Hall, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

Jeremy Kulisheck, Chair
Tess Monahan, Vice-Chair
Gary Funkhouser
James Edward Ivey
David Eck

Others Present

John Murphey, Land Use Department
Melessia Helberg, Stenographer

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

C. APPROVAL OF AGENDA

Chair Kulisheck said there are no minutes for approval.

MOTION: Gary Funkhouser moved, seconded by Jake Ivey, to approve the Agenda as amended.

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

D. APPROVAL OF MINUTES: April 5, 2012

There were no minutes for approval.

E. ACTION ITEMS

Mr. Dello-Russo was not in attendance at this time, so the Chair moved to Item #2.

2. **CASE #AR-11-12. APPROVAL OF RECONNAISSANCE REPORT FOR APPROXIMATELY 2.8 ACRES FOR PROPOSED IMPROVEMENTS AT 9 CAMINO PEQUENO, LOCATED WITHIN THE RIVERS AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY RON WINTERS, FOR B.C. RIMBEAUX, PROPERTY OWNER.**

The staff report was presented by John Murphey.

BACKGROUND AND SUMMARY: At the request of the property owner, Ron Winters conducted a Class III cultural resources survey of approximately 2.778 acres at 9 Camino Pequeno, located within the Rivers and Trails Archaeological Review District. A review of NMCRIIS established only one previously recorded site within the project area, LA 147244, a segment of *Acequia de la Muralla*. The pedestrian survey, conducted on March 24, 2012, identified prehistoric and late-historic artifacts, totaling six isolated occurrences. The archaeologist found the isolated occurrences did not constitute significant cultural resources, concluding their data potential had been exhausted with the recording. These findings are presented in the accompanying report, "An Archaeological Inventory of 2.778 acres at 9 Camino Pequeno, Santa Fe, New Mexico (Winters, Ron, April 3, 2012).

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 criteria for Archaeological Clearance Permits under 14-3.13(B)(2)(a).

Comment by the Applicant

Mr. Winters said the property lies in the flood plain for the Santa Fe River and he was surprised to find some prehistoric artifacts. He said the acequia is interesting, noting it goes from a dirt ditch to stone and cement, to a concrete line ditch and back to dirt again, which is unusual to see that many treatments in such a short segment.

Comments by the Committee

Gary Funkhouser

Mr. Funkhouser offered the following corrections:

Page 25, Paragraph 2, line 3, correct as follows: ".. The ~~artifact's~~ artifacts'..."

Page 27, Dimensions, delete the first sentence beginning with "The dimensions of..."

Mr. Funkhouser asked the nature of the improvements being made.

Mr. Winters said the owner is undecided at this point, noting he saw no projected plan. He said the house itself is non-contributing, but the owner has no idea of what to do with the house.

Mr. Funkhouser asked if he will be protecting the acequia.

Mr. Winters said the owner is the Mayordomo of the acequia, so nothing will be happening to the acequia. He said as stated in the report, it was determined that the house and stables are non-contributing, because the stables have been altered dramatically.

Mr. Murphey said this property was the subject of an H-Board hearing for a total remodel of the house, and the envelope of the house and a restructuring of the stables. He said Mr. Winters is correct, the stables were determined to be non-contributing at the hearing.

Mr. Funkhouser asked the determination of the house at that hearing.

Mr. Winters said the house was found to be non-contributing.

Ms. Monahan said she has toured this property and it has been "tinkered with" extensively, and it is a wonderful anomaly of Santa Fe charm that's grown up over time, and she would be surprised if there is anything worth preserving.

David Eck

David Eck offered the following corrections:

- a) Page 6, Project Location Map – the UTM point given for the center of the property on page 5, doesn't agree with the point placed on the map on page 6, noting they are about 100 meters apart. Mr. Winters said he just put a dot, noting he normally will draw the parcel shape correctly, but this is just a dot.
- b) Page 18, the summary of previous research and distances and within which it is reported. Table 1, if you extend a ½ mile radius area, there are seven more projects which were conducted within that area. If it is restricted to 500 meters he is "dead on." Mr. Winters said he will change the table title to reflect 500 meters.
- c) Page 19, there is the same problem with Table 2, and if he goes back to 500 meters, the list makes perfect sense. Mr. Winters said this is correct and he will change the table heading.
- d) Page 19, Table 3, has the opposite problem, noting he included things over 1½ mile away. The list as presented is "accurate neither for ½ mile nor 500 meters.

- e) Page 30, Isolated Occurrence #4, there should be a reference for the date given for the liquor bottle.

Jake Ivey

Mr. Ivey had no comment.

Tess Monahan

Ms. Monahan said it is a wonderful property and she is glad someone now has the property who will take care of it. She said it is a good report.

Chair Kulisheck

Chair Kulisheck said he had no idea that Camino Pequeno goes that far back.

Responding to the Chair, Mr. Winters said the property is as close to the Historic Downtown District as you can get without being in that District.

Chair Kulisheck said he was surprised it is in the Santa Fe Grant which runs along the bottom of the River, with the Talaya Hill Grant on the slope to the south, and Salvador Gonzales Grant on the slope to the north which also was a surprise, noting the site is right on the boundary of the Talaya Hill Grant.

Mr. Kulisheck commented as follows:

- a) Page 8, Mr. Winters mentioned that the property sits on the flood plain, and asked that he add that it sits on the flood plain itself as opposed to sitting on a terrace.
- b) Page 8, Paragraph 4, Mr. Winters discusses the vegetation and he asked if there is no riparian vegetation on the lot where it fronts the SF River. Mr. Winters said this is a good question and worth looking again, and he will include a list of the vegetation, if any.
- c) Page 27, in the description of the *Acequia de la Muralla* segment, it would be useful in this section to have a discussion of the previous recording history for the site, and it doesn't need to be extensive – 2-3 sentences describing the original reporting of it, where it was first recorded, and the significance recommendation and the treatment recommendation. He said that was reported by Abbott and Snow in 2005, on the 1135 E. Alameda lot which is at the Camino Pequeno/Alameda/Cabra intersection.

- d) Page 30, regarding Mr. Eck's comments on the Summary of Isolated Occurrences, for Isolated Occurrence #1, Mr. Winters said the age listed is 1400-1550 A.D, and Habicht-Mauche lists the date range from 1175 to 1350 A.D, which is the correct date range. He asked Mr. Winters to make that change .
- e) Page 30, Isolated occurrence #4, he asked Mr. Winters to explain in the report where he got the date for that bottle fragment, and well as verify how he knew what the bottle type was, how he was able to identify it was a liquor bottle – explain that very briefly.
- f) Summary and Recommendations. He said Mr. Winters statement in Paragraph 2 provides, "Neither the present surface nor the subsurface of the project area bear historical or cultural significance." He said by that statement, he is inferring that Mr. Winters is saying that the acequia is a significant property under the Archaeological Ordinance, but it needs to be in the report explicitly, "Under the Ordinance this property is significant." Mr. Winters said he could refer back to Alysia's original. Chair Kulisheck said Alysia [Abbott] and DeeDee [Snow] did find their segment of the 1135 E. Alameda property to be significant in their 2005 finding, although Mr. Winters may find his segment is not significant.

Mr. Winters said he is correct that it is inferred but not stated, but he looked what Abbott and Snow decided, and decided it is significant, so that means it is to be included.

- g) There needs to be a management recommendation in the Report related to the property itself, or some sort of assurance that the property won't be impacted by whatever undertaking is proposed. He said Mr. Winters says the landowner is the Mayordomo for the ditch, and if that provides assurance for the property's protection, then it should be included in this report.
- h) It is unclear from Mr. Winters' description of the ditch, whether the ditch is still in operation, although he does say at one point the ditch is in operation. However, in the next sentence he says Snow says that the head gates for the ditch were destroyed in 1987, so he has no sense of whether or not the ditch is in operation. If it is, it is a working utility corridor and can't be damaged anyway under City law, and it is also protected by the Ancient Acequia Act under State law. However, from the text, he doesn't know the owner is the Mayordomo of the ditch, and what will be done to ensure the ditch is not damaged or obliterated during the undertaking. This needs to be included in the Summary and Recommendations.

Mr. Winters said he approached the owner about an easement, and the owner was unwilling to do it at this time, and when he told him was the Mayordomo for the ditch. He doesn't know why he didn't want to do that, but he didn't agree to put an easement on it.

Chair Kulisheck said, if this is a significant archaeological property, the tradition of this Committee has been to protect these archaeological properties and he will continue that tradition, noting Phil Bové has

asked us to do that. He said we need some sort of assurance that this significant property will be either protected, or there will be some sort of mitigation associated with any particular damage to it, and that need to be stated in the report. If the landowner doesn't want to impose an easement, there needs to be some other demonstration that it is an existing utility corridor, and as an ancient acequia, it will be protected under the Ancient Acequia Act, so this Committee does not need to concern itself with an easement because there will be protection under other statutes. He believes all of this needs to be stated in the report.

Mr. Murphey said it would change the whole tenor of the direction of the report if it is not considered to be significant. He said Mr. Winters is inferring it is significant, but it isn't stated implicitly, but he is hearing Mr. Winters say today that it is significant.

Mr. Winters said he does say it is significant.

Chair Kulisheck said we can read Mr. Winters' language and imply that, commenting he doesn't think we could imply anything else.

Mr. Murphey said, "I just want to get it on the record that you are saying that it is significant."

Mr. Winters said, "It is significant."

Ms. Monahan asked if it has other legal protections.

Chair Kulisheck reiterated it would be protected by the Ancient Acequia Act, if it meets the criteria and is older than 1851 – essentially it would be covered under that Act if it is in use or has a claim on it. He said there are criminal penalties for damaging an acequia which falls within the act. He believes it is a Class 1 Misdemeanor with a fine of up to \$5,000, or it could be a "simple Felony" for intentional damage of an ancient acequia.

Ms. Abbott asked if the Ancient Acequia Act stipulates a buffer – how close you can get to the edge of the structure.

Chair Kulisheck said the Act specifies damage to the acequia itself, although he doesn't remember the language or the severity of the criminal penalties. He doesn't believe there are State regulations association with that statute.

Ms. Monahan asked if it makes a difference if the head gates are gone – is it then simply a drainage, just conveying water when it is not being used as a functioning irrigation utility.

Chair Kulisheck thinks it does not make a difference to people such as Phil Bové and members of the Acequia Association. He said their position would be, that if it has the potential to be rehabilitated and used for irrigation, then they are uninterested in abandoning a claim on it.

Ms. Monahan said she objects to that claim of the Association, and we need to understand that we don't know the legality of such claims.

Mr. Winters asked Ms. Abbott what they did on the acequia on their project.

Ms. Abbott said she thinks they had a buffer, but there was no preservation easement. She said the Committee agreed that the treatment would be complete avoidance, and a buffer was set in the design plan.

Mr. Winters he said it is a u-shaped concrete channel which runs right behind the house, and creating a buffer is impossible in this case.

Chair Kulisheck suggested that the Committee postpone approval until such time as Mr. Winters can get his client to provide the Committee with some avenue which guarantees protection of the acequia if the owner doesn't want to grant an easement. Or, if the property owner needs to remove portions for the development, then we need to develop a mitigation strategy associated with that – we need something. He said right now he does not feel the Committee has the information to approve this report.

Mr. Murphey said perhaps David Rasch could shed some light on what might or might not happen to the acequia.

Mr. Rasch said he has been on site, which is composed of several lots and the acequia is right at the north side of the foundation of this house. He said the owner proposes to demolish the house and the yard wall. The Historic Districts Review Board [formerly the Historic Design Review Board] gave permission to do all the demolition. He said however, "I made a condition, because with the 3 lots combined, it met the threshold of 2 acres, and they wanted to demolish the yard walls and the residence which carried over several lot lines. So I was the one that requested that it go to this Committee for clearance before the demolition could be approved. I don't know anything about altering the current acequia line, but it's right next to the foundation, but it was more because it met the threshold of the River and Trails District that it required Archaeological clearance to demolish all the structures."

Chair Kulisheck said this Committee has no objection to that as long as the Historic Districts Review Board has approved it, that's their jurisdiction and we certainly accept their determinations. Our only concern is that such demolition happens in such a way that it ensures the protection of the property, or it comes up with appropriate mitigation to any damage that may occur. However, we don't have that in this Report, because the owner has been recalcitrant about coming up with a solution with Mr. Winters, and we need some sort of solution. He feels Mr. Winters needs to go back to his client and come up with a solution.

Mr. Winters said since it is protected under the Ancient Acequia Act, he doesn't know how he can force the owner to do so.

Chair Kulisheck said it is not the business of this Committee to enforce that Act, but our concern is with the City Ordinance, and we merely want to know how the treatment of the acequia will conform with that Ordinance.

Mr. Winters asked Mr. Rasch if he spoke with Mr. Rimbeaux, the owner, about this.

Mr. Rasch said, 'No. I know it's right next to the foundation. They may not leave the foundation wall there in some areas.'

Ms. Monahan said it appears they built it to keep the adobe from absorbing moisture, and so they've shored it up in that way, and "who know's how effective that was, but that's what's there, and it looks like it would be attached to the foundation."

Chair Kulisheck said his perception is that it is not necessarily a difficult thing to accomplish. He said, "Certainly I think this Committee would be amenable to them even having to work in the acequia and make, if it means doing some.... if you determine that say, for example, some of the walls or rocks within the acequia, as associated with the building of those, if that is not historic and the acequia can be restored, the contour of the acequia can be appropriately restored afterward. I don't... and granted I'm not going to be on this Committee after this week, but I personally wouldn't have a problem with that. I can't speak for the rest of the Committee, again, but my assumption is that if the integrity of the acequia is maintained, that even work within it, if it's necessary to remove the existing structure that's adjacent to it, would be acceptable. We just need to come up with something. A letter from him. He just needs to tell you what he wants to do and you can put it in your report."

Mr. Winters said, "When I questioned him and brought up the possibility of an easement, he said he really didn't want to do that. He said he's the Mayordomo for the acequia, and obviously nothing's going to happen to it. He's there to protect it, and that's why he's in the position that he's in. And he's not heedless to put an easement on it, given the fact that...."

Chair Kulisheck said, "And he may be correct if that's the case, and certainly if the acequia is currently in operation, then simply.... if he feels like the document from the Acequia Association would be appropriate, saying that we have certified that this will not affect the... you know... we've examined demolition and we determined that this will not affect the integrity of the acequia and he will be able to maintain this historic watercourse, and character and so on and so forth, then the Committee may find that to be appropriate, but I think what I'm saying is our typical thing that we do is an easement, and if your client does not want an easement, we need some sort of alternative assurance. At least that's what I would like, and I think from seeing Tess's nodding head, there are other members of the Committee that feel that way as well."

MOTION: Tess Monahan moved, seconded by Gary Funkhouser, to postpone approval of Case #AR-11-12, to the Archaeological Review Committee meeting of May 17, 2012, so Mr. Winters can get assurances for preservation from the owner of the property, Mr. B.C. Rimbeaux, noting submittals from Mr. Winters for that meeting are due on Tuesday, May 1, 2012.

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

1. **CASE #AR-10-12. APPROVAL OF MONITORING PLAN FOR PROJECT TO INSTALL AN APPROXIMATELY 120 FT. LONG FIBER OPTIC TELECOMMUNICATIONS LINE ALONG PASEO DE PERALTA, EAST OF ITS INTERSECTION WITH CERRILLOS ROAD, LOCATED WITHIN THE HISTORIC DOWNTOWN ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY ROBERT DELLO-RUSSO, OFFICE FOR ARCHAEOLOGICAL STUDIES, FOR CENTURYLINK CORPORATION.**

The staff report was presented by John Murphey, noting this is one of the many utility projects to be done in Santa Fe.

BACKGROUND AND SUMMARY: At the request of CenturyLink, OAS proposes to conduct archaeological monitoring for the installation of a telecommunications line. The proposed project will extend approximately 120 ft. along Paseo de Peralta, starting from its intersection with Cerrillos Road. The proposed trench will be approximately 18 in. wide and 4 ft. deep and run along the north side of the street. The work will include removing a 5 ft. x 6 ft. section of sidewalk at its west end and creating a separate 6 ft. x 6 ft. pit. The project totals approximately 180 sq. ft. of disturbance. OAS anticipates 50-60 ft. of trench will be monitored by one archaeologist per 8-hour day, totaling approximately two days of field work. Previous findings, monitoring procedures, personnel and post-field reporting methods are described in the accompanying letter. As a project subject to Archaeological Clearance Permits, OAS is requesting approval of the monitoring plan.

STAFF RECOMMENDATION: Staff recommends approval of the proposed monitoring plan, as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3) and the criteria for Archaeological Clearance Permits under 14-3.13(B)(2)(a)

Comment by the Applicant

Mr. Dello-Russo said he has no comment, and apologized for being late to the meeting, noting he has difficulty getting to the meeting by 4:30 p.m.

Comments by the Committee

Chair Kulisheck, Tess Monahan, Gary Funkhouser and Jake Ivey had no comment

David Eck said in the paragraph where Mr. Dello-Russo discusses Previous Archaeological Findings in Vicinity of Project Area, he mentions LA 137736 which is at some considerable distance from the project area, when the others mentioned are right next to it.

Mr. Dello-Russo said it is hard to tell on these maps exactly "what sites are where," because the lots are so big.

Mr. Eck said there is another site hiding in there, LA 148216, which isn't showing up because of the labeling function in the GIS labeling.

Mr. Dello-Russo said he will check it out.

MOTION: Jake Ivey moved, seconded by David Eck, with respect to Case #AR-10-12, to accept the monitoring plan for the project to install an approximately 120 ft. long fiberoptic telecommunications line along Paseo de Peralta east of its intersection with Cerrillos Road, located within the Historic Downtown Archaeological Review District, requested by Robert Dello-Ruso, Office for Archaeological Studies, for CenturyLink Corporation, and recommend approval to the State Archaeologist, at the State Historic Preservation Division.

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

3. **CASE #AR-12-12. APPROVAL OF RECONNAISSANCE REPORT FOR APPROXIMATELY 8.4 ACRES FOR PROPOSED CONSTRUCTION AT 704 CAMINO LEJO, LOCATED WITHIN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT. THE REQUEST IS MADE BY ALYSIA L. ABBOTT, ABBOTECK, INC., FOR THE WHEELWRIGHT MUSEUM OF THE AMERICAN INDIAN, PROPERTY OWNER.**

David Eck recused himself from participation on this case and left the room.

John Murphey presented the staff report, noting this Case will be reviewed by the H-Board soon.

BACKGROUND AND SUMMARY: At the request of the property owner, Alysia Abbott, conducted a cultural resources survey of approximately 8.35 acres making up the campus of the Wheelwright Museum of the American Indian, located within the River and Trails Archaeological Review District. The survey was conducted to clear the parcel for proposed construction and drainage improvements. The pedestrian survey identified only previously unrecorded site: LA 172389 – a dump concentration of construction material and domestic trash associated with the construction of the museum in 1935-36. The survey also identified pre-Columbian lithic isolates and Historic period ceramics. Though indicated by Pitel and Tigges (1991), no alignment of the Santa Fe Trail was identified during field investigations. The archaeologist recommended no additional investigation. These findings are presented in the accompanying report, "Cultural Resources Investigations, 8.35 acres, owned by the Wheelwright Museum of the American Indian, 704 Camino Lejo, River and Trails Archaeological Review District, City of Santa Fe, New Mexico" (Abbott, Alysia L., April 3, 2012).

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 criteria for Archaeological Clearance Permits under 14-3.13(B)(2)(a)

Ms. Abbott said doing the background research on the Wheelwright Museum was fascinating. She said Mary Cabot Wheelwright's partnership with Hastiin Klah was an amazing thing – that they were

going to preserve ceremonial knowledge. She explained the history to an archaeologist friend, a member of the Navajo Nation who didn't know the history of the Wheelwright Museum, and they were absolutely amazed that any such thing had taken place, and that there was ever any kind of an agreement to curate this arcane information. She said it began as the Museum of Navajo Ceremonial Religion.

Ms. Abbott said the property itself, while historic, had lots of things to happen to it, and she was unable to find anything on the property, with the exception of the dump location which essentially was material which was bulldozed when the original museum was built, with some other dumping that has happened. She wanted its existence to be reported, but she believes there is no more information which is going to be garnered by anything other than the research that's already been done, and she recommends that they be allowed to continue the construction project which essentially is to reestablish all of the drainage on the property, which is a serious problem. She noted they will be doing a lot of re-contouring, new drainage structures as well as some new construction, commenting that they will have new runoff issues as well.

Jake Ivey

Mr. Ivey said, in the Background and Summary, there is a statement to the effect that a segment of the Old Santa Fe Trail across the site is noted in the 1991 Report, but she couldn't find it.

Ms. Abbott said when Pitel and Tigges did their survey, which is excellent, what they believed were actual segments of road was an area on the property where it had been bulldozed from "this" direction and flattened down "here." She said the fields were terraced a long time ago, and it matches exactly where they saw what they believed were trail segments, noting it really looked like a berm that could have been the trail. She said it's far away from the other locations where traditionally the trail segment had gone through, and there is no evidence of that left. She thinks they mistook "this" terrace edge for the edge of a road alignment, and on the ground, and with a GPS, she was not able to recreate in any sense the road alignments that Pitel and Tigges noted. She said their map had the segment stopping, because they couldn't find it extending either. She said she thinks it makes perfect sense for them to believe these were segments coming up out of the Arroyo de las Chamisos. The road segments which currently exist on the property now were there only because of the construction of the building and probably access to the fields that covered half of this property.

Mr. Ivey asked Ms. Abbott if there a discussion along those lines in the report.

Ms. Abbott said yes, it is on page 26.

Mr. Ivey said this addresses his concerns, so he has no comments, other than the photographs are so awful in the versions we get from staff.

Ms. Abbott said she used to include color copies for the entire Committee, because color is the only way you're ever going to see it.

Mr. Ivey said it is a useless expense.

Gary Funkhouser

Mr. Funkhouser had no comment.

Tess Monahan

Ms. Monahan thanked Ms. Abbott for integrating this site in the description of the history, because it makes a cohesive story for her. She asked, referring to page 14, where is the pond.

Ms. Abbott asked if she is speaking of the future ponds, noting there are no ponds now.

Ms. Monahan asked where those are intended to be.

Ms. Abbott said in the larger design plan, mid-center down, is where the ponds will be located, noting the pond berm details are at the bottom of the page.

Ms. Monahan said on Page 10, Paragraph 2, line 6, there should be no comma after "the eastern third."

Chair Kulisheck

Chair Kulisheck said it is an excellent report, and he particularly likes the site specific culture history, noting it's something we usually don't see here at the Committee. We usually get a canned culture history with a few extra paragraphs which are site specific. He really like the way she tailored the culture history throughout, specific to this location. He said the fact that it's light on things like archaic which she didn't find, although there were a few flakes which might be archaic, doesn't detract from the Report and is exactly appropriate and really enhanced the quality of the report.

Chair Kulisheck commented and made recommendations as follows:

- a) Page 10, Paragraph 2, line 2 says, "...developed vegetation typical of a grassland transition ecotone.." He said in 1993 in *New Mexico Vegetation*, Dick Petty talks about this being an ecosystem in its own right, Juniper Savanna, and he really likes that. He said the thing that is strange to him is, when he thinks of this particular area, the tree density is a little too high and there is too much pinon in that component. However, her whole point is that it is the disturbance and the return which led to an ecosystem which is different from what would have been there in the first place. He likes the idea of Juniper Savanna, and she doesn't need to change it, he just wanted to direct her to Dick Petty and his section on that for the future. He said he believes a lot of Santa Fe, particularly the southern part of Santa Fe, is Juniper Savanna.

- b) On Page 14, it would have been helpful to have a single entire construction plan.

Ms. Abbott said it gets so small on one page, but she understands his point.

- c) Page 20, Paragraph 1, line 4, he believes Ms. Abbott has stated incorrectly, the interval of the transects. He said it says 15 meters here, but he assumes she means 15 feet, because the standard is that transects in this area cannot be greater than 25 feet or 8 meters, so if she did 15 meter transects, the Committee would reject the report and ask her to resurvey the area. He assumes she did 15 foot transects.

Ms. Abbott said that should be 5 meters, and she will correct that.

- d) On Page 30, in her discussion of the pre-Columbian artifact assemblage, she uses two different spellings of Madeira Chert on lines 3 and 4. He said she should standardize and the spelling he would use would be Madera because that is the name of the geological formation, although the alternate spelling she uses is also appropriate in Spanish. It means wood or horn and you can use either spelling, noting she has both the modern and the archaic spelling.

Ms. Abbott said the first use of this is by Helene Warren's spelling, and she would use her spelling, noting she was the first to use Madeira.

Chair Kulisheck said Ms. Abbott used Madera, like the geological formation, earlier in the report, but he didn't flag it. He said it should be standardized and Warren's spelling is fine, as long as it is consistent throughout the report.

- e) One Page 46, in the discussion of the Historic Trash Dump, she establishes the age of the Trash Dump using some artifacts, including some that are shown in the photographs, for example Figure 33, and asked her to provide references which support the age of the site.

- f) On Page 54, Paragraph 2, [as on page v in the Abstract] she says, "The trash dump recorded as LA 172389 dates from the construction of the museum and subsequent development, making the earliest dumping activities 77 years old, as significant as defined in 14-75.14 of the City of Santa Fe Archaeological Review Districts Ordinance." He said this incorrect, because the Ordinance provides that 75 years is only one of two criteria that must be met, and being 75 years alone doesn't make it significant. It must also meet one or more of criteria 2 through 6. That is criteria 1 which provides, "Cultural remains that are more than 75 years old and..."

Chair Kulisheck said he is reading this two different ways. Either, one, the property is significant but the reporting that you have done is sufficient data recovery to mitigate the impact that will take place to the site from significance. Or, the other way he could read and interpret it, is although the site is greater than 75 years old, it does not meet criteria 2 through 6 and is not significant. He doesn't know which it is.

Ms. Abbott said her recommendation was to not overlook that the age could make it a significant property in and of itself, but that the data recovery which occurred during survey recordation of the site was sufficient. She said she didn't want to say that because of the age dating that would make it a significant resource worthy of being recorded, but she could be swayed. She said she is saying it has no other integrity than age, as far as she can determine.

Chair Kulisheck recommended that she go the second route and say, "Although it is 75 years old, it is not significant under criteria 2 through 6." He said if she went the first route he would want a total inventory, a sample inventory or a representative inventory which isn't provided in this report. He will leave it to her to make this decision.

Ms. Abbott said she would say it was based on the sampling, and not all of the artifacts were analyzed. It was merely a sample, and based on the sample, even though there are materials that were deposited or manufactured before 1937, that the dump dates from that time period. And there also are a sampling of artifacts that are later. She said this isn't a pristine 1936 dump, because it's been disturbed. She is willing to say that she doesn't believe additional work is necessary on the site, or needed to demonstrate the age or significance of it.

Chair Kulisheck asked her to recraft the paragraph to reflect that language, which would address his concerns for this particular report.

John Murphy said the City Land Use Attorney is making the point to all of the commissions with whom they work, to really cite the Ordinance and not use "archaeological shorthand." If it doesn't meet one component of the Ordinance, say it very exclusively.

Chair Kulisheck said Ms. Abbott isn't the first to come before this Committee with a particular error regarding the age, noting Steve Post brought this before ARC last week and he has language identical to hers, saying the thing is significant because it is 75 years old, which he believes is insufficient to make it significant under the Ordinance. He said "you can't go wrong" by citing the language of the Ordinance and saying significant or not based on those criteria and then following the procedure set out in the ordinance.

Chair Kulisheck asked Mr. Murphey if he is comfortable with reviewing an amended or edited report to ensure these changes are made, and Mr. Murphey said yes.

MOTION: Tess Monahan moved, seconded by Jake Ivey, with respect to Case #AR-12-12, to approve the Reconnaissance Report for approximately 8.4 acres for the proposed construction at 704 Camino Lejo, located within the River and Trails Archaeological Review District, requested by Alysia L. Abbott, Abbotek, Inc., for the Wheelwright Museum of the American Indian, property owner, with the recommended changes, pending staff review and approval that such changes have been made.

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

F. ADMINISTRATIVE MATTERS

Chair Kulisheck introduced Derek Pierce, saying he invited him to attend the meeting to see if he had any interest in serving on this Committee, and submitting a request to Mayor Coss to be appointed to the Committee. He said Mr. Pierce is the Program Manager for the Historic Preservation Division's Archaeological Records Management Section. He said Mr. Pierce has done a lot of archaeology in northern and central New Mexico, and knows the archaeology of this area quite well. He said prior to coming to HPD, he worked in Northwestern New Mexico. He attended Southern Illinois University.

Mr. Pierce said he was reading the qualifications, noting he has a Bachelor's Degree, but he does not have an advanced degree.

Chair Kulisheck said in his letter to the Mayor, Mr. Pierce should explain explicitly why he believes his experience and work history are a suitable substitute for an advanced degree. He noted that Mr. Pierce lives within the City limits.

2012 ARCHAEOLOGY AWARD

Mr. Murphey asked the Committee to fill out the ballot which is in the packet, and get it to him.

Responding to the Chair, Mr. Murphey said he was advised to suggest that the Committee members select only one person, but if they want to change that let him know.

It was the consensus among the Committee to proceed as recommended by Mr. Murphey.

Mr. Murphey said he has a letter report on the investigation requested by Cherie L. Scheick, Program Director, Southwest Archaeological Consultants, at the last Committee meeting. He said the investigation went very well. They only had to make one hole, and they found the pipe immediately along the alignment where they thought it would be. He said they will be approaching the Committee at the next meeting with a full blown request. He said a secondary request came in concerning this case, to amend the easement language, commenting that the request is not official, because it isn't on letterhead. He said right now, it says there can no disturbance within the boundary of the easement, and they want to use the required phrase and add language "unless one approaches the ARC and there is approval from ARC to do data recovery, etc." He said once he receives the official request, it will be part of a packet for the next meeting or another meeting after that.

Mr. Murphey said there has been some citizen and archaeology concern about what is happening at the Drury project. He said staff met with the Drury and OAS. It was a very positive meeting and there were some developments which were not understood from past reviews by this Committee. He isn't saying there is new work, but the level of monitoring and protocol has been better defined. He said they are going to provide us with a map with overlay colors that will show all areas of monitoring on all areas of new

protocol. He will deliver a copy of that to the Committee when that is produced, hopefully the next meeting or the one after that.

Chair Kulisheck said his understanding is that the excavation on the Drury property satisfied its requirements under the Ordinance, and asked if the monitoring that is being conducted subject to that excavation is being required.

Mr. Murphey said there are several phases. One is a large utility corridor which will go near where the so-called cobblestone road is located, and because that alignment could shift, or something else might be discovered with the deeper excavation, there are two monitors at that location. Currently, they are working on a ramp around the southeast side. The profile of the ramp is deeper than what was projected, so they have an OAS monitor at that location. There is some talk of putting in water recovery barrels – huge 20,000 gallon submerged barrels – at the northwest corner, and there was an agreement at the meeting that if they go below a certain level, there would be an OAS monitor to watch that activity.

Mr. Murphey said they also are working along the Palace Street section, and they hit the cobblestone foundation of the old infirmary, and because of that OAS was called in to do some quick data recovery report writing. He said until the meeting “it was unclear where the protocol and monitoring to come out and do quick reporting was going to incur.”

Responding to the Chair, Mr. Murphey said he received calls because people were alarmed by the sight of these workmen throwing cobbles over their shoulder.

Chair Kulisheck said the Ordinance requires only a certain level of investigation, and it appears that Drury had completed that.

Mr. Murphey said the Drury is very interested in using what they find for their marketing, so they are willing to do more.

Chair Kulisheck said that is good and is appreciated by the Committee

Mr. Murphey said he will be coming forward with the overlay map because there was some confusion about the different ARC approvals because the phasing of the project changed.

G. COMMUNICATIONS

The staff and the Committee presented Chair Kulisheck with a card on leaving the Committee, and wished him well in his new endeavor.

H. MATTERS FROM THE COMMITTEE

Ms. Monahan thanked Chair Kulisheck for his leadership. She asked what is the next procedure for the election of a Chair.

Chair Kulisheck said Ms Monahan will preside at the next meeting, and during Administrative Matters, an election will be held to elect a new Chair during Administrative Matters, and Mr. Murphey said this is correct.

Chair Kulisheck said, although he has asked Derek Pierce to consider joining this Committee, the Mayor is going to request that we submit at least two names for appointment to the vacancy. He said in the next week he will try to locate a second individual to suggest for membership so the Mayor has a few choices from among which to make his appointment, and he will work with Mr. Murphey in this regard. He reiterated that Mr. Pierce would make an excellent member of this Committee.

Chair Kulisheck thanked all of the people serving with him on the Committee, the staff for its work and the stenographer for helping the Committee. He said it has been a tremendous experience, and it is very disappointing to him that he has to leave, but he does have to move on.

I. BUSINESS FROM THE FLOOR

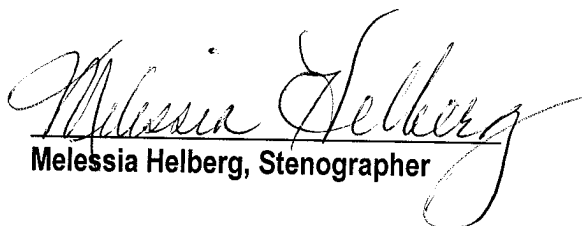
There was no business from the floor.

J. ADJOURNMENT

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

VOTE: The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 6:00 p.m.

Jeremy Kulisheck, Chair


Melessia Helberg, Stenographer